



# City of Rialto

## Legislation Details (With Text)

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<b>Type:</b>	Agenda Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	9/18/2020	<b>In control:</b>		Planning Commission	
<b>On agenda:</b>	9/30/2020	<b>Final action:</b>			
<b>Title:</b>	<p>Precise Plan of Design No. 2019-0048: A request to allow the development of a 7,948 square foot multi-tenant building with a convenience store and two (2) quick service restaurants, one with drive-thru access, a 5,324 square foot automobile fuel canopy with 8 islands and 16 fuel dispensers, a 2,542 square foot drive-thru restaurant and 1,152 square foot truck fuel canopy with 3 islands and 6 fuel dispensers on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan. A Mitigated Negative Declaration (Environmental Assessment Review No. 2019-0060) was prepared for the project and all of its components, in accordance with the California Environmental Quality Act (CEQA).</p> <p>Conditional Development Permit No. 2019-0022: A request to allow the establishment of 4,400 square foot convenience store within a proposed 7,948 square foot multi-tenant commercial building on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan.</p> <p>Conditional Development Permit No. 2020-0013: A request to allow the sale of beer and wine for off-site consumption within a 4,400 square foot convenience store within a proposed 7,948 square foot multi-tenant commercial building on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan.</p> <p>Conditional Development Permit No. 2020-0014: A request to allow the development of a 2,542 square foot pad restaurant building with drive-through service on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan.</p> <p>Conditional Development Permit No. 2020-0015: A request to allow the development of a 1,798 square foot quick service restaurant with drive-through service within a proposed 7,948 square foot multi-tenant commercial building on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan.</p> <p>Conditional Development Permit No. 2020-0016: A request to allow the development of an automobile fuel station consisting of a 5,324 square foot canopy with 8 islands and 16 fuel dispensers on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APNs: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan.</p> <p>Conditional Development Permit No. 2020-0017: A request to allow the development of a truck fuel station consisting of a 1,152 square foot canopy with 3 islands and 6 fuel dispensers on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APNs: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan.</p>				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Location Map.pdf, 2. Exhibit B - Site Plan.pdf, 3. Exhibit C - Multi-Tenant Floor Plan.pdf,

4. Exhibit D - Restaurant Pad Floor Plan.pdf, 5. Exhibit E - Multi-Tenant Elevations.pdf, 6. Exhibit F - Auto Canopy Elevations.pdf, 7. Exhibit G - Truck Canopy Elevations.pdf, 8. Exhibit H- Restaurant Pad Elevations.pdf, 9. Exhibit I - Landscape Plans .pdf, 10. Exhibit J - Crime Prevention Plan.pdf, 11. Exhibit K - Initial Study.pdf, 12. Exhibit L - MND and MMRP.pdf, 13. Exhibit M - SCAQMD Comment Letter.pdf, 14. Exhibit N - Applicant's Response to SCAQMD.pdf, 15. Exhibit O - Revised AQ-GHG Study.pdf, 16. Exhibit P - EAR 2019-0060 Draft Resolution.pdf, 17. Exhibit Q - PPD 2019-0048 Draft Resolution.pdf, 18. Exhibit R - CDP 2019-0022 Draft Resolution.pdf, 19. Exhibit S - CDP 2020-0013 Draft Resolution.pdf, 20. Exhibit T - CDP 2020-0014 Draft Resolution.pdf, 21. Exhibit U - CDP 2020-0015 Draft Resolution.pdf, 22. Exhibit V - CDP 2020-0016 Draft Resolution.pdf, 23. Exhibit W - CDP 2020-0017 Draft Resolution.pdf

Date	Ver.	Action By	Action	Result
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For the Planning Commission Meeting of September 30, 2020

TO: Honorable Chairman and Planning Commissioners

APPROVAL: Karen Peterson, Development Services Department

FROM: Edgar Gonzalez, Assistant Planner

**Precise Plan of Design No. 2019-0048:** A request to allow the development of a 7,948 square foot multi-tenant building with a convenience store and two (2) quick service restaurants, one with drive-thru access, a 5,324 square foot automobile fuel canopy with 8 islands and 16 fuel dispensers, a 2,542 square foot drive-thru restaurant and 1,152 square foot truck fuel canopy with 3 islands and 6 fuel dispensers on 4.27 acres of land, located at the southeast corner of Renaissance Parkway and Alder Avenue (APN: 0240-211-14) within the Freeway Commercial (FC) zone of the Renaissance Specific Plan. A Mitigated Negative Declaration (Environmental Assessment Review No. 2019-0060) was prepared for the project and all of its components, in accordance with the California Environmental Quality Act (CEQA).

