

**MINUTES OF THE CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 17, 2013**

CALL TO ORDER:

A. 6:00 P.M. Call to order/Roll Call

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, September 17, 2013, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Garcia called the meeting to order at 6:03 p.m. Following the Invocation given by Commissioner Slowik, the Pledge of Allegiance was led by Commissioner Cothran.

ROLL CALL

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

Also Present: Deputy City Manager Debbie Brazill; Attorney Alison P. Gomer; Senior Planner Shannon Casey, AICP; Assistant Planner Sal Quintanilla; Strategic Transportation Engineering Manager Kevin Ryan; City Clerk Tonia Lewis; Administrative Secretary Jeannie Hawley and Planning Commission Secretary Ysela Aguirre.

PUBLIC COMMUNICATIONS:

A. Public Communications

None

CONSENT CALENDAR:

A. Approval of Minutes

Approve the Planning Commission Minutes of August 20, 2013, and September 3, 2013.

ACTION: A motion was made by Commissioner Slowik and seconded by Commissioner Hall to approve the minutes of the August 20, 2013. Motion passed by a vote of 5-0.

ACTION: A motion was made by Commissioner Meyer and seconded by Commissioner Hall to approve the minutes of the September 3, 2013, Planning Commission meeting with corrections provided by Commissioner Meyer in a email and at the dais. Motion passed by a vote of 3-0-2 with Commissioners

Slowik and Cothran abstaining.

PUBLIC HEARINGS:

A. Conditional Use Permit No. 13-014 (Master Case No. 13-037)

A Public Hearing was opened regarding Conditional Use Permit No. 13-014 (Master Case No. 13-037). A request filed by Mr. Steven Mendoza, Café Las Pupusas 17070 Walnut Village Parkway, Suite A, Fontana, CA 92336. Applicant requests Conditional Use Permit (CUP) No. 13-014 is a request for an existing restaurant (Café Las Pupusas) to operate in conjunction with a new California Department of Alcoholic Beverage Control (ABC) Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) license. The project is a rectangularly-shaped property consisting of one parcel (APN: 0240-273-40) of approximately 1.9 adjusted gross acres and is located on the northwest corner of Walnut Village Parkway and Mango Avenue, and having an approximate frontage of 222 feet on the north side of Walnut Village Parkway and a second frontage of approximately 373 feet on the west side of Mango Avenue. The site is further identified as 17070 Walnut Village Parkway, Suite A. Staff presentation was given by Project Planner, Salvador Quintanilla, and staff recommended approval.

Discussion was held on anticipated development in Promenade Specific Plan over the next 10 years. There is space for commercial areas, potential for retail sales, and restaurants; but no definite development plans.

Discussion was held on the corner signage.

Speaking for the applicant, Esteban Mendoza stated that everything is straight forward. Applicant is obtaining quotes for signage.

Discussion was held on the chain that blocks traffic flow behind the building. It is an existing chain that only allows deliveries and trash service.

Discussion was held on anticipated opening. The restaurant is currently opened for business, but is closed on Monday.

The applicant read, understood and agreed to the conditions of approval.

No member of the audience spoke in favor or opposition to this item.

The Public Hearing was closed.

ACTION: A motion was made by Commissioner Meyer and seconded by Commissioner Hall to 1) Determine that the project qualifies for a Categorical Exemption 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. 13-014. Motion carried by a vote of 5-0.

B. SPA No. 13-001 and ZCA No. 13-003

A Public Hearing was opened regarding SPA No. 13-001 and ZCA No. 13-003. A request filed by Sentry Security, Michael Pate, 121 Executive Center Drive, Suite 230, Columbia, South Carolina, 29210. Applicant, Sentry Security, the manufacturer of the Electric Guard Dog Fence, requests approval of the following:

1. Specific Plan Amendment (SPA) No. 13-001: An amendment to allow electric fences within all land use districts within the Fontana Gateway Specific Plan and the Southwest Industrial Park (SWIP) Specific Plan.

2. Zone Code Amendment (ZCA) No. 13-003: An amendment to the City of Fontana Zoning and Development Code (Chapter 30) to allow electric fencing within the Light Industrial (M-1), and General Industrial (M-2), zoning districts; and select land uses within the General Commercial (C-2) zoning district. The project site is a Light Industrial (M-1) zoning district; General Industrial (M-2) zoning district; General Commercial (C-2) Zoning district; Southwest Industrial Park (SWIP) Specific Plan; Fontana Gateway Specific Plan. Staff presentation was given by Project Planner, Shawnika Johnson, AIC, and staff recommended continuing this item to the October 1, 2013, Planning Commission meeting.

Commissioner Meyer disclosed that although the attorney representing a proponent to this project is involved with his company, he does not have any direct contact and there is no conflict and Commissioner Meyer will not have to recuse himself from this project.

Commissioner Slowik requested detailed description of the land use categories. Deputy City Manager Brazill indicated that staff will provide a full detailed report.

Commissioner Cothran requested a workshop and/or briefing on the electric fence to ensure the Planning Commission understands the product the applicant is presenting. Deputy City Manager Brazill indicated that a slide presentation will be provided the evening this project is presented to help educate the Planning Commission. There will be time on October 1, 2013, for staff to walk through the process.

No member of the audience spoke in favor or opposition to this item.

