



City of Rialto

Legislation Text

File #: PC-21-0736, Version: 1

For the Planning Commission Meeting of October 13, 2021

TO: Honorable Chairman and Planning Commissioners

FROM: Daniel Casey, Acting Community Development Manager

Conditional Development Permit No. 2021-0009: A request to allow the development and operation of a passenger vehicle fuel station consisting of seven (7) fuel dispensers and a 5,519 square foot overhead canopy on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared.

Conditional Development Permit No. 2021-0010: A request to allow the development and operation of a truck fuel station consisting of nine (9) fuel dispensers and a 3,544 square foot overhead canopy on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared.

Conditional Development Permit No. 2021-0011: A request to allow the establishment of a 12,297 square foot convenience market/travel center within a proposed 14,697 square foot commercial building on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared for consideration in conjunction with the project.

Conditional Development Permit No. 2021-0012: A request to allow the establishment of a 2,400 square foot restaurant with drive-thru service within a proposed 14,697 square foot commercial building on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared for consideration in conjunction with the project.

Conditional Development Permit No. 2021-0013: A request to allow the development and operation of a 6,375 square foot truck service shop building on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway

Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared for consideration in conjunction with the project.

Conditional Development Permit No. 2021-0014: A request to allow the sale of beer and wine for off-site consumption from a proposed 12,297 square foot convenience market/travel center on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared for consideration in conjunction with the project.

Precise Plan of Design No. 2021-0013: A request to allow the development of a passenger vehicle fuel station consisting of seven (7) fuel dispensers and a 5,519 square foot overhead canopy, a truck fuel station consisting of nine (9) fuel dispensers and a 3,544 square foot overhead canopy, a 14,697 square foot commercial building with drive-thru service, a 6,375 square foot truck service shop building, and associated fuel tanks, paving, screen walls, fencing, lighting, landscaping, and drainage improvements on 13.22 acres of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway within the Freeway Incubator (FI) land use district of the Renaissance Specific Plan. An Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) has been prepared for consideration in conjunction with the project.

Together, the above shall hereinafter be referred to as “Project” or “project”.

APPLICANT:

Rialto Travel Center, 5508 Lonas Drive, Knoxville, TN 37909

LOCATION:

The project site consists of one (1) parcel of land (APN: 1119-241-28) located at the southwest corner of Alder Avenue and Sierra Lakes Parkway (Refer to the attached Location Map (**Exhibit A**)).

BACKGROUND:

Surrounding General Plan Land Use Designations

<i>Location</i>	<i>General Plan Designation</i>
Site	Specific Plan with a Specific Plan Overlay
North	Public Facility with a Specific Plan Overlay
East	Specific Plan with a Specific Plan Overlay
South	Specific Plan with a Specific Plan Overlay
West	Specific Plan with a Specific Plan Overlay

Surrounding Zoning Designations

Location	Zoning
Site	Renaissance Specific Plan (Freeway Incubator (FI))
North	Rialto Airport Specific Plan (General Manufacturing (I-GM))
East	Renaissance Specific Plan (Freeway Incubator (FI))
South	Renaissance Specific Plan (Freeway Incubator (FI))
West	Renaissance Specific Plan (Freeway Incubator (FI))

Site Characteristics

The project site is a relatively flat, asymmetrical-shaped piece of land comprised of one (1) parcel. The parcel is 13.22 acres in size with approximate average dimensions of 2,500 feet (east-west) by 230 feet (north-south) and is entirely vacant and covered only by natural grasses and shrubs, except for two (2) freeway advertising billboards.

Furthermore, the project site is located within Planning Area 1 (PA 1) of the Renaissance Specific Plan, which has a land use designation of Freeway Incubator (FI). The FI land use designation is intended to accommodate larger retail and business uses that serve the region, such as automobile and boat sales, lodging, travel services, showrooms, etc.

Surrounding Area

The project site is bound by Sierra Lakes Parkway on the north and Alder Avenue on the east. To the north, across Sierra Lakes parkway, is a rock quarry, and to the east, across Alder Avenue, is a Shell fuel station. To the south is a San Bernardino County Flood Control Channel, and to the west is approximately 3.14 acres of vacant land.

