

**MINUTES OF THE CITY OF FONTANA REGULAR  
PLANNING COMMISSION MEETING  
April 19, 2016  
Grover W. Taylor 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, April 19, 2016, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Vice Chairperson Meyer called the meeting to order at 6:00 p.m.

Present: Vice Chairperson Meyer, Secretary Garcia, Commissioner Quiroga, Commissioner Gongora, and Commissioner Sanchez.

Absent: None.

Also Present: Attorney Victor Ponto; Director of Community Development James Troyer, AICP; Planning Manager Zai AbuBakar; Associate Planner Paul Gonzales; Assistant Planner Dawn Rowe; City Clerk Tonia Lewis, and Administrative Secretary Maria Torres.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

**A. Invocation/Pledge of Allegiance**

Following the Invocation given by Commissioner Quiroga, the Pledge of Allegiance was led by Commissioner Sanchez.

**SPECIAL PRESENTATIONS:**

**A. SWEARING IN – Tonia Lewis, City Clerk**

- Idilio Sanchez
- Kareem Gongora

**PUBLIC COMMUNICATIONS:**

**A. PUBLIC COMMUNICATIONS:**

Rafael Trujillo, Rialto Parks Commissioner congratulated Mr. Sanchez and Mr. Gongora. He wished everyone of the commission the best.

Pastor Daniel Vasquez congratulated the new commissioners and referenced a couple bible verses.

Tressy Capps spoke on Toll Free IE and if anyone is interested in not having toll lanes on the 10 freeway and 215 freeway is encouraged to visit their Facebook page at Toll Free IE and the public can see their current status and stop the toll lanes from coming to the IE. She stated that Council Member Tahan is very much on board and that Fontana has a lot to loose from these lanes. She is asking for the public to be informed and educate themselves and let the people at Sandbag know that these lanes are not wanted in Fontana. She congratulated Commissioner Sanchez and stated that she is looking forward to working with Commissioner Gongora. She stated that the Climate Action Plan is on tonight's agenda, and she stated that this will be in the Executive Room and not in public, and encourage the public to visit her YouTube channel grindall6, she stated they would like the city to be more transparent and that they are working on it and that a new website will be launched in the next 18 months. She also spoke on the Westgate Development in the north end of Fontana high density homes, and how the Planning Commission and City Council will vote on this development, which will affect the residents and their property values. She is asking the public to be engaged and educate themselves and be part of the process.

Clarissa Cervantes and Cyndy Hernandez congratulated Commissioner Gongora for having passion, heart, drive, and dedication for working with young people and on behalf of a group of young people called the Inland Empire Millennium Roundtable and hope that all decisions made are for best of the community and hope that he will encourage other young people who are interested in civic and governmental reach their goals of serving in the Planning Commission and running for office.

Linda Gonzalez congratulated Commissioner Gongora and his family on behalf of the Democrat Women's of San Bernardino and as a business owner she stated that she is very proud of him. She also congratulated Commissioner Sanchez.

Amos Young spoke on being excited to be there tonight and spoke on serving the community of Fontana in the past along the side of notable leaders who provided a pathway for young people to look up to like Phil Cothran, Matthew Slowik, Daniel Quiroga, and many others. As a labor representative, and a former Planning Commissioner he is stating that good things happen to good people and tonight is an example of that with the appointments of Commissioners Gongora and Commissioner Sanchez. He thanked Mayor Pro Tem Wibert and Council Member Tahan and others who made the appointments for the Planning Commissioners.

Steve Rusich stated that his brothers and him have own Valley Kia and have owned Valley Auto Center for 20 years, and now have a building in the auto center by the 210 freeway and on behalf of his brother and himself he thanked the City and the Planning Commission for helping with the project and are really excited about this new project. He also congratulated Commissioner Gongora and Commissioner Sanchez for their

appointments. He congratulated Commissioner Sanchez for being a great friend of the family and stated that his proud of him.

Kathy Ponce represents the Freedom Tea Party Patriots, a local activist group, who represents Fontana, Rancho, and Upland. She stated that this past year had been a bumpy ride for residents, staff, commission, and everyone involved in the City. And it will continue to be a bumpy ride and stated that commission will be the backbone and decision makers for what gets forwarded or not to City Council like Westgate, General Plan, Climate Action Plan (CAP), and specific plans. She stated they are here to work as a community, unity in the community to do what is best for Fontana and having open discussions and being transparent and being able to say what is best for Fontana. She stated that she looks forward to working with the commission. She also invited everyone to their meeting at Logan's Road House at 7:00 p.m. on Thursday.

