

**CITY OF FONTANA**  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**FEBRUARY 19, 2013**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, February 19, 2013, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Garcia called the meeting to order at 6:02 p.m. Following the Invocation given by Commissioner Meyer, the Pledge of Allegiance was led by Commissioner Hall.

**ROLL CALL**

Present: Chairperson Garcia and Commissioners Cothran, Hall, Lee and Meyer

Absent: None.

Also Present: Director Don Williams, AICP; Attorney Matthew Silver; Senior Planner Stephanie Hall Assistant Planner Jon S. Dille; Assistant Planner Shawnika Johnson; Assistant Planner Salvador Quintanilla; Assistant Planner Dawn Rowe-Clement; Associate Engineer Rico Garay ; City Clerk Tonia Lewis; and Planning Commission Secretary Ysela Aguirre

**PUBLIC COMMUNICATION:**

**PC**

None.

**NONE**

**CONSENT CALENDAR:**

**CC**

A motion was made by Commissioner Meyer and seconded by Commissioner Lee to approve the minutes of the December 18, 2012, and February 5, 2013, Planning Commission Meetings. Motion passed by a vote of 5-0.

**MINUTES  
VOTE: 5-0**

**OTHER:**

Discussion was held on the new agenda format.

**OTHER  
NEW AGENDA  
FORMAT**

**CONSENT CALENDAR:**

**CC**

None.

**NONE**

**PUBLIC HEARINGS:**

**PH**

**A.** A Public Hearing was opened regarding: **Conditional Use Permit**

**PH A**

**No. 05-015R1:** Filed by Craig Jellison, to request an amendment to Conditional Use Permit (CUP) No. 05-015 to expand the footprint of an existing charter school (Options for Youth), from 4,150 square feet to approximately 7,795 square feet. The project site is an irregularly-shaped property consisting of one (1) parcel (APN: 0254-221-35) of approximately 1.0 gross acres and is located approximately 1,698 feet east of the intersection of Slover Avenue and Sierra Avenue, and having a frontage of approximately 42 feet on Slover Avenue. The project site is further identified as 17216 Slover Avenue, Suites L-102A and L-102B. Staff presentation was given by Project Planner Shawnika Johnson.

**CUP NO.  
05-015R1**

**VOTE: 5-0**

Discussion was held on safety of parking across the street.

Discussion was held on the ages of attendees (7<sup>th</sup> to 12<sup>th</sup> grade) and the school set up (classrooms with general auditorium style, classrooms for small group instruction, and small cubicles).

Discussion was held on emergency door exits. A condition regarding the emergency door exit will be added.

Speaking for the applicant Craig Jellison.

Discussion was held on the reason for expansion being due to demand for services.

Speaking for the applicant, Brian Albright, Principal, explained that they are not expanding due to an increase in the number of students, but to provide better instructional opportunities to current students. Mr. Albright further explained that Options is a publicly funded charter school and is accountable to provide all state mandated programs.

Discussion was held on the amount of students being serviced at one time on the site, approximately 50-60.

Discussion was held on the students' path of travel. The applicant will work with students and families to make ensure there are no loitering and no blocking of traffic.

Discussion was held on the stepping stones from the door to the parking lot. Applicant will review the use of the stepping stones to ensure a safe environment.

Applicant read, understood, and agreed to the conditions of approval including modification to the condition regarding emergency exits.

The public hearing was closed.

Discussion was held on a condition regarding bicycle racks not needed as bicycle racks must meet City Code requirements. Applicant will work with the property owner to ensure meeting code requirements.

Director Williams will follow up with Engineering staff and property owner to see what can be done about parking, i.e. timed parking sign, new crosswalk, etc.

Attorney Silver provided wording for Condition No. 17 "Emergency exits shall be utilized for emergencies only."

Applicant will have panic bars installed on the inside of the emergency exits.

A motion was made by Commissioner Meyer and seconded by Commissioner Lee to 1) Determine that the project is Categorically Exempt pursuant to Section 15301, Class 1 (Existing Facilities) of the CEQA, and direct staff to file the Notice of Exemption, and; 2) Approve Conditional Use Permit No. 05-015R1 with the addition of Condition No. 17. Motion carried by a vote of 5-0.

