

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
December 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, December 18, 2018, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Sanchez called the meeting to order at 6:02 p.m.

Present: Chairperson Sanchez, Vice Chairperson Quiroga, Secretary Fort, Commissioner Meyer, and Commissioner Vasquez (arrived at 6:12 p.m.)

Absent: None

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Senior Planner Paul Gonzales; Associate Planner Jon S. Dille; Assistant Planner Fernando Herrera; City Clerk Tonia Lewis; and Boards and Commission 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 Commissioner Quiroga.

PUBLIC COMMUNICATIONS:

A. Public Communications:

Darlene Scalf spoke on the negative impact of warehouses in San Bernardino County.

CONSENT CALENDAR:

A. Approval of Minutes:

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

ACTION: A motion was made by Commissioner Meyer and seconded by Vice

Chairperson Quiroga to approve the Minutes of the December 4, 2018, Planning Commission Meeting. Motion passed by a vote of 3-0-1. (AYES: Quiroga, Fort, Meyer; NOES: None; ABSTAIN: Sanchez)

PUBLIC HEARINGS:

A. Master Case No. 13-034; General Plan Amendment No. 11-026; Zone Change Amendment No. 11-016; Specific Plan Amendment No. 11-003; Development Agreement No. 11-002; Tentative Parcel Map No. 19156 (TPM No. 13-005) - West Valley Logistics Center Specific Plan Project.

Planning Manager Orlando Hernandez provided the staff report.

Discussion was held on the hours of construction.

Speaking for the applicant, Lloyd Zola provided a presentation.

Discussion was held on the use of solar on rooftops.

Discussion was held on how the trucks being used will be controlled.

Discussion was held on having enough right of way to make a four lane highway on Locust Avenue and the impact to private property.

Commissioner Vasquez spoke on truck routes, traffic at Cedar and I-10 Freeway, the impact of traffic not being figured out, and encroaching on private property and concerns not being fully addressed.

Mr. Zola stated that the EIR does not include mitigation requirements and San Bernardino County having funding for Cedar interchange.

Discussion was held on Sierra Avenue not being able to keep up with current traffic and Cedar Avenue needing a bridge the size of Sierra Avenue.

Speaking for the applicant, Michael Morris spoke on the benefits of the proposed project.

The Public Hearing was opened.

Tom Merrell, City of Jurupa Valley, submitted a letter in opposition to the project and summarized the City of Jurupa Valley's concerns.

Darlene Scalf spoke in opposition to the project and the negative impacts of warehouses; Ms. Scalf also spoke in support of unions in Fontana.

Karen Coleman spoke in opposition to the project and the negative impact warehouses have in Fontana. Ms. Coleman asked the Planning Commissioners to do what is right.

Lourdes Higareda spoke in opposition to the project and the lack of benefits to the community if the project is approved.

Leonarda Gonzales spoke in opposition to the project and prefers homes be built instead of warehouses. Mrs. Gonzales also spoke on the traffic on Cedar Avenue.

Scott Runyan, San Bernardino County Counsel Office, spoke in support of staff's recommendation and spoke on the letter provided at the dais from San Bernardino County with concerns about the project.

Andrea Vidaurre, Center for Community Action and Environmental Justice, spoke in opposition to the project and spoke on the lack of analysis of the compatibility with the Environmental Justice Element of the new General Plan SB1000. Ms. Vidaurre spoke on not disturbing the hills.

City Clerk Tonia Lewis read into the record a letter provided at the dais from Veronica Perez.

Susana Villatoro spoke in opposition to the project and shared alternative ideas.

Josh Bourgeois spoke in opposition to the project and deficiencies in the EIR.

A recess was called at 7:16 p.m.

The meeting was reconvened at 7:23 p.m.

Jose Alvarado spoke in opposition to the project and planning to move out of the area if this project is approved.

Ana Carlos spoke in opposition to the project and asked if this is denied would it still move forward to the Mayor and City Council. Ms. Carlos spoke on the traffic and lack of space for a four lane road; and thanked the Jurupa Valley City Clerk for notifying her of this meeting.

Victoria Padilla spoke in opposition to the project and the effect any buyouts would have on her family and the negative effects it would have on the community.

Don Faris spoke in opposition to the project and the traffic around his home.

Ericka Flores spoke in opposition to the project and the negative impact to the environment and urged the Commissioners to do what is best for Fontana.

Ana Cruz spoke in opposition to the project and spoke on the investment in her property and the traffic congestion. She asked that the Planning Commission put the community, kids and family before profits.