Aissa Sanchez congratulated Idilio Sanchez, her father, and stated that she is really proud of him and what a great role model he is. She also announced that she is running for State Assembly District 47.

Fran Givens expressed her concern with the poor attendance at the Omni Trans Plan that took place at the Women's Club. She stated that there were only ten people to consider their plan and that it is shameful, and she stated that the General Plan meetings have no attendance, yet the plan is for over 208,000 people. She stated that she just wanted to make a point that these meetings are important, and shame the citizens of Fontana for not doing their due diligence.

## **CONSENT CALENDAR:**

### **A. Approval of Minutes**

Approve the Regular Planning Commission Meeting Minutes of March 15, 2016.

A motion was made by Commissioner Garcia and seconded by Commissioner Quiroga to approve the Minutes of the March 15, 2016, Planning Commission Meeting. Motion passed by a vote of 3-0, with Commissioner Gongora and Commissioner Sanchez recusing themselves from voting.

## **PUBLIC HEARINGS:**

- A. Tentative Tract Map No. 05-029Ex (TTM 17677) - A request for a two-year time extension for Tentative Tract Map No. 05-029Ex (TTM 17677) for a subdivision of thirteen (13) single-family lots ranging in size from 6,038 square feet to 7,874 square feet, with an average lot size of 7,330 square feet. The Tentative Tract Map was originally approved in February of 2007.**

Dawn Rowe, Assistant Planner, provided the staff report.

Discussion was held on the extensions of the project due to state law.

Discussion was held on the Tentative Tract Map and Final Tract Map.

Applicant Mohammad Ashraf and Engineer William Shen were present.

Vice Chairperson Meyer asked if the applicant agreed with the Conditions of Approval and if he had a time frame to begin working on the Tentative Tract Map, and if he acknowledge that this was the last extension for this map.

Applicant Mohammad Ashraf stated that he agreed with the Conditions of Approval and that they are currently working on the map, and that he is aware that this is the last extension for the map.

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 Commissioner Garcia and seconded by Commissioner Gongora to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, Class 32 (In Fill Development) of the California Environmental Quality Act, and, 2) Approve the Time Extension for Tentative Tract Map No. 05-29Ex (TTM 17677), subject to the original Conditions of Approval, granting a two-year extension of time to TTM No. 05-29Ex (TTM 17677), extending the expiration date to February 6, 2018. Motion passed by a vote of 5-0.

**B. Master Case No. (MCN) 15-0013; Tentative Tract Map No. 15-001 (TTM 19957) - A request to approve Tentative Tract Map (TTM) No. 15-001 to subdivide approximately 2.89 gross acres into 11 single-family residential lots (R-1) with lots ranging from 6,329 square feet to 10,009 square feet.**

Paul Gonzales, Associate Planner, provided the staff report.

Staff stated that two phone calls were received for this project. The calls were informational questions, one inquiry regarding if the project had an architect; and the other call was regarding how close the project was to their property.

Discussion was held regarding a variance.

Discussion was held regarding the extension of this project and it being previously expired and this being a new map.

Discussion was held regarding the electrical substation and a possible wall separating the backyard of a house and the electrical substation.

Discussion was held regarding the height and safety of the wall.

Staff indicated that currently per Code 6 feet visible and 3 feet retaining wall is allowed for a maximum of 9 feet.

Discussion was held regarding studies of how close the backyard of house is to the electrical substation.

Commissioner Quiroga inquired about extra precautions regarding the wall being so closed to an electrical substation. His concern is family safety.

Director Troyer stated the project will be reviewed by Fire when it comes through for Design Review at the moment they are reviewing the subdivision of the land. He also stated that when a project comes in with homes, all other city departments including Fire reviews it for safety.

Discussion was held on the height of the wall and children jumping over the 9 foot high wall and safety.

Commissioner Sanchez asked if there was a setback requirement for lot number 6, since it is so close to the electrical substation.

Staff stated that there is no setback requirement from Edison and that the substations are built to be in residential communities. Staff also stated that he is not aware of any studies.