The Public Hearing was closed.

Discussion was held on the applicant being informed that the Planning Commission may not feel comfortable taking action that night and the item may be continued.

Deputy City Manager Brazill will mention to the applicant that the Planning Commission was interested in a workshop. The applicant has previously presented to City Council.

Discussion held on Commissioners contacting the applicant to see the electric fences. Per Attorney Gomer, Commissioners may have a one on one meeting with the applicant, but cannot meet as a group with the applicant.

Commissioner Hall would also like to have more information to be comfortable with making a decision on this project.

Deputy City Manager Brazill will contact the applicant to provide addresses of businesses currently using the product; the addresses will be shared with Planning Commissioners to individually visit.

ACTION: A motion was made by Commissioner Meyer and seconded by Commissioner Hall to continue this item to the October 1, 2013, Planning Commission meeting. Motion carried by a vote of 5-0.

EXECUTIVE DIRECTOR COMMUNICATIONS:

A. Director Communications

The Planning Commission reviewed an update of future City Council Agenda items for the September 24, 2013, October 8, 2013 and October 22, 2013, meetings for the Planning Commission's information; and an update of future Planning Commission items for the September 24, 2013, and October 1, 2013, meetings for the Planning Commission's information.

Deputy City Manager Brazill reported that Director Don Williams announced his retirement effective October 1, 2013.

Deputy City Manager Brazill informed the Planning Commission that the Joint Workshop with the City Council on Tuesday, September 24, 2013, will be regarding what the state is requiring the city to do regarding Housing Element Compliance-High Density Residential Zoning Districts.

Deputy City Manager Brazill informed the Planning Commission that an information item on the October 1, 2013, Planning Commission agenda is regarding the Almond Annexation. It is the annexation of the last island that did not previously qualify and the last of the unincorporated area south of the 10 freeway.

Commissioner Meyer and Hall notified that they will not be able to attend the Joint Workshop on September 24, 2013, due to prior commitments and Commissioner Garcia will be late: Deputy City Manager stated that they will be provided a slide presentation.

COMMISSION COMMENTS:

A. Commission Comments

Commissioner Meyer congratulated Commissioner Cothran and Mrs. Cothran on the celebration of their anniversary.

Commissioner Meyer appreciated staff keeping everyone informed on Don Williams health and wished Mr. Williams the best.

Commissioner Hall extended prayers to Don Williams and family.

Commissioner Hall wished everyone a good evening.

Commissioner Slowik wished Joe Mlaker a belated happy birthday.

Commissioner Slowik wished Mr. and Mrs. Cothran a happy anniversary.

Commissioner Slowik attended the 9/11 memorial ceremony and Police Department expansion ribbon cutting.

Commissioner Slowik attended the Youth Success Center.

Commissioner Slowik attended the Family Safety Fair and thanked the participants and attendees.

Commissioner Slowik attended the Water of Life event at Seville Park and thanked the families that attended.

Commissioner Slowik attended the Chamber of Commerce Mixer at Thompson Building Materials, a successful Fontana business and congratulated Mr. Thompson and Thompson Building Materials on their years of business in Fontana.

Commissioner Slowik invited the community to attend the 4th Annual Lobtober Fest and Disabilities Awareness event on Saturday, October 19, 2013, at the Fontana Rehabilitation Workshop-Industrial Support Services. A Steak and Lobster Dinner is available and must be prepaid, the website is www.industrial-support.org.

Commissioner Slowik invited the community to the Mayor's Gala on October 5, 2013, from 6:00 p.m. to 11:00 p.m. at the Jessie Turner Center. Proceeds benefit the Boys and Girls Club of Fontana. Tickets are available by calling 909.822.4988 or at www.bgcfontana.org

Commissioner Slowik sends his prayers to Don Williams.

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Commissioner Slowik requested that tonight's meeting be adjourned in memory of Staff Sergeant Robert Thomas.

Commissioner Cothran thanked everyone for the anniversary wishes.

Commissioner Cothran congratulated Chief Rod Jones and the Police Department on their new facility addition.

Commissioner Cothran wished Don Williams a healthy recovery and appreciates his work for the City that made the city what it is today.

City Clerk Lewis congratulated Rosemary Costello on her 95th birthday.

City Clerk Lewis wished Don Williams well.

Chairperson Garcia wished Don Williams well and appreciates his wisdom and integrity.

ADJOURNMENT:

A. Adjournment

To adjourn to a joint Workshop with the City Council on Tuesday September 24, 2013, at 5:30 p.m. in the Executive Conference room, located at 8353 Sierra Avenue, Fontana, California, and to the next Regular Planning Commission meeting on Tuesday October 1, 2013, at 6:00 p.m. in the Grover W. Taylor City Council Chambers located at 8353 Sierra Avenue, Fontana, California.

By consensus, the Planning Commission adjourned in memory of Staff Sergeant Robert Thomas at 6:45 p.m. to a joint meeting with the City Council on Tuesday, September 24, 2013, at 5:30 p.m. in the Executive Conference Room, located at 8353 Sierra Avenue, Fontana, California, and to the next Regular Planning Commission meeting on Tuesday, October 1, 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

THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION ON THE 1ST DAY OF OCTOBER, 2013.



Peter Garcia
Chairperson

