

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
September 18, 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, September 18, 2018, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Sanchez called the meeting to order at 6:01 p.m.

Present: Chairperson Sanchez, Vice Chairperson Quiroga, Commissioner Meyer, and Secretary Fort (arrived at 6:45 p.m.)

Absent: Commissioner Vasquez

Also Present: Attorney Victor Ponto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Planning Intern Alexia De La Torre; Assistant Planner Ivan Galeazzi; Assistant Planner Alejandro Rico; Senior Planner Paul Gonzales; Senior Planner Dawn Rowe; City Clerk Tonia Lewis; and Boards and Commissions Secretary Ysela Aguirre.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

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

Following the Invocation given by Commissioner Meyer, the Pledge of Allegiance was led by Vice Chairperson Quiroga.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications:**

Rodney Jefferson spoke on the water pipe work on Kempster Avenue, Blanchard Avenue and Kaiser Avenue with no written notification to residents. Staff was directed to speak with Mr. Jefferson.

**CONSENT CALENDAR:**

**A. Approval of Minutes:**

Approve the Regular Planning Commission Meeting Minutes of September 4, 2018.

**ACTION:** A motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to approve the Minutes of the September 4, 2018, Planning Commission Meeting. Motion passed by a vote of 3-0. (AYES: Sanchez, Quiroga, and Meyer; NOES: None; ABSTAIN: None)

## **PUBLIC HEARINGS:**

**A. Master Case No. 16-026; Variance No. 18-004 - Variance No. 18-004 for review of one (1) monument sign (approximately 32 square feet) located near the entry driveway to the site. The request is to deviate from a twenty (20) foot distance requirement in the Fontana Municipal Code.**

Planning Intern Alexia De La Torre provided the staff report.

Discussion was held on conditions regarding bike racks and pay phones.

The Public Hearing was opened.

Speaking for the applicant, Jason Gopperton.

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.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to adopt **Resolution PC No. 2018-054** and; 1) Determine that the project is categorically exempt pursuant to Section 15311 (Accessory Structures) of the California Environmental Quality Act, and Section No. 3.21 of the 2018 Local Guidelines for Implementing the California Environmental Quality Act, and direct staff to file a Notice of Exemption; and, 2) Approve Variance No. 18-004. Motion passed by a vote of 3-0. (AYES: Sanchez, Quiroga, and Meyer; NOES: None; ABSTAIN: None)

**B. Master Case No. 15-033R1; Tentative Tract Map No. 18135 (TTM No. 06-017EX2); Design Review No. 18-016 - Tentative Tract Map is a request for a three (3) year time extension for a previously approved Tentative Tract Map; The Design Review is a request to develop a 28-unit condominium project within the Single-Family Residential (R-1) zoning district and within the Boulevard Overlay district.**

Associate Planner Jon S. Dille provided the staff report.

Correction to staff report provided by staff.

Discussion was held on the barbecue design.

Discussion was held on what happens to the three-year extension when the boulevard overlay goes away.

The Public Hearing was opened.

Speaking for the applicant, James Hu, shared information on the design of the barbeques.

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

Discussion was held on this being the final extension that will be approved.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

Discussion was held on adding a condition regarding the design of the barbecue.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Chairperson Sanchez to adopt **Resolution PC No. 2018-055** and; 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-Fill) of the CEQA and Section No. 3-18 (Certain Infill Projects) the Local Guidelines for Implementing the California Environmental Quality Act, 2018, and direct staff to file a Notice of Exemption; and, 2) Approve a three (3) year time extension for Tentative Tract Map No. 18135 (TTM No. 06-017EX2); and, 3) Approve Design Review Project No. 18-016 with correction provided by staff and the addition of Condition No. 49 regarding the barbeques. Motion passed by a vote of 3-0. (AYES: Sanchez, Quiroga, and Meyer; NOES: None; ABSTAIN: None)

**C. Master Case No. 16-021; Conditional Use Permit No. 16-010; Conditional Use Permit No. 17-040; Administrative Site Plan No. 16-018; Tentative Parcel Map No. 19982 (TPM No. 16-008) - Conditional Use Permit No. 16-010 is a request to operate a convenience store in conjunction with a new California Department of Alcoholic Beverage Control (ABC) Type 21 (Off-Sale Beer, Wine and Distilled Spirits) License; Conditional Use Permit No. 17-040 is a request for an automated carwash within the General Commercial (C-2) Zoning District; Administrative Site Plan is a request for site and architectural review of a 18,800 square foot commercial center; and Tentative Parcel Map No. 19982 is a request to reconfigure three (3) existing parcels into three (3) new parcels for the development of the project.**

Senior Planner Dawn Rowe provided the staff report.