Commissioner Quiroga inquired if Fire would be reviewing this project again.

Staff stated that Fire had already reviewed the project once before at the Development Advisory Board (DAB) meeting, along with County HAZ mat and other departments, and that Fire would review it again when they review the design of the homes.

Commissioner Garcia stated that Fire might not look at setbacks in regards to power facilities. He stated that he is not aware of any setback requirements for homes, only for schools. He inquired if there are any other setback requirements from any other agencies.

Staff and Director Troyer stated that the City does not have any setback requirements as it pertains to a public utility.

Staff stated that residents and Edison within a 600 feet radius, were noticed regarding this project.

Commissioner Garcia inquired about the retention basin and the statics of that particular area and how it is going to be maintained.

Staff discussed maintenance and access to the site.

Mr. Codrin Mihai representing applicant Miller Villas, he discussed making the retention basin look as good as possible.

Chairperson Meyer asked if there was an intention down the road where the retention basin would no longer be needed.

Mr. Mihai discussed that he has no indication of the retention basin not being there and that they do not have another contingency plan, however, they would build another residence, yet from an engineering stand point that is not possible.

Mr. Mihai discussed Edison doing numerous test readings and what is acceptable to the human body and some of the readings were very minimal.

Chairperson Meyer requested a letter from Edison stating their position on homes being that close to the substation.

Mr. Mihai stated that he might have the readings from Edison.

Commissioner Sanchez stated that he was interested in seeing the peak hours for the readings.

Mr. Mihai asked what were considered peak hours.

Commissioner Quiroga expressed his concern with the house and the backyard being so close to the electrical substation and the energy levels being released.

Mr. Mihai discussed the packet that Edison provides to residents with information regarding the electrical substations.

Commissioner Quiroga inquired if there had ever been any issues regarding electrical, fires, or explosions.

Mr. Mihai stated that he had never heard of any incidents regarding the electrical substation. He also stated that it being an empty field can be more dangerous.

Director Troyer stated that the commission concerns would be reviewed by the Fire Marshal and staff would get a copy of the Edison packet.

Commissioner Gongora asked if the homes to the south area had any concerns.

Staff stated that no communications had been received from any residents surrounding the project.

Commissioner Garcia stated that instead of the Edison packet, he would like to see a letter, memorandum, or report stating that this electrical substation is not an issue, and what thresholds they are using for analyzing.

Discussion was held regarding possible setbacks and staff being able to address the setbacks during the Design Review process.

Staff informed the commission that there will be a setback from the structure.

Applicant has reviewed and agrees with the Conditions of Approval.

The applicant spoke on the tentative tract map that was approved back in 2005 or 2006 was very similar to the previous tract map.

The Public Hearing was open.

Mr. Bob Copeland, Director of Maintenance Operations for Fontana Unified School District, stated that they do not have any problems with this tentative tract map.

Matt Slowik Fontana resident asked staff if the 9 foot wall was a current condition for the substation.

Staff stated that there is not a current condition, and that in the code there is a minimum of a 6 foot wall, but that due to grading there is an additional 3 foot retaining wall. The condition is not part of the map.

Matt Slowik further discussed the safety of the wall, and stated that the commission is not limited to considering a higher wall with a variance for safety purposes.

Director Troyer stated that the recommendation is noted, but that this will be considered at the Design Review stage not at this stage.

The applicant spoke in agreement to a variance and making the wall higher because he believes it benefits the community, and everyone.

The Public Hearing was closed.

Commissioner Quiroga reiterated the safety of the children, as it pertained to the wall.

Vice Chairperson Meyer discussed the higher wall and the Edison packet being brought at the Design Review stage.

Discussion was held on being proactive and requesting documentation from Edison.

Director Troyer discussed a possible California Environmental Quality Act (CEQA) process for this project during the Design Review process.

Commissioner Garcia agrees with evaluating the hazards through an Initial Study. He also commented on getting all the proper reports and documents pertaining to the project in advance so that when the project does go through a Design Review Process the

commission is able to make an educated decision.

Discussion was held regarding this being a single-family residential and that if the applicant wanted to, they would be able build a home with a 6 foot wall, since it is a R-1 zone.