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**APPLICANT:**

Prestige Development Group, LLC, 595 S. Andover Drive, Anaheim, CA 92807.

**LOCATION:**

The project site consists of one (1) parcel of land (APN: 0240-211-14) located at the southeast corner of Renaissance Parkway and Alder Avenue (Refer to the attached Location Map (**Exhibit A**)).

**BACKGROUND:**

*Surrounding General Plan Land Use Designations*

<b>Location</b>	<b>General Plan Designation</b>
Site	Specific Plan with a Specific Plan Overlay (Renaissance SP)
North	Specific Plan with a Specific Plan Overlay (Renaissance SP)
East	Specific Plan with a Specific Plan Overlay (Renaissance SP)
South	Specific Plan with a Specific Plan Overlay (Renaissance SP)
West	Specific Plan with a Specific Plan Overlay (Renaissance SP)

*Surrounding Zoning Designations*

<b>Location</b>	<b>Zoning</b>
Site	Freeway Commercial (F-C)
North	Freeway Commercial (F-C)
East	Employment (EMP)
South	Employment (EMP)
West	Utilities (U) and Employment (EMP)

*\*All zones are within the Renaissance Specific Plan*

*Site Characteristics*

The project site is relatively flat, rectangular-shaped piece of land comprised of one (1) parcel, entirely vacant and covered only by natural grasses and shrubs. A .20 acre portion of the parcel lies north of Renaissance Parkway however, this area is not proposed to be developed and a condition of

approval will require the applicant to process a lot line adjustment accordantly.

### *Surrounding Area*

The project site is bound by Renaissance Parkway to the north and Alder Avenue to the west. North of the project site is a vacant lot and to the west is a utility site and a vacant lot. The Target Food Distribution Center is located south and east of the project site.

## **ANALYSIS/DISCUSSION:**

### *Project Proposal*

Prestige Development Group, LLC, the applicant, proposes to construct a 7,948 square foot multi-tenant building with a convenience store and two (2) quick service restaurants, one with drive-thru access. A 5,324 square foot automobile fuel canopy with 8 islands / 16 fuel dispensers, a 2,542 square foot drive-thru restaurant and 1,152 square foot truck fuel canopy with 3 islands / 6 fuel dispensers. The convenience store will offer beer and wine for off-site consumption.

### *Entitlement Requirements*

Per Table 3.2 (General Permitted Uses) of the Renaissance Specific Plan, the development of a service fuel station, a convenience store, and a commercial buildings with drive-thru service within the Freeway Commercial (FC) zone requires the approval of separate Conditional Development Permits by the Planning Commission for each use. Per Section 18.110.040 of the Rialto Municipal Code, the sale of alcoholic beverages within a convenience store for off-site consumption also requires the approval of a separate Conditional Development Permit by the Planning Commission. The applicant complied with this requirement and filed six (6) Conditional Development Permit applications.

### *Site Design*

According to the site plan (**Exhibit B**), the applicant will construct a 7,948 square foot multi-tenant commercial building with a convenience store and two (2) quick service restaurants, one with drive-thru access. A 5,324 square foot automobile fuel canopy with 8 islands and 16 fuel dispensers, a 2,542 square foot drive-thru restaurant and 1,152 square foot truck fuel canopy with 3 islands and 6 fuel dispensers. The drive-thru lane for the 2,542 pad restaurant will wrap around the south, west and north sides of the building and provide stacking for approximately eleven (11) vehicles from the drive-thru entrance to the order window and three (3) vehicles from the order window to the pick-up window, for a total of fourteen (14) vehicles from the drive-thru entrance to the pick-up window. The drive-thru lane for the quick service restaurant will wrap around the north, east, and south sides of the multi-tenant commercial building and provide stacking for approximately ten (10) vehicles from the drive-thru entrance to pay station and seven (7) vehicle from the pay station to the car wash entrance, for a total of seventeen (17) vehicles from the drive-thru entrance to the pick-up window.

The proposal also includes vehicle parking areas throughout the project site, drive-aisles with a minimum width of twenty-six (26) feet, pedestrian pathways to and from the public right-of-way, trash enclosure and landscape planters throughout the parking areas and around the perimeter of the buildings.

