

**MINUTES OF THE CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
AUGUST 20, 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, August 20, 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 Hall, the Pledge of Allegiance was led by Commissioner Meyer.

ROLL CALL

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

Absent: None

Also Present: Deputy City Manager Debbie Brazill, Senior Planner Stephanie Hall, Assistant Planner Jon Dille, Associate Planner Paul Gonzales, Strategic Transportation Engineering Manager Kevin Ryan, Associate Engineer Ricco Garay, Administrative Secretary Jeannie Hawley, City Attorney Alicen Gomer, Planning Commission Secretary Ysela Aguirre,

PUBLIC COMMUNICATIONS:

A. Public Communications

None

CONSENT CALENDAR:

A. Approve the Planning Commission Minutes of August 6, 2013

Approved as amended.

PUBLIC HEARINGS:

A. Conditional Use Permit No. 13-012 - Day Care Facility

A Public Hearing was opened regarding Conditional Use Permit No. 13-012: A request was filed by Ms. Yudeeka (Judy) Zaghloul, Zaghloul Family Childcare Facility, 11820 Countryside Drive, Fontana, CA 92337. Applicant requests

review and approval of a Conditional Use Permit (CUP) to establish a day care facility for a maximum of 14 children located within an existing residence of approximately 2,800 square feet. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0236-311-22) of approximately 0.7 adjusted gross acres located approximately 408 feet south of the southwest corner of the intersection of Ranchero Avenue and Countryside Drive and having a frontage of approximately 134 feet on the west side of Ranchero Avenue and a depth of approximately 225 feet. The site is further identified as 11820 Countryside Drive. Staff presentation given by Project Planner Jon S. Dille, and staff recommended approval.

Speaking for the applicant, Yudeeka Zaghloul had an issue with the high fees.

Although applicant stated she has read, understood and agreed to the conditions of approval, she indicated she had not read all information completely. Commissioner Meyer requested the applicant review the conditions of approval and address any conditions she did not understand. Applicant reviewed the conditions of approval and stated they are all clear.

Discussion was held on applicant previously operating a day care center that was closed and she is now re-opening.

Discussion was held on Fire Department conditions. Fire conditions are in State Code and are not duplicated in City Code. No member of the audience spoke in favor or opposition to this item. Staff reported there were no complaints received by staff.

Discussion was held on street parking; there are no regulations on public street parking; however, the applicant is required to meet the minimum required on-site parking. Deputy City Manager Brazill stated that the condition regarding parking is included to avoid abuse of parking off-site.

The Public Hearing was closed.

ACTION: A motion was made by Commissioner Meyer and seconded by Commissioner Hall to 1) Determine that the project is statutorily and categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section No. 15274 (Family Day Care Homes), and Section No. 15301 (Class No. 1, Existing Facilities), and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 13-012 subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

B. TEC Equipment CUP 13-005, ASP 13-007, and TPM 13-003

A Public Hearing was opened regarding **TEC Equipment CUP 13-005, ASP 13-007, and TPM 13-003**. A request filed by TEC Equipment, David Thompson, 750 NE Columbia Boulevard, Portland, OR 97211. A Conditional Use Permit (CUP) application for a proposed truck repair facility, Administrative Site Plan

(ASP) application for site and architectural review of a proposed 49,418 square foot truck sales office and repair building. Additionally, Tentative Parcel Map No 19440 is a request to combine three (3) existing parcels into one parcel. The project site is a rectangularly-shaped property consisting of three (3) parcels (APN 0234-191-03, -04, and -18) totaling approximately 5.6 adjusted gross acres, located on the southeast corner of Valley Boulevard and Banana Avenue, and having a frontage of approximately 440 feet on Valley Boulevard and a frontage of approximately 650 feet on Banana Avenue. The site is further identified as 10131 Banana Avenue. Staff presentation was given by Project Planner, Paul Gonzales and staff recommended approval.

Condition No. 26 of the ASP was deleted because it addresses projects within a flood zone, and this project is in a non-hazard area and requires no further flood control mitigation.

Staff received one phone call for information only on this project.

Discussion was held on not being able to improve Valley Blvd between two parcels. The applicant does not have control of the two parcels and the applicant is not required to improve in front of these two parcels. There will be a temporary curb until those parcels are developed.

Commissioner Slowik requested clarification on what the map is showing along the frontage of the two parcels.

Speaking for the applicant, Bud Thatcher stated that when the map was filed, he had recently secured the right of way in front of the two parcels. The Applicant intends to complete all offsite improvements including curb, gutter and sidewalk along the project and two parcels.

