

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
August 16, 2016  
Grover W. Taylor Council Chambers**

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**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, August 16, 2016, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Garcia called the meeting to order at 6:01 p.m.

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

Absent: None.

Also Present: Attorney Victor Ponto; Planning Manager Zai AbuBakar; Senior Planner DiTanyon Johnson; Senior Planner Orlando Hernandez; Assistant Planner Alejandro Rico; Assistant Planner Jon S. Dille; Senior Engineer Kathy Raasch; Public Works Manager Dan West; City Clerk Tonia Lewis and Planning Secretary Jenny Espinoza.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

**A. Invocation/Pledge of Allegiance:**

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

**PUBLIC COMMUNICATIONS:**

**A. Public Communications:**

Kathy Ponce spoke on developers and citizens being upset that said developers own their cities. There are many coalitions being formed, Neighborhood Coalition is an excellent example of upset citizens and the challenges that they are giving to Mayor Garcetti. She stated that the State of California is giving free lead way to developers, basically they don't have to have EIR's anymore, and they get their mega projects passed, everything being in the hands of the developer. She suggest to everyone when they say in politics start following the money, to really start following the money. When it comes to Randall Lewis, he has just about paid every mayor and city council member from Rialto to Upland. Maybe Mayor Musser has decided to retire with the recall going on

since he has taken thousands of dollars from Randall Lewis. Some running in Rancho Cucamonga against Manolo who has also taken thousands of dollars from Randall Lewis. When we look at our Mayor and City Council, who has funded thousands of dollars? Is Mr. Randall Lewis, and if anybody would like to see the 401c's she has copies. Citizens are sick and tired of developers running their cities, it is time that cities develop and run the way citizens want it to be run. We have one City Council Member that has refused to take money in previous campaigns and still refuses to take money in this campaign, and that is Jesse Sandoval. It takes money to run a campaign, she gets that, but the control from developers in our cities, has to stop. She hopes that the Planning Commission will take to heart what is best for the citizens of Fontana. Rancho and Upland are in an outrage, don't let that outrage get here, do what is best for the city and its citizens, because at the end, it is us who live here, will retire here and our children who hopefully will live here, not theirs.

Sarah Garcia is a resident of the portion one of Fontana. She has five children, and between 20 houses, they have a total of 45 children on their street. It has been a blessing to live in such a beautiful, family oriented community we have a lovely community. She is present to submit a petition that her husband and she have gathered with over 800 signatures and comments objecting the most recent Westgate Project Plan. The community strongly rejects subsidized apartments, high density dwellings, stacked flat housing, and multi-family housing. These uses should not be placed in any of the current proposed Fontana areas for example, the Arboretum Plan and the Ventana at Duncan Canyon Plan. They both feel that these plans will negatively impact the City of Fontana, for example, it will depreciate, not only the value of their homes but also the community which they would like to keep safe for their children and families, it will also add unnecessary congestion and more parked cars. Overall the residents of Fontana desire large single-family homes to be built, at least 8,500 square foot lots. Parks are great, but having to utilize the privacy of your backyard is also great. Why do we have to build high density dwellings, when we have so much beautiful open space in North Fontana especially? She is requesting to leave out any subsidized apartments, high density dwellings, stack flat housing, multi-family housing, small family lots, and we continue the large theme of large homes that are placed by the foothills. Let's make Fontana desirable, not undesirable.

Fran Givens is an advocate for seniors, there are several issues going on, one, they are supposed to be getting a fence, a gated community around the Dino Papavera and Town Plaza Senior Housing Apartments, there are too many people cutting through there like a shortcut. One of these days someone will be getting killed because they drive too fast, they don't do that at the Marygold corner. The second, she doesn't know if there are any senior complexes on the table but in the future, we should include in the planning, outdoor facilities so the seniors can go outside of their apartments and sit outside, as it is now, there is only smoking bench, and those are only for two people or three tiny people, we also have to look at that aspect. Also look at the aspect of keeping the neighborhood clean, there are 270 apartments at the Minerva Manor, Town Plaza and Dino Papavera, a three-story, five-story, and eight-story. They all shop at the Stater Bros. shopping center across the street, there are too many vagrants, there are no laws for vagrants anymore, Governor Regan took that away plus the mental institutions. We have no place to house these people that are homeless and too many times our seniors go down to do their shopping, and the other day a lady lifted up her skirt and urinated on the sidewalk. They have people defecating and people having sex on the bus bench. We have to clean that,

our seniors should not be subjected to that kind of an element when they are trying to go grocery shopping. There is a guy that sleeps under the bus bench at night, we have to look at those things and we need to have subsidize housing. Her comment to the people criticizing the subsidize housing for the west gate thing that federal and state laws mandate that in the construction you have to have subsidized housing and the public should be made aware of that fact.