### *Access*

Ingress and egress for the site will come from three (3) driveways connected to Renaissance Parkway and Alder Avenue. The north driveway has a width of (40) feet that will allow right in and right out access to Renaissance Parkway. The westerly driveway in the center of the parcel has a

width of fifty (50) feet that will allow right in right out access to Alder Avenue. The second westerly driveway south of the parcel has a width of twenty-six (26) feet that will only allow right out access to Alder Avenue. The applicant will extend an existing raised landscape median in Alder Avenue along the entire length of the project site.

### *Floor Plans*

The floor plan of the multi-tenant commercial building (**Exhibit C**) indicates that the interior will consist an eighty (80) foot wide by fifty-five (55) foot deep convenience store in the center, and a thirty-five (35) foot wide by fifty (50) feet deep quick service restaurants at both sides. The building will have an articulated footprint due to the incorporation of non-habitable projected masses with varying depths. The detailed floor plan for the quick service restaurants is to be determine by the future tenant. The convenience store shows a typical layout, which contains a merchandise display area in the center of the building, refrigerators/coolers, snack bar, and restrooms in the north and east sides of the building, and storage/cashier areas in the south side of the building. The future tenant will determine the final layout for convenience store.

The floor plan of the restaurant pad building (**Exhibit D**) indicates that the interior will consist of seventy-five (75) foot wide by thirty-two (32) foot deep. The building will have an articulated footprint due to the incorporation of non-habitable projected masses with varying depths. The detailed floor plan for the restaurant pad building is to be determine by the future tenant.

### *Architectural Design*

As shown on the elevations for the multi-tenant commercial building (**Exhibit E**), both of the canopies (**Exhibit F & G**), and the restaurant pad building with drive-thru service (**Exhibit H**), each structure will have a contemporary architectural design. This includes the incorporation of stucco finishes, light/neutral colors, cornice roofline treatments, varied roof heights, and accents. The exterior heights across all structures will range from thirteen (13) feet up to twenty-nine (29) feet. Additional architectural features include generous amounts of glass, reveals, metal wall trellises, and stone finishes.

### *Landscaping*

The landscape coverage for the entire project is 21 percent, which exceeds the minimum 10 percent required by the Renaissance Specific Plan. This includes the 10-foot landscape easement along Renaissance Parkway and Alder Avenue, planters within the parking areas and around the interior perimeter of the buildings and the site. As shown on the preliminary landscape plan (**Exhibit I**), all of the landscape planters will feature a variety of trees and an abundant amount of shrubs and groundcover.

### *Parking*

The development will have eighty-nine (89) parking spaces, including four (5) ADA accessible parking spaces, eight (8) clean air vehicle parking spaces and seven (7) truck parking spaces. This quantity exceeds the minimum parking requirement as shown in the parking calculation chart below and as required per Table 3-6 (Parking Standards) of the Renaissance Specific Plan, which requires one (1) parking space for every two-hundred and fifty (250) feet of gross floor area dedicated to convenience market/store uses and one (1) parking space for every one-hundred (100) square feet of gross floor area dedicated to restaurants, including fast food drive-through uses.

<b>Type of Use</b>	<b>Floor Area (square feet)</b>	<b>Parking Ratio</b>	<b>Number of spaces required/pr vided</b>
Convenience Market Quick Service Restaurant -1 (w/drive-thru) Quick Service Restaurant - 2 Pad Restaurant (w/drive-thru) Total Required/Total Provided	4,400 1,798 1,750 2,542	1 / 250 1 / 100 1 / 100 1 / 100	18 18 18 26 <b>80/82</b>

### Crime Prevention Plan

In accordance with Section 18.106.050A(1) of the Rialto Municipal Code, the applicant submitted a Crime Prevention Plan (**Exhibit J**) that details measures to increase employee and customer safety and minimize criminal activity within the convenience market. Safety measures contained within the Crime Prevention Plan include the installation of security lighting at a minimum of 1.5 foot-candles around the entire building, the installation of alarms, security cameras connected to the Police Department surveillance program, Sergeant Joshua Lindsay with the Rialto Police Department reviewed and endorsed the prevention measures contained within the applicant's Crime Prevention Plan and concluded that, if properly implemented and sustained, these safety measures will minimize crime and nuisance activities that may otherwise be associated with the convenience market.

### Off-Sale of Beer and Wine

In addition to the sale of typical convenience-type merchandise, the convenience store will sell alcoholic beverages for off-site consumption. Specifically, to obtain a Type 20 license from the California Department of Alcoholic Beverage Control (ABC) for the sale of beer and wine.

