

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
January 16, 2018
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, January 16, 2018, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Meyer called the meeting to order at 6:02 p.m.

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

Absent: None

Also Present: Attorney Victor Ponto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Senior Planner Dawn Rowe; Associate Planner Rina Leung; Policing Technician Wendy Ratcliffe; Assistant Engineer Keith Tolliver; Assistant Planner Ivan Galeazzi; City Clerk Tonia Lewis; and Planning Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Commissioner Fort, the Pledge of Allegiance was led by Commissioner Vazquez.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of December 19, 2017.

ACTION: A motion was made by Commissioner Fort and seconded by Secretary

Sanchez to approve the Minutes of the December 19, 2017, Planning Commission Meeting. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort and Vasquez; NOES: None; ABSTAIN: None)

PUBLIC HEARINGS:

A. Master Case No. 17-002; Administrative Site Plan No. 17-002 - A request for architectural review for the installation of a new LED (light emitting diode) illuminated banding and signage on an existing canopy at an established 76 Gas service station (continued from November 7, 2017).

Assistant Planner Ivan Galeazzi provided the staff report.

Discussion was held on permitting of outside vending; the applicant has decided to remove those items and will not be seeking permits for them. Condition No. 13 addresses the need for permits.

Discussion was held on only the 76 signs being upgraded and staff's recommendation is that there is no nexus to require the 7-11 signs to be upgraded.

Discussion was held on staff checking for decorative stones during the process as the renderings were not updated.

The Public Hearing was opened.

Speaking for the applicant, Nina Brentham, spoke on the sign development and complying with all requests.

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

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

Discussion was held on future sign changes not having to come before the Planning Commission, but being approved administratively.

ACTION: Motion was made by Vice Chairperson Quiroga and seconded by Secretary Sanchez to adopt **Resolution No. PC 2018-001** and; 1) Determine that this project qualifies for a Categorical Exemption pursuant to Section No. 15301 (Class 1 Existing facilities) of the California Environmental Quality Act (CEQA) and direct staff to file a notice of exemption; and 2) Approve Administrative Site Plan No. 17-002. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

B. Master Case No. 14-032; Administrative Site Plan No. 14-035R1; Conditional Use Permit No. 17-026 - A request for the construction of a trellis over an approved outdoor dining area and to operate a restaurant in conjunction with a new California Department of Alcoholic Beverage Control (ABC) Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) license for Pizza Hut restaurant.

Associate Planner Rina Leung provided the staff report.

Discussion was held on the decorative outdoor trellis.

Discussion was held on the condition regarding music not being audible from outside the premises.

Discussion was held on current licenses listed as being open for business but no longer operating. Director AbuBakar noted that the CUP license goes with the land.

Discussion was held on the control of the removal of substances from the outdoor area and outdoor signage requirement.

Discussion was held on outdoor exits being designated as emergency exits only.

Discussion was held on adding a separate condition to address “no alcohol beyond this point” signage.

The Public Hearing was opened.

Speaking for the applicant, Tim Stockton.

Applicant has read, understood and agreed to the conditions of approval, with a request to extend the hours of operation to 1:00 a.m. on Friday and Saturday.

Policing Technician, Wendy Ratcliffe, suggested the restaurant close at 12:00 a.m. and allow delivery to 1:00 a.m. The applicant agreed to the change to the hours of operation.

Attorney Ponto provided revised wording to Condition 50 regarding the music not being audible outside of the premises.

Director AbuBakar provided revised wording to Condition No. 22A regarding alcoholic beverages and signage in the patio.

Attorney Ponto provided revised wording to the condition regarding the hours of operation.

Director AbuBakar provided wording to a new condition regarding the emergency exit only patio doors and exits.

No member of the audience spoke in favor or opposition.

The applicant spoke on the project and this type of restaurant being very successful.

Speaking for the applicant, Sandra Gutierrez, spoke on being the restaurant training leader for Southern California Pizza Company.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Sanchez and seconded by Commissioner Fort to adopt **Resolution No. PC 2018-002**; 1) Determine that the project is Categorically Exempt pursuant to Sections No. 15301 (Class No. 1, Existing Facilities) and 15311 (Class 11 Accessory Structures) of the CEQA, and direct staff to file a Notice of Exemption; 2) Approve Administrative Site Plan No. 14-035R1; and, 3) Approve Conditional Use Permit No. 17-026 with changes to the Conditions of Approval as discussed. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

Commissioner Fort shared a Pizza Hut memory of her proposal.

C. Master Case No. 17-062; Design Review No. 17-029 - A request to construct 99 single-family homes.

Assistant Planner Ivan Galeazzi provided the staff report.

The Public Hearing was opened.

Speaking for the applicant, Ryan Combe, thanked staff for the productive meetings.

Applicant has read, understood and agreed to the Conditions of Approval.

Secretary Sanchez thanked the applicant for working with staff and raising the bar.

Commissioner Vasquez commended the developer on the changes made.

Commissioner Fort shared with the applicant that the quality of the product was never in question and an apology was neither necessary nor required; the applicant did what he needed to do.