## **CONSENT CALENDAR:**

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

Approve the Regular Planning Commission Meeting Minutes of August 2, 2016.

Commissioner Gongora had a correction to the minutes, under Planning Commission Remarks, it should read his son will be attending Dolores Huerta School instead of his daughter who is only 2 ½, not of age yet.

A motion was made by Commissioner Meyer and seconded by Commissioner Sanchez to approve the Minutes of the August 2, 2016, Planning Commission Meeting as corrected. Motion passed by a vote of 5-0.

## **PUBLIC HEARINGS:**

### **A. Proposed Continuance for Public Hearing Item: Master Case No. 16-065 - Arboretum Specific Plan Amendment**

Planning Manager AbuBakar spoke regarding the continuance, staff is requesting that the commission continue the item to September 6, 2016 to allow staff adequate time to gather and provide additional information that was requested at the last workshop.

Chairperson Garcia asked Attorney Ponto if anyone that cannot make it to the meeting are allowed to make a comment tonight. Attorney Ponto gave a suggestion to keep the comments to the continuance issue only because if they want to have their comments be part of the administrative record, it is better to come to the hearing where it will be considered and provide comments, but if they want to make general comments we are happy to consider them or receive and file for now.

Chairperson Garcia asked if anyone would like to make comments on the continuance, there were no cards.

Commissioner Gongora asked Planning Manager AbuBakar which items they would bring forth for the meeting. Senior Planner Orlando answered the Commissioner's question. They will bring the specific plan amendment, three tentative tract map applications that were submitted by applicant and submitted for consideration along with two administrative site plan applications for approval for the two different parks within the Meadows Village and also a development agreement. Commissioner Gongora mentioned that at the workshop there was a potential that the entire plan could be looked at and asked if Attorney Ponto wanted to comment on that or wait until the meeting. Attorney Ponto said to wait until the September 6, 2016 meeting to address it.

Commissioner Gongora made a suggestion of possibly having an overlay map that

shows the current density, something similar to what was presented at the general plan meeting and get the full picture before making decisions. Planning Manager AbuBakar said it was possible.

**ACTION:** Motion was made by Commissioner Gongora and seconded by Commissioner Meyer to move this item to the September 6, 2016, Planning Commission Meeting. Motion passed by a vote of 5-0.

**B. Master Case No. 16-001; Conditional Use Permit No. 16-001; Administrative Site Plan No. 16-002 - A Conditional Use Permit request to allow truck repair and a caretaker unit, along with an Administrative Site Plan request to convert an existing house of approximately 2,097 square feet into the caretaker unit (652 sq.ft.) and office building (1,445 sq.ft.), including the construction of a truck repair building of approximately 8,000 square feet and site improvements on approximately 2.3 acres.**

Senior Planner DiTanyon Johnson provided the staff report.

Chairperson Garcia asked Mr. Johnson to describe what the question he received regarding the project was and the answer he gave.

Senior Planner Johnson said the neighbors on the north side of the property had questions about the street improvements on Boyle Avenue and he told them that yes, as part of this project the applicant had to do street improvements on Boyle Avenue. Currently there is only about 30 feet of pavement and with the additional improvements there will be enough space for trucks to go both ways. They also had other questions about fencing and things being proposed on site.

Commissioner Meyer asked regarding fences, if SWIP allowed barbed wire or electric fences. Senior Planner Johnson affirmed that those types of fences are prohibited and the owner is aware of it.

Commissioner Meyer also had questions regarding the 6:00 a.m. starting time asking how close the nearest residence was to the site to see if SWIP will prohibit the starting time.

Senior Planner Johnson stated that there is a caretaker's unit on the south and they also have a truck business. SWIP does not prohibit starting times.

