

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

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, March 19, 2013, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Vice Chairperson Cothran called the meeting to order at 6:03 p.m. Following the Invocation given by Commissioner Meyer, the Pledge of Allegiance was led by Commissioner Slowik.

ROLL CALL

Present: Vice Chairperson Cothran, and Commissioners Hall, Meyer and Slowik

Absent: Chairperson Garcia

Also Present: Director Don Williams, AICP; Attorney Alison P. Gomer; Senior Planner Shannon Casey, AICP; Assistant Planner Jon S. Dille; Assistant Planner Dawn Rowe-Clement; Community Policing Technician Wendy Ratcliffe; 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 Hall to approve the minutes of the February 19, 2013, Planning Commission Meeting. Motion passed by a vote of 3-0-1 with Commissioner Slowik abstaining.

**FEB 19, 2013
VOTE: 3-0-1**

PUBLIC HEARINGS:

PH

- A. A Public Hearing was opened regarding: **Tentative Tract Map No. 18859 (TTM No. 12-003), and Design Review No.12-021.** Filed by Forestar Fontana, LLC. A tentative tract map request to subdivide approximately 62 adjusted gross acres into 376 lots for the purpose of single-family residential development' and a design review for site design and architectural review of 376 single-family homes. The project site is a rectangularly-shaped property consisting of 25 parcels totaling approximately 62 adjusted gross acres located on the southwest corner of Walnut Avenue and Sierra Avenue, and having a frontage of approximately 1,170 feet on the south side of Walnut Avenue; and having a frontage of

**PH A
TTM NO.
18859 (12-003)
DR NO. 12-021**

**CONTINUED
VOTE: 4-0**

approximately 1,940 feet on the west side of Sierra Avenue. Staff recommends that the Planning Commission continue Tentative Tract Map No. 18859 and Design Review No. 12-021 to the regularly scheduled Planning Commission meeting of April 2, 2013, to provide staff and the applicant additional time to resolve several outstanding site design issues.

A motion was made by Commissioner Meyer and seconded by Commissioner Hall to continue this item to the regularly scheduled Planning Commission meeting of April 2, 2013. Motion carried by a vote of 4-0.

B. A Public Hearing was opened regarding: **Conditional Use Permit No. 06-027R1**. Filed by Target Corporation. 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 upgrade 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 distilled spirits. Staff presentation was given by Project Planner Jon Dille.

**PH B
CUP NO.
06-027R1**

VOTE: 4-0

Discussion was held on hours of operation versus the hours of sale of alcohol. The hours of operation are not listed as a condition of approval; applicant will follow ABC licensing requirements for the sale of alcohol with no alcohol being sold from 2:00 a.m. to 6:00 a.m.

Director Williams stated that a condition on the hours of operation and/or the hours of alcohol sales is not included due to direction given by the Planning Commission on a previous and similar project. The hours of alcohol sales are mandated by state law with the Fontana Police Department serving as enforcer. Businesses that run 24 hours must also follow ABC licensing requirements regarding the hours for the sale of alcohol.

Director Williams stated that the Planning Commission can always modify and/or add a condition.

Discussion was held on Target having a stellar alcohol awareness program. Target has a very low problem or issue with alcohol sales as they follow the conditions of approval and patrol their customers.

Policing Technician Wendy Ratcliffe stated that Target does not have any alcohol related issues.

Speaking for the applicant, Beth Aboulafia, spoke on Target selling alcohol at most of their other stores in the surrounding community as a convenience for customers to pick up their alcoholic beverages along with other grocery items.

Discussion was held on Condition No. 29 permitting the sale of alcohol by someone under the age of 21 as long as there is at least one other sales person over the age of 21 present. Target only allows cashiers 18 and over to sell alcohol. As cashiers log in to the register, Target's system does not allow them to complete the transaction if they are under 18 years of age and alcohol is being purchased. A manager over the age of 21 must approve the transaction.

Director Williams added that Condition No. 29 is a reiteration of state law that allows the sale of alcohol by persons under 18 years old.

Speaking on the applicant's behalf, Emily McConnell stated that all of Target's current supervisors are over the age of 21.

Applicant shared Target's different types of mechanisms in place that deter theft.

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

No member of the audience spoke in favor or opposition.

The public hearing was closed.

