

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
August 1, 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, August 1, 2017, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Meyer called the meeting to order at 6:00 p.m.

Present: Chairperson Meyer, Vice Chairperson Quiroga, Secretary Sanchez, Commissioner Vasquez, and Commissioner Fort.

Absent: None.

Also Present: Attorney Marco Martinez; Director of Community Development Director Zai AbuBakar; Planning Manager Orlando Hernandez; Associate Planner Rina Leung; Associate Planner Jon S. Dille; Assistant Planner Gabriel R. Salazar; Assistant Planner Brett Hamilton; and City Clerk Tonia Lewis.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

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

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of July 18, 2017.

A motion was made by Secretary Sanchez and seconded by Commissioner Fort to

approve the Minutes of the July 18, 2017, Planning Commission Meeting. Motion passed by a vote of 4-1 with Chairperson Meyer recusing himself.

PUBLIC HEARINGS:

A. Master Case No.15-052; Administrative Site Plan No. 15-029; Conditional Use Permit No. 15-013 - Conditional Use Permit is a request to allow the operation of a wireless telecommunications facility at a multi-tenant commercial site (Heritage Plaza); Administrative Site Plan is a request for the installation of a new 65 foot tall monopalm cell tower. (Continued from May 16, 2017)

Associate Planner Rina Leung provided the staff report.

Staff provided a memo at the dais with a letter in opposition to this project and clarification of conditions of approval.

Discussion was held on the Planning Commission receiving other examples of antennas. Staff was given direction to work with the Applicant to enhance the monopine.

The Public Hearing was opened.

Speaking for the applicant, James Rogers, spoke on taking into consideration what was heard at the previous public hearing and discussion with staff to design a better monopine. Applicant requested a change to "business days" versus "calendar days"; the condition will be changed to provide "seven calendar days. Applicant spoke on the lease staying in place regardless of the owner of the land.

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

David Geyer spoke in favor of the project.

Sally Huang spoke in opposition to the project.

Tania Urbano spoke in favor of the project.

The Public Hearing was closed.

Discussion was held on alternative locations for the monopine.

Discussion was held on the date palm having fruit.

Discussion was held on renderings for future projects.

Discussion was held on adding up lighting.

ACTION: Motion was made by Commissioner Fort and seconded by Commissioner Vasquez to adopt Resolution PC No. 2017- 020 with a revision to Condition Number 5 of CUP No. 15-013 to state "The facility, tower, palm socks, all associated equipment, and the site on which it is located shall be maintained in good repair. Any damage from any

cause shall be corrected within seven (7) calendar days of notification. Equipment cabinets shall display a legible operator's contact number for reporting maintenance problems", Condition number 11 of CUP No. 15-013 to state: "The three (3) live Date Palms (Phoenix Dactylifera) shall be planted in the existing planter on the east as indicated on the site plan prior to the commencement of the operation of the facility. They shall be a minimum of fifty (50) feet tall when planted and maintained in a manner where they remain healthy and robust.", and Condition No. 7 of ASP 15-029 to state: "The facility, tower, and the site on which it is located shall be maintained in good repair at all times. Any damage from any cause shall be corrected within seven (7) calendar days of notification. Equipment cabinets shall display a legible operator's contact number for reporting maintenance problems".

B. Master Case No. 16-002; Design Review No. 16-001 - A request for site and architectural review of a six (6) unit apartment complex on a lot of approximately 23,876 square feet. (Continued from June 6, 2017)

Associate Planner Rina Leung provided the staff report.

Staff provided a memo at the dais for clarification on Condition No. 8.

Discussion was held on adding a condition regarding a parking program.

Speaking for the applicant, John DiPonio.

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

Applicant agreed to add a condition regarding a parking program.

Fire Marshall Brian Headley stated that the project meets all Fire Department standards.

The Public Hearing was opened.

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

The Public Hearing was closed.

Attorney Martinez provided the following language to be added as a condition of approval: The Applicant shall submit a Parking Management Plan that shows the parking requirements and includes a provision that the garages will only be used for parking. The parking management plan shall require tenants to be provided with the requirements of this plan.

Applicant agreed to the additional condition regarding parking management program.