Condition No. 56 will be removed as it is not relevant to this project.

The Public Hearing was opened.

Speaking for the applicant, Richard Finkel, spoke on the good experience working with staff and the plans for the development.

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

Discussion was held on not phasing in of buildings, but building all at once.

Discussion was held on the number and types of tenants.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to adopt **Resolution PC No. 2018-056** and; 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332 (Class No. 32, In-Fill Development Project) of the CEQA and Section No. 3.21 of the 2018 Local Guidelines For Implementing the California Environmental Quality Act, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 16-010; and, 3) Approve Conditional Use Permit No. 17-040; and, 4) Approve Administrative Site Plan No. 16-018; and, 5) Approve Tentative Parcel Map No. 19982 (TPM No.16-008) with deletion of Condition NO. 56. Motion passed by a vote of 3-0. (AYES: Sanchez, Quiroga, and Meyer; NOES: None; ABSTAIN: None)

**D. Master Case No. 17-057; Design Review Project No. 90-074R1 - A request for architectural review for a proposed exterior façade improvement to an existing building located at 16833 Valley Boulevard within the General Commercial C-2 zoning district.**

Assistant Planner Ivan Galeazzi provided the staff report.

Discussion was held on the grey backing with orange piping on the roof.

Discussion was held on circumstances where the Certificate of Occupancy can be revoked.

Discussion was held on fines for construction without benefit of permit.

Discussion was held on the landscaping.

Discussion was held on how often this happens.

Quiroga appreciate the investment, but spoke on the standards in Fontana and the consequences for building without a permit.

The Public Hearing was opened.

The applicant was not in attendance.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to move this item to the end of the agenda to allow time for the applicant to arrive. Motion passed by a vote of 3-0-1. (AYES: Sanchez, Quiroga, and Meyer; NOES: None; ABSTAIN: Fort)

**ACTION:** Motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to continue this item to the October 2, 2018, Planning Commission Meeting to allow the applicant to attend the meeting. Motion passed by a vote of 3-0-1. (AYES: Sanchez, Quiroga, and Meyer; NOES: None; ABSTAIN: Fort)

**E. Master Case No. 18-056; Design Review No. 18-011 - A request to construct 15 single-family homes within a previously approved Tentative Tract Map.**

Assistant Planner Alejandro Rico provided the staff report.

Staff received written communication expressing concerns regarding an increase in traffic.

Discussion was held on the continuations/extensions limit for the Design Review.

Discussion was held on no additional significant traffic anticipated as part of the project.

The Public Hearing was opened.

Speaking for the applicant, Peter Hu, spoke on working on the site and getting the project going.

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

Discussion was held on enhancing the elevations.

Chairperson Sanchez recommended developing as soon as possible.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Chairperson Sanchez to adopt **Resolution PC No. 2018-057** and; 1) Find that the project site is less than five (5) gross acres, streets, schools, water, and fire protection have already been developed and are provided and the proposal is consistent with the General Plan. Therefore, the project is exempt pursuant to Section 15332 Class 32, (Infill Development) of the California Environmental Quality Act (CEQA) and Section 3.21, Class 32, of the City of Fontana Local Guidelines for implementing the California Environmental Quality Act; and, 2) Approve Design Review No. 18-011, for site and architectural review of 15 single-family homes. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Fort, and Meyer; NOES: None; ABSTAIN: None)

**F. Master Case No. 14-047R1; Design Review Project No. 14-016R1 - Applicant is requesting to amend the previously approved mixed-use project. The amendment includes modifying the site plan and relocating condo units and live work units onsite on one of the tract maps. The total previously approved unit number of 58 is proposed to be reduced to 56 units.**

Senior Planner Paul Gonzales provided the staff report.

Staff provided a memo at the dais regarding Design Review Amendment No. 14-047R1 Exhibit Correction.

Discussion was held on the gating of the project.

The Public Hearing was opened.

Speaking for the applicant, Mohammad Monshizadeh, spoke on the gating of the project, starting construction, and modifications made to each unit.

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

Discussion was held on the extensions.

Discussion was held on adding a condition regarding noise mitigations; the applicant agreed to the additional condition.

