

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
October 2, 2018  
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, October 2, 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 Commissioner Vasquez

Absent: Secretary Fort

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Assistant Planner Ivan Galeazzi, Assistant Planner Cecily Session-Goins; Assistant Planner Alejandro Rico; Assistant Planner Fernando Herrera; Planning Intern Alexia De La Torre; Assistant Engineer Keith Tolliver, Policing Technician Wendy Ratcliffe; and City Clerk Tonia Lewis.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

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

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

**PUBLIC COMMUNICATIONS:**

**A. Public Communications:**

None.

**CONSENT CALENDAR:**

**A. Approval of Minutes:**

Approve the Regular Planning Commission Meeting Minutes of September 18, 2018.

**ACTION:** A motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to approve the Minutes of the September 18, 2018, Planning Commission Meeting. Motion passed by a vote of 3-0-1. (AYES: Sanchez, Quiroga, Meyer; NOES: None; ABSTAIN: Vasquez)

## **PUBLIC HEARINGS:**

**A. 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. (Continued from September 18, 2018)**

Assistant Planner Ivan Galeazzi provided the staff report.

Discussion was held on who made the decision to move the remodeling forward without being approved first by the City.

The Public Hearing was opened.

Speaking for the applicant, Carlos Souza, explained the process he followed to complete the project before getting the permits and apologized for doing so.

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

Discussion was held on the applicant doing the work and then expecting approval.

Discussion was held on the penalty for not receiving approval before the project was complete.

Discussion was held on the fees the applicant will have to pay.

Discussion was held on the concern of setting a precedent of developers doing work before getting approval.

Discussion was held on the safety of putting up signs without approval.

Discussion was held on the applicant not being able to move forward for inspection without Design Review approval.

Discussion was held on the possibility of someone getting hurt.

Manager Hernandez spoke on adding a Condition to expedite the approval process and the consequences if the applicant does not meet the Condition.

Discussion was held on opening a Code Case to ensure the applicant follows through.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

The Public Hearing was re-opened.

Discussion was held with the applicant on the status of the plans; the applicant will submit the plans within 10 calendar days.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Chairperson Sanchez to adopt **Resolution PC No. 2018-059**; and 1) Determine that the project is Categorically Exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities) and per 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) approving Design Review No. 90-074R1 with the addition of a Condition to that requires the applicant submit all plans and pay all fees the City requires in two weeks. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Meyer, Vasquez; NOES: None; ABSTAIN: None)

**B. Master Case No. 18-080; Conditional Use Permit No. 18-023 - A Conditional Use Permit to establish a large day care facility for a maximum of 14 children located within an existing residence of approximately 4,003 square feet on a 6,200 square foot lot.**

Planning Intern Alexia De La Torre provided the staff report.

Discussion was held on speed limit signs.

The Public Hearing was opened.

Speaking for the applicant, Lanette Lars.

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

Discussion was held on neighbors' concerns regarding parking.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded Vice Chairperson Quiroga to adopt **Resolution PC No. 2018-060** and, 1) Determine that the project is statutorily and categorically exempt, respectively from the California Environmental Quality Act (CEQA) pursuant to Section No. 15274 (Family Day Care Homes), and Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.21 of the Local 2018 Guidelines for implementing the CEQA, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 18-023 subject to the attached Findings and Conditions of Approval. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga,

Meyer and Vasquez; NOES: None; ABSTAIN: None)

**C. Master Case No. 18-025; Minor Use Permit No. 18-003; Design Review No. 18-007 - Minor Use Permit is a request to establish a senior housing facility in a commercial zoning district; Design Review is a request for site and architectural review of a 31,695 square foot senior housing facility to include three (3) studio units, sixty (60) 1-bedroom units and fourteen (14) 2-bedroom units for a total of seventy seven (77) units.**

Assistant Planner Cecily Session-Goins provided the staff report.

Discussion was held on the enhancement of the elevation of Building C.

Discussion was held on the right-in-right-out entrance and exit of the project; staff was not opposed to adding a Condition.

Discussion was held on this project being a gated community.

Discussion was held on the number of elevators on the project.

Discussion was held on the emergency entrance.

Discussion was held on the applicant's possible second phase.

The Public Hearing was opened.

Speaking for the applicant Brad Buller spoke on being impressed with staff's professionalism and diligence.

