

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
May 06, 2014  
Grover W. Taylor City Council Chambers**

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**CALL TO ORDER/ROLL CALL:**

**A. 6:00 P.M. Call to Order/Roll Call**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, May 6, 2014, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Cothran called the meeting to order at 6:05 p.m.

Present: Chairperson Cothran, Vice-Chairperson Slowik, Secretary Armendarez, and Commissioners Garcia and Meyer

Absent: None.

Also Present: Community Development Director James Troyer, AICP; Attorney Allison Gomer; Resource Budget Officer, Lynne Rogers; Senior Planner Orlando Hernandez; Environmental Consultant Debra Leight; Assistant Planner Jon S. Dille; Senior Engineer Noel Castillo; Policing Technician Wendy Ratcliffe; City Clerk Tonia Lewis and Planning Commission Secretary Ysela Aguirre

**INVOCATION/PLEDGE OF ALLEGIANCE:**

**A. Invocation/Pledge of Allegiance**

Following the Invocation given by Secretary Armendarez, the Pledge of Allegiance was led by Vice-Chairperson Slowik.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

None.

**CONSENT CALENDAR:**

**A. Approval of Minutes**

A. A motion was made by Commissioner Meyer and seconded by Commissioner Garcia to approve the minutes of the April 15, 2014, Planning Commission Meeting with a correction to the second sentence on page 5 of 7 to change the word "block" to "wood". Motion passed by a vote of 5-0.

City Clerk Lewis stated that the minutes from the March 18, 2014, Planning Commission meeting are being analyzed to ensure they are correct.

## **PUBLIC HEARINGS:**

### **A. 2014/2015-2020/2021 Capital Improvement Program (CIP)**

Project Planner, Lynn Rogers, provided the staff report.

Discussion was held on the Cherry Avenue and Baseline/South Highland Avenue project.

Senior Engineer Noel Castillo provided an update on the Citrus overpass, Cherry overpass, and Duncan Canyon overpass.

Discussion was held on the costs and plan for the Foothill project.

Discussion was held on the Martin Avenue project.

Discussion was held on adding a resurfacing project to the CIP. Public Works will evaluate the project to determine how to handle it and when it can be completed.

The Public Hearing was opened.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Vice-Chairperson Slowik and seconded by Secretary Armendarez to adopt PC Resolution No. 2014-02, a resolution forwarding a recommendation to the City Council to: 1) Find that there will be no significant environmental impacts caused by this project, adopt a Negative Declaration pursuant to Section 15070 of the California Environmental Quality Act, and direct staff to file a Notice of Determination; 2) Find that the information and proposed projects identified in the 2014/2015-2020/2021 CIP are in conformance with the goals and policies of the 2003 General Plan; and, 3) Recommend that the City Council adopt the 2014/2015-2020/2021 CIP with direction to staff to look at adding a resurfacing project. Motion passed by a vote of 5-0.

Chairperson Cothran excused himself from hearing Item B. on the agenda.

Commissioner Meyer stated that he is not directly involved with the attorney that is involved in the Environmental Impact Report.

**B. Draft Environmental Impact Report (DEIR) for West Valley Logistics Center Specific Plan**

Project Planner, Orlando Hernandez, provided the staff report.

Discussion was held on the comparison of traffic impacts from the previous EIR to the current one.

Discussion was held on any significant differences between this project and the previous project.

Discussion was held on the Valley Trails Specific Plan open space and wildlife.

Discussion was held on the plans for the Crestmore Quarry.

Discussion was held on mitigation measures for one of the buildings that will go over a portion of the quarry and protection after construction.

Discussion was held on the parks and open space areas.

The Public Hearing was opened.

Oscar Zambrano, Community Activist, spoke in opposition to this project. He was concerned about traffic, logistics, lack of parks, and air quality. Speaker thanked Orlando Hernandez for providing all the information he needed today; he spoke on bringing innovation, technology, and other industries to help the community.

Merlin Rossow spoke in opposition to this project. He was concerned with how the freight would get in and out, fixing roads, and problems with schools.

Ana Cruz spoke in opposition to this project. She is concerned that by putting in this industrial building, the rural part is being taken away from her community; the traffic will have an impact on the residential area and Sierra Avenue will be polluted; as well as the value of homes going down. She suggested closing Armstrong.

Jose Alvarado spoke in opposition to this project. He is concerned with not being able to sleep with noise from trucks; kids playing on Armstrong and the additional truck traffic in the street; and pollution getting worse.

George Yang spoke in opposition to this project. He is concerned with trucks driving through, the traffic noise, and health problems for his child.

Maryann Marks, representing the City of Jurupa Valley, wants to know the circulation pattern.

Discussion was held on this item only being a public hearing for staff to receive public comments and how the City is legally obligated to respond to all the comments received tonight.

Planner Hernandez asked any member of the audience to provide their address if they live outside of the noticed area so that they may be notified of any future public hearings on this item. The comment period will end June 5, 2014.

Discussion was held on the public being able to submit comments via a letter to the city or an email to Orlando Hernandez.

The public hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Secretary Armendarez to 1) Open the public hearing on the Draft EIR prepared for the West Valley Logistics Center Specific Plan project to receive comments from all interested parties; 2) Review and provide Planning Commission comments on the DEIR; and, 3) Continue the project to a date uncertain. Motion passed by a vote of 4-0-1 with Chairperson Cothran abstaining.

A recess was called at 7:20 p.m.

The meeting was reconvened at 7:29 p.m.

