

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
December 02, 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, December 2, 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, Commissioner Garcia and Commissioner Meyer.

Absent: None

Also Present: Community Development Director James Troyer; Planning Manager Zai AbuBakar; Attorney Andrew D. Maiorano; Associate Planner Paul Gonzales; Senior Planner Orlando Hernandez; Assistant Planner Jon S. Dille; Associate Planner DiTanyon Johnson; Assistant Planner Salvador Quintanilla, Assistant Planner Rina Leung; Planning Intern Benjamin Torres; Senior Engineer Kathy Raasch; Associate Engineer Rico Garay; Supervising Building Inspector James Caro; Policing Technician Wendy Ratcliffe; Deputy City Clerk Cecilia Henderson and Planning Commission Secretary Ysela Aguirre

B. Presentation of Proclamation

The Planning Commissioner recognized Jeannie Hawley, Administrative Secretary, for her 26 years of dedicated service with the City of Fontana as she retires.

The Planning Commission recognized Vice-Chairperson Slowik and Secretary Armendarez for their service on the Planning Commission as they will join the Fontana Unified School District Board of Trustees.

Fontana Unified School District Superintendent Leslie Boozer welcomed Board of Trustees Jesse Armendarez and Matthew Slowik to the District School Board.

C. Reception Break to Honor Outgoing Commissioners

A recess was called at 6:24 p.m.

The meeting was reconvened at 6:53 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance

Following the Invocation given by Chairperson Cothran, the Pledge of Allegiance was led by Secretary Armendarez.

PUBLIC COMMUNICATIONS:

A. Public Communications

None.

CONSENT CALENDAR:

A. Approval of Minutes

Approve the Planning Commission Minutes of November 18, 2014.

A motion was made by Vice-Chairperson Slowik and seconded by Secretary Armendarez to approve the minutes of the November 18, 2014, Planning Commission Meeting. Motion passed by a vote of 4-0-1 with Commissioner Meyer abstaining.

PUBLIC HEARINGS:

A. Agreement No. 14-002 - Second Amendment to the Citrus Heights North Development Agreement (Continued from 11-18-14)

Project Planner, Orlando Hernandez, Senior Planner, provided the staff report.

Secretary Armendarez and Commissioner Garcia recused themselves from hearing this item.

The Public Hearing was opened.

Speaking for the applicant, Stacey Sassaman, a representative from the Lewis Group, spoke on the number of units available.

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 Adopt Resolution PC No. 2014-11 recommending that the City Council: 1) Determine that the proposed Ordinance does not have a significant effect on the environment pursuant to the California Environmental Quality Act (CEQA) 15061(b)(3) (Review of Exemption) and the proposed Agreement has been determined not to have a significant effect on the environment pursuant to the California Environmental Quality Act (CEQA) 15061(b)(3) (Review of Exemption) and qualifies for an Exemption; and, 2) Adopt an ordinance approving the Second Amendment to the Citrus Heights North Development Agreement. Motion passed by a vote of 3-0 with Commissioner Garcia and Secretary Armendarez recused.

B. Design Review No. 87-053R1 (MCN No. 14-007) Facade Modification for Foothill Cape Apartment Complex (Continued from 10-21-14)

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

Discussion was held on how this project got to this point and the purpose of the Planning Commission approving at this time.

Planner Quintanilla provided the information regarding a building inspector passing by and noticing construction work.

Discussion was held on the process if the Planning Commission denies this project.

Discussion was held on requiring the applicant to add or upgrade amenities.

Discussion was held on requiring additional enhancements if the project is not meeting the current standards or not meeting expectations of what was originally approved.

Discussion was held on the project reverting to what was originally approved if this project is not approved.

The Public Hearing was opened.

Speaking for the applicant, Frank Cronan, Construction Supervisor, is willing to work with staff regarding additional enhancements. The applicant is willing to do more and is willing to come back with proposed enhancements.

Applicant spoke on wanting to make this right and is willing to come back to the January 20 Planning Commission meeting.