According to the ABC, the project site is located within Census Tract 23.06, and ABC will allow a maximum of two (2) licenses by right within this particular census tract, based upon its current population of 4,169 persons. Currently, ABC has one (1) active licenses within Census Tract 23.06 - (i) 7-Eleven located at 1130 W. Renaissance Parkway, which will not exceed the maximum number of licenses allowed by right in Census Tract 23.06.

As it appears that the proposed Type 20 License will not result in overconcentration of Census Tract 23.06, the findings have been incorporated below in the case that ABC requires a PCN letter from the City.

Section 18.110.090 of the Rialto Municipal Code provides specific requirements regarding the issuance of a PCN for projects that are within census tracts that are, or will be, overconcentrated with ABC licenses for the sale of alcoholic beverages for off-site consumption. These requirements are intended to ensure that the issuance of the ABC license for the project will not negatively affect the neighboring uses. The proposed Type 20 ABC license request meets these requirements and can be approved based on the following findings:

- 1) The applicant prepared and submitted a Crime Prevention Plan (**Exhibit J**) for the project, in accordance with Section 18.106.050 of the Rialto Municipal Code. Sergeant Joshua Lindsay with the Rialto Police Department reviewed and endorsed the prevention measures within the Crime Prevention Plan. Safety measures contained within the Crime Prevention Plan include the installation of security lighting at a minimum of 1.5 foot-candles around the entire building, the installation of alarms, security cameras connected to the Police Department surveillance

program. The Rialto Police Department concludes that, if properly implemented and sustained, these safety measures will minimize crime and nuisance activities that may otherwise be associated with the establishment.

- 2) The request will not lead to the grouping of more than four (4) establishments that sell alcoholic beverages for off-site consumption within a 1,000-foot radius of the proposed project. There are currently no active ABC licenses within 1,000 feet of the proposed project.
- 3) Section 18.110.050 of the Rialto Municipal Code provides separation criteria between establishments that engage in the off-sale of alcohol, and sensitive uses, such as churches, schools, etc. Measurements are obtained by measuring the airline from the closest edge of any sensitive use structure to the closest edge of the premises or parking lot or area of the establishment for off-sale of alcoholic beverages, using whichever distance is shorter. The proposed location of the Circle-K, in which beer and wine will be available for sale, exceeds the minimum separation criteria as shown in the chart below and as required by Section 18.110.050 of the Rialto Municipal Code:

<b>Separation from...</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Meets Code</b>
<i>Schools</i>	Min. 1,000 ft.	4,976+/- ft.	Yes
<i>Churches/Parks</i>	Min. 500 ft.	5,332+/- ft.	Yes
<i>Residential Areas</i>	Min. 100 ft.	2,750+/- ft.	Yes

- 4) The proposed use will be vital to the success of the convenience store. The stability of the business requires a complete range of typical convenience-type merchandise, as other convenience markets in the near vicinity already provide this service to their customers.

The project also includes the construction of street improvements along the entire project frontage of Renaissance Parkway and Alder Avenue. The street improvements will include a new sidewalk, curb, gutter, street widening, as well as an extension of a raised median along the entire project frontage of Alder Avenue. Additionally, the applicant will pay development impact fees related to traffic. All street improvements, "fair-share" payments, and development impact fee payments must be paid and/or completed prior to final inspection and occupancy.

The proposed Type 20 license will not contribute to the over-concentration of off sale of alcoholic beverages within Census Tract 23.06.

#### *Land Use Compatibility*

The project and its design are consistent with the Freeway Commercial (F-C) zone of the Renaissance Specific Plan and the Design Guidelines contained within Chapter 18.61 of the Rialto Municipal Code. There are no sensitive uses immediately adjacent to or nearby the project site. As such, the project will not negatively affect the surrounding area. The project will provide a benefit to the community and an improvement to the surrounding area.

#### *Fiscal Analysis*

Prior to completion of the project, the applicant will pay plan check, permit, and development impact fees to the City. Additionally, the value of the new commercial development will increase the value of the land, which will result in increased property tax collections from the County of San Bernardino, of which the City will receive a portion. Retail sales tax generated by all the commercial components of

the project will also result in additional tax revenue distributed to the City. Furthermore, the project will generate approximately 20 to 30 jobs, increasing employment opportunities for City of Rialto residents.

### **GENERAL PLAN CONSISTENCY:**

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

**Goal 2-16:** Improve the architectural and design quality of development 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.