Commissioner Meyer also wanted clarification as to where the doors to the bays will be located, north, south or both and how close the residences will be.

Senior Planner Johnson said bays will be located on both, the north and south of the site. On the north there is an existing industrial building, the only property south of it was the caretaker's unit, which is a little bit to the east, estimating about 200 feet away.

Commissioner Meyer is just concerned that if on a day like today, they would like to keep the doors open and the noise can carry over and disrupt neighbors, as far as he knows the city code is 7:00 a.m. He asked Senior Planner Johnson if SWIP had different rules.

Senior Planner Johnson said yes, SWIP does not limit the time frame for businesses.

Commissioner Meyer asked if the nearest house was legal non-conforming or if they are in an appropriately zoned area.

Senior Planner Johnson affirmed that most likely it was legal non-conforming based on what he saw when he drove by the area.

Chairperson Garcia wanted to clarify that the 7:00 a.m. time was for construction and not for operating a business. Planning Manager AbuBakar said it was correct on the time.

Commissioner Gongora congratulated Mr. Johnson on his recent promotion to Senior Planner and asked to elaborate if there were more caretaker units.

Senior Planner Johnson stated that only one caretaker unit is proposed for the purpose of security personnel to house the staff to watch over the site and maybe for maintenance purposes.

Commissioner Sanchez asked if on the red band it was the actual color being proposed, a whole strip across the building.

Senior Planner Johnson said it was hard to tell on the elevations but it will be a similar color.

Commissioner Sanchez asked if there was a limit on the color being proposed like earth tones. Senior Planner Johnson said that there were no limits as far as the color, but if it was a comment from the commission that they could certainly impose that.

Commissioner Sanchez just wants it to be conforming to the area around it not to be a sore eye with the big stripe across the building. Going back to the power point slide, Commissioner Sanchez also inquired about the color of the stack stone, as far as being a peachy tone.

Senior Planner Johnson said it would be more of the earth tones such as the tans and browns. The project will not come back for Design Review, maybe the architect could verify the colors, as he is present.

Commissioner Gongora asked how many bays were being proposed.

Senior Planer Johnson verified that there are five (5) proposed bays. Going back to the presentation image, the bottom portion will be on the south and north of the site and the top elevation is the east and west.

Commissioner Gongora asked what would be the entry point for the trucks.

Senior Planner Johnson stated that there is a proposed drive-way off of Elm and Boyle, and will clarify with applicant, he understands it will be for both egress and ingress.

Public Hearing was opened and Mr. Shoaib Siddiqui came to the podium to answer questions regarding the description of the color. According to the color pallet he

presented, it came close and they could tone it down if it's part of the conditions. Maybe when they printed it was brighter but it will more a brownish color. He also clarified that trucks will be entering on Elm Avenue and exiting on Boyle Avenue for better circulation without conflicts. He addressed Commissioner Meyer's question on what will happen between the hours of 6:00 a.m. and 7:00 a.m. He said there could be occasional truck repair but normally business will start at 8:00 a.m. Also verified that they will put a wrought iron fence. Even though is prohibited per code, he will have no problem if the Commission were to enforce the no electric fences or barbed wire fences.

Commissioner Meyer congratulated Mr. Shoaib on a good project that will add to the community in that part of the city.

Commissioner Gongora wanted to bring one of the conditions of the digital surveillance system to have a consistency with the process moving forward.

Chairperson Garcia said he would like to see the condition modified for certain types of businesses where it should be mandated like the higher risk businesses. As of right now, he agrees with the condition for the business with an option to put it or not.

Discussion was held on digital live feed surveillance cameras and the prospect of having Chief of Police at the next meeting to clarify the condition that was drafted with City Manager and Deputy City Manager's approval.

Chairperson Garcia asked if applicant agreed on all the conditions.

The applicant stated that he agrees with all the conditions.

Dennis Johnston from Peterman Lumber welcomed the new neighbors, thanked the Planning Commission for their job and thanked Senior Planner Johnson for answering his questions. They have been in the business for 37 years and agrees that they are on the right path as far as having one side for the entrance and one for the exit. He has asked the City to look into putting a stop sign on Elm and Boyle Avenue because of a couple of close calls regarding the blind corner. For vandalism, safety and surveillance for entrance access they have 35 cameras proven worthwhile.