ACTION: Motion was made by Commissioner Sanchez and seconded by Commissioner Vasquez to adopt Resolution PC No. 2017-021 with the revision to the following Condition Number 8: The applicant shall install built in gas barbeques grills with a safety locks to the satisfaction of the Director of Community Development. and 1) Determine that this project qualifies for a Categorical Exemption pursuant to Section No 15332. (Class No. 32, In-Fill Development Projects) of the California Environmental Quality Act

(CEQA) and direct staff to file a notice of exemption; and 2) Approve Design Review No. 16-001. Motion passed by a vote of 5-0.

C. Master Case No. 14-070; Tentative Parcel Map No. 19961 (TPM No. 16-007); Administrative Site Plan No. 16-009; Minor Use Permit No. 16-004 - Tentative Parcel Map is a request to subdivide three (3) parcels of land of approximately 4.8 adjusted gross acres into four (4) lots for a commercial development; Administrative Site Plan is a request for site and architecture review to construct a commercial development of approximately 27,500 square feet; and Minor Use Permit is a request to establish and operate a commercial daycare facility of approximately 10,700 square feet. (Continued from June 20, 2017)

Associate Planner Jon S. Dille provided the staff report.

Commissioner Vasquez recused herself from this item.

Discussion was held on the parking spaces available and the increase due to the development.

Planning Manager Hernandez stated that a shared parking agreement allows the use of parking in other parts of the center.

The Public Hearing was opened.

Speaking for the applicant, Rick Manners, apologized for missing the last meeting on this item and provided information on the plans for the parking lot.

Applicant spoke on leasing efforts and potential restaurant and medical office tenants.

Discussion was held on getting a variety of sit down restaurants.

Discussion was held on requesting a sit down instead of a drive through on Pad C.

Discussion was held on the applicant returning to modify the site layout and floor plan if the drive through becomes a sit down restaurant.

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

The Public Hearing was closed.

Director AbuBakar spoke on not bifurcating the project.

Director AbuBakar spoke on everyone doing all they can to attract more restaurants, but there are a host of factors involved in bringing them to our community; there is no magic wand to make it happen.

Discussion was held on approving the project without approving the drive through.

Discussion was held on two other developments bringing sit down restaurants to

Fontana.

Attorney Martinez explained that there are three buildings before them, but uses are not part of the project before the Planning Commission. The Planning Commission is asking staff to retrofit some of their desires regarding use into an issue that is related to design. In order to approve or deny a project, staff findings must be looked at.

Attorney Martinez requested a recess to allow staff to discuss options with the Applicant.

A recess was called at 7:55 p.m.

The meeting was reconvened at 8:05 p.m.

Associate Planner Dille shared that the Applicant had discussed phasing the site plan to have the medical office and day care facility be a part of phase 1; and Pad C will be part of phase 2 to provide an opportunity for the applicant to look for sit down restaurant. The applicant will come back when they have a proposed tenant.

Applicant agreed to phasing the project.

Discussion was held on the parking spaces.

Discussion was held on the Administrative Site Plan having findings required for approval or denial. If the Planning Commission feels that those findings cannot be met, because of the design of that particular pad, then the Planning Commission is within its discretion to deny the project.

ACTION: Motion was made by Commissioner Fort and seconded by Commissioner Sanchez to adopt Resolution No. PC 2017-022 and; 1) Determine that this project qualifies for a Categorical Exemption pursuant to Section No 15332. (Class No. 32 In-Fill Development Projects) of the California Environmental Quality Act (CEQA) and direct staff to file a notice of exemption; and 2) Approve Tentative Parcel Map No. 19661 (TPM No. 16-007), Administrative Site Plan No. 16-009, and Minor Use Permit No. 16-004 without approval of Pad C. Motion passed by a vote of 4-0-1 with Commissioner Vasquez recused.

D. Planning Case No. 12-005; Conditional Use Permit No. 17-008 - Conditional Use Permit is a request to operate a restaurant in conjunction with a new Alcohol Beverage Control (ABC) Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) License for El Rey Taco Grill.

Assistant Planner Gabriel R. Salazar provided the staff report.

Discussion was held on the windows being covered more than 25%.

Discussion was held on the condition regarding video surveillance.

The Public Hearing was opened.

Speaking for the applicant, Victor Cienfuegos, spoke on the restaurant.

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

Chairperson Meyer is concerned that conditions not being adhered to.

Staff was directed to come back with a report in nine months regarding adherence to the conditions of approval; as well as reports on two other businesses in the area.

Discussion was held on the hours of operation.