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

The applicant agreed to work with staff on the entrance and exit of the project.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Chairperson Sanchez to adopt **Resolution PC No. 2018-061**; 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; 2) Approve Minor Use Permit No. 18-003; and 3) Approve Design Review No. 18-007 with an added condition regarding the entrance and exit. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Meyer and Vasquez; NOES: None; ABSTAIN: None)

**D. Master Case No. 17-067; General Plan Amendment No. 17-006; Zoning Code**

**Amendment No. 17-005; Tentative Parcel Map No. 17-012 (TPM No. 19903); Conditional Use Permit No. 17-033; Design Review No. 17-030 - General Plan Amendment is a request to change the General Plan land use designation of the proposed warehouse General Commercial (C-G) to Light Industrial (I-L); Zone Change is a request to change the Zoning District Map of the proposed warehouse site from General Commercial (C-2) to Light Industrial (M-1); Tentative Parcel Map is a request to consolidate two (2) parcels into one (1) parcel comprised of 17.6 adjusted gross acres for the development of a distribution warehouse building; Conditional Use Permit is a request to conditional allow warehousing with distribution on proposed consolidated parcels; and Design Review is a request for site and architectural review of a warehouse distribution building totaling approximately 376,910 square feet on 17.6 adjusted gross acres.**

Assistant Planner Alejandro Rico provided the staff report.

Discussion was held on rezoning of the area.

Discussion was held on the use of wrought iron.

Discussion was held on measures to prevent access from the homeless.

Discussion was held on the corner elements.

Discussion was held on the addition of faux windows.

Discussion was held on staff working with the applicant on the enhanced elevations.

The Public Hearing was opened.

Speaking for the applicant, Scott Irwin spoke on projects he has worked on in the City of Fontana and commended staff for their work on the project.

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

Discussion was held on adding a monument sign.

Discussion was held on matching the walls.

Discussion was held on the landscaping being at 15%; staff confirmed that the project is at 24% landscaping.

Director AbuBakar spoke on having to meet state standards for drought tolerant landscaping.

Josh Bourgeois spoke in opposition to the project and reiterate his position to stand by his previous comment letter opposing the project.

Thomas Ruiz representing the Labor Union spoke in favor of the project.

The Public Hearing was closed.

**ACTION:** Motion was made by Chairperson Sanchez and seconded by Commissioner Meyer to adopt **Resolution PC No. 2018-062**, and forward a recommendation to the City Council to: 1) Certify the Final Environmental Impact Report (State Clearinghouse No. 2018041008) and Mitigation Monitoring Program (MMRP), adopt a Statement of Overriding Consideration, a Statement of Facts and Findings, and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 17-006, approving Tentative Parcel Map No. 19903 (TPM No. 17-012), approving Conditional Use Permit No. 17-033 and approving Design Review No. 17-030 subject to the Findings and Conditions of Approval; and 3) Adopt an ordinance approving Zone Change No. 17-005 with direction to staff to work with the applicant on items discussed. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Meyer and Vasquez; NOES: None; ABSTAIN: None)

**E. Master Case No. 18-064; Conditional Use Permit No. 18-018 - Review and approve an upgrade to the Conditional Use Permit for an upgrade to an existing Type 20 (Off-Sale Beer and Wine) license and to become a new ABC Type 21 (Off-Sale General – Beer, Wine, and Distilled Spirits) license for an existing gasoline station and convenience store).**

Staff recommended this item be moved to a date uncertain.

**ACTION:** Motion was made by Chairperson Sanchez and seconded by Commissioner Vasquez to continue this item to a date uncertain. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Meyer and Vasquez; NOES: None; ABSTAIN: None)

**F. Master Case No. 18-061; Conditional Use Permit No. 15-021R1; Conditional Use Permit No. 15-023R1 - Conditional Use Permit No. 15-023R1 is a request to modify the hours of operation for an existing restaurant in conjunction with an existing California Department of Alcoholic Beverage Control (ABC) Type 47 (On-Sale for a Restaurant); and Conditional Use Permit No. 15-021R1, is a request to extend the hours for live entertainment and approval of the relocation of the stage.**

Manager Hernandez introduced Assistant Planner Fernando Herrera.

Assistant Planner Fernando Herrera provided the staff report.

Staff provided corrections to the staff report.

