

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
August 05, 2014
Grover W. Taylor City Council Chambers**

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, August 5, 2014, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Cothran called the meeting to order at 6:04 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 Andrew Maiorano; Senior Planner Shannon J. Casey, AICP; Assistant Planner Jon S. Dille; Assistant Planner Salvador Quintanilla; Associate Planner DiTanyon Johnson; Associate Planner Paul Gonzales; Senior Engineer Kathy Raasch; Assistant Engineer Keith Toliver; City Clerk Tonia Lewis and Planning Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance

Following the Invocation given by Commissioner Meyer, the Pledge of Allegiance was led by Commissioner Armendarez.

PUBLIC COMMUNICATIONS:

A. Public Communications

None.

CONSENT CALENDAR:

A. Approval of Minutes

Approve the Planning Commission Minutes of July 15, 2014.

A motion was made by Commissioner Garcia and seconded by Commissioner Slowik to approve the minutes of the July 15, 2014, Planning Commission Meeting with a correction to remove the word "next" on the action of Item B. Motion passed by a vote of 4-0-1 with Commissioner Meyer abstaining.

PUBLIC HEARINGS:

A. Master Case No. 13-063 and Administrative Site Plan No. 13-037

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

Staff reported that the applicant has requested that this item be withdrawn from Planning Commission consideration.

Staff recommends that the Planning Commission receive and file the Memorandum.

Discussion was held on this item not being a discretionary item, but being pursuant to City Municipal Code as the applicant is now working with City staff to get the appropriate screening.

No testimony was needed from the public, if there are any comments, they can be communicated with the Community Development Director.

ACTION: The Planning Commission received and filed the Memorandum.

B. Master Case No. 14-006, Administrative Site Plan No. 14-003, and Conditional Use Permit No. 14-002

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

Discussion was held on striking Condition No. 44.

Discussion was held on Condition No. 51.

Discussion was held on the block walls and wrought iron fence. The proposed fencing meets City Code.

The Public Hearing was opened.

Speaking for the applicant, Doug Andresen, read, understood and agreed to the conditions of approval. Applicant will work with staff regarding the wrought iron fencing.

Speaking for the applicant, Mike Mahmoudi, spoke on connecting to the existing sewer line.

Victor Torrez and Ezequiel Flores spoke in favor of the project with a few concerns regarding Condition No. 12 and the height of the block wall and keeping it consistent with adjoining walls.

Discussion was held on the sound mitigation.

Discussion was held on the height of the block wall.

Discussion was held on the storage of hazardous waste materials.

Discussion was held on the need for a noise level analysis.

Discussion was held on the business being cited if it is not complying with noise level standards.

The Public Hearing was closed.

ACTION: Motion was made by Meyer and seconded by Slowik to 1) Adopt the Negative Declaration and direct staff to file the Notice of Determination; and 2) Approve Administrative Site Plan No. 14-003 and Conditional Use Permit No. 14-002 with the deletion of condition No. 44 and adding a new condition for the fencing with tubular steel and pilaster on the east and west side up to 75 feet. "The side walls shall extend to at least seventy-five (75) feet from the right-of-way. The security fencing shall include tubular steel fencing with eighteen (18) inch decorative masonry columns located a maximum of eight (8) feet on-center." Motion passed by a vote of 5-0.

C. Master Case No. 14-022 and Design Review No. 14-009 (8 Unit Single-Family Homes)

Project Planner, Salvador Quintanilla, Assistant Planner, provided the staff report.

Staff received two phone calls on the project; neither for nor against the project.

Discussion was held on the approval of the map; it expires in 2016.

The Public Hearing was opened.

Speaking for the applicant, Doug Andreessen and Saber Awad, read, understood and agreed to the conditions of approval.

Discussion was held on the lot sizes and floor plans of the homes.

Discussion was held on the definition of "double pane" windows.

Lisette Castaneda spoke regarding concerns with the two-story window

having access to her residence.

Jane Ramirez spoke on being asked to donate 3-5 feet for a sidewalk to be built.

The sidewalk will be located inside the project property.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Garcia and seconded by Commissioner Meyer to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-fill Development) of the California Environmental Quality Act and direct staff to file a Notice of Exemption; and, 2) Approve Design Review No. 14-009. Motion passed by a vote of 5-0.