Ana Gonzalez, Chicano Latino Caucus of San Bernardino County, is concerned with the growth of warehouses and the health and safety problems with them. Ms. Gonzalez spoke on the Mayor's declaration of a state of emergency in education and warehouses not providing good paying jobs for youth. Ms. Gonzalez asked the Planning Commissioner to deny this project because it is not good for Fontana or nearby cities.

Roberto Sanchez spoke in opposition to the project and the negative impact to the

community with all of the recent warehouses already in Bloomington. Mr. Sanchez urged the Planning Commission to vote against it.

Kathy Sanchez spoke on her children attending Bloomington schools and her concern for their safety with warehouses in the area.

Luis Ojeda spoke in favor of the project and the need for warehouses closer to people that order online and want their orders quickly. Mr. Ojeda spoke on truckers being demonized and the laws imposed on them to retrofit their trucks; little businesses could not afford it and big companies grew.

Daniel Zetina, Laborers Union, spoke in favor of the project and the benefits to workers and local businesses in Fontana.

Thomas Ruiz spoke in favor of the project and thanked the Commissioners for approving work because it helps with the slowdown in construction. Mr. Ruiz addressed comments on education in the labor forced and spoke on union projects and the public benefit including development that pays for the upgrades to infrastructures that will be there forever.

Sally Plant spoke in opposition to the project and the roadblock caused by traffic on local streets and the safety of children walking in the area. Ms. Plant spoke on the beautiful community and the animals that will be displaced because of the construction and the diversion of traffic in to the residential areas. Ms. Plant asked the Planning Commissioners to take a look at everything.

Glenda Barillas spoke in opposition to the project and supports staff recommendations. Ms. Barillas spoke on the lack of housing in the south end and that contributing to the lower enrollment in schools, the truck traffic on Sierra Avenue because other communities do not want trucks on their streets. Ms. Barillas thanked City staff for their recommendations and spoke on the labor and small businesses that will be affected.

Alicia Oviedo spoke in opposition to the project and spoke on needing other things instead of warehouses.

Dena Still spoke in opposition to the project and the dangers of traffic. Ms. Still begged the Commission to oppose this project.

Noreen Bills spoke in opposition to the project.

Tomasa Manlove spoke in opposition to the project and expressed her concerns with not liking the look of warehouses, the temporary jobs, the pepper trees being chopped down and not being replaced, and narrow streets with cars parked on them.

Alex Artiaga spoke in favor of the project and the benefits to union workers that live in the community and are asking to work in the community. Mr. Artiaga spoke on all construction jobs being temporary.

Juan Medina spoke in favor of the project and on traveling to have to work; this project will

allow him to be close to his family while he works. Mr. Medina apologized to those that live there and spoke on people wanting their packages quickly. Mr. Medina also spoke on wanting a living wage and local jobs.

Michael Townsend, on behalf of Senator Connie Leyva, spoke in opposition to this project. Senator Leyva is sensitive to the laborers and would love for them to build homes. Senator Leyva stands with the residents that are opposed to this project.

Matthew Slowik spoke on overriding consideration and staff looking into a measure that might be able to include fund exactions for the benefit of Colton Joint Unified School District and Fontana Unified School District that go into training and further education through apprenticeships and other means for students.

Stacey Ramos spoke in opposition to the project because of the truck traffic that is out of control and not needing another project that will add more traffic. Ms. Ramos suggested building away from homes like it is done in Orange County. Ms. Ramos stands with the laborers and feels their pain, but jobs should be created that do not impact houses, schools, and the environment. Ms. Ramos asked the Commissioners to think about the residents and oppose this project.

Jayson Baiz spoke on being fortunate to go to training school to be a certified construction worker that has enabled him to live as an honest tax paying citizen and having to travel far to keep working and has had two accidents. Mr. Baiz asked to consider the hard working people of this community that need to work and provide for their families and warehouses will provide jobs.

Thomas Rocha spoke in opposition to this project and the significant impacts it will have in the area. Mr. Rocha spoke on Sierra Avenue becoming a truck route, the environmental issues it will cause, the 55 acres of habitat being affected, and the 5,000 people that live in the area. Mr. Rocha asked if this is right for Fontana and spoke on laborers choosing their profession and having to work wherever the work is available.

The Public Hearing was closed.

Speaking for the applicant, Michael Morris.

Discussion was held on considering the impact to residents.

Discussion was held on the classification of high cube fulfillment center warehouse versus short term storage warehouse.

Discussion was held on the consideration for 1,000 foot buffer and truck barriers.

