

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
February 21, 2017
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, February 21, 2017, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Vice Chair Meyer called the meeting to order at 6:01 p.m.

Present: Vice Chairperson Meyer, Secretary Quiroga, Commissioner Sanchez; Commissioners Vasquez and Fort joined the Commission at the dais after being sworn in.

Absent: None.

Also Present: Attorney Thomas Rice; Community Development Director Zai AbuBakar; Senior Planner Orlando Hernandez; Associate Planner Jon S. Dille; Assistant Planner Alejandro Rico; Policing Technician Wendy Ratcliffe; City Clerk Tonia Lewis; and Planning Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Pastor Danny Vasquez of Calvary Chapel Summit, the Pledge of Allegiance was led by Commissioner Sanchez.

SPECIAL PRESENTATIONS:

A. Commission Swearing In:

Commissioner Laura Vasquez was sworn in as a Planning Commissioner by San Bernardino County Supervisor Janice Rutherford.

Commissioner Cathline Fort was sworn in by Mayor Acquanetta Warren.

Mayor Warren welcomed Janice Rutherford, John Roberts, Jesse Armendarez, and Fontana Unified School Board Member Matthew Slowik to the meeting tonight.

Mayor Warren welcomed the new Planning Commissioners and looks forward to working with them.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of February 7, 2017.

A motion was made by Commissioner Sanchez and seconded by Commissioner Quiroga to approve the Minutes of the February 7, 2017, Planning Commission Meeting with the addition of “Vice-Chairperson Meyer welcomed Mrs. Fort to the audience.” Motion passed by a vote of 3-0-2 with Commissioners Fort and Vasquez abstaining.

PUBLIC HEARINGS:

A. Master Case No. 14-067; Conditional Use Permit No. 96-039R3; Conditional Use Permit No. 16-040 - Conditional Use Permit No. 96-039R3 is a request to amend the hours of operation for an existing restaurant, and Conditional Use Permit No. 16-040 is a request to operate the existing restaurant in conjunction with incidental live entertainment - Pupuseria El Chalet.

Associate Planner Jon S. Dille provided the staff report.

Staff received one phone call in opposition to the project.

Staff provided a memo at the dais regarding a Condition of Approval on video surveillance.

Discussion was held on language for employees under 21 years of age permitted to serve alcohol when someone over 21 years of age is present.

Discussion was held on the number of nights karaoke will be available.

Discussion was held on the noise condition.

Discussion was held on patrons singing along with performers.

Discussion was held on what is considered background music.

Discussion was held on the calls for service. Policing Technician Wendy Ratcliffe does not have any reports of calls for service at this property.

Discussion was held on the proximity of the single-family homes to the project.

Discussion was held on the space occupied by the restaurant on the lot.

Discussion was held on the costs of the video surveillance and who is responsible for it.

Policing Technician Ratcliffe provided background information on the standard video surveillance Condition of Approval.

Discussion was held on the consistency of Conditions of Approval for live entertainment and karaoke at other businesses.

The Public Hearing was opened.

Speaking for the applicant, Salvador Martinez, requested karaoke be permitted on additional nights. He spoke on a surveillance system already in place and the cooler in front to be used as a product back-up only.

Applicant has read, understood and agreed to the conditions of approval.

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

The Public Hearing was closed.

Discussion was held on the front cooler requiring some modifications before being used. A standard Condition of Approval regarding the storage of alcohol is included.

Discussion was held on permitting karaoke on live entertainment nights. The concern of permitting additional nights of karaoke is that this business is a restaurant and needs to maintain its restaurant status and not be considered an entertainment venue.

Policing Technician Ratcliffe suggested permitting what is currently proposed and in one year review if the sales for alcohol did not go over their 35% non-food sales, then the applicant can come back and ask for an amendment.

Director AbuBakar provided language for a condition regarding the storage of alcohol in the front cooler as follows: "No alcohol shall be stored in the front cooler unless it is secured."

ACTION: A motion was made by Commissioner Fort and seconded by Commissioner Sanchez to 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301, (Class No. 1, Existing Facilities), of the California Environmental Quality Act; 2) Approve Conditional Use Permit No. 96-039R3; and, 3) Approve Conditional Use Permit No. 16-040 with the addition of Condition No. 22 and a condition regarding the cooler. Motion passed by a vote of 5-0.