D. Master Case No. 13-029, General Plan Amendment No. 13-003, Zone Change No. 13-005, and Tentative Tract Map No. 18881

Project Planner, DiTanyon Johnson, Associate Planner, provided the staff report.

A condition was added in memo at the dais.

No written communication was received on this project.

Discussion was held on the environmental checklist.

Item C on page 12 will be amended as there is no school being proposed on the project.

Item 10B on pages 14 and 15 will be amended as there is not mitigation needed.

The comment under item 13A on page 19 will be amended as it is not for industrial use.

Item No. 15 on page 3 regarding development fees is correct as it is applicable to this project.

Discussion was held on the current zoning and the original proposal of town homes and condos in the project area.

Director Troyer stated that this is a policy decision that the Planning Commission needs to make if they feel this change is in best interest of the General Plan.

Discussion was held on the effect on affordable housing if the zoning is

changed.

The Public Hearing was opened.

Speaking for the applicant, Hal Woods, spoke on working closely with staff to bring a well-designed 97 home project. Mr. Woods provided some history on the project that was originally approved for town homes; it was marketed for five years with no builders and the residents were opposed to the original project. The applicant has read, understood and agreed to the conditions of approval.

Discussion was held on some of the major changes to the project.

Discussion was held on the passive adjustment.

Discussion was held on the zoning change and the proximity to the freeway.

Yvonne Alaniz spoke in favor of the project and not wanting to see apartments there.

The Public Hearing was closed.

Discussion was held on the zoning standards discussed in a previous workshop and concerns with repeated changes in R2.

Discussion was held on changes to the General Plan not being in the best interest of the city.

ACTION: Motion was made by Commissioner Meyer and seconded by Vice-Chairperson Slowik to 1) Adopt Resolution PC No. 2014-05 forwarding a recommendation to the City Council to: 1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 13-003; 3) Adopt an ordinance approving Zone Change No. 13-005; and, 4) Approve Tentative Tract Map No. 18881. Motion did not pass by a vote of 2-3 with Commissioners Armendarez, Cothran, and Garcia opposing, therefore, Planning Commission Resolution No. 2014-05 was not adopted.

E. Master Case No. 14-012; Tentative Parcel Map No. 14-003 (19523); Design Review No. 14-005; Goodman Logistics

Project Planner, Shannon J. Casey, AICP, Senior Planner, provided the staff report.

Staff received two phone calls and one correspondence; neither for nor against the project.

Engineering Condition No. 24A was added.

A recess was called at 8:23 p.m.

The meeting was reconvened at 8:38 p.m.

Planner Casey submitted a copy of comments received and responses by City attorney to be incorporated into the motion.

The Public Hearing was opened.

Speaking for the applicant, Ward Mace, thanked staff for the process that worked well. This is one of their first projects in Southern California and will be LEED certified. Applicant has read, understood and agreed to the conditions of approval.

Discussion was held on the applicant working with staff to make the large detention basin a nicer looking area. The plan includes landscaping with a tubular steel fence around it.

Speaking in favor of the project, Elio Torrealba, spoke regarding concerns with the EIR and comments in the initial study. He is not opposed to the project as it is good for the city, but concerned with illegal trucking operations and nothing being done about them and with the hours of work on the project development.

Applicant was asked to commit to posting a number that will be answered if there are any concerns with the hours of development.

Discussion was held on the type of equipment being used during the development of the project.

Speaking for the applicant, Olivia Chan, spoke on the wrong equipment being used to be able to measure the calculation of risk.

Speaking for the applicant, Randy Rankin, spoke on tier 3 equipment to be used and strictly enforced.

Discussion was held on the Health Risk Assessment.

The Public Hearing was closed.

Condition No. 6 will be added to the Design Review to read as follows: "At time of building plan check, applicant shall demonstrate to the satisfaction of the building official and Director of Community Development on the construction plans that the project is LEED Equivalent".

Director Troyer spoke on LEED Equivalent is the same performance standard

as LEED Certified without the certification.

ACTION: Motion was made by Secretary Armendarez and seconded by Vice-Chairperson Slowik to 1) Adopt the Mitigated Negative Declaration and direct staff to file a Notice of Determination; 2) Approve Tentative Parcel Map No. 14-003; and, 3) Approve Design Review No. 14-005 with the added conditions. Motion passed by a vote of 5-0.