Purchase and Sale Agreement

The project site is currently owned by the City of Rialto. On November 10, 2020, the City Council approved a Purchase and Sale Agreement to sell the City-owned parcel of land to the applicant. The agreed upon land sale transaction is currently in escrow pending completion of the applicant's entitlement process.

ANALYSIS/DISCUSSION:

Project Proposal

Rialto Travel Center, the applicant, proposes to develop and operate the following on the project site:

- 7 fuel dispensers for passenger vehicles and a 5,519 square foot canopy
- 9 fuel dispensers for trucks and a 3,544 square foot canopy
- 14,697 square foot commercial building with drive-thru service
 - 12,297 square foot convenience market/travel center
 - 2,400 square foot fast-food restaurant with drive-thru service
 - Sale of beer and wine for off-site consumption

- 6,375 square foot truck service shop
- Associated fuel tanks, paving, screen walls, fencing, lighting, landscaping, and drainage improvements

Entitlement Requirements

The following entitlements are required for the applicant's proposal:

- Conditional Development Permit No. 2021-0009: Per Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the development and operation of a fuel station for passenger vehicles within the FI land use district requires the approval of a Conditional Development Permit.
- Conditional Development Permit No. 2021-0010: Per Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the development and operation of a fuel station for trucks within the FI land use district requires the approval of a Conditional Development Permit.
- Conditional Development Permit No. 2021-0011: Per Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the establishment of a convenience market/travel center within the FI land use district requires the approval of a Conditional Development Permit.
- Conditional Development Permit No. 2021-0012: Per Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the establishment of a fast-food restaurant with drive-thru service within the FI land use district requires the approval of a Conditional Development Permit.
- Conditional Development Permit No. 2021-0013: Per Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the development and operation of a truck service shop within the FI land use district requires the approval of a Conditional Development Permit.
- Conditional Development Permit No. 2021-0014: Per Chapter 18.110 (Regulation of the Off-Sale of Alcoholic Beverages) of the Rialto Municipal Code, the sale of beer and wine for off-site consumption within the FI land use district requires the approval of a new Conditional Development Permit.
- Precise Plan of Design No. 2021-0013: Per Section 18.65.010 of the Rialto Municipal Code, the design of the development and the related site improvements (e.g. building exterior, landscaping, etc.) requires the approval of a Precise Plan of Design.

Site Design

According to the site plan (**Exhibit B**), the applicant will construct the fuel canopies and the commercial building with drive-thru service on the east end of the project site near Alder Avenue, while the truck service shop will be located on the west end of the project site.

The drive-thru lane for commercial building will wrap around the east side of the building and provide stacking for approximately six (6) 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 nine (9) vehicles from the

drive-thru entrance to the pick-up window.

The proposal also includes passenger vehicle parking areas to the north and east of the commercial building, truck parking areas throughout the middle of the project site, accessible pedestrian pathways, a trash enclosure, an air/water machine, and landscape planters throughout the parking areas and around the perimeter of the buildings and the project site itself.

Access

Access to the site will come from five (5) driveways connected to Sierra Lakes Parkway. The widths of the driveways will range from forty-three (43) feet to seventy (70) feet. Four (4) of the driveways will accommodate full access movements of both passenger vehicles and trucks in and out of the project site, while the driveway immediately to the east of the truck fueling canopy will be limited to exit only.

Floor Plans

The floor plan of the commercial building (**Exhibit C**) indicates that the interior will consist of a 2,400 square foot fast-food restaurant in the east end of the building and a 12,297 square foot convenience market/travel center throughout the rest of the building. The building will have an articulated footprint with varying depths from 1.0 feet up to 4.67 feet from the main wall plane. The interior of the convenience market/travel center will contain merchandise display areas, refrigerators/coolers, and storage/prep/cashier areas in the middle of the building, and restrooms, showers, laundry, and a driver's lounge in the west end of the building. The applicant will place the main entrance to the convenience market/travel center on the north side of the building and secondary access points on the south and west sides of the building. The interior layout of the fast-food restaurant is not determined at this point, but the applicant will also place the main entrance of the fast-food restaurant on the north side of the building facing Sierra Lakes Parkway.

