

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
September 16, 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, September 16, 2014, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Cothran called the meeting to order at 6:07 p.m.

Present: Chairperson Cothran, Vice-Chairperson Slowik, Secretary Armendarez, and Commissioner Meyer. Absent: Commissioner Garcia

Also Present: Community Development Director James Troyer, AICP; Attorney Andrew D. Maiorano; Associate Planner Paul Gonzales; Assistant Planner Rina Leung; Assistant Engineer Keith Tolliver; 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 Joint City Council and Planning Commission Workshop Minutes of July 30, 2014. No action was taken; minutes were referred to the Fontana City Council for review and approval.

## **PUBLIC HEARINGS:**

### **A. Sierra Crest II Proposed 179 single-family homes. GPA NO. 13-010, ZCH No. 13-013, TTM No. 13-011, and ASP 14-020**

Project Planner, Paul Gonzales, Associate Planner, provided the staff report.

Commissioner Meyer disclosed that he met with the applicant with no reportable action.

Secretary Armendarez recused himself from hearing this item.

Chairperson Cothran disclosed that he met with the applicant with no reportable action.

Staff provided proposed changes to the conditions of approval per a memo at the dais.

No communication from the public was received by staff.

Discussion was held on the drainage of the project, the temporary basin, and tubular fencing.

The Public Hearing was opened.

Speaking for the applicant, Stacey Sassaman stated that the basin is interim and will be there until all drainage to Sierra Lakes is completed.

Discussion was held on the flows to Sierra Lakes and possible overflow.

Keith Tolliver, Assistant Engineer, spoke on the storm drain lines being studied, but he was not familiar with the master plan storm drain in that area.

Speaking for the applicant, Mark Bertone, Madole and Associates, spoke on the direction of the flow and explained that the flow will be less than what it currently is today and it will not take Sierra Lakes over capacity.

Applicant Sassaman provided details on the project: it is the continuation of Sierra Crest to the south. Sierra Crest II is 179 lots; with a mix of 4,000 and 4,500 square feet lots, the same as phase 1. The configuration of the land determined the size of the lots.

Discussion was held on the barbecue. Applicant provided a photo of the proposed barbecue.

Discussion was held on the bike racks; a second one will be added.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Vice Chairperson Slowik to 1) Adopt **Resolution PC No. 2014-06** forwarding a recommendation to the City Council to: 1) Adopt the Mitigated Negative Declaration, Mitigation Monitoring Program and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 13-010; 3) Adopt an ordinance approving Zone Change No. 13-013; 4) Approve Tentative Tract Map No. 18944; and, 5) Approve Administrative Site Plan No. 14-020 with changes to conditions provided by staff at the dais. Motion passed by a vote of 3-0-1 with Secretary Armendariz abstaining.

**B. Master Case Number (MCN) 13-0072, ZCA No. 13-007, ZCA No. 13-008, and GPA No. 13-005**

Project Planner, Catherine Lin, Associate Planner, provided the staff report.

Discussion was held on how the RHNA number was determined.

Discussion was held on the City “planning” for it, but not having to “build” it.

Discussion was held on the definition of “emergency shelter”. Vice Chairperson Slowik referred to the definition of “Emergency Shelters” on page 38 of the staff report.

Discussion was held on the recent project approved nearby.

Staff received several communications from the public requesting more information on the project and some in opposition to this project.

Discussion was held on the size of the unit and the number of units on a lot.

Discussion was held on the requirements for emergency shelters.

Discussion was held on having mixed units.

Discussion was held on carry over numbers.

Discussion was held on emergency shelters being allowed by right of zone. The ASP would be for the performance and operation of use.

The Public Hearing was opened.

Joe Bono spoke in opposition to this project stating that if the zones are changed, it will change the entire outlook of the area. But, he recognized that

poor people need places to live. He spoke on how some remember the old Fontana when black people could not come south and Mexicans could not come north of Valley. He feels that Foothill should remain commercial.