Discussion was held on the project being consistent with the North Gate Specific Plan.

Discussion was held on the options for this project: 1) accept and approve what is proposed; 2) revert to the original approved design; 3) applicant to work with staff and enhance what has been done and possibly upgrade amenities such as barbecues and bike racks.

Discussion was held on the parcel map.

Discussion was held on adding a condition regarding the length of time to complete the project.

Discussion was held on what leverage the City has if the applicant does not follow through on what is expected.

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 continue this item to the January 20, 2015 Planning Commissioner meeting. Motion passed by a vote of 5-0.

C. MCN No. 14-072 and ZCA No. 14-011 (Continued from 10-21-14)

Project Planner, Rina Leung, Assistant Planner, provided the staff report.

Secretary Armendarez recused himself from hearing this item.

Discussion was held on why this item was being brought forward.

Discussion was held on the application process being available online.

Discussion was held on only regulating signs in the public right of way, not on private property. 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 Commissioner Slowik and seconded by Commissioner Garcia to 1) adopt PC Resolution No. 14-12, a resolution forwarding a recommendation to the City Council to: 1) Find that there will be no significant environmental impacts caused by this project; therefore, a Notice of Exemption has been prepared and circulated pursuant to Sections 15378 (Project), 15061 (b)(3) (Review of Exemption), and that the project qualifies to be Categorically Exempt pursuant to Section 15303 – Class 3 (New Construction or Conversion of Small Structures), of the California Environmental Quality Act; and, 2) Adopt MCN No. 14-0072, (Master Case Number) and ZCA No. 14-0011 (Zoning Code Amendment), an amendment

to Chapter 3, Sections 3-164 (Advertising and signs – temporary off-site real estate directional signs) of the Fontana Municipal Code. Motion passed by a vote of 4-0 with Secretary Armendarez recused.

D. Master Case No. 14-085, Conditional Use Permit No. 14-035

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

Discussion was held on the connection between the two shopping centers. The current property owners refuse to work together.

Discussion was held on the fences on the property.

Discussion was held on stores that sell alcohol on the adjacent property.

Discussion was held on any proposed patio area use.

The Public Hearing was opened.

Speaking for the applicant, Maria Durston, read and approved all of the conditions of approval.

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 Commissioner Garcia to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301, (Class No. 1, Existing Facility) of the CEQA, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 14-035 subject to the attached findings and conditions of approval. Motion passed by a vote of 5-0.

E. Master Case No. 14-076 (Conditional Use Permit No. 14-031), Booker Family Childcare Facility

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

The Public Hearing was opened.

Speaking for the applicant, Stacey Booker, spoke on her child care history.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Armendarez and seconded by

Commissioner Meyer to 1) Determine that the project is Statutory 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. 14-031 subject to the attached Findings and Conditions of Approval. Motion passed by a vote of 5-0.

F. Tentative Parcel Map No. 19570 (MCN No. 12-019)

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

Discussion was held on the division of the parcels.

Discussion was held on sufficiency of parking.

The Public Hearing was opened.

Speaking for the applicant, Bill McGiver, has reviewed and has no problems with the conditions of approval. Applicant stated that there is no prospective tenant at this time.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Armendarez and seconded by Commissioner Meyer to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15315, Class 15, (Minor Land Divisions) of the California Environmental Quality Act, and direct staff to file a Notice of Exemption; and, 2) Approve Tentative Parcel Map No. 19570. Motion passed by a vote of 5-0.

G. Master Case No. 14-047; Design Review No. 14-016; Windrows

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

Staff received one communication inquiring about the project.

Staff provided a correction under Condition No. 28 in Attachment No. 11 section 28, parenthetical language regarding 50% reduction of fees for a warehouse should be stricken.

Secretary Armendarez disclosed that he met with the applicant on several occasions with no reportable action.

Discussion was held on adding retail to Arrow Blvd.

Discussion was held on the live/work units.

Discussion was held on the look of the condos.

The Public Hearing was opened.

