

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
March 15, 2016
Grover W. Taylor Council Chambers**

CALL TO ORDER/ROLL CALL:

A. Call To Order/Roll Call:

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, March 15, 2016, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Vice Chairperson Meyer called the meeting to order at 6:05 p.m.

Present: Vice Chairperson Meyer, Secretary Garcia, Commissioner Quiroga.

Also Present: Attorney Victor Ponto; Community Development Director James Troyer; Associate Planner Paul Gonzales; Assistant Planner Jon S. Dille; Assistant Planner Dawn Rowe; Policing Technician Wendy Ratcliff; 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 Garcia, the Pledge of Allegiance was led by Commissioner Quiroga.

OATH OF AFFIRMATION OF ALLEGIANCE:

Lawrence Meyer, Commissioner, was administered the Oath of Office by City Clerk Tonia Lewis.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of March 1, 2016.

A motion was made by Secretary Garcia and seconded by Commissioner Quiroga to approve the Minutes of the March 1, 2016, Planning Commission Meeting. Motion passed by a vote of 3-0.

PUBLIC HEARINGS:

A. Planning Case No. 12-005; Conditional Use Permit No. 15-038 - CUP is a request to operate a convenience store in conjunction with a new California Department of Alcoholic Beverage Control (ABC) Type No. 20 (Off-Sale Beer and Wine) license. (Continued from February 16, 2016)

Paul Gonzales, Associate Planner, provided the staff report.

Discussion was held on live feed security video. Policing Technician Wendy Ratcliff spoke on the change adding a condition requiring live feed.

Discussion was held on the police department's recommendation regarding the additional conditions for single container sales. This standard condition started to be added to CUPs in 2012 as a way form to reduce accessibility of alcohol.

Discussion was held on the number of off-sale licenses currently in the City.

Discussion was held on current businesses complying with single container sales.

Discussion was held on other cities' single container sales being consistent with what the City of Fontana does.

Discussion was held on the enforcement of single container craft beer sales.

Attorney Ponto suggested not making a demarcation between craft and non-craft beers.

Speaking for the applicant, Salim Namat spoke on the types of beers. The applicant has no issue with having only one door for single container sales. The applicant accepted the conditions of approval.

Discussion was held on the electrical box.

Speaking for the applicant, Saber Awad, spoke on Edison only approving that location for the electrical box. The applicant will attempt to match the color of the box to the building.

The Public Hearing was opened.

William Seal, Partners for Innovative Communities, spoke in opposition to the sale of single container sales. Fontana has become one of the safest cities and this will affect it.

Julie Duarte, Fontana Community Coalition, spoke in opposition to the sale of single container sales. Fontana is one of the safest cities in the United States because of the policies in place and would like to continue to have those safeguards.

The Public Hearing was closed.

Secretary Garcia is in favor of the project and in opposition of the single container sales.

Commissioner Quiroga spoke on the students he teaches everyday living near the project and agreed with Secretary Garcia.

Vice Chair Meyer agreed with Secretary Garcia and Commissioner Quiroga.

ACTION: Motion was made by Secretary Garcia and seconded by Commissioner Quiroga to 1) Determine that the project is Categorically Exempt pursuant to Section 15332, Class 32, (In Fill Development) of the California Environmental Quality Act, direct staff to file a Notice of Exemption; and 2) Approve Conditional Use Permit No. 15038 subject to the attached findings and conditions of approval with a change to the condition regarding live feed recording. Motion passed by a vote of 3-0.

B. Master Case No. 15-085; Administrative Site Plan No. 15-055 - The request for review and approval of an Administrative Site Plan (ASP) to change the canopy façade of the existing 76 Gas Station/Circle K convenience store fuel island with light-emitting diode (LED) lighting and the re-facing of the existing gas dispensers.

Dawn Rowe, Assistant Planner, provided the staff report.

Staff has not received any communication on this project.

A memo was provided at the dais to add Condition No. 10A.

Discussion was held on Condition No. 9 regarding the diffuser.