Elias Donay spoke in opposition to this project; he is a neighboring property owner on Cherry and Valley and requested that another location be considered. He spoke on shelter houses killing the city because people will come in to the city looking for low income housing.

Pamela Corl spoke in opposition to this project; she has property on Ceres between Catawba and Citrus and feels that it will have an impact on property values in that area for home owners. A lot of homeless people at the railroad tracks that have started putting up tents and there are children, alcohol, and drugs. Fencing is being cut open and there is no safe place for people to walk across. She implored to not use this area.

Tina Lopez spoke in opposition to this project; she owns a neighboring property and spoke on being an empty block since she lived there and the zone has changed three or four times. The street being blocked off for condos has been helpful, but she has noticed ADT or Protection One signs because houses are being hit. She asked that something be done for the regular homeless or more will come in. She is concerned with what will go in at the end of her block and if it will block her view. She spoke on Fontana being beautiful and keeping it that way.

Shelley Ehrman, owns Joint Venture bordering the proposed R4 site, and spoke on recently discovering that some residential; she would like to have a thrift shop move in, but needs a storage unit. She has to get together with Planning staff to get storage containers approved. She asked what will happen with property taxes. She asked what kind of people will be moving into the R4 area.

Director Troyer responded that property taxes are regulated by the County Assessor.

Luis Gutierrez, lives on the corner of Redwood and Washington Drive, spoke in opposition to this project. He spoke on there being lots of trucks and traffic on the proposed shelter area and if more people are brought in, it will be worse. He would like to have someone come see what a dump Washington Drive is with drugs and trash.

Director Troyer asked Mr. Gutierrez to give his contact information to Planning staff to get him in contact with Code Enforcement.

Ray Allard spoke in opposition to this project. He was representing a land owner on Summit Avenue that just found out about this issue because they were never noticed. Mr. Allard requested this item be continued.

Garbis Kahkejion spoke on his church owning 5 acres between Alder and Laurel and requested that his property to be included in the R5 zoning; the southern half is commercial and northern half is R2.

Director Troyer will have staff evaluate that request before this item goes before City Council.

Bob Servin spoke in opposition to this project. He owns a neighboring property and spoke on not receiving the initial notice in 2012. He spoke on some objections to the changeover and felt that the statistics were wrong with several residents having raised objections because their property values will go down. The city has taken some property for widening under imminent domain, but a huge housing development behind his house is a double whammy.

Chris Hopper spoke in opposition to this project. He owns property on Casa Grande and Sierra Avenue and did not receive notification in 2012; he purchased for commercial zoning and is curious as to why this area was picked when there is no train nor freeway close by.

Rudy Garcia spoke on having purchased property to supplement his income, but is excited to see where this is going and how property owners will be compensated besides buying up their land.

Leonel Salazar owns property near Upland and Chantry and is concerned about having apartments if rezoning is done; the robberies and cars getting broken into will get worse.

Bobby Kava, from Cherry and Valley Truck, was concerned with what happens to existing businesses.

The Public Hearing was closed.

Discussion was held on properties having changed hands and not properly notified.

Discussion was held on finding surplus property somewhere else.

Discussion was held on making it an overlay to give property owner additional options. There has to be zoning in place that will have affordable housing on site.

Discussion was held on the City not being responsible for building, just zoning.

Director Troyer spoke on this project putting all of the zoning in place and the

housing element not having to be revisited until 2019. There are not current applications in the works.

Discussion was held on how someone with a project in the works would be affected.

Discussion was held on the housing element not being met if there are not 50 units to the acre.

Discussion was held on the notice of the community meetings and public hearings.

The Public Hearing was reopened.

Peggy Chan, owner of 15 acres, is not sure if she is for or against the project.

The Public Hearing was closed.

Staff will make various corrections to the Resolution language as requested by Vice Chairperson Slowik.

Director Troyer and staff addressed various questions and concerns brought up by Vice Chairperson Slowik.

The Public Hearing was reopened.

Pamela Corl spoke on the transit requirement.