Speaking for the applicant, Brad Buller spoke on being involved with the project since 2008 and the consolidation of the properties under one owner. Planner Casey confirmed that the applicant can pull a grading permit before the map is recorded; only for vertical construction would the road map have to be recorded prior to construction.

Mr. Buller congratulated Vice-Chairperson Slowik and Secretary Armendarez on their election to the School Board.

Discussion was held on the project being intended for seniors, it is not.

Discussion was held on the barbecues being installed.

Speaking for the applicant, Mohammad Monshizadeh spoke on working diligently with staff to have the amenities meet or exceed City standards. Applicant spoke on the rendering of the project.

Discussion was held on the parking and garages provided.

Discussion was held on the proposed use of the work buildings.

Speaking for the applicant, Massoud Monshizadeh spoke on the budget and the square footage of the building.

Discussion was held on the sale of each unit being sold without the garage.

Director Troyer spoke on the Police Department supporting this project.

Policing Technician Wendy Ratcliffe spoke on this development increasing the value of the area and bringing it up. The Police Department is always looking for developers to come in and build new projects. Technician Ratcliffe spoke on the developers being amazing to work with and making every change requested; they have been a pleasure to work with.

Discussion was held on the phasing and applicant expecting to sell during construction.

Applicant was complimented on the excellent concept and design.

Correction will be made on page 158, Condition No. 63 to change "refuel" to "refuse".

Bob Copeland, Fontana Unified School District, spoke on this project being a good addition to the neighborhood; the new students at Oleander Elementary can be accommodated.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Meyer and seconded by Secretary Armendarez to 1) Adopt the Mitigated Negative Declaration and direct staff to file a Notice of Determination; and, 2) Approve Design Review No. 14-016 with the correction to Condition No. 28, defining of Condition No. 37, and correction to Condition No. 63. Motion passed by a vote of 5-0.

H. Design Review No. 14-010 A 212,000 sq. ft. industrial building.

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

Discussion was held on the size of each parcel.

Discussion was held on the ownership of the properties.

Discussion was held on the minimum parcel size being 40,000 sq. ft.

The Public Hearing was opened.

Speaking for the applicant, David Ball, requested approval of the project; the applicant worked to acquire additional properties but was unsuccessful in acquiring all of them. Applicant has read and agreed to the conditions of approval including working with staff on the glazing.

Discussion was held on the properties on the east and west developing out.

Discussion was held on design and size of the four middle windows on the south elevation and the addition of more windows.

Director Troyer stated that staff will work with the applicant to enhance the south elevation to the satisfaction of the Community Development Director.

David Eshleman spoke in favor of this project and the beautification of Jurupa Avenue.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Armendarez and seconded by Commissioner Meyer to 1) Adopt the Mitigated Negative Declaration and

direct staff to file a Notice of Determination; and, 2) Approve Tentative Parcel Map No. 14- 008; and, 3) Approve Design Review No. 14-010 with a condition for the applicant to work with staff to enhance the south elevation to the satisfaction of the Community Development Director. Motion passed by a vote of 5-0.

I. Master Case No. 14-088 and Zoning Code Amendment No. 14-014 fencing requirements for new home construction.

Project Planner, Benjamin Torres, Planning Intern, provided the staff report.

Discussion was held on how this item came up.

Discussion was held on the standard of the block wall that will be at staff's discretion.

Discussion was held on view fences.

Discussion was held on direction given by City Council to require block walls.

Discussion was held on areas within Specific Plan following construction requirements of the Specific Plans; areas outside of Specific Plans will be governed by this ordinance.

Discussion was held on adding "new" to the ordinance.

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 Commissioner Meyer and seconded by Vice-Chairperson Slowik with to 1) adopt PC Resolution No. 2014-13 a resolution forwarding a recommendation to the City Council: 1) Find that there are no significant environmental impacts caused by this project; therefore, Notice of Exemption has been prepared pursuant to Section 15061 (b) (3) (General Rule Exemption), of the California Environmental Quality Act; 2) Adopt an ordinance approving Zoning Code Amendment (ZCA) No. 14-014, an amendment to Chapter 30 Article V, (Residential Zoning Districts) Divisions 5, Section 30-176, of the Fontana City Code with a correction to item No. 3 to add "new". 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 December 9, 2014, December 23, 2014, and January 13, 2015, meetings for the Planning Commission's information; and an update of future Planning Commission items for the December 16, 2014, for the Planning Commission's information.