Discussion was held on key mitigation measures and the applicant's lack of answers to the problems.

Speaking for the applicant, Mark Ostoich, addressed the position of the County of San Bernardino regarding truck routes, acquiring the right of way, and construction in 2020 to address the congestion on Cedar Avenue.

Discussion was held on the residential zoning of the area and lack of demand for housing.

Discussion was held on the enforceability of trucking conditions.

Chairperson Sanchez spoke on the Planning Commissioners understanding their roles, wanting to be good neighbors and pro-business.

Vice Chairperson Quiroga spoke on listening and hearing concerns on both sides and wanting to do their best to do what is best for Fontana.

Vice Chairperson Quiroga spoke on something being built there at some point and the number of projected vehicles for different projects.

Vice Chairperson Quiroga spoke on the four lane highway and encroachment.

Commissioner Fort spoke on concerns with truck traffic and property owners not being forced to sell.

Commissioner Fort spoke on feeling everyone's pain and trying to understand everything.

Discussion was held on forcing property owners to sell – the applicant cannot force anyone to sell, but the county can implement imminent domain.

Discussion was held on the intent of mitigation measures to improve conditions.

A recess was called at 9:02 p.m.

The meeting was reconvened at 9:08 p.m.

Discussion was held on the Planning Commission's possible actions on this project.

Discussion was held on fees collected for schools.

Discussion was held on the current zoning and lot sizes.

Discussion was held on the language of the motion.

A recess was called at 9:39 p.m.

The meeting was reconvened at 9:51 p.m.

ACTION: Motion was made by Commissioner Meyer and seconded by Vice Chairperson Quiroga to extend the meeting to 11:00 p.m. Motion passed by a vote of 5-0. (AYES: Sanchez, Quiroga, Fort, Meyer and Vasquez; NOES: None; ABSTAIN: None)

Attorney Kylee Otto provided language for the motion.

ACTION: Motion was made by Commissioner Meyer and seconded by Commissioner

Fort for the Planning Commission recommended approval to the City Council of the proposed project until street improvements along Locust Avenue, between Jurupa Avenue and Slover Avenue can be implemented consistent with the Final Environmental Impact Report (State Clearinghouse No. 2012071058) with recommendation to staff to bring back the resolution for approval. Motion passed by a vote of 3-2. (AYES: Quiroga, Fort, and Meyer; NOES: Sanchez and Vasquez, None; ABSTAIN: None)

B. Master Case No. 18-094; Design Review No. 18-026 - A request to construct 179 single-family homes within previously approved Tract Map No. 18944 (TTM No. 13-011).

Assistant Planner Fernando Herrera provided the staff report.

Discussion was held on the park renderings.

The Public Hearing was opened.

Speaking for the applicant, Justin Journeaux, expects to break ground in March.

Discussion was held on the widening of Sierra.

Discussion was held on the price point.

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 Commissioner Quiroga to adopt **Resolution PC No. 2018-081:** and 1) Find that the previously adopted Initial Study/Mitigated Negative Declaration for Tentative Tract Map No. 18944 (Tentative Tract Map No. 13-011) approved by the City Council on October 13, 2014 has adequately identified the impacts associated with the project. No further review is required pursuant to Sections 15162 through 15164 et seq of the California Environmental Quality Act and Section 6.22 of the 2018 Local Guidelines for Implementing CEQA, and direct staff to file a Notice of Determination; and, 2) Approve Design Review No. 18-026, for site and architectural review of 179 single-family homes. Motion passed by a vote of 5-0. (AYES: Sanchez, Quiroga, Fort, Meyer and Vasquez; NOES: None; ABSTAIN: None)

C. Master Case No. 18-074; Design Review No. 18-019 - The proposed project is for site and architectural review for the development of a warehouse facility of approximately 59,512 square feet with 55,512 square foot of warehouse space and 4,000 square foot of office/mezzanine space, six (6) warehouse dock doors, two (2) ground level loading doors, and 60 auto parking spaces.

Associate Planner Jon S. Dille provided the staff report.

Discussion was held on this project previously having come before the Planning Commission.

The Public Hearing was opened.

Speaking for the applicant, Daniel Adams, spoke on changes made to the plan.

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

Chairperson Sanchez disclosed that he met with the applicant.

Discussion was held on the palm trees being used; the applicant is not opposed to changing the palm trees.

