

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
July 2, 2019
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, March 5, 2019, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Quiroga called the meeting to order at 6:01 p.m.

Present: Chairperson Quiroga, Vice Chairperson Fort, Secretary Sangha, Commissioner Sanchez and Commissioner Garcia

Absent: None

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Senior Planner Dawn Rowe; Assistant Planner Ivan Galeazzi; Assistant Planner Alejandro Rico; City Clerk Tonia Lewis; and Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Pastor Alex Barrett, Ridgeview Church, the Pledge of Allegiance was led by Commissioner Sangha.

PUBLIC COMMUNICATIONS:

A. Public Communications:

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of June 18, 2019.

ACTION: A motion was made by Commissioner Sanchez and seconded by

Commissioner Fort to approve the Minutes of the June 18, 2019, Planning Commission Meeting. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None).

PUBLIC HEARINGS:

A. Master Case No. 18-085; Design Review Project No. 18-021 - A request for review and approval of a site and architectural review for a proposed warehouse concrete tilt-up building totaling approximately 71,905 square feet. (Continued from June 18, 2019)

Assistant Planner Ivan Galeazzi provided the staff report.

Discussion was held on the number of parking spaces.

The Public Hearing was opened.

Speaking for the applicant, Michael Goodwin, with First Industrial Realty Trust, spoke on the specifics of the project.

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 Fort and seconded by Commissioner Sangha to adopt **Resolution PC No. 2019-043**; 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332 (Class No. 32, In-Fill Development Project) of the CEQA and per Section No. 3.22 of the 2019 Local Guidelines for Implementing the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption; and, 2) Approve Design Review Project No. 18-021. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

B. Master Case No. 19-043; Conditional Use Permit No. 10-023R2; Conditional Use Permit No. 19-025; Revocation of Conditional Use Permit No. 10-022 - Conditional Use Permit (CUP) No. 15-023R2 is a request to modify the existing CUP No. 15-023 to upgrade the existing ABC (Alcoholic Beverage Control) License from Type 41 to a Type 47 ABC license for the sale of sale of beer, wine and distilled spirits to be consumed on-site; Conditional Use Permit (CUP) No. 19-025 is a request to allow live entertainment; the revocation of CUP No. 10-022 to rescind the use permit which currently allows a Type 20 ABC to allow the sale of beer and wine to be consumed off-site.

Assistant Planner Alejandro Rico provided the staff report.

Staff recommended Condition No. 36, in Exhibit A, be deleted as it does not apply to this

project.

Discussion was held on the hours of operation.

Discussion was held on the hours of operation of live entertainment.

Discussion was held on the type of live entertainment.

Discussion was held on the noise restrictions.

Attorney Otto clarified the stipulation regarding live entertainment without Planning Commission approval.

Discussion was held on the hours of operation of live entertainment on similar projects.

Discussion was held on any comments received from the public noticing.

The Public Hearing was opened.

Speaking for the applicant, Miguel Garcia and Leticia Garcia Suarez.

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

Discussion was held on the use of amplification for entertainment.

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 Garcia to adopt **Resolution PC No. 2019-044**; 1) Determine that the project does not require any environmental review pursuant to Section No. 15301 (Existing Facilities) of the California Environmental Quality Act and Section No. 3.22 of the 2019 Local Guidelines for implementing the California Environmental Quality Act (CEQA); 2) Approve Conditional Use Permit No. 10-023R2, a request for the sale of beer, wine and distilled to be consumed on-site; 3) Approve Conditional Use Permit No. 19-025, a request to allow live entertainment on the premises; and, 4) Revoke Conditional Use Permit No. 10-022 to rescind the use permit which currently allows a Type 20 ABC to allow the sale of beer and wine to be consumed off-site with the deletion of Condition No. 36. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None).

C. Master Case No. 18-049; Tentative Parcel Map No. 19925 (TPM No. 18-033); Administrative Site Plan No. 18-033 - A request to review and approve to combine two (2) existing parcels for the expansion of an existing tractor truck and tractor trailer sales facility, and for the site and architectural review of one (1) proposed sales office building totaling approximately 1,678 square feet on approximately 4.90 adjusted gross acres located within the General Industrial (M-2) Zoning District. All off-site and on-site improvements

are a part of this request.

Assistant Planner Ivan Galeazzi provided the staff report.

The Public Hearing was opened.

Speaking for the applicant, Vicky Valenzuela, spoke on the details of the project.

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 Sanchez and seconded by Commissioner Garcia to approve **Resolution PC No. 2019-045**; 1) Find that the proposed project is exempt pursuant to Section No. 15301, Class 1 (Existing Facilities) and per Section No. 15332, Class 32, (Infill Development) of the California Environmental Quality Act (CEQA) and Section 3.22 of the 2019 Local Guidelines for implementing CEQA, and direct staff to file a Notice of Exemption; 2) Approve Tentative Parcel Map No. 19925 (TPM No. 18-003); and, 3) Approve Administrative Site Plan No. 18-033. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None).