Discussion was held on the Amazon locker on the project site.

Discussion was held on the lighting on the south side of the canopy.

Speaking for the applicant, Ed Vidales spoke on the LED lighting and the diffuser; the fueling area, the pump topper and pump decals.

The Public Hearing was opened.

No member of the audience spoke in favor or opposition to this project.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Garcia and seconded by Commissioner Quiroga to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act, and, 2) Approve Administrative Site Plan No. 15055 with the addition of Condition No. 10A. Motion passed by a vote of 3-0.

C. Master Case No. 15-0071; Administrative Site Plan No. 15-044; Conditional Use Permit No. 15-027 - Conditional Use Permit (CUP) No. 15-027 is a request for the use of a truck repair use and sales and leasing of trucks.

Administrative Site Plan (ASP) No. 15-044 is a request for site and architectural review of a proposed 6,262 square foot office and 11,700 square foot truck repair shop.

Paul Gonzales, Associate Planner, provided the staff report.

Discussion was held on the existing school to the north.

Discussion was held on how this project is with compatible with light industrial uses in the surrounding area.

Discussion was held on evaluating the possible use of hazardous substances on the project and its compatibility with the school.

Discussion was held on the surrounding uses – light industrial to the east and west; and school to the north. There will be a wall between the school and the project. Trucks will only exit on Poplar Avenue.

Discussion was held on the county requiring a hazardous material plan. Building and Safety gives standard conditions.

Discussion was held on a compatibility analysis being done.

Discussion was held on students walking down Poplar Avenue.

Speaking for the applicant, Gregg Lord, spoke on being the builder if this project is approved.

Discussion was held on the hours of operation.

Speaking for the applicant, David Deon, spoke on the evening hours needed for light repair drop off and rental return; the office and sales department will close at 6:00 p.m. The technician in the mechanical shop in the back will receive the rental trucks.

Discussion was held on the effect on the area in allowing a later operating hour.

Applicant Deon was agreeable to a 7:00 p.m. closing hour and a mechanic working until 10:00 p.m.

Discussion was held on the noise level when trucks are moving around. Applicant Deon spoke on restricting the opening of the doors in the evening to the east side only.

Discussion was held on the activity near the school would mostly be parking. Applicant Deon spoke on all repairs being done in the building.

The Public Hearing was opened.

Bob Copeland, Fontana Unified School District, spoke on the sidewalk on Poplar Avenue; there does not appear to be any residents south, east or west of the development and foot traffic would be minimal. He spoke on being worried about the screen wall being as high as allowable with proper lighting and on site security to curb vagrancy. He spoke on the noise transmitting east and west and not north that could impact the school.

The Public Hearing was closed.

Secretary Garcia spoke on being concerned with the operating hours.

Director Troyer suggested having the hours of operation until 9:00 p.m. for repairs and delivery of trucks. The applicant was in agreement.

Applicant was has read and agreed with all of the conditions of approval.

Secretary Garcia proposed allowing the hours of operation until 10:00 p.m. as it does not violate the Fontana Municipal Code and given the surrounding area.

Applicant requested having operation until 10:00 p.m. Vice Chairperson Meyer suggested 9:00 p.m. extend repair time.

ACTION: Motion was made by Commissioner Quiroga and seconded by Secretary Garcia to 1) Determine that the project is Categorically Exempt pursuant to Section 15332; Class 32, (In Fill Development) of the California Environmental Quality Act, direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 15027; and, 3) Approve Administrative Site Plan No. 15044 with a change to the hours of operation. Motion passed by a vote of 3-0.

D. Master Case No. 15-039; Design Review Project No. 15-005 - The proposed project is for the site and architectural review for a new high cube warehouse/distribution building of approximately 318,870 square feet located on approximately 13.8 adjusted gross acres, with up to 10,000 square feet of office space. As proposed the project has 42 dock high doors, two (2) drive-in ramp doors, 64 truck trailer parking stalls, and 109 automobile parking stalls.

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

Staff noted corrections to the conditions of approval.