Discussion was held on adding a condition regarding the improvements to the two parcels the applicant does not have control over. The following wording will be added to the end of Condition No. 48: "Curb, gutter and sidewalk shall be constructed in front of both the existing non-conforming single family residence as well as the former Noa Noa Bar."

Discussion was held on the setback from the sidewalk to the building on the two parcels. Typically, the setback is 20 feet, but the bar is an existing non-conforming building and the setback does not matter. The sidewalk will be approximately 4 feet from the front of the building.

Discussion was held on what other uses are in place for Banana Avenue; it serves as an access and/or emergency access to the other business whose main access is through Calabash.

Discussion was held on employee parking during and after construction. Employees will not be displaced during construction.

Discussion was held on Banana Avenue being widened only the City side as it is being improved to current City standards.

Discussion was held on the lighting of the project site not disturbing the residence. The home is protected from the light.

Speaking for the applicant, David Thompson and David Thompson Jr., the plans for the property across the street are to give it a face lift and improve business; it is hoped that it will fill quickly. Applicant is expecting to bring 40 new jobs to the facility.

Commissioner Cothran commended the applicant on the design of this project; Valley Blvd. is improving.

Discussion was held on the type of wall on the perimeter; it will be tubular fencing with a mesh and landscaping. There will not be vehicular access from the residence to the project.

Applicant had the right to purchase upon the property owner's death or vacates the property.

Applicant has read, understood and agreed to the conditions of approval including the additional verbiage to Condition No. 48.

Discussion was held on improvements to the remaining property. It is a brick building and will be painted to update the colors.

Speaking in favor of the project, Tony Silva. Mr. Silva requested specifics on the fencing; he appreciates the lighting being taken care of and is hoping to have one more harvest before construction. Applicant is expecting to move forward in about 90 days. Mr. Silva felt that the applicant and the Silvas are striking a good balance.

Commissioner Cothran appreciated the Silva family working with the City.

Commissioner Slowik thanked the Silva family for being here and investing their lives in Fontana.

Commissioner Slowik thanked the applicant and the Silvas for working together on this project.

The Public Hearing was closed.

ACTION: A motion was made by Commissioner Hall and seconded by Commissioner Cothran to 1) Adopt the Negative Declaration and direct staff to file a Notice of Determination; and, 2) Approve Conditional Use Permit No. 13-

005, Administrative Site Plan No. 13-007, and Tentative Parcel Map No. 13-003 (TPM No. 19440) with the elimination of Condition No. 26 and revision to Condition No. 48. Motion carried by a vote of 5-0.

EXECUTIVE DIRECTOR COMMUNICATIONS:

A. Director Communications

Upcoming Cases Scheduled for City Council and Planning Commission:

An update of future City Council agenda items for the August 27, 2013, September, 10, 2013, and September 24, 2013, regular City Council meeting for the Planning Commission's information. An update of future Planning Commission agenda items for the September 3, 2013, and September 17, 2013, Planning Commission meeting, for the Planning Commission's information.

COMMISSION COMMENTS:

A. Planning Commission Remarks

Commissioner Hall wished a good night.

Commissioner Cothran did not have any comments.

Commissioner Meyer requested an update on the status of a fence between two properties east of the 15 and Baseline that is impeding access to neighboring businesses. Manager Brazill will provide an update at a future meeting. Commissioner Meyer wished Don Williams the very best on his surgery and sent prayers and good wishes. Commissioner Meyer stated the Police Department is almost done with their remodel and the dedication is scheduled for next month. Commissioner Meyer wished everyone a good evening.

Commissioner Slowik shared the opportunity of five different areas of study at the new West Tech College that held a ribbon cutting a few weeks ago. It is in the heart of the city on Sierra Avenue. Commissioner Slowik recent thanked the Fontana Water Company for working closely with the City to provide a water treatment facility to provide supplemental water for the City to become self-reliant and help keep water costs down. Commissioner Slowik extended an invitation to the community to attend the Mayor's Gala on October 5, 2013. Commissioner Slowik announced that the Fontana Rotary Club is holding its annual ice cream social at the Fontana Community Senior Center on September 13, 2013. Commissioner Slowik extended prayers to Don Williams for a speedy recovery.

City Clerk Lewis sent best wishes to Don Williams.

Chair Garcia wished Don Williams a speedy recovery.

ADJOURNMENT:

A. Adjournment

By consensus, the Planning Commission adjourned at 7:17 p.m. to the Regular Planning Commission meeting on September 3, 2013, at 6:00 p.m. in the Grover W. Taylor City Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Ysela Aguirre

Ysela Aguirre
Planning Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING
COMMISSION ON THE 17TH DAY OF SEPTEMBER, 2013.**

Peter Garcia

Peter Garcia
Chairperson