B. Master Case No. 16-028; Tentative Parcel Map No. 19760 (TPM 16-009); Design Review No. 16-014 - Request to review and approve Tentative Parcel Map (TPM No. 19760) No. 16-009 for the consolidation of eight (8) lots for the development of the project and Design Review No. 16-014 for site and architectural review of a proposed 229,983 square foot industrial warehouse building.

Assistant Planner Alejandro Rico provided the staff report.

Staff received communication in opposition to this project and communication requesting a better looking building.

Staff provided a memo at the dais revising three of the Conditions of Approval.

Discussion was held on the elevation, landscaping, and the color scheme of the building.

Associate Engineer Ricardo Garay spoke on the landscaping plan being in compliance with City Code; information was provided in the packet, but no images.

Discussion was held on the undergrounding of the utilities.

Attorney Thomas Rice spoke on the restrictions regarding undergrounding as noted in Chapter 27, Article 3.

Commissioner Quiroga spoke on not liking the building to look like a box; it has to look nice. If it is going to be approved, it has to look good.

Commissioner Sanchez spoke on seeing this architecture before in Fontana and is disappointed in renderings. If the building around homes, it has got to look good.

Discussion was held on the language of Condition No. 3 being updated.

Commissioner Vasquez spoke on the building taking away from the view of the hills.

The Public Hearing was opened.

Applicant, Matt Englhard, thanked staff for their hard work on this project. He addressed a few of the questions regarding the berm at the right-of-way being built to SWIP specifications. He spoke on the undergrounding of utilities not being required and Edison not allowing it. He spoke on having developed other buildings in the City of Fontana and this is a better looking project. He spoke on the buildings elements, including metal that looks like glass; the corner entrance can be flipped to be more in the center.

Commissioner Vasquez requested a better rendition.

The applicant spoke on providing what was requested he provide; the developer is being considerate of neighbors.

Discussion was held on the Planning Commissioners not being able to see what the building will actually look by what was provided.

The applicant spoke on working with staff to make changes.

Senior Planner Orlando Hernandez spoke on working with developers to try to bring the best product with the best aesthetics knowing what the Planning Commissioners would approve.

Discussion was held on additional recommendations for changes.

Mando Melendez, spoke on that area already having lots of warehouses. Since the warehouses have gone up, traffic has tripled and trucks rumble houses. He spoke on commercial vehicles not being permitted on his property due to the city wanting clean air, yet the warehouses increase the trucks. He spoke on the beautiful view of the hills being blocked by the building. His concerns were of the noise, dust, traffic, the look of the building and the undergrounding of the utilities.

Abraham Gutierrez asked if his property is involved in the project. He spoke on the letter he received not being very descriptive. Vice Chairperson Meyer suggested Mr. Gutierrez talk to Planner Rico tonight.

The Public Hearing was closed.

Discussion was held on the separate mezzanines and a possible subdivided project in the likelihood of two tenants.

The Public Hearing was closed.

Applicant has read, understood and agreed to the conditions of approval.

Discussion was held on the applicant adding a tower feature with distinct colors. The applicant agreed to add a feature, but shared that there is only so much room.

Discussion was held on the color scheme being appropriate for the area.

The applicant spoke on addressing the Planning Commission's concerns regarding more glass on Jurupa, vertical and horizontal elevation change, flying or extended element, the berm, enhanced landscaping, and providing pictures of what it will look like.

ACTION: A motion was made by Commissioner Quiroga and seconded by Commissioner Sanchez to continue this item to the April 4, 2017, Planning Commission meeting. Motion passed by a vote of 5-0.

C. Master Case No. 16-025; General Plan Amendment No. 16-003; Zoning and Development Code Amendment No. 16-011; Specific Plan Amendment No. 17-001 - Business Park and Warehousing Distribution Overlay District.

Assistant Planner Alejandro Rico provided the staff report.

Staff received questions regarding this project.

Discussion was held on the area covered under this project.

The Public Hearing was opened.

Diane Fradkin spoke on owning a residential property on Washington and that there are other residences along Washington. The previous zoning change made their residential property industrial commercial; in case of a fire where 75% of their building is destroyed,

they would not be able to rebuild residential.

The Public Hearing was closed.

Discussion was held on the overlay prohibiting electric and barbed wire fencing.

Discussion was held on why the overlay was not extending to Citrus and Cherry.