D. Master Case No. 19-011; Specific Plan Amendment No. 19-001; Tentative Tract Map No. 17039 (TTM No. 19-002) - Specific Plan Amendment No. 19-001 proposes to change the product type identified in the Citrus Heights North Specific Plan; Tentative Tract Map No. 17039 (TTM 19-002) is a request to subdivide two (2) existing lots into ten (10) numbered lots and twenty-four (24) lettered lots for the purpose of creating a condo map for future development of 101 detached condominiums.

Senior Planner Dawn Rowe provided the staff report.

Staff corrected that there were 102 condominiums, not 101.

Discussion was held on the reason for subdivision.

Discussion was held on the reason for less units.

The Public Hearing was opened.

Speaking for the applicant Stacey Sassaman spoke on the decrease of the number of units.

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 Fort and seconded by Commissioner Sangha to adopt **Resolution PC No. 2019-046**, forwarding a recommendation to the City Council to 1) Determine that the project has been reviewed under a previous Final Environmental Impact Report (State Clearing House No. (2003111125), pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana's 2019 Local CEQA Guidelines and direct staff to file the Notice of Determination; 2) Approve Specific Plan Amendment No. 19-001; and, 3) Approve Tentative Tract Map No. 17039 (TTM 19-002). Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None).

UNFINISHED BUSINESS:

A. None.

NEW BUSINESS:

A. None.

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for July 9, 2019, July 23, 2019, and August 13, 2019, meetings for the Planning Commission's information; and an update of future Planning Commission items for the July 16, 2019 and August 6, 2019, regular meetings for the Planning Commission's information.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Fort shared that she attended the BIA conference.

Commissioner Fort wished everyone a safe and joyous celebration and invited everyone out to Fontana High School for the fireworks show.

Commissioner Fort welcomed Pastor Barrett to Fontana and thanked him for bringing the sports camp for children to Fontana.

Commissioner Sangha thanked staff for their reports and the developers for bringing their projects to Fontana.

Commissioner Sangha wished everyone a safe 4th of July.

Commissioner Garcia wished everyone a happy 4th of July.

Commissioner Sanchez thanked staff for paying attention to the Planning Commission and thanked the developers for investing in Fontana.

Commissioner Sanchez wished everyone a happy 4th of July.

Chairperson Quiroga thanked Pastor Alex Barrett for sharing his wisdom and bringing more positivity to Fontana.

Chairperson Quiroga wished everyone a safe 4th of July and invited everyone to the 4th of July event at Fontana High School.

Chairperson Quiroga thanked the developers for bringing top quality products to Fontana.

WORKSHOP:

Unical 76 Self Service Automated Car Wash

ADJOURNMENT:

By consensus, the meeting adjourned at 6:59 p.m. to a Planning Commission Meeting Workshop on July 2, 2019, then to the Regular Planning Commission Meeting on Tuesday, July 16, 2019, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:



6215EB09E9C04DA...

Ysela Aguirre

Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 16TH DAY OF JULY, 2019.**

DocuSigned by:



C81A84EE45B54C9...

Daniel Quiroga

Chairperson

Certificate Of Completion

Envelope Id: B1A5EA32DFB343C3B7B087C5859572FA

Status: Completed

Subject: Please DocuSign: PC Minutes of 07-02-2019.pdf

Source Envelope:

Document Pages: 6 Signatures: 2

Envelope Originator:

Certificate Pages: 5 Initials: 0

City Clerk

AutoNav: Enabled

8353 Sierra Avenue

EnvelopeD 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

7/24/2019 4:59:05 PM

clerks@fontana.org

Signer Events

Signature

Timestamp

Ysela Aguirre

yselac13@aol.com

Security Level: Email, Account Authentication (None)



Sent: 7/24/2019 4:59:12 PM

Signature Adoption: Pre-selected Style
Using IP Address: 174.213.6.138
Signed using mobile

Viewed: 7/27/2019 1:24:07 AM

Signed: 7/27/2019 1:24:27 AM

Electronic Record and Signature Disclosure:

Accepted: 7/27/2019 1:24:07 AM

ID: b709727a-7a37-4f39-821b-f9fb3d6d9c66



Sent: 7/27/2019 1:24:29 AM

Signature Adoption: Pre-selected Style
Using IP Address: 108.184.119.124

Viewed: 7/27/2019 11:32:24 AM

Signed: 7/27/2019 11:32:31 AM

Electronic Record and Signature Disclosure:

Accepted: 7/27/2019 11:32:24 AM

ID: eca58a94-c77f-433f-8b57-223022c22f23

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 Ssenkoloto

essenkol@fontana.org

Security Level: Email, Account Authentication (None)



Sent: 7/27/2019 11:32:32 AM

Viewed: 7/29/2019 8:29:13 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)	COPIED	Sent: 7/27/2019 11:32:33 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/27/2019 11:32:33 AM
Certified Delivered	Security Checked	7/27/2019 11:32:33 AM
Signing Complete	Security Checked	7/27/2019 11:32:33 AM
Completed	Security Checked	7/27/2019 11:32:33 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">•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.