The floor plan of the truck service shop building (**Exhibit D**) indicates that the building will have an articulated footprint due to the incorporation of wall plane projections with depths of one (1) feet from the main wall plane. The interior of the truck service shop will include two (2) service bays for trucks, a customer lobby, storage areas, restrooms, and an office. The applicant will place the main entrance on the west side of the building near the entrance to the service bays, and multiple secondary access points throughout the north, east, and south sides of the building.

Architectural Design

As shown on the elevations for the commercial building (**Exhibit E**), the passenger vehicle fuel canopy (**Exhibit F**), the truck fuel canopy (**Exhibit G**), and the truck service shop building (**Exhibit H**), each structure will have a contemporary architectural design compatible with the design guidelines of the Renaissance Specific Plan. This includes the incorporation of wall-plane projections, cement board siding, metal siding, EIFS panels, earth-tone and gray colors, and roofline treatments. The exterior heights across all structures will range from nineteen (19) feet up to twenty-eight (28) feet.

Landscaping

The landscape coverage for the entire project is 29.0 percent, which exceeds the minimum of 10.0 percent required by the Renaissance Specific Plan. This includes landscape setbacks along Sierra Lakes Parkway and Alder Avenue, as well as planters within the parking areas and around the interior perimeter of the buildings and the site. As shown on the Planting 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 132 passenger vehicle parking spaces, including four (4) ADA accessible parking spaces, and 91 truck parking spaces. This quantity exceeds the minimum parking requirement as shown in the parking calculation chart below and as required by Table 3-6 (Parking Standards) of the Renaissance Specific Plan, which requires one (1) parking space for every 250 feet of gross floor area dedicated to convenience market/travel center uses, one (1) parking space for every 100 square feet of gross floor area dedicated to uses for restaurant uses, and one (1) parking space for every 500 square feet of gross floor area dedicated to vehicle service uses:

Type of Use	Floor Area (square feet)	Parking Ratio	Number of spaces required/pr ovided
Convenience Market/Travel Center	12,297	1 / 250	50
Fast-Food Restaurant	2,400	1 / 100	24
Truck Service Shop	6,375	1 / 500	13
Total Required/Total Provided			87/132

Operations

Convenience Market/Travel Center

The convenience market/travel center will operate 24 hours a day, 7 days a week, and will offer the following goods and services:

- Sales of typical convenience-type goods, such as proprietary food, snacks, drinks, cigarettes, beer and wine, lottery, etc.
- Restrooms
- Showers
- Laundry Facilities
- TV Lounge
- 91 truck parking spaces
 - Open to the public
 - For truck drivers to stop during mandatory rest periods
 - No dropped trailers

Fueling Operations

The fueling operations will be open to the public 24 hours a day, 7 day a week, and will include the following characteristics:

- 8 fueling lanes (9 dispensers) for trucks and other commercial vehicles

- 14 fueling positions (7 dispensers) for passenger vehicles
- 4 12,000-gallon steel aboveground tanks for diesel
- 1 20,000-gallon fiberglass underground tank for unleaded 87 gasoline
- 1 20,000-gallon fiberglass underground tank split between:
 - 12,000 gallons - diesel
 - 8,000 gallons - super unleaded 91
- 1 biodiesel blending shed

Fast-Food Restaurant

The fast-food restaurant operation will include the following characteristics:

- Indoor dining
- Drive-thru service
- Drive-thru capacity - 9 passenger vehicles

Truck Service Shop

The truck service shop will operate from 6:00 a.m. to 10:00 p.m., 7 days a week, and will offer the following services:

- Tire replacement
- Lubrication (oil changes, etc.)
- Routine maintenance (brakes, lights, etc.)
- No heavy engine repairs
- No body work or painting

Crime Prevention

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/travel center. Safety measures contained within the Crime Prevention Plan include the installation of security lighting throughout the entire project site, surveillance cameras, and auto-locks on the alcohol refrigerators from 2:00 a.m. to 6:00 a.m. Sergeant Jonathan Palmer 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.