The Public Hearing was closed.

Commissioner Meyer spoke on taking an oath to uphold state law and hands being tied as far as what can be done tonight; staff needs to look at alternatives to come up with a solution to achieve the same RHNA numbers, but there is not enough time to do that in a month.

Discussion was held on the state requiring this be done by October 15, 2014.

Discussion was held to make sure that all current property owners be noticed.

Director Troyer requested that anyone that has a concern with this project to contact staff right away at [J.Troyer@fontana.org](mailto:J.Troyer@fontana.org); everyone will get a notice for the City Council hearing.

Discussion was held on holding this item; but Director Troyer stated that action must be taken tonight.

A recommendation to approve this item with direction for staff to look into the Sierra properties can be made.

If this item is denied, it would be forwarded to Council with a note that the Planning Commission denied, but would still be recommend for the City Council to approve.

Discussion was held on trifurcating this item; to meet RHNA requirement, it must be bundled.

**ACTION:** Motion was made by Vice Chairperson Slowik and seconded by Meyer to adopt PC **Resolution No. 14-07**, a resolution forwarding a recommendation to the City Council: 1) Finding that there will be no significant environmental impacts caused by this project; therefore, a Mitigated Negative Declaration (MND) has been prepared pursuant to Section 15070 (a), of the California Environmental Quality Act; and, 2) To adopt General Plan Amendment, (GPA) No. 13-005, an amendment to Chapter 3 (Land Use Element) creating new multi-family housing general plan designations and an Emergency Shelter Overlay zone. 3) To adopt Zoning Code Amendment, (ZCA) No. 13-007, an amendment to Chapter 30, Article V, Article VI, Article IX, and Article X of the Fontana Zoning Code. 4) To amend Zoning District Map rezoning properties to R-4, R-5, and Emergency Shelter Overlay with changes requested by Vice Chairperson Slowik. Motion passed by a vote of 3-1 with Commissioner Armendarez opposing.

## **DIRECTOR COMMUNICATIONS:**

### **A. Director Communications**

The Planning Commission reviewed an update of future City Council Agenda items for the September 23, 2014, and October 14, 2014, meetings for the Planning Commission's information; and an update of future Planning Commission items for the September 23, 2014 (City Council/Planning Commission Workshop), October 7, 2014, October 14, 2014 (Joint City Council/Planning Commission Workshop), and October 21, 2014, meetings for the Planning Commission's information.

## **COMMISSION COMMENTS:**

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

Vice Chairperson Slowik announced the Mayor's Gala on October 4, 2014 to benefit the Boys and Girls Club of Fontana.

Commissioner Meyer reminded everyone of the Sacred Heart Parish Festival this weekend.

Commissioner Meyer wished everyone a good evening.

Secretary Armendarez spoke on the decisions having to be made being very tough and hopes that all of these issues will be resolved in a timely manner.

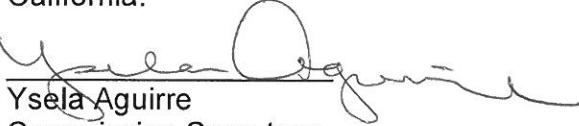
Secretary Armendarez wished everyone a good evening.

Chairperson Cothran wished everyone a good evening. City Clerk Lewis announced that the Fontana Masonic Lodge is having their barbecue on Saturday, September 20, 2014, from 11:00 a.m. to 7:00 p.m. for \$10.

City Clerk Lewis announced the City of Fontana Volunteer Recognition event on Saturday, September 20, 2014.

#### **ADJOURNMENT:**

By consensus, the Planning Commission adjourned at 9:07 p.m. to a Joint City Council/Planning Commission Workshop on September 23, 2014, at 5:30 pm. In the Executive Conference Room located at 8353 Sierra Avenue, Fontana, California, and then to the regularly scheduled Planning Commission meeting on October 7, 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 7th DAY OF OCTOBER, 2014.**

  
Phil Cothran  
Chairperson