**B. A Public Hearing was opened regarding: Conditional Use Permit No. 11-015, Conditional Use Permit No. 12-008, Administrative Site Plan No. 11-037, Variance No. 12-001, and PLN No. 11-076.**

Filed by Jonathan L. Zane Architecture. A Conditional Use Permit (CUP) application has been submitted to continue the automobile service station (gas pumps); and a second Conditional Use Permit application has been submitted to allow a California Alcohol Beverage Control (ABC) Type No. 20 License (Off-Sale Beer and Wine). An Administrative Site Plan (ASP) application has been submitted for site and architectural review to eliminate the existing service bays, expand the retail convenience store, and upgrade the façade of the existing 2,668 square foot retail store and service station. A Variance (VAR) has also been submitted to allow a reduction in the depth of the landscape setback along Sierra Avenue and Merrill Avenue, reduce the number of parking spaces provided for the convenience store, reduce the size of the loading area, and reduce the drive aisle widths. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0194-011-14) totaling approximately .05 adjusted gross acres, located at the southeast corner of Sierra Avenue and Merrill Avenue, and having a frontage of approximately 145 feet on Sierra Avenue and a frontage of approximately 145 feet on Merrill Avenue. The site is further identified as 8921 Sierra Avenue. Staff presentation was

**PH B**  
**CUP NO. 11-015**  
**CUP NO. 12-008**  
**ASP NO. 11-037**  
**VAR NO. 12-001**  
**PLN NO. 11-076**  
**VOTE: 5-0**

given by Project Planner Salvador Quintanilla.

No communication from the public was received by staff.

A typo was found on page 43 regarding parking being 7 and not 12.

Discussion was held on the number of parking spots.

Discussion was held on the approval of this Type 20 license not creating overconcentration; if any other applicant's come forward requesting a Type 20 license, it would be over-concentrated.

Discussion was held on the variance meeting or exceeding all of the requirements.

Discussion was held on the canopy having tile or brick. The canopy meets the new standards.

Speaking for the applicant Jonathan Zane.

Applicant read, understood, and agreed to the conditions of approval.

Applicant stated that the three-bay mechanic's garage is being removed as it is not profitable to have an automotive service. The building will be completely remodeled with a new canopy, columns and sign. The applicant is trying to generate more business to provide more income for the city.

No member of the audience spoke in favor or opposition.

The public hearing was closed.

A motion was made by Commissioner Hall and seconded by Commissioner Lee to: 1. Adopt the Negative Declaration, direct staff to file a Notice of Determination; and, 2. Approve Conditional Use Permit No. 11-015, Conditional Use Permit No. 12-008, Administrative Site Plan No. 11-037 and Variance No. 12-001. Motion carried by a vote of 5-0.

C. A Public Hearing was opened regarding: **Conditional Use Permit No. 06-027R1**. Filed by Target Corporation to review and approve a revision to an existing Conditional Use Permit (CUP No. 06-027) for Target (an existing discount, department store), currently operating with a California Department of Alcoholic Beverage Control (ABC) Type 20 (Off-Sale Beer and Wine) license, to up-grade the ABC license to operate in conjunction with a new ABC Type 21 (Off-Sale General) license, and allow the establishment to sell beer, wine, and

PH C  
CUP NO.  
06-027R1

CONTINUED  
MAR 19, 2013

VOTE: 5-0

distilled spirits. The project site is an irregularly-shaped property consisting of one parcel (APN: 0254-221-53) of approximately 10.8 adjusted gross acres, located on the northeast corner of the intersection of Slover Avenue and Sierra Avenue, excluding the four (4) out-parcels, and having a frontage of approximately 500 feet on the north side of Slover Avenue and a second frontage of approximately 1000 feet on the east side of Sierra Avenue. The site is further identified as 16964 Slover Avenue. Staff recommended continuance of this item to the March 19, 2013, Planning Commission meeting.

The public hearing was closed.

A motion was made by Commissioner Lee and seconded by Commissioner Meyer to continue this item to the March 19, 2013, Planning Commission meeting. Motion carried by a vote of 5-0.

**D. A Public Hearing was opened regarding: Design Review Sign No. 12-026 A request from the applicant, National Sign and Marketing Corporation, to modify the existing Sierra Lakes Village sign program to add one additional monument sign.**

PH D  
DRS NO. 12-026  
VOTE: 5-0

Filed by Ed Gardner, National Sign and Marketing Corporation requesting to modify the existing Sierra Lakes Village sign program to add one additional monument sign and update the language in the Sierra Lakes Village sign program to reflect this proposed change. The project site is an irregularly-shaped property consisting of one parcel (APN 1119-181-12) totaling approximately 5.2 acres located on the southeast corner of Sierra Lakes Parkway and Augusta Drive, and having a frontage of approximately 495 feet along Sierra Lakes Parkway. The site is further identified as 16225 Sierra Lakes Parkway in Planning Area No. 26 of the Sierra Lakes Specific Plan. Staff presentation was given by Project Planner Dawn Rowe-Clement.

Discussion was held on the new sign providing signage for smaller establishments.

Speaking for the applicant Bob Fellars commented that the purpose of the new sign is to help smaller tenants get signage because when the leases were done with Ralphs and Walgreens, they received all of the other signs and those tenants cannot be added to them.

Director Williams commented that the new signs serve as identification and advertisement for other tenants.

Discussion was held on the size of the new sign not being big enough for all other stores and how stores were being selected to use the sign.

Applicant will meet with the property manager to decide.