F. PLN06-017; GPA13-007; ZCA13-010; TTM13-010; Gabriella

Project Planner, Shannon J. Casey, AICP, Senior Planner, provided the staff report.

Project Planner Casey corrected two typos on the staff report as follows 1) on page 3, under the analysis section the number should be "200" not "202"; and 2) on page 4 of the staff report it states that "the amount of open space provided is consistent with Ordinance 2014-057", it should read "Resolution 2014-057".

Project Planner Casey requested adding Condition No. 6A of Tentative Tract Map regarding the CC and R.

Discussion was held on Condition No. 6 being part of the CCR. Director Troyer will work out the details with the City Attorney's office.

Discussion was held on one of the entrances having a traffic signal light.

Kathy Raasch, Senior Engineer, spoke on the traffic signal at Sierra and McCullough and the other entrance will be right in right out. There are no plans for any other signal being added between the entrance and Baseline.

Discussion was held on the size of the park and the entrance near an open space.

Discussion was held on having adequate commercial space and the effect of rezoning in the area.

Secretary Armendarez met with the developer on this project with no reportable action.

Chairperson Cothran met with the developer and the project engineer with no reportable action.

Discussion was held on planned improvements on Sierra Avenue.

The Public Hearing was opened.

Speaking for the applicant, Ray Allard, spoke on the staff doing a great job

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

Discussion was held on the set back and landscaping.

Discussion was held on the gas station being behind homes.

Discussion was held on the corner being commercially viable if the service station were to go out of business.

Discussion was held on the traffic lanes on Baseline.

Discussion was held on the amenities of letter lot B.

Robert Copeland, Fontana Unified School District Director of Maintenance & Operations/Facilities spoke on channeling all traffic to the front of the school and welcomes the development.

The Public Hearing was closed.

ACTION: Motion was made by Vice-Chairperson Slowik and seconded by Commissioner Meyer to adopt Planning Commission Resolution No. **2014-05** recommending that the City Council: 1) Adopt the Mitigated Negative Declaration and direct staff to file a Notice of Determination; 2) Approve General Plan Amendment No. 13-007; 3) Approve Zone Change No. 13-010; and, 4) Approve Tentative Parcel Map No. 13-010 (TTM 18939) with changes recommended. 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 August 12, 2014, August 26, 2014, September 9, 2014, and September 23, 2014, meetings for the Planning Commission's information; and an update of future Planning Commission items for the August 12, 2014, August 19, 2014, September 2, 2014, and September 23, 2014, meetings for the Planning Commission's information.

Director Troy requested that tonight's meeting be adjourned to a joint meeting with City Council on August 12, 2014.

COMMISSION COMMENTS:

A. Planning Commission Remarks

Commissioner Meyer commented on schools beginning this week and asked people to slow down and be on the lookout for students.

Commissioner Meyer wished everyone a good evening.

Secretary Armendarez wished everyone a good evening.

Commissioner Garcia wished everyone a good evening.

Vice-Chairperson Slowik thanked all the sponsors, participants and volunteers of this year's Boys and Girls Club Golf Tournament.

Vice-Chairperson Slowik thanked everyone that supported the Cross Point Church Shoe Drive on Saturday.

Vice-Chairperson Slowik attended the Calvary Chapel Community events at Seville Park; and the Community Meeting at Jessie Turner and thanked staff and the Police Department for their presentation and the attendees for their questions.

Vice-Chairperson Slowik announced the August 21st Baseline Interchange groundbreaking and the August 29th Ribbon Cutting for the Senior Center Parking Lot.

Vice-Chairperson Slowik spoke on the community participating in the National Night Out event tonight.

Vice-Chairperson Slowik reminded everyone to be careful with students going back to school this week.

Chairperson Cothran appreciates the time and effort the Commissioners put into everything.

Chairperson Cothran spoke on the joint workshop with City Council came in to play tonight with the vision and direction the City wants to go in.

ADJOURNMENT:

By consensus, the Planning Commission adjourned at 9:49 p.m. to a joint workshop on August 12, 2014, then to the regularly scheduled Planning Commission meeting on August 19, 2014, 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 2ND DAY OF SEPTEMBER, 2014.

A handwritten signature in cursive script, appearing to read 'Phil Cothran', is written above a horizontal line.

Phil Cothran
Chairperson