The Public Hearing was opened.

Speaking for the applicant, Saul Navarro and Leslie Navarro. Mr. Navarro provided an update on the fountain and spoke on trying to eliminate the noise to residents.

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

Discussion was held on the current Conditions of Approval not being followed by the applicant and how to ensure they are followed in the future.

Discussion was held on approving the Design Review tonight and extending hours at a future meeting.

Discussion was held on moving the stage without a permit.

Discussion was held on the applicant being responsible for what happens in the parking lot.

Speaking for the applicant, Socorro Enriquez spoke on the applicant's attempts at controlling the noise level; Ms. Enriquez spoke on the language barrier to understanding guidelines.

Policing Technician Wendy Ratcliffe provided a memo that was included in the staff report regarding the calls for service history of the location.

Ms. Ratcliffe spoke on the calls for service decreasing from last year and not having any noise complaints in the past year.

Discussion was held on the music being audible outside of the facility.

Ms. Vasquez spoke on this project being in a residential area and other projects in residential areas not being approved due to noise levels.

Discussion was held on the violations on the property.

Discussion was held on the calls for service dependent on how a business is running.

Applicant spoke on the restaurant being a family restaurant.

Bill and Mickie Bender spoke in opposition to this project.

Terri and Tony Canales spoke in opposition to this project.

Discussion was held on children running around in the parking lot and any possible violations that would fall under.

Discussion was held on live entrainment.

Discussion was held on the security provided.

Discussion was held on the doors being ADA compliant.

The Public Hearing was closed.

Commissioner Vasquez spoke on upcoming events at the project site.

Discussion was held on separating the requests for the relocation of the stage versus the

extension of the operation hours for live entertainment and the business.

Discussion was held on the location of the stage.

The Public Hearing was opened.

The applicant was advised that the hours of operation must be followed.

**ACTION:** Motion was made by Commissioner Meyer and seconded by Chairperson Quiroga to adopt **Resolution PC No. 2018-063** to; 1) Approve the relocation of the stage 2) Determine that the project is Categorically Exempt pursuant to Section No. 15301, Class No. 1 (Existing Facilities), 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; 3) Continue the proposed extension of hours of operation and live entertainment to December 04, 2018 Planning Commission meeting. Motion passed by a vote of 4-0. (AYES: Sanchez, Quiroga, Meyer and Vasquez; NOES: None; ABSTAIN: None)

## **UNFINISHED BUSINESS:**

### **A. None.**

## **DIRECTOR COMMUNICATIONS:**

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

Director AbuBakar welcomed new Attorney Kylee Otto.

Director AbuBakar thanked Planning Staff and the Commission for the National Planning Month activities.

Planning Commission reviewed an update of future City Council Agenda items for October 23, 2018, November 13, 2018, and November 27, 2018, meetings for the Planning Commission's information; and an update of future Planning Commission items for the October 16, 2018, November 6, 2018, and November 20, 2018, regular meetings for the Planning Commission's information.

## **COMMISSION COMMENTS:**

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

Commissioner Vasquez spoke on rules being important.

Commissioner Vasquez greeted her husband and children.

Commissioner Meyer is pleased with the new 4-way stop at Coyote Canyon.

Commissioner Meyer requested that tonight's meeting be adjourned in memory of the victims of the Las Vegas massacre from one year ago.

Vice Chairperson Quiroga spoke on taking everything into account when making decisions and thanked the community members that showed up today.

Vice Chairperson Quiroga welcomed the new attorney to the team.

Chairperson Sanchez echoed Commissioner Vasquez' sentiments on rules.

## **WORKSHOP:**

None.

## **ADJOURNMENT:**

By consensus, the Planning Commission adjourned in memory of the victims of the Las Vegas massacre, the victims of the Indonesian earthquake, and the victims of hurricane Florence at 8:58 p.m. to the next Regular Planning Commission Meeting to be held on Tuesday, October 16, 2018 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

*Ysela Aguirre*

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Ysela Aguirre  
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 16TH DAY OCTOBER, 2018.**

DocuSigned by:

*Idilio Sanchez*

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Idilio Sanchez  
Chairperson

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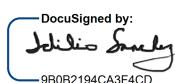
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Envelope Sent	Hashed/Encrypted	10/19/2018 8:55:09 AM
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**Required hardware and software**

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
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