ACTION: A motion was made by Commissioner Vasquez and seconded by Commissioner Fort to adopt Resolution PC No. 2017-002, a resolution forwarding a recommendation to the City Council to 1) Find that the project has been reviewed pursuant to Section No. 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration) of the California Environmental Quality Act (CEQA), adopt a Negative Declaration and direct staff to file the Notice of Determination; 2) Approve General Plan Amendment (GPA) No. 16-003, an amendment to modify the General Plan Land Use Map; 3) Approve Zoning Code Amendment (ZCA) No. 16-005, an amendment to Chapter 30 (Zoning and Development Code), Article IX (Overlay Districts); and 4) Approve Specific Plan Amendment (SPA) No. 17-001, an amendment to modify the text of the Southwest Industrial Park Specific Plan, Chapter 6 (Freeway Industrial/Industrial District). Motion passed by a vote of 5-0.

NEW BUSINESS:

A. 2016 Annual Progress Report of the General Plan

Senior Planner Orlando Hernandez provided a General Plan Progress Report.

B. Election of Planning Commission Officers

A motion was made by Commissioner Quiroga and seconded by Commissioner Fort to nominate Commissioner Meyer to serve as Chairperson. Commissioner Meyer accepted the nomination. Motion passed by a vote of 5-0.

A motion was made by Commissioner Sanchez and seconded by Commissioner Vasquez to nominate Commissioner Quiroga to serve as Vice Chairperson. Commissioner Quiroga accepted the nomination. Motion passed by a vote of 5-0.

A motion was made by Commissioner Fort and seconded by Commissioner Vasquez to nominate Commissioner Sanchez to serve as Secretary. Commissioner Sanchez accepted the nomination. 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 February 28, 2017, March 14, 2017, and March 28, 2017, meetings for the Planning Commission's information; and an update of future Planning Commission items for the March 7, 2017, and March 21, 2017, regular meetings for the Planning Commission's information.

Vice Chairperson Quiroga will represent the Planning Commission at the City Council meeting on February 28, 2017, regarding the Electric Fence item.

Chairperson Meyer requested a report regarding approvals made at the Director level at the Director's discretion be provided to the Planning Commissioners.

Director AbuBakar introduced new staff member, Assistant Planner Gabriel Salazar, who looks forward to working with Planning Commission and the City of Fontana.

Director AbuBakar informed the Planning Commission that staff was unable to register the Planning Commissioners for the Planning Commission Institute because the conference was full, but training will be provided on site.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Fort asked if there was a book that shows buildings that we like, our vision for Fontana, so that when people come here they are prepared. It would be nice to see. Director AbuBakar shared that SWIP provides design guidelines that will be provided. Staff works with the applicants on guidelines and the form will now request 3D renditions.

Commissioner Vasquez commended staff on the organization of her meeting binder.

Vice Chairperson Quiroga welcomed Commissioner Fort and Commissioner Vasquez to the team. He spoke on having a strong Commission again and all being on the same page; looking out for Fontana and the residents of Fontana.

Vice Chairperson Quiroga will not attend the March 21, 2017, Planning Commission meeting due to the 10th annual middle school field trip to Washington, D.C.

Vice Chairperson Quiroga announced that he and his wife are expecting a baby.

Vice Chairperson Quiroga wished everyone a good evening.

Vice Chairperson Quiroga is glad to be on this team.

Secretary Sanchez welcomed Mrs. Vasquez and Mrs. Fort.

Secretary Sanchez spoke on being passionate about being on this team.

Secretary Sanchez loves the direction the city is going in; it is being forward. He spoke on every once in a while having to put their foot down; he drives by a project to see if it is good for Fontana.

Secretary Sanchez wished his wife, son, and brother-in-law a happy birthday.

Chairperson Meyer congratulated the two new Commissioners.

Chairperson Meyer congratulated Vice Chair Quiroga and Secretary Sanchez.

Chairperson Meyer spoke on having a good group of people here that will do what is best for the city.

Chairperson Meyer shared that Ash Wednesday and the beginning of Lent is coming up; for those that observe that season, he wished them a prayerful Lenten season.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission adjourned at 8:34 p.m. to the Regular Planning Commission Meeting on Tuesday, March 7, 2017, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 7th DAY OF MARCH, 2017.**

DocuSigned by:



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Lawrence Meyer
Chairperson

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Certified Delivered	Security Checked	6/13/2017 1:42:09 PM
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