Speaking for the applicant, Dennis Rice, spoke on the project specifications. This is their first project in Fontana, but they have been in the Inland Empire since 1998.

The Public Hearing was opened.

David Eshleman spoke in favor of the project and thanked Planner Dille on this really nice project and all of the benefits to the City – jobs, curbs, gutters, and sidewalks.

Richard Valadez spoke in opposition to this project due to the noise inconvenience caused by the truck traffic.

Discussion was held on hours of operation in SWIP (Southwest Industrial Park).

Applicant Rice spoke on the vacant project site with no current activity.

Karrie Cano, CEQA Planner, spoke on the addendum EIR does not provide any mitigation measures.

Discussion was held on the source of the noise in the area not being from this project; but this project will contribute to the noise, but would not contribute a significant amount.

Discussion was held on hours of operation on other projects.

Discussion was held on possible hours of operations; a tenant has not been identified.

Discussion was held on the SWIP not having any limitations on hours of operation.

Discussion was held on the section where SWIP moves into residential zone.

Applicant has read, understood and agreed to all of the conditions of approval. Applicant has no problem with video surveillance in the building.

Policing Technician Ratcliff spoke on the live feed capability condition language.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Garcia and seconded by Commissioner Quiroga to 1) adopt Resolution No. PC 2016-002 2) Adopt the Addendum to the Southwest Industrial Park Specific Plan Environmental Impact Report (SWIP EIR) (SCH NO. 2009091089) and direct staff to file a Notice of Determination; and 3) Approve Design Review No. 15-005 with the changes to the conditions of approval provided by staff. Motion passed by a vote of 3-0.

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for the March 22, 2016 and April 12, 2016, meetings for the Planning Commission's information; and an update of future Planning Commission items for the April 5, 2016 and April 19, 2016, meetings for the Planning Commission's information.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Quiroga congratulated the two new Planning Commissioners.

Commissioner Quiroga wished everyone a great evening.

Secretary Garcia congratulated the two new Planning Commissioners.

Secretary Garcia wished everyone a great evening.

City Clerk Tonia Lewis wished everyone a happy Easter.

City Clerk Tonia Lewis reminded everyone that kids will be on Spring Break and reminded everyone to be careful.

Commissioner Quiroga spoke on the Fontana Middle School Travel Club leaving on their trip next week.

Chairperson Meyer congratulated the two new Planning Commissioners.

Vice Chairperson Meyer thanked Chairperson Cothran for his years of service.

Vice Chairperson Meyer thanked City Clerk Tonia Lewis for swearing him in on his own bible.

Vice Chairperson wished everyone a happy St. Patrick's Day.

Vice Chairperson wished everyone a happy Easter.

Vice Chairperson Meyer welcomed everyone to Sacred Heart Church for Stations of the Cross on Good Friday.

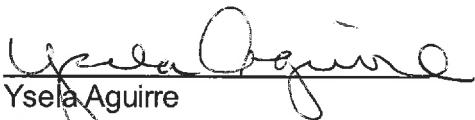
Vice Chairperson Meyer announced that the April 5, 2016, Planning Commission meeting has been cancelled.

WORKSHOP:

None.

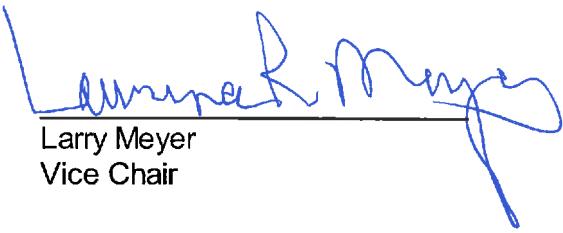
ADJOURNMENT:

By consensus, the Planning Commission adjourned at 7:46 p.m. to the 2016 American Planning Association Conference in Phoenix on April 2, 2016, then to the Regular Planning Commission Meeting on Tuesday, April 19, 2016, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 19th DAY OF APRIL, 2016.**



Larry Meyer
Vice Chair