Discussion was held on possible tenants.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Fort and seconded by Commissioner Meyer to adopt **Resolution PC No. 2018-058** and 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-Fill) of CEQA and Section No. 3.21 of the 2018 Local Guidelines for Implementing the California Environmental Quality Act, and direct staff to file a Notice of Exemption; and, 2) Approve Design Review Amendment No. 14-016R1 with Condition that the applicant work with staff on the noise mitigation. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Fort, and Meyer; NOES: None; ABSTAIN: None)

## **NEW BUSINESS:**

**A. None.**

## **DIRECTOR COMMUNICATIONS:**

## **A. Director Communications:**

Planning Commission reviewed an update of future City Council Agenda items for September 25, 2018, October 9, 2018, and October 23, 2018, meetings for the Planning Commission's information; and an update of future Planning Commission items for the October 2, 2018, October 16, 2018, and November 6, 2018, regular meetings for the Planning Commission's information.

Director AbuBakar spoke on two City Council Agenda items being continued.

## **COMMISSION COMMENTS:**

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

Commissioner Meyer wished Attorney Ponto well on his future endeavors as he leaves the City of Fontana.

Commissioner Meyer congratulated Chairperson Sanchez on his upcoming recognition.

Secretary Fort wished everyone a pleasant evening and happy fall.

Secretary Fort apologized for arriving late.

Vice Chairperson Quiroga thanked Attorney Ponto for his guidance and assistance and wished him the best.

Chairperson Sanchez thanked Attorney Ponto for his help and support.

Chairperson Sanchez is excited about the projects approved.

Chairperson Sanchez cautioned those that do not want to follow the rules.

## **WORKSHOP:**

None.

## **ADJOURNMENT:**

By consensus, the Planning Commission adjourned at 7:29 p.m. to the next Regular Planning Commission Meeting on October 2, 2018, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:

*Ysela Aguirre*

6215EB80E9C04DA...

Ysela Aguirre  
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 2ND DAY OF OCTOBER, 2018.**

DocuSigned by:  
  
0B0B2104CA3E4CD...

Idilio Sanchez  
Chairperson

## Certificate Of Completion

Envelope Id: FC7EFBDFB5F14D95907CAD338EE529DC

Status: Completed

Subject: Please DocuSign: 9-18-2018 PC Minutes.pdf

Source Envelope:

Document Pages: 8

Signatures: 3

Envelope Originator:

Certificate Pages: 5

Initials: 0

City Clerk

AutoNav: Enabled

EnvelopeD Stamping: Enabled

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

8353 Sierra Avenue

Fontana, CA 92335

clerks@fontana.org

IP Address: 192.146.186.96

## Record Tracking

Status: Original

Holder: City Clerk

Location: DocuSign

10/4/2018 9:04:22 AM

clerks@fontana.org

## Signer Events

### Signature

### Timestamp

Ysela Aguirre

yselac13@aol.com

Security Level: Email, Account Authentication (None)



Signature Adoption: Pre-selected Style  
Using IP Address: 205.154.229.152

Sent: 10/4/2018 9:04:29 AM

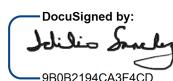
Viewed: 10/4/2018 3:56:08 PM

Signed: 10/4/2018 3:56:22 PM

## Electronic Record and Signature Disclosure:

Accepted: 10/4/2018 3:56:08 PM

ID: 19c90017-048d-4ba5-ad3c-1354ccfebb22



Signature Adoption: Drawn on Device  
Using IP Address: 162.233.247.103

Sent: 10/4/2018 3:56:25 PM

Resent: 10/4/2018 5:20:13 PM

Viewed: 10/5/2018 10:39:40 AM

Signed: 10/5/2018 10:42:47 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

Evelyne Ssenkololo

essenkol@fontana.org

Security Level: Email, Account Authentication (None)



Sent: 10/5/2018 10:42:49 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)	<b>COPIED</b>	Sent: 10/5/2018 10:42:50 AM Viewed: 10/8/2018 7:54:45 AM
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/5/2018 10:42:50 AM
Certified Delivered	Security Checked	10/5/2018 10:42:50 AM
Signing Complete	Security Checked	10/5/2018 10:42:50 AM
Completed	Security Checked	10/5/2018 10:42:50 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: ctejeda@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 ctejeda@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 ctejeda@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 ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS 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"><li>•Allow per session cookies</li><li>•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li></ul>

\*\* 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.