Applicant read, understood, and agreed to the conditions of approval.

The public hearing was closed.

A motion was made by Commissioner Meyer and seconded by Commissioner Hall to: 1. Determine that the project is Categorically Exempt pursuant to Section No. 15311, Class No. 11 (Accessory Structures) of the California Environmental Quality Act and direct staff to file a Notice of Exemption; and, 2. Approve Design Review Sign No. 12-026 subject to the attached findings and conditions of approval. Motion carried by a vote of 5-0.

#### **OTHER COMMISSION BUSINESS:**

OCB

##### **Crime Prevention through Environmental Design Guidelines**

CPTED  
GUIDELINES

The City of Fontana requests to adopt Crime Prevention through Environmental Design (CPTED) Concepts, Guidelines and Principles. Staff presentation was given by Project Planner Dawn Rowe-Clement.

RESOLUTION  
2013-01

Discussion was held on these guidelines being used as needed to provide an applicant an opportunity to review and incorporate into their plans and not as part of the conditions of approval. This allows the Police Department to review projects using CPTED as a guide. These guidelines have been used throughout the years, and this approval will formalize the process.

VOTE: 5-0

Attorney Silver further explained that if the CPTED guidelines are not followed, the Planning Commission can choose to not approve a project; that is where enforceability comes into play.

"Draft" printed on the CPTED will be removed once it is adopted.

Planner Rowe-Clement stated that everything will be taken into consideration when projects are being brought forward, the guidelines will be reviewed in context to a specific site.

A change will be made to guideline No. 1 on page 8 under "Natural Surveillance" as follows: "All dwelling structures shall be visible from the street. Flag lots, or semi-flag lots, wherein the dwelling structure is not visible from the street, shall **may not in all instances** be supported by the Police Department as its causes confusion and delay for emergency response vehicles."



Speaking in favor of the project, Matt Slowik was pleasantly surprised to see this item and appreciates the discussion on this item. He stated that the City of Fontana first introduced this item in 1979. The City is definitely in a safe place by adopting these guidelines and the implementation of these concepts city wide.

A motion was made by Commissioner Lee and seconded by Commissioner Hall to 1) Find that the project is Exempt pursuant to Section No. 15061 (b)(3) (General Rule Exemption) of CEQA and direct staff to file a Notice of Exemption; and 2) Adopt Resolution No. PC 2013-01 with a change to language on Page 8. Motion carried by a vote of 5-0.

**STAFF REPORTS:**

None.

**SR**

**NONE**

**DIRECTOR REPORT:**

None.

**DR**

**NONE**

**AGENDA INFORMATION:**

The Planning Commission reviewed an update of future City Council Agenda items for the February 26, 2013, and March 12, 2013, meetings for the Planning Commission's information; and an update of future Planning Commission items for the March 5, 2013, and March 19, 2013, meeting for the Planning Commission's information.

**AGENDA INFO**

**CC  
FEB 26, 2013  
MAR 12, 2013**

**PC  
MAR 5, 2013  
MAR 19, 2013**

**COMMISSION COMMENTS:**

**COMMENTS**

Commissioner Hall wished everyone a good evening.

**HALL**

Commissioner Meyer invited former council member Matthew Slowik to provide an update on the Hamburger Challenge. Mr. Slowik provided an update and thanked everyone that participated, contributed and supported the Burger Challenge. He thanked the Police and Fire Departments.

**MEYER**

Commissioner Meyer wished everyone a good evening.

Commissioner Cothran encouraged everyone to support the Steelman Challenge. Information is available at [www.steelmanchallenge.com](http://www.steelmanchallenge.com). There are four times as many registered to participate and volunteers are welcomed.

**COTHRAN**

Commissioner Lee wished her son a happy birthday.

LEE

Commissioner Lee excited about CEPTED guidelines; it is an important piece of the work that Commissioners do, making this a safe and attractive community to families.

Commissioner Lee thanked colleagues and staff for accomplishing goals and moving Fontana forward.

Commissioner Lee wished everyone a good evening.

City Clerk Lewis had no comments.

LEWIS

GARCIA

Commissioner Garcia announced that tonight was Attorney Matthew Silver's last night with the Planning Commission and wished him good luck.

Attorney Silver thanked everyone for his time here. Fontana is special and attributed that to the City Council and Planning Commission for having a clear vision; and to staff that is truly remarkable. It was an absolute pleasure.

#### **PUBLIC FORUM**

PF

None.


NONE

#### **ADJOURNMENT**

ADJOURN  
8:04 P.M.

By consensus, the Planning Commission adjourned at 8:04 to the next Regular Planning Commission meeting on Tuesday, March 5, 2013, at 6:00 p.m. in the Grover W. Taylor City Council Chambers, located at 8353 Sierra Avenue, Fontana, California.

  
Ysela Aguirre  
Commission Secretary

  
Peter Garcia  
Chairperson