Sales of Beer and Wine

As previously mentioned, in addition to the sale of typical convenience-type merchandise, the applicant proposes to sell beer and wine within the convenience market for off-site consumption and will seek 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 27.04, and ABC will allow a maximum of seven (7) licenses by right within this particular census tract, based upon its current population of 12,894 persons. Currently, ABC has seven (7) active licenses within Census Tract 27.04:

- (i) Costco - 16505 Sierra Lakes Parkway, Fontana, CA
- (ii) Walgreens - 16145 Sierra Lakes Parkway, Fontana, CA
- (iii) Ralphs - 16225 Sierra Lakes Parkway, Fontana, CA
- (iv) 7-Eleven - 16795 Sierra Lakes Parkway, Fontana, CA
- (v) Shell/Jacksons - 2281 W. Casmalia Street, Rialto, CA
- (vi) Linden Market - 2704 N. Linden Avenue, Rialto, CA
- (vii) Rosa's Market - 6108 Linden Avenue, Rialto, CA

The applicant will request that ABC issue an eighth license within Census Tract 27.04, which will exceed the maximum number of licenses allowed by right in Census Tract 27.04. As a result, prior to issuing a Type 20 ABC license to the applicant, ABC requires that the City make a Finding of Public Convenience and Necessity (PCN) for the project.

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. Circle-K's 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 Jonathan Palmer 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 1.0 foot-candles throughout the entire project site as well as surveillance cameras. The Crime Prevention Plan also includes a measure requiring auto-locks on the alcohol refrigerators from 2:00 a.m. to 6:00 p.m. 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 project site. Though there are currently seven (7) active ABC licenses within Census Tract No. 27.04, as shown in the table below, only one (1) of those licensed establishments is located within 1,000 feet of the project site:

Existing License	Distance from Project Site
Shell/Jacksons - 2281 W. Casmalia Street, Rialto, CA	250 feet
7-Eleven - 16795 Sierra Lakes Parkway, Fontana, CA	4,500 feet
Rosa's Market - 6108 Linden Avenue, Rialto, CA	1.08 miles
Linden Market - 2704 N. Linden Avenue, Rialto, CA	1.31 miles
Costco - 16505 Sierra Lakes Parkway, Fontana, CA	1.33 miles
Ralphs - 16225 Sierra Lakes Parkway, Fontana, CA	1.77 miles
Walgreens - 16145 Sierra Lakes Parkway, Fontana, CA	1.90 miles

- 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 convenience market/travel center, 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:

Separation from...	Requirement	Proposed	Meets Code
<i>Schools (Carter High School)</i>	Min. 1,000 ft.	4,960+/- ft.	Yes
<i>Churches/Parks (Cambria Park)</i>	Min. 500 ft.	3,300+/- ft.	Yes
<i>Residential Areas</i>	Min. 100 ft.	2,190+/- ft.	Yes

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

Transportation Commission / Traffic

Kimley-Horn and Associates, Inc. prepared a Traffic Impact Study (TIS), dated September 2021, to assess the project's potential impacts to local streets and intersections (**Exhibit K**). The TIS estimates that the project will generate up to approximately 4,012 actual daily vehicle trips (5,532 PCE daily vehicle trips) with 429 trips in the AM peak hour and 371 trips in the PM peak hour. Trucks will constitute up to 760 of the 4,012 actual daily vehicle trips.

The TIS analyzed nine (9) intersections in the project vicinity, as shown in the table below:

Int. #	Intersection
1	Alder Avenue at Sierra Lakes Parkway/Casmalia Street
2	Alder Avenue at SR-210 WB Ramps
3	Alder Avenue at SR-210 EB Ramps
4	Alder Avenue at Renaissance Parkway
D1	Sierra Lakes Parkway at Driveway #1 (Truck Stop)
D2	Sierra Lakes Parkway at Driveway #2 (Truck Stop)
D3	Sierra Lakes Parkway at Driveway #3 (Truck Stop)
D4	Sierra Lakes Parkway at Driveway #4 (Truck Stop)
D5	Sierra Lakes Parkway at Driveway #5 (Gas Station)

Historical traffic counts from 2017 and early 2020 were utilized for these intersections due to the ongoing COVID-19 pandemic. The counts revealed that all nine (9) intersections currently operate at Level of Service (LOS) D or better with existing traffic, which is considered acceptable by the Rialto General Plan.