Commissioner Fort thanked the applicant for working with staff on the beautiful product and thanked them for their efforts.

The applicant spoke on appreciating the discussion and the comments from the Commissioners.

Vice Chairperson Quiroga echoed the fellow Commissioners comments and thanked the applicant for investing in Fontana.

Master Developer, Stacey Sassaman, spoke on Citrus Avenue being re-opened on Saturday.

The Public Hearing was closed.

ACTION: Motion was made by Vice Chairperson Quiroga and seconded by Commissioner Fort to adopt **Resolution No. PC 2018-003**; 1) Find that the project has been reviewed under the previous Environmental Impact Report (SCH No. 2003-111125) for the associated Citrus Heights North Specific Plan and has adequately identified the impacts associated with the project, pursuant to Section 15162 of the CEQA Guidelines and direct staff to file a Notice of Determination; and 2) Approve

Design Review No. 17-029, for site and architectural review of 99 single-family homes with the enhanced elevations as presented in the attachment under separate cover, approve model home complex, and approve a small neighborhood park site. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

D. Master Case No. 14-082; Minor Use Permit No. 14-009; Tentative Parcel Map No. 19657 (TPM #14-015); Administrative Site Plan No. 14-040 - Two Reservoir Water Tanks.

Senior Planner Dawn Rowe provided the staff report.

Staff received one call in opposition to the project.

Staff provided the following corrections to the staff report on page 119, the capacity of each of the tanks is 1 million gallons; on page 149, condition No. 21 and Condition No. 22 are duplicated and one will be stricken.

Discussion was held on which portions of the project Condition No. 21 is applicable to.

Discussion was held on the street lighting of the project.

Assistant Engineer Keith Tolliver spoke on Baseline being completely constructed and all street lighting standards are being met.

Discussion was held on the aesthetics of the project.

Discussion was held on fencing and the block wall.

The Public Hearing was opened.

Speaking for the applicant, Bryant Marroquin, thanked staff for working with them to get this project through the process and shared the benefits of getting this project approved.

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

Discussion was held on the processing of the chemicals in the water and any settlements related to the party responsible for the chemicals in the water.

Discussion was held on the landscape and architecture design improvements to be more aesthetically pleasing.

The applicant spoke on working with Planning staff on modeling this project on the project constructed at Walnut and Citrus seven years ago.

Discussion was held on the decorative detail proposed and adding a condition for anti-graffiti coating.

The applicant spoke on the landscaping being used and working with staff to add lighting on the exterior.

Director AbuBakar will have staff work with the applicant on submitting a lighting plan.

Discussion was held on paving.

Discussion was held on the spikes tilting out.

The applicant spoke on up-lighting, installing more mature trees, and architectural accent on the reservoirs.

Speaking for the applicant, Kris Olsen, Chief Engineer, spoke on the benefits of using crushed rock, including managing storm water, avoiding water flowing over the surfaces and creating a safety hazard, meeting city standards to control dust and run off, and inhibiting weed growth.

Discussion was held on the applicant's concern regarding lighting outside of the fence.

Discussion was held on what will be done to ensure the block wall is not a graffiti magnet including providing more drought tolerant and effective landscaping.

Matthew Slowik requested clarification if the plume being addressed is a separate plume from the plume that was created in the north eastern corner of the city next to the land fill, munitions factory, the good year plant and the fireworks processing bunker and what type of water treatment process was to be used – would it generate any byproduct or not; and spoke on appreciating the aesthetics and safety of the project being addressed.

The Public Hearing was closed.

Consultant Ray Hussey spoke on the perchlorate acid plume being an old one; the settlement process is a long one and all officially designated parties have not been named yet. All of this information is written up in the initial study.

The applicant spoke on providing an aesthetically pleasing entrance and controlling run off by using permeable pavers.

Discussion was held on changes to the project.

ACTION: Motion was made by Secretary Sanchez and seconded by Vice Chairperson Quiroga to adopt **Resolution No. PC 2018-004**; 1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) and direct staff to file a Notice of Determination; 2) Approve Minor Use Permit No. 14-009 3) Approve Tentative Parcel Map No. 19657 (TPM No. 14-015); and, 4) Approve Administrative Site Plan No. 14-040 with changes to architecture and design as discussed and the removal of condition No. 22. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

UNFINISHED BUSINESS:

A. None

NEW BUSINESS:

A. Election of Planning Commission Officers

Chairperson Meyer nominated Secretary Sanchez to the seat of Chair for Planning Commission.

A motion was made by Commissioner Fort and seconded by Vice Chairperson Quiroga to nominate Secretary Sanchez to serve as Chairperson. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

Chairperson Meyer nominated Vice Chair Daniel Quiroga continue to be Vice Chair for the Planning Commission.

A motion was made by Secretary Sanchez and seconded by Commissioner Fort to nominate Vice Chairperson Quiroga to serve as Vice Chairperson. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

Secretary Sanchez nominated Commissioner Fort to the seat of Secretary for the Planning Commission.