A motion was made by Commissioner Slowik and seconded by Commissioner Hall to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301, Class No. 1 (Existing Facilities), of the California Environmental Quality Act; 2) Make a finding of Public Convenience or Necessity; and 3) Approve Conditional Use Permit No. 06-027R1, subject to the attached findings and conditions of approval, and direct staff to file the Notice of Exemption with a change to the date on Page No. 33. Motion carried by a vote of 4-0.

- C. A Public Hearing was opened regarding **Conditional Use Permit No. 95-021R3**. Filed by Jorge Ramirez, Mariscos Las Islas Marias. Conditional Use Permit (CUP) No. 95-021R3 is a request for the proposed expansion of an existing restaurant (Suite R) into an adjacent suite (Suite Q). The revision to the original CUP is required to continue operation of the existing restaurant that currently holds a California Department of Alcoholic Beverage Control (ABC) Type 41 (On-Sale Beer and Wine Bona Fide Public Eating Place) license. The
- PH C
CUP NO.
95-021R3
VOTE: 4-0**

project site is a irregularly-shaped property consisting of one parcel (APN 0193-151-05) totaling approximately 1.7 acres located on Sierra Avenue approximately 363 feet south of Merrill Avenue, and having approximately 248 feet of frontage on the west side of Sierra Avenue, with a depth of approximately 278 feet. The site is further identified as 8990 Sierra Avenue, Suites Q and R. Staff presentation was given by Project Planner Dawn Rowe-Clement.

Planner Rowe-Clement stated that this is both a transfer of ownership and an expansion/intensification of use and therefore requires a revised CUP.

Speaking for the applicant, Sam Salinas.

Discussion was held on the former owner/applicant expanding to an adjacent unit without proper permits and current owner being related to former owner.

Applicant stated that he is the brother of the former owner and his brother did not follow up with expansion approval; one of the brothers passed away and the current owner wants to do everything right.

Discussion was held on the CUP being approved after the fact and how Building and Safety would go about determining compliance with building code requirements. Planner Rowe-Clement stated that if this project is approved, there will be a plan check and follow up by Building and Safety Division.

Discussion was held on Conditions of Approval being posted and followed. Planner Rowe-Clement has spoken to the applicant regarding this issue. The current owner will be more cognizant of regulations.

Commissioner Slowik confirmed that this project request is to expand the square footage, expand the ABC license to the added footage and a revision to the hours of operation.

Discussion was held on the trash enclosure, days of trash service, and responsibility for trash service. The owner of the commercial center is responsible and the City has the ability to exact from the owner to install another trash enclosure.

Director Williams will contact Code Compliance to ensure the applicant is in compliance and possibly increase pickup service or require another trash enclosure.

Discussion was held on another CUP being required if the applicant

expands further. Director Williams clarified that the applicant is not expanding the restaurant, but only the area in which alcohol will be sold.

Discussion was held on the parking analysis.

Commissioner Slowik disclosed that he made a field visit to the site. He further disclosed that while at the site, he observed musicians/live entertainment.

Discussion was held on live entertainment being prohibited and the CUP being revoked if this condition is violated.

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

Applicant can apply for a live music permit at a future date.

No member of the public spoke in favor or opposition.

The public hearing was closed.

A motion was made by Commissioner Meyer and seconded by Commissioner Slowik to 1) Determine that the project is Categorically Exempt pursuant to Section No.15301, Class No. 1 (Existing Facilities) of the California Environmental Quality Act and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 95-21R3 subject to the attached findings and conditions of approval with a correction to the address and with direction to staff to conduct quarterly inspections over the next year and report to the Planning Commission. Motion carried by a vote of 4-0.

**RECESS
7:46 PM**

**RECONVENE
7:57 PM**

A recess was called at 7:46 p.m.

The meeting was reconvened at 7:57 p.m.

NEW BUSINESS

NB

Compass Blueprint Demonstration Project Update

Tim Sullivan of Community Design + Architecture (CD+A) presented and requested comments from the Planning Commission and the public regarding the Compass Blueprint Demonstration Project underway for the areas around the Sierra Avenue and Valley Boulevard intersection.

**COMPASS
BLUEPRINT
DEMO
PROJECT
UPDATE**

The Planning Commission received and will file the report. No other formal action is recommended or required.

Discussion was held on the area of study.

Discussion was held on how the pedestrian count was calculated; if the pedestrian traffic on Sierra and Marygold Avenue was attributed to Kaiser Hospital; and if the pedestrian traffic on Sierra Avenue and Marygold Avenue was higher than the traffic on Sierra and Valley.

Discussion was held on the new Kaiser building facing Valley Blvd. instead of Sierra Avenue and the possibility of fewer cars on Marygold Avenue.