However, the TIS identified that under existing plus project generated traffic conditions the intersection of Alder Avenue and Sierra Lakes Parkway/Casmalia Street would operate at LOS E without any mitigation. Furthermore, the TIS identified that four (4) of the intersections would operate at LOS F when existing traffic conditions are combined with ambient growth, cumulative growth, and project generated traffic conditions without any mitigation. The specific intersections are (1) Alder Avenue & Sierra Lakes Parkway/Casmalia Street, (2) Alder Avenue & SR-210 Westbound Ramps, (3) Alder Avenue & SR-210 Eastbound Ramps, and (4) Alder Avenue & Renaissance Parkway.

The project and cumulative impacts to the four (4) intersections are considered significant based on City policy. However, the four (4) intersections are planned to be improved as part of the Alder Avenue/210 Interchange project. Phase 1 of the Alder Avenue/210 Interchange project will begin in 2022 and will be complete in 2023 shortly after the project opening day. The Alder Avenue/210 Interchange project is currently in the final design phase, and the TIS recommends that the applicant provide a fair-share contribution in the amount of \$577,310 or 13.1% of the project cost. The TIS concludes that implementation of the Alder Avenue/210 Interchange project and the applicant's fair-share contribution toward it will mitigate the project's effects.

The Transportation Commission reviewed and approved the TIS on October 6, 2021. In its decision, the Transportation Commission agreed with the findings and recommended the fair-share contribution and the construction of the improvements as identified in the TIS.

In addition to the Alder Avenue/210 Interchange project, the Transportation Commission recommended that the applicant physically construct improvements to the intersection of Alder

Avenue and Sierra Lakes Parkway/Casmalia Street. The recommended improvements consist of constructing a new dedicated eastbound to southbound right turn lane, restriping the northbound approach to change an existing through lane into a shared through/left lane, and associated signal modification and re-timing. The feasibility of the new dedicated right turn lane is still being explored due to a potential conflict with an existing Southern California Edison utility easement along the project frontage. Should the City Engineer determine the recommended improvement to be infeasible, the applicant will pay a fair-share contribution in the amount of \$77,300 to go towards an alternate future improvement to the intersection.

The project will construct half-width street improvements along the entire project frontage of Sierra Lakes Parkway. 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 building permit issuance or final inspection/occupancy, whichever is applicable.

Land Use Compatibility

The project and its design are consistent with the FI land use district of the Renaissance Specific Plan and the Design Guidelines contained within Chapter 18.61 of the Rialto Municipal Code. The FI land use district is intended to accommodate travel services such as those proposed by the project. The nearby area is predominantly designated for and developed with commercial and industrial uses, and as a result, there are no sensitive land uses near the project site. 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, as well as the cost of the land being purchased from the City. Additionally, the project will generate annual recurring revenues to the City General fund in the form of property taxes, utility taxes, business license taxes, and retail sales taxes. Furthermore, the project will generate approximately 80 to 95 jobs, increasing employment opportunities for City of Rialto residents.

GENERAL PLAN CONSISTENCY:

The General Plan land use designation of the site is Specific Plan with a Specific Plan Overlay. This designation requires the underlying Specific Plan to establish distinct land use designations within the Specific Plan itself. Figure 2-2 (Land Use Diagram) of the Renaissance Specific Plan indicates that the land use designation for the project site is Freeway Incubator (FI). According to Table 3-1 (Land Use Categories) and Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, retail and travel service uses, such as the project, are consistent with the FI designation. Furthermore, 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 De Novo Planning Group, Inc. to prepare an Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (EIR Addendum), in accordance with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the rules, regulations, and procedures for implementing CEQA as set forth by the City of Rialto. Section 15164(a) of the State CEQA Guidelines states that “the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