B. Notice of Cancellation of the January 6, 2015 Planning Commission Meeting

The January 6, 2015 Planning Commission meeting will not be held due to the Holidays in December 2014 and January 2015. The Planning Commission Calendar for 2015 was approved canceling the meeting on January 6, 2015.

COMMISSION COMMENTS:

A. Planning Commission Remarks

Election of Planning Commission Officers will be placed on the Planning Commission agenda for December 16, 2014.

Commission Meyer spoke on the one year anniversary of the passing of Deacon Roberto from Sacred Heart.

Commissioner Meyer spoke on the Diocesan Black Catholic History Month celebration.

Commissioner Meyer spoke on the teenagers traveling to the mountains for a retreat and requested prayers for those traveling.

Commissioner Meyer spoke on the three people honored tonight Matt Slowik's big heart for the city; Jesse Armendarez is a native that has seen the City change; and Jeannie Hawley on being the nuts and bolts of Planning; and wished them the best. Vaya con Dios.

Commissioner Garcia reminded the community of the Christmas Tree Lighting Ceremony.

Commissioner Garcia spoke on the pleasure of working with the three honorees tonight. Jeannie Hawley was very helpful, organized and nice to work with; Jesse and Matt will do great for the children of the community on the school board.

Commissioner Garcia wished everyone a good evening.

Secretary Armendarez spoke on missing the Planning Commission as this was an adventure for him and enjoyed helping create the vision or the City. He is really looking forward to making a significant change in the community. Our students will move the city forward. He thanked the Commissioners for

his help.

Vice-Chairperson Slowik thanked Jeannie Hawley for her 26 years of service.

Vice-Chairperson Slowik thanked the Community Developer Director, Planning Director Manager, and all of the City Planners for all their hard work.

Vice-Chairperson Slowik dedicated his time of service on the Planning Commission to Don Williams.

Vice-Chairperson Slowik thanked the following folks for their dedication, interest and attendance at the Planning Commission meetings and the development of the City over the years: Karena Neilson, Johnnie Long, Fran Givens, Mike James, John De Sousa, Dale and Dave Jameson, and Jose Juarez.

Vice-Chairperson Slowik thanked Ken Hunt, Amy Colburn, Karen Porlas; City Clerk Tonia Lewis and City Treasurer Janet Koehler-Brooks for all of their help.

Vice-Chairperson Slowik quoted Daniel Burnham "Make no small plans, make only grand plans".

Vice-Chairperson Slowik thanked all of his Planning Commissioner peers.

Vice-Chairperson Slowik thanked former Mayor Mark Nuaimi and Susan Nuaimi, former Mayor Frank Scialdone and Linda Scialdone, former Councilmember Janice Rutherford, Gus and Terry Hawthorne, Councilmember Michael Tahan and Rima Tahan, the Cothran family, and Mayor Aquanetta Warren.

Vice-Chairperson Slowik congratulated Mayor Aquanetta Warren on her successful reelection as Mayor.

Vice-Chairperson Slowik thanked John Roberts.

Vice-Chairperson Slowik thanked voters for electing him to the Fontana Unified School District School Board.

Chairperson Cothran spoke on the pleasure of working with the Planning Commission and will miss Vice-Chairperson Slowik and Secretary Armendarez.

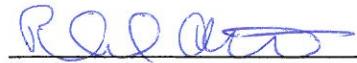
ADJOURNMENT:

By consensus, the Planning Commission adjourned at 9:46 p.m. to a

Workshop in the Executive Conference Room and then to the regularly scheduled Planning Commission meeting on December 16, 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 16 DAY OF DECEMBER, 2014.



Phil Cothran
Chairperson