Discussion was held on the new Sierra Avenue improvements being incorporated into this plan.

Discussion was held on the landscaping plans.

Rohan Kuruppa, Omni Trans representative, spoke on this study helping Omni Trans with their planning of the east/west corridor along Valley Blvd. Their plans are focused first on Valley Blvd., then Foothill Blvd., then Sierra Avenue.

Commissioner Slowik stated that the city (as a whole) needs to consider whether to implement urban design concepts to slow traffic down, or to increase flow-through capacity at the intersection of Valley Blvd and Sierra Avenue.

Discussion was held on Fontana's population growing exponentially and its urbanization. Fontana will be crossed by Omni Trans Bus Services more than any other local city and these types of solutions are necessary.

Karina Nielson spoke on encouraging residents and business owners about the long term and short term vision of the city. She was disappointed at a recent public hearing that only seven community members were present. She encouraged everyone to get involved and keep an eye on things.

DIRECTOR COMMUNICATIONS:

DC

The Planning Commission reviewed an update of future City Council Agenda items for the March 26, 2013, meetings for the Planning Commission's information; and an update of future Planning Commission items for the April 2, 2013, and April 16, 2013, meetings for the Planning Commission's information.

**CC AGENDA
MAR 26, 2013**

**PLANNING
AGENDA
APR 2, 2013
APR 16, 2013**

COMMISSION COMMENTS:

COMMENTS

Commissioner Hall thanked staff for their information that assists in making decisions for the community. **HALL**

Commissioner Hall thanked Director Williams for his assistance in understanding everything.

Commissioner Hall challenged her fellow Commissioners to participate in the 58th Annual Fontana Days Run.

Commissioner Meyer welcomed Commissioner Slowik to the Planning Commission. **MEYER**

Commissioner Meyer wished former Commissioner Lee well and thanked her for her years of service on the Planning Commission.

Commissioner Meyer wished friends who are getting ready to celebrate Passover, St. Patrick's Day, St. Joseph's Day, Palm Sunday, Holy Thursday, Easter Vigil, and Easter well on their feast days.

Commissioner Meyer announced that Sacred Heart had a Mass in commemoration of the appointment of the new Pope.

Commissioner Meyer wished everyone a good evening.

Commissioner Slowik thanked Commissioner Meyer for welcoming him back. **SLOWIK**

Commissioner Slowik thanked supporters of the fundraisers he was involved in.

Commissioner Slowik reminded drivers to be aware of new signal street lights at the intersection of Mango and Merrill and at Miller and Alder.

Commissioner Slowik reminded the community of the Fontana Days Festival events that will be held from May 30 to June 2, 2013, and the Fontana Days Parade on Saturday, June 1, 2013, with Grand Marshall Sammy Hagar. The festival will include live bands, quilt contest, mariachi and folklorico contest as well as many other events. Local business partners can contact City Clerk Tonia Lewis at 909.350.7655 to purchase a banner to be posted at Veteran's Park.

Commissioner Slowik announced the Hen Derby being held before the Fontana Days events hosted by the Fontana Lions Club.
Commissioner Slowik wished everyone a happy Easter.

Commissioner Cothran asked about an upcoming workshop that will be held jointly with the City Council regarding the North Proposal and South Proposal.

COTHRAN

Commissioner Cothran declined Commissioner Hall's Fontana Days Marathon challenge due to volunteering with the Fontana Police Department.

Commissioner Cothran announced he will be volunteering at the NASCAR event at Fontana Speedway on Friday, Saturday and Sunday, March 22-24, 2013 and anyone interested in volunteering is welcome.

Commissioner Cothran announced that the date of the Miss Fontana Pageant was misprinted in the guide and it is being held on May 25, 2013. There are 100 young ladies already signed up and registered to compete. Sponsors are always welcome. More information is available at www.MissFontana.com.

Director Williams announced that the election of Planning Commission Officers and a workshop on tract maps will be agendaized for a future Planning Commission agenda.

PUBLIC FORUM

PF


None.


NONE

ADJOURNMENT

By consensus, the Planning Commission adjourned at 9:33 to the next Regular Planning Commission meeting on Tuesday, April 2, 2013, at 6:00 p.m. in the Grover W. Taylor City Council Chambers, located at 8353 Sierra Avenue, Fontana, California.

**ADJOURN
9:33 P.M.**


Ysela Aguirre
Commission Secretary


Phil Cothran
Vice Chairperson