The purpose of the EIR Addendum is to analyze any potential differences between the impacts identified in the Renaissance Specific Plan Final Environmental Impact Report (RSP FEIR) and those that would be associated with the proposed Project. Pursuant to provisions of CEQA and State CEQA Guidelines, the City is the Lead Agency charged with the responsibility of deciding whether to approve development on the Project site. As detailed in the EIR Addendum, the proposed Project would result in no new significant impacts that were not analyzed in the RSP FEIR, nor would the proposed Project cause a substantial increase in the severity of any previously identified environmental impacts. The potential impacts associated with proposed Project would either be the same or less than those described in the RSP FEIR. In addition, there are no substantial changes to the circumstances under which the proposed Project would be undertaken that would result in new or more severe environmental impacts than previously addressed in the RSP FEIR, nor has any new information regarding the potential for new or more severe significant environmental impacts been identified. The EIR Addendum to the RSP FEIR is attached to the agenda report (**Exhibit L**).

Native American Tribal Consultation

In accordance with California Assembly Bill 52, the Planning Division mailed notices to six (6) Native American tribes informing them of the project and allowing them to request consultation on the project. The Planning Division provided each tribe thirty (30) days, from June 23, 2021 to July 22, 2021, to request consultation on the proposed project. One (1) tribe, The Gabrieleño Band of Mission Indians-Kizh Nation (Kizh Nation), requested formal consultation during the period. Planning staff conducted formal consultation with Chairman Andrew Teutimez-Salas and Matt Teutimez of the Kizh Nation on August 18, 2021. The topics discussed included a basic background of the project and the anticipated construction activities. During the consultation, Chairman Teutimez-Salas requested the ability to allow a certified Native American Monitor on-site during all ground disturbance activities. The Draft Resolutions of Approval include a Condition of Approval requiring the applicant to coordinate with the Kizh Nation to allow access to the project site during all ground disturbance activities.

PUBLIC NOTICE:

The City published a public hearing notice for proposed project in the *San Bernardino Sun* newspaper, posted copies of the public hearing notice outside the Council Chambers, City Clerk's Office, and the project site, and mailed public hearing notices to all property owners within 1,000 feet of the project site, as required by State law.

RECOMMENDATION:

The Planning Division recommends that the Planning Commission:

- Adopt the attached Resolution (**Exhibit M**) to approve an Addendum to the previously certified Renaissance Specific Plan Final Environmental Impact Report (Environmental Assessment Review No. 2021-0016) for the proposed project, and authorize staff to file the attached Notice of Determination with the Clerk of the Board of San Bernardino County; and
- Adopt the attached Resolution (**Exhibit N**) to approve Conditional Development Permit No. 2021-0009 to allow the development and operation of a passenger vehicle fuel station consisting of seven (7) fuel dispensers and a 5,519 square foot overhead canopy, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit O**) to approve Conditional Development Permit No. 2021-0010 to allow the development and operation of a truck fuel station consisting of nine (9) fuel dispensers and a 3,544 square foot overhead canopy, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit P**) to approve Conditional Development Permit No. 2021-0011 to allow the establishment of a 12,297 square foot convenience market/travel center within a proposed 14,697 square foot commercial building, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit Q**) to approve Conditional Development Permit No. 2021-0012 to allow the establishment of a 2,400 square foot restaurant with drive-thru service, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit R**) to approve Conditional Development Permit No. 2021-0013 to allow the development and operation of a 6,375 square foot truck service shop building, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit S**) to approve Conditional Development Permit No. 2021-0014 to allow the sale of beer and wine for off-site consumption from a proposed 12,297 square foot convenience market/travel center and make a determination that the request constitutes a public convenience and necessity, subject to the findings and conditions therein; and
- Adopt the attached Resolution (**Exhibit T**) to approve Precise Plan of Design No. 2021-0013 to allow the development of a passenger vehicle fuel station consisting of a 5,519 square foot canopy with seven (7) fuel dispensers underneath, a truck fuel station consisting of a 3,544 square foot canopy with nine (9) fuel dispensers underneath, a 14,697 square foot commercial building with drive-thru service, a 6,375 square foot truck service shop building, and associated fuel tanks, paving, screen walls, fencing, lighting, landscaping, and drainage improvements, subject to the findings and conditions therein.