**ACTION:** Motion was made by Secretary Garcia and seconded by Commissioner Sanchez to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15322; Class 32, (In-Fill Development) of the California Environmental Quality Act, direct staff to file a Notice of Exemption; and, 2) Approve Tentative Tract Map No. 19957 (TTM No. 15-001). Motion passed by a vote of 5-0.

## **NEW BUSINESS:**

### **A. Commission Reorganization:**

Directory Troyer discussed the reorganization of the seats for officers. Commissioner Garcia was nominated by Vice Chairperson Meyer for the seat of Chair, and motion was second by Commissioner Sanchez; Secretary Garcia nominated Vice Chairperson Meyer to continue his office of Vice Chairperson, motioned second by Commissioner Sanchez; Vice Chairperson Meyer nominated Commissioner Quiroga for the seat of Secretary, motion second by Commissioner Gongora.

## **DIRECTOR COMMUNICATIONS:**

### **A. Director Communications:**

Director Troyer spoke on the General Plan Advisory Committee meeting being held on Wednesday, April 27<sup>th</sup> at 6:00 p.m. at the Fontana Community Senior Center. He also stated that this was the sixth meeting out of ten and hope everyone can attend and support the General Plan.

## **COMMISSION COMMENTS:**

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

Commissioner Gongora thanked everyone for being at the meeting, congratulated Commissioner Sanchez for his appointment. He also thanked the Council for the appointments and for allowing him to serve in the Planning Commission and wished everyone a good night.

Commissioner Sanchez thanked everyone for the opportunity to be a planning commissioner. He stated he that he would do his best to represent the city, and do what is best for the community; he is proud to serve and sit with the other Planning Commissioners. He is excited to be part of the future of Fontana. As President of the



Fontana Chamber of Commerce, he invited everyone to the Rock Honda mixer at 5:30 p.m. on Wednesday, April 20, 2016.

Commissioner Quiroga stated that it is an honor to serve with the other Planning Commissioners and that tonight exemplifies how important it is to make sure things are being built, but that safety is not being compromised. He said hello to his kids at school, and his wife and girls, Valentina and Sofia.

Commissioner Garcia acknowledge that the Planning Commission is whole again. He congratulated and welcomed Commissioner Sanchez and Commissioner Gongora. He is looking forward to a good year in Fontana. He stated that Mr. Troyer and Mr. Meyer, and himself attended the American Planning Association (APA) National Conference two weeks ago and believes it was a good event with good sessions. He stated that he is glad to have listened to others across the Unites States to bring back potential ideas for the betterment of the community. He wishes everyone a good evening.

Commissioner Quiroga thanked Phil Cothran for setting a high standard and for being a strong leader for the community. He also thanked him for his guidance.

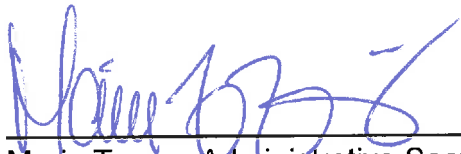
City Clerk Lewis stated that she was honored to swear in the two new commissioners, and publically thanked Council Member Jesse Sandoval for helping the Historical Society's rose garden.

Director Troyer thanked Maria Torres, Planning Secretary for filling in to take minutes for this meeting.

Commissioner Meyer stated that the APA conference was a very good conference. He congratulated Commissioner Gongora and Commissioner Sanchez on their appointments, and Commissioner Quiroga and Commissioner Garcia on their new positions. He also mentioned that on Sunday he assisted with a dedication memorial at Sacred Heart, as an Eagle Scout Project Anthony Gilbert also known as AJ, he raised the funds for the fourteen victims of the December 2<sup>nd</sup> event. The memorial has fourteen rose bushes with the fourteen names, with permission from their families. The city was well represented by dignitaries, congressional office staff, state office staff, and the four families of the victims were also present. He stated that the families were devastated and the community was devastated by this event, and that the families need our prayer.

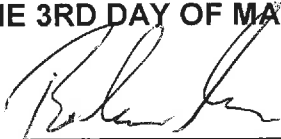
#### **ADJOURNMENT:**

By consensus, the Planning Commission adjourned at 7:30 p.m. to two Planning Commission Workshops after the meeting in the Executive Conference Room, and then to the Regular Planning Commission Meeting on Tuesday, May 3, 2016 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Maria Torres, Administrative Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 3RD DAY OF MAY, 2016.**



Peter Garcia, Chairperson