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 Commissioner Quiroga to adopt **Resolution PC No. 2018-082:** 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) of the Local Guidelines for Implementing the California Environmental Quality Act, 2018, and direct staff to file a Notice of Exemption; and, 2) Approve Design Review No. 18-019 with a condition for the applicant to work with staff on the palm trees. Motion passed by a vote of 5-0. (AYES: Sanchez, Quiroga, Fort, Meyer and Vasquez; NOES: None; ABSTAIN: None)

D. Master Case No. 16-012; General Plan Amendment No. 16-001; Zone Change Amendment No. 16-001; Tentative Tract Map No. 20010 (TTM No. 16-003); Tentative Tract Map No. 20069 (TTM No. 16-016); Tentative Tract Map No. 20070 (TTM No. 16-017); Conditional Use Permit No. 18-011; Design Review No. 16-025; Design Review No. 16-026; Development Agreement No. 16-003 - Monarch Hills Residential Development

Senior Planner Paul Gonzales provided the staff report.

Commissioner Meyer disclosed that he met with the applicant.

Commissioner Sanchez disclosed that he met with the applicant.

Commissioner Quiroga disclosed that he met with the applicant.

Commissioner Fort disclosed that she and Commissioner Vasquez met with the applicant.

Discussion was held on the lot sizes.

Discussion was held on the style rendering in staff's report.

Discussion was held on addressing traffic concerns at Duncan Canyon.

The Public Hearing was opened.

Speaking for the applicant, Craig Cristina, thanked the Planning Commission for their consideration.

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

Discussion was held on the use of gabion walls.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

Discussion was held on the use of gabion walls.

ACTION: Motion was made by Commissioner Meyer and seconded by Chairperson Sanchez to extend the meeting to 11:15 p.m. Motion passed by a vote of 5-0. (AYES: Sanchez, Quiroga, Fort, Meyer and Vasquez; NOES: None; ABSTAIN: None)

ACTION: Motion was made by Commissioner Meyer and seconded by Commissioner Sanchez to adopt **Resolution PC No. PC 2018-083**, forwarding a recommendation to the City Council to: 1) Adopt a resolution to certify the Final EIR, adopt a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 16-001; 3) Adopt an ordinance approving Zone Change No. 16-001; 4) Adopt an ordinance approving Development Agreement No. 16-001; and, 5) Approve Tentative Tract Map No. 20010, Tentative Tract Map No. 20069, Tentative Tract Map No. 20070, approve Conditional Use Permit No. 18-001, approve Design Review No. 16-025, and approve Design Review No. 16-026 subject to the attached Findings and Conditions of Approval and direct staff to work with the applicant to add gabion walls. Motion passed by a vote of 5-0. (AYES: Sanchez, Quiroga, Fort, Meyer and Vasquez; NOES: None; ABSTAIN: None)

UNFINISHED BUSINESS:

A. None.

None.

NEW BUSINESS:

A. None.

None.

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for

December 25, 2018, January 8, 2019, and January 22, 2019, meetings for the Planning Commission's information; and an update of future Planning Commission items for the January 1, 2019, and January 15, 2019, regular meetings for the Planning Commission's information.

Director AbuBakar wished everyone a merry Christmas and Happy Holidays.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Vasquez wished everyone a good night and a merry Christmas.

Commissioner Vasquez expressed get well wishes to her daughter.

Secretary Fort wished everyone a merry Christmas.

Secretary Fort spoke on the long but worthwhile meeting and thanked staff for providing the information needed.

Commissioner Meyer congratulated Chairperson Sanchez on his anniversary.

Commissioner Meyer welcomed City Clerk Lewis back.

Commissioner Meyer noted that we reached 83 resolutions in 2018 and spoke to how busy staff, the city attorney and the Planning Commission have been.

Commissioner Meyer wished everyone a merry and blessed Christmas, happy New Year, and the twelve days of Christmas.

Vice Chairperson Quiroga spoke on how stressful this meeting was and it was not easy and thanked the people and residents that came out to share their thoughts.

Vice Chairperson Quiroga wished everyone a merry Christmas and happy New Year.

Chairperson Sanchez thanked everyone for showing up and voicing their opinions.

Chairperson Sanchez spoke on property rights being important and listening to both sides.

Chairperson Sanchez thanked his wife of 30 years.

Chairperson Sanchez is excited to see Monarch project come forward.

Chairperson Sanchez spoke on having the honor to work with all of the Commissioners.

Chairperson Sanchez wished everyone a good night, merry Christmas and happy New Year.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission adjourned at 11:10 p.m. to the Regular Planning Commission Meeting on Tuesday, January 15, 2019 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 JANUARY, 2019.**

DocuSigned by:

Idilio Sanchez

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Idilio Sanchez

Chairperson

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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

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