A motion was made by Secretary Sanchez and seconded by Vice Chairperson Quiroga to nominate Commissioner Fort to serve as Secretary. Motion passed by a vote of 5-0. (AYES: Meyer, Quiroga, Sanchez, Fort, and Vasquez; NOES: None; ABSTAIN: None)

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for January 23, 2018, February 13, 2018, and February 27, 2018, meetings for the Planning Commission's information; and an update of future Planning Commission items for the February 6, 2018 and February 20, 2018, regular meetings for the Planning Commission's information.

Director AbuBakar announced that the Planning Commissioner's Institute will be held the first week in April so the cancellation of the April 3, 2018, Planning Commission meeting will be agendized.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Vasquez wished everyone a happy new year.

Commissioner Vasquez cautioned everyone to stay healthy and wash their hands to avoid the flu.

Commissioner Vasquez requested tonight's meeting be adjourned in memory of Cisco Galvez, a member of her church that passed due to the flue.

Commissioner Vasquez congratulated the new Planning Commission officers.

Vice Chairperson Quiroga wished everyone a happy new year.

Vice Chairperson Quiroga spoke on making sure high standards are kept in Fontana.

Commissioner Fort wished everyone a happy new year; she spent her holidays with her kids.

Commissioner Fort participated in a toy giveaway to over 5,000 children through The Way World Outreach.

Commissioner Fort missed the holiday luncheon to express her appreciation to the Planning Commission staff.

Commissioner Fort spoke on being passionate about what you are doing, or maybe you should not be doing it. She is passionate about Fontana and what is best for Fontana.

Secretary Sanchez echoed fellow Commissioner's comments on having to decide what is in the best interest for Fontana and trying to raise the bar in Fontana.

Secretary Sanchez thanked Attorney Ponto for his leadership and wished him a happy birthday.

Chairperson Meyer wished everyone a happy belated Martin Luther King Jr. Day.

Chairperson Meyer spoke on the Sacred Heart Parish Mardi Gras Dinner being held on February 3, 2018.

Chairperson Meyer congratulated the new Planning Commission officers.

WORKSHOP:

Architecture Design Workshop

ADJOURNMENT:


By consensus, the Planning Commission adjourned at 8:30 p.m. in memory of Cisco Galvez and other flu victims to a Workshop in the Executive Conference Room, then to the Regular Planning Commission Meeting on February 6, 2018, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Digitally signed by:
Ysela Aguirre

6215FB88F9C04DA

Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 6th DAY OF FEBRUARY, 2018.**

DocuSigned by:


9B0B2104CA3F4CD...
Idilio Sanchez
Chairperson

Certificate of Completion

Envelope Id: 842E44893DBC446195A216D4BD2F2AE7

Status: Completed

Subject: Please DocuSign: 1-16-2018 PC Minutes.pdf

Source Envelope:

Document Pages: 9

Signatures: 2

Envelope Originator:

Certificate Pages: 5

Initials: 0

City Clerk

AutoNav: Enabled

8353 Sierra Avenue

Envelopeld Stamping: Enabled

Fontana, CA 92335

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

clerks@fontana.org

IP Address: 192.146.186.96

Record Tracking

Status: Original

Holder: City Clerk

Location: DocuSign

2/7/2018 11:12:55 AM

clerks@fontana.org

Signer Events

Ysela Aguire

yselac13@aol.com

Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:
Ysela Aguire
6215EB89E9C04DA...

Using IP Address: 76.206.62.154

Signed using mobile

Timestamp

Sent: 2/7/2018 11:13:03 AM

Viewed: 2/8/2018 7:24:45 AM

Signed: 2/8/2018 7:25:16 AM

Electronic Record and Signature Disclosure:

Accepted: 2/8/2018 7:24:45 AM

ID: 866e416b-09f2-4096-a9a8-2ae16459e0b3

Idilio Sanchez

idilio.ms@abscollision.co

PRESIDENT

Security Level: Email, Account Authentication
(None)

DocuSigned by:
Idilio Sanchez
9B0B2194CA3F4CD...

Using IP Address: 162.233.247.103

Sent: 2/8/2018 7:25:17 AM

Viewed: 2/13/2018 9:28:25 AM

Signed: 2/13/2018 9:29:01 AM

Electronic Record and Signature Disclosure:

Accepted: 8/8/2017 3:02:52 PM

ID: c08a4011-f4e8-46b0-a1cb-9233fcdb1d37

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Evelyn Ssenkoloto

essenkol@fontana.org

Security Level: Email, Account Authentication
(None)

COPIED

Sent: 2/13/2018 9:29:02 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Security Level: Email, Account Authentication (None)	<div>COPIED</div>	Sent: 2/13/2018 9:29:03 AM Viewed: 2/14/2018 8:03:54 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

Notary Events	Signature	Timestamp
---------------	-----------	-----------

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/13/2018 9:29:03 AM
Certified Delivered	Security Checked	2/13/2018 9:29:03 AM
Signing Complete	Security Checked	2/13/2018 9:29:03 AM
Completed	Security Checked	2/13/2018 9:29:03 AM

Payment Events	Status	Timestamps
----------------	--------	------------

Electronic Record and Signature Disclosure		
--	--	--

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cteveda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at cteveda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.