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

The Public Hearing was closed.

Consensus was to allow operation until midnight on Friday and Saturday, but end the sale of alcohol at 11:00 pm.

ACTION: Motion was made by Commissioner Vasquez and seconded by Commissioner Quiroga to adopt Resolution No. PC 2017-023 and 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301, (Class No. 1, Existing Facility) and Section No. 15332 (Class No. 32, In-Fill Development Project) of the CEQA, and direct staff to file a notice of exemption; and, 2) Approve Conditional Use Permit No. 17-008 subject to the attached Findings and Conditions of Approval with changes to the hours of operation. Motion passed by a vote of 5-0.

E. Master Case No. 17-026; Variance No. 17-003 - A request for review of one (1) non-illuminated monument sign (approximately 32 square feet) located near the entry driveway to the site.

Assistant Planner Brett Hamilton provided the staff report.

Staff did not receive any communication in favor or opposition.

The Public Hearing was opened.

Speaking for the applicant, Rick Batt.

Discussion was held on the reason for non-illumination.

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

The Public Hearing was closed.

Commissioner Vasquez commented on the broken curb. Director AbuBakar will work with the property owner or Public Works on this concern.

ACTION: Motion was made by Commissioner Vasquez and seconded by Commissioner Fort to adopt Resolution No. PC 2017-024 and; 1) Determine that the project is categorically exempt pursuant to Section 15311 (Accessory Structures) of the California Environmental Quality Act and direct staff to file a Notice of Exemption; and, 2) Approve

Variance No. 17-003. Motion passed by a vote of 5-0.

NEW BUSINESS:

A. None

None.

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for the August 8, 2017, August 22, 2017, and September 12, 2017, meetings for the Planning Commission's information; and an update of future Planning Commission items for the August 15, 2017 and September 5, 2017, regular meetings for the Planning Commission's information.

Director AbuBakar shared that the Griffin Project Workshop is no longer on the August 15, 2017 agenda, as the applicant has requested it be moved to the September 5, 2017 Planning Commission Meeting.

Director AbuBakar provided an update on staff addressing issues brought up by residents at the hearing on an RV storage project.

Attorney Martinez is looking forward to the presentation at the August 15, 2017 Planning Commission meeting.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Vice Chairperson Quiroga spoke on school starting on Friday.

Vice Chairperson Quiroga spoke on getting clarification on topics.

Vice Chairperson Quiroga wished everyone a happy evening and is looking forward to meeting his new students and hopes for a great school year.

Commissioner Vasquez is honored to serve on the Planning Commission; and feels joy and peace seeing how the Commission loves the city and continues to lobby what is good for the city.

Commissioner Vasquez spoke on missing her daughter as she goes back to college.

Commissioner Vasquez sends love to her son and husband and thanks Jesus Christ for the city and those who serve it.

Commissioner Fort thanked staff for the update on residents' concerns.

Commissioner Fort spoke on doing the best they can do to make the best decisions they can and is proud that voices can be heard regardless of what decisions are made; she believes that the citizens appreciate that they are being heard and she appreciates the update.

Secretary Sanchez thanked staff for clarifying topics.

Secretary Sanchez spoke on the Commission caring about the future of the city and wanting to make Fontana a desirable city for future generations.

Secretary Sanchez thanked his wife and children for letting him get involved with the city and is proud to be a part of the Planning Commission.

Chairperson Meyer congratulated Jon Dille and Maria Inez on their upcoming wedding.

Chairperson Meyer congratulated Director AbuBakar on her racing trophies.

Chairperson Meyer congratulated Orlando Hernandez on his promotion.

Chairperson Meyer spoke on the auto center sign being refreshed.

Chairperson Meyer spoke on getting a preview of the K9 unit.

Chairperson Meyer spoke on attending a conference in Northern California with a group of teenagers and thanked the teenagers' parents.

Chairperson Meyer wished Secretary Sanchez a happy birthday.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission adjourned in memory of Liam Carrera, Mother of Leonard Dominguez and Rosa Dominguez, who passed away this past weekend, meeting adjourned at 9:03 p.m. to the Regular Planning Commission Meeting on Tuesday, August 15, 2017, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:

Ysela Aguirre

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Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 15TH DAY OF AUGUST, 2017.**

DocuSigned by:

Lawrence R. Meyer

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Larry Meyer

Chairperson

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