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

### **ENVIRONMENTAL IMPACT:**

#### *California Environmental Quality Act*

The applicant engaged Matthew Fagan Consulting Services, Inc. to prepare an Initial Study (Environmental Assessment Review No. 2019-0060) for the project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Initial Study is attached to the agenda report (**Exhibit K**). Based on the findings and recommended mitigation within the Initial Study, staff determined that the project will not have an adverse impact on the environment and prepared a Mitigated Negative Declaration (**Exhibit L**). Although the Mitigated Negative Declaration identified potential impacts related to biological resources, cultural resources, transportation, and tribal cultural resources, any of these impacts will be reduced to a level of insignificance subject to the imposition of the recommended mitigation contained within the project's Mitigation Monitoring and Reporting Program (MMRP) (**Exhibit L**).

The Planning Division published a Notice of Intent to adopt the Mitigated Negative Declaration for the project in the San Bernardino Sun newspaper and mailed notices to all property owners within 300 feet of the project site. A twenty (20) day public comment period for the Mitigated Negative Declaration began on July 18, 2020 and ended on August 6, 2020. The Planning Division received one (1) comment letter during this period from the South Coast Air Quality Management District (SCAQMD).

On August 6, 2020, the Planning Division received a letter from Lijin Sun, J.D., Program Supervisor, with the South Coast Air Quality Management District (SCAQMD) (**Exhibit M**). Ms. Sun's letter recommended that a health risk assessment should be completed for the gasoline service station to provide substantial evidence to support the conclusion that the proposed project's air quality impact to sensitive receptors from exposure to air toxic contaminants would be less than significant. The letter also provided guidance on the projects AQ/GHG analysis (VOC's emissions) and necessary SCAQMD permits and compliance for the standard SCAQMD rules and regulations. The applicant submitted a response letter to the Planning Division on August 18, 2020 (**Exhibit N**). The applicant's response letter stated that the California Air Pollution Control Officers Association health risk assessment for proposed land use projects recommends that the minimum spacing for large gasoline



fueling stations (with 3.6 million gallons of through put per year or greater) is 300 feet from sensitive receptors. The applicant concluded that project is located approximately 2,750 feet from the nearest residential receptor, which is more than 9 times the recommended spacing. Based on the CAPCOA established guidance, the project would not be expected to expose sensitive receptors to substantial pollution concentrations. The applicant response letter also documented an update to the VOC's analysis and indicated that the AQ/GHG analysis has been revised (**Exhibit O**) to correct the calculation error, as it previously overestimated the amount of gasoline and diesel fuel expected to be sold at the project site. No mitigation measures are required as a result of the revised AQ/GHG Analysis and all impacts are still considered less than significant. The Planning Division forwarded a copy of the response letter to the SCAQMD on August 18, 2020. The SCAQMD did not provide any further comment upon receiving the response.

### **PUBLIC NOTICE:**

The City mailed a public hearing notice for the proposed project to all property owners within 300 feet of the project site and published the public hearing notice in the *San Bernardino Sun* newspaper as required by State law.

### **RECOMMENDATION:**

The Planning Division recommends that the Planning Commission:

- Adopt the attached Resolution (**Exhibit P**) to approve the Mitigated Negative Declaration for the proposed project and authorize staff to file a Notice of Determination with the Clerk of the Board of San Bernardino County; and
- Adopt the attached Resolution (**Exhibit Q**) to approve Precise Plan of Design No. 2019-0048 to allow the development of a 7,948 square foot multi-tenant building with a convenience store and two (2) quick service restaurants, one with drive-thru access. A 5,324 square foot automobile fuel canopy with 8 islands and 16 fuel dispensers, a 2,542 square foot drive-thru restaurant and 1,152 square foot truck fuel canopy with 3 islands and 6 fuel dispensers, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit R**) to approve Conditional Development Permit No. 2019-0022 to allow the establishment of 4,400 square foot convenience store, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit S**) to approve Conditional Development Permit No. 2020-0013 to allow the sale of beer and wine for off-site consumption from a proposed 4,400 square foot convenience store, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit T**) to approve Conditional Development Permit No. 2020-0014 to allow the development of a 2,542 square foot pad restaurant building with drive-thru service, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit U**) to approve Conditional Development Permit No. 2020-0015 to allow the development of a 1,798 square foot quick service restaurant with drive-thru

service, subject to the findings and conditions therein; and

- Adopt the attached Resolution (**Exhibit V**) to approve Conditional Development Permit No. 2020-0016 to allow the development of an automobile fuel station consisting of a 5,324 square foot canopy with 8 islands and 16 fuel dispensers, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit W**) to approve Conditional Development Permit No. 2020-0017 to allow the development of a truck fuel station consisting of a 1,152 square foot canopy with 3 islands and 6 fuel dispensers, subject to the findings and conditions therein.