#### **C. Master Case No. 14-004, Tentative Parcel Map No. 19516**

Project Planner, Jon S. Dille, provided the staff report.

Discussion was held on this project meeting the requirements if it was developed today.

Discussion was held on both lots having separate sewer systems.

The Public Hearing was opened.

Speaking for the applicant, Michael Kurkjian, would like this project approved to be able to move forward.

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

The Public Hearing was closed.

Discussion was held on Condition No. 12 already being met.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Commissioner Garcia to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15315 (Class 15, Minor Land Divisions) and Section No. 15301, (Class 1, Existing Facility), direct staff to file a Notice of Exemption; and, 2) Approve Tentative Parcel Map No. 19516. Motion passed by a vote of 5-0.

**D. Master Case No. 14-010, Conditional Use Permit No. 14-003, and Conditional Use Permit No. 14-004**

Project Planner, Jon S. Dille, provided the staff report.

Discussion was held on the "Quiet Room".

Discussion was held on the VIP Conference Room.

Commissioner Meyer had a concern with the size of the entertainment area for the number of proposed performers.

Police Technician Wendy Ratcliffe spoke on history at this site with a former tenant whose CUP was revoked. The current use is appropriate for this size of facility; there are lots of conditions placed on the project. This is a family restaurant with incidental entertainment.

Discussion was held on adding other conditions.

Technician Ratcliffe stated that applicant has been very safety conscious with windows, security cameras, and reduced seating and the applicant has been conditioned appropriately.

Discussion was held on requiring reports twice or as needed the first year.

Technician Ratcliffe stated that this applicant has nothing to do with the previous tenant.

Discussion was held on the applicant not being able to open for business until all conditions have been met; all conditions will be verified at Certificate of Occupancy.

Discussion was held on the description of a night club.

Discussion was held on the floor plan not being able to be changed without Planning Commission and Department of ABC approval; the floor plan will be attached to the approval letter.

The Public Hearing was opened.

Speaking for the applicant, Ismael Garcia, hopes to move forward with this project.

Speaking for the applicant, Miriam Dioussa, was hired by the applicant to design the floor plan.

Discussion was held on adding a condition for fencing along either side of the building. Applicant agreed to add a standard condition regarding tubular fencing.

Discussion was held on installing more cameras.

Discussion was held on shortening the hours of operation on Sunday.

Oscar Zambrano spoke in favor of the project, but there is so much red tape for a business to open; each condition adds more money. Mr. Zambrano applauded the Planning Commissioners' questions to take the safety of the community in hand. He suggested having the approval process go in stages to allow applicants to open for business and not go broke.

Vice-Chairperson Slowik spoke on there being a series of stages built into the development permit.

The Public Hearing was closed.

Director Troyer spoke on providing status reports every six months or more frequently if needed; if there are additional conditions to be added, renoticing will be done.

**ACTION:** Motion was made by Commissioner Garcia and seconded by Commissioner Armendarez 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) Approve Conditional Use Permit No. 14-003; and, 3) Approve Conditional Use Permit No. 14-004 with the added status report in six months and a condition to add a fence. Staff will bring a Staff Report back to the Planning Commission in six months. Motion passed by a vote of 5-0.

## **DIRECTOR COMMUNICATIONS:**

### **A. Director Communications**

The Planning Commission reviewed an update of future City Council Agenda items for the May 13, 2014, and May 27, 2014, meetings for the Planning Commission's information; and an update of future Planning Commission items for the May 20, 2014, and June 3, 2014, meetings for the Planning Commission's information.

## **COMMISSION COMMENTS:**

### **A. Planning Commission Remarks**

Commissioner Garcia wished everyone a good evening.

Commissioner Meyer announced the confirmation for the teens at Sacred Heart.

Commissioner Meyer announced the recognition of the Citrus overpass on May 15, 2014.

Vice-Chairperson Slowik attended several community and organization meetings.

Vice-Chairperson Slowik thanked the Fontana Art Association for their high school art exhibit.

Vice-Chairperson Slowik congratulated FABE students for their performances, and congratulated La Tapatia Restaurant on their ribbon cutting.

Vice-Chairperson Slowik announced the Give Big Online Webathon that is about building cultural supporting entities that support community members. Information is available at [givebigsbcounty.gov](http://givebigsbcounty.gov).

Vice-Chairperson Slowik spoke on attending the Planning Conference.

By consensus, the Community Development Director was given direction to identify standard conditions from non-standard conditions, and mitigation measures, that would help understand each project and maybe lessen questions.

Vice-Chairperson Slowik thanked Jasmin Hall for the regional treatment plant tour.

Vice-Chairperson Slowik wished moms a Happy Mother's Day.

Secretary Armendarez wished everyone a good night.

Commissioner Cothran spoke on the Miss Fontana Pageant having 352 applicants- wonderful young people in the City of Fontana. The Pageant will be held at Fontana High School on May 31, 2014.

Chairperson Cothran requested that tonight's meeting be adjourned in memory of Phil Rue.

## ADJOURNMENT:

### A. Adjournment

By consensus, the Planning Commission adjourned in memory of Phil Rue at 8:27 p.m. to the regularly scheduled Planning Commission meeting on May 20, 2014, at 6:00 p.m. in the Grover W. Taylor City Council Chambers located at 8353 Sierra Avenue, Fontana, California

Ysela Aguirre  
Ysela Aguirre  
Commission Secretary

THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING  
COMMISSION ON THE 20TH DAY OF MAY,  
2014.

Phil Cothran  
Phil Cothran  
Chairperson