Public hearing was closed.

There was consensus from Commission to have the applicant work with staff to have an acceptable color and applicant agreed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Commissioner Sanchez to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, Class No. 32 (Infill Development), of the California Environmental Quality Act and 2) Approve Conditional Use Permit No. 16-001 and Administrative Site Plan No. 16-002. Motion passed by a vote of 5-0.

**C. Master Case No. 15-059; Design Review No. 16-005 - Design Review Project No. 16-005, is a request for approval for the site and architecture review to construct seven (7) single-family homes ranging in size from 2,117 square feet to 2,420 square feet. The homes are proposed on a parcel of**

**approximately 1.5 adjusted gross acres that was previously subdivided (Tentative Tract Map No. 17161) into seven (7) lots that range in size from approximately 6,707 square feet to approximately 9,800 square feet with an average lot size of approximately 8,119 square feet.**

Assistant Planner Jon S. Dille provided the staff report.

Commissioner Gongora asked if Mr. Copeland had sent any correspondence or messages regarding the development, traffic congestion and any dust, since there are a lot of students that attend Truman Middle School to the north of the site. Planning Manager AbuBakar said that they will have to comply with all the requirements for dust control by AQMD (Air Quality Management District).

Discussion was held on the wall facing Citrus Avenue, and the measures they will take to have landscape and prevent any graffiti.

Doug Andresen, architect for the project spoke on behalf of the applicant regarding dust control and the measures they will take to minimize it.

Commissioner Meyer had a question regarding the architecture of the front windows on Plan B, he asked if perhaps it was for solar reasons and was told by Mr. Andresen that Assistant Planner Jon Dille made them change the features to enhance the architecture.

Senior Engineer Kathy Raasch said the project did include landscape, street trees and shrubs to the wall facing Citrus Avenue, keeping consistency with the CFD and within budget of the property owner.

No comment cards or public comments.

**ACTION:** Motion was made by Commissioner Sanchez and seconded by Commissioner Gongora to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-Fill) of the CEQA, and direct staff to file a Notice of Exemption; and 2) Approve Design Review Project No. 16-005 subject to the attached findings and conditions of approval. Motion passed by a vote of 5-0.

**D. Master Case No. 16-018; Administrative Site Plan No. 16-016 - A request to redesign the existing Amphitheater area located at the A.B. Miller Park and the addition of a new 1,675 sq. ft. band shell, a 405 sq. ft. storage and equipment, and a 1,275 sq. ft. restroom facility.**

Senior Planner Orlando Hernandez provided staff report.

Discussion was held on parking issues, on how high the stage will be, and the overall design of the site.

Public Works Manager Dan West specified the measurements of the stage saying it was 15 inches high by 40 feet wide and 35-36 inches deep. Nothing like the mobile stage that they use right now at the summer concerts.

Commissioner Gongora wanted to know what accommodations will be provided to the

community since there won't be an increase in use or events. He mentioned attending a couple of the summer concerts, specifically the one for Brenton Wood, and it was a full house, and people on the other side of the hill were not able to see the stage.

Public Works Manager Dan West stated that the intent of the design was to improve the site, introduce a permanent facility so that we don't use a mobile stage or porta potties as restrooms and to support the current programming going on at the site. The original amphitheater design was on a much larger scale and twice as much as the one being proposed now, the new proposed amphitheater was decided by staff, City Manager, and City Council.

No comment cards or public comments.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Commissioner Gongora to 1) Adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and direct staff to file a Notice of Determination; and, 2) Approve Administrative Site Plan No. 16-016. Motion passed by a vote of 5-0.

## **DIRECTOR COMMUNICATIONS:**

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

Planning Manager AbuBakar said that there are three upcoming items and with the continuation of the Arboretum Specific Plan Amendment there will be four items for Planning Commission Meeting of September 6, 2016. Also, reminded the Commission of the upcoming Joint City Council and Planning Commission Workshops on September 13, 2016 and September 27, 2016.

## **COMMISSION COMMENTS:**

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

Commissioner Gongora said hello to his wife and kids and mentioned the busy week they had with going back to school.

Commissioner Gongora gave kudos to Congressman Pete Aguilar for hosting the Senior Fair at the Jessie Turner Center about a week ago, so many people in attendance and vendors providing information and resources on different programs.

Commissioner Gongora also attended Assembly Member Cheryl Brown's backpack give-a-way in Muscoy. A lot of kids in attendance from the Assembly area.

Commissioner Gongora attended yesterday the Water of Life Race Relations Discussion and thanked the law enforcement and elected officials for being present. He also thanked the community for coming out to speak, whether they agree or disagree, just to understand the process and the seriousness of the decisions they hold on the Commission.

Commissioner Gongora mentioned Pastor Dan hosting an event at Bill Martin Park called

"Love Fontana" this coming Friday at 6:00 p.m. and invites everyone to come out and join.

Commissioner Gongora also stated that he appreciates the opportunity to serve in the commission.

Commissioner Meyer just wanted to give a little trivia regarding Brenton Wood being an old meeting that happened in World War II with Churchill and FDR before U.S.A. getting involved in WWII.

Commissioner Meyer encourages everyone, now that most schools are open, to be careful and on the look out to keep young people safe.

Commissioner Meyer wishes everyone a happy Labor Day weekend and to remember what the holiday is about.

Commissioner Meyer mentioned that August 20th looked to be a busy weekend with the Downtown Area workshop and the 10th Anniversary of Sacred Heart from 4:00 p.m. to 10:00 p.m., and encourages everyone to come out and join the celebration.

Commissioner Meyer commented on adjourning the meeting to keep our first responders fighting the Blue Cut Fire out of harm's way.

Commissioner Quiroga echoed Commissioner Meyer's comment on the Blue Cut Fire, he has a sister that lives up there and a lot of the teachers he works with also reside in that area. Hopes everything is under control.

Commissioner Quiroga gave a shout out to Fontana Middle School, he has been there for 16 years and has seen it transform into a beautiful school. They have beautiful kids and he is excited about the school year.

Commissioner Sanchez appreciates the Planning Commission for being strong and thanked everyone for coming out tonight to share thoughts and opinions. Also, thanked his wife for letting him come out and be part of these things, you know what they say: "happy wife, happy life" and he strives to make her happy.

Commissioner Sanchez gave thanks to God for his family and for having his business in this beautiful city. He prays that the Blue Cut Fire does not come down the side of the mountain like the Foxborough Fire in 2007 and have to evacuate tonight.

Commissioner Sanchez asks everyone to please pray for the families that have been displaced from their homes and for future people that will be displaced as well.

Chairperson Garcia had the opportunity to attend the Race Relations discussion event, he thinks it was a successful event and it brought everyone together. He thanked the police and the sheriff's departments and the elected candidates in doing a good job answering very tough questions.

Chairperson Garcia mentioned an event coming up on September 10, 2016. It's called Chillin and Grillin BBQ Cook-Off competition with kids' zone, tasting stations, and family

type activities. This is being put on by the Fontana Citizens Academy and the Concerned Citizens of the Development of North Fontana from 10:00 a.m. to 3:00 p.m. at the Jessie Turner Sports Park Complex.

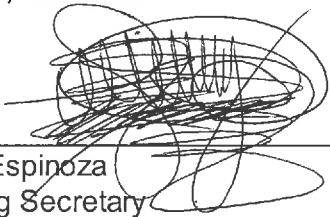
Commissioner Meyer forgot to mention the efforts of the Fontana Police Department and the various entities in attendance, some of the officers being there close to midnight cooking for the fundraiser for the three young kids that were tragically killed in a car crash in the Angeles Crest area about 2-3 weeks ago. Kudos to the Police Department for what they did for the victims and their families.

## **WORKSHOP:**

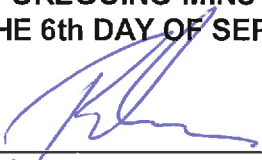
None.

## **ADJOURNMENT:**

By consensus, the Planning Commission adjourned with thoughts and prayers to the first responders who are out there protecting us from the blaze going out in the mountains at 7:43 p.m. to the Regular Planning Commission Meeting on Tuesday, September 6, 2016, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

  
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Jenny Espinoza  
Planning Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 6th DAY OF SEPTEMBER, 2016.**

  
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Peter Garcia  
Chairperson