

**MINUTES OF THE CITY OF FONTANA  
REGULAR PLANNING COMMISSION MEETING  
July 16, 2019  
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, July 16, 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; Senior Planner DiTanyon Johnson; Associate Planner Brett Hamilton; Assistant Planner Fernando Herrera; Planning Technician George Velarde; City Clerk Tonia Lewis and Commission Secretary Ysela Aguirre.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

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

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

**PUBLIC COMMUNICATIONS:**

**A. Public Communications:**

None.

**CONSENT CALENDAR:**

**A. Approval of Minutes:**

Approve the Regular Planning Commission Meeting Minutes of July 2, 2019.

**ACTION:** A motion was made by Vice Chairperson Fort and seconded by Secretary Sangha to approve the Minutes of the July 2, 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. 18-095; Design Review No. 18-027 - A request for site and architectural review of a proposed industrial development consisting of a warehouse/distribution building totaling approximately 133,606 square feet. (Continued from June 18, 2019)**

Senior Planner Dawn Rowe provided the staff report.

Staff shared a letter received at the dais and staff's response to that letter.

A recess was called at 6:10 p.m. for the Planning Commission to review the letter.

The meeting was recalled to order at 6:21 p.m.

Discussion was held on how long this project has been planned.

Discussion was held on when this project was noticed.

Discussion was held on staff being able to respond adequately to the letter received.

Discussion was held on any concerns still pending.

Discussion was held on receiving letters so late in the process.

The Public Hearing was opened.

Speaking for the applicant, Matthew Johnson spoke on reading the letter and the response to the letter.

Discussion was held on what type of operation will be held in the building.

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.

Director AbuBakar provided technical corrections to page 23 and page 29.

**ACTION:** Motion was made by Commissioner Sanchez and seconded by Commissioner Garcia to adopt **Resolution PC No. 2019-047**; 1) Adopt the Addendum to the Southwest

Industrial Park Specific Plan Program Environmental Impact Report (SWIP FEIR) (SCH No. 2009091089) and direct staff to file a Notice of Determination; and, 2) Approve Design Review No. 18-027 with corrections on page 23 and page 29 as provided by Director AbuBakar. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

**B. Master Case No. 18-107; General Plan Amendment No. 18-007; Specific Plan Amendment No. 18-004; Tentative Tract Map No. 20229 (TTM 18-016); Development Agreement No. 19-001; Design Review No. 18-031 - 193 detached condominiums (Stratham Homes) within the Westgate Specific Plan.**

Associate Planner Brett Hamilton provided the staff report.

Staff is recommending the removal of Condition E.

Chairperson Quiroga disclosed that he met with the developer.

Commissioner Sanchez disclosed that he met with the developer.

Secretary Sangha disclosed that he met with the developer.

Vice Chairperson Fort disclosed that she met with the developer.

Commissioner Garcia disclosed that she met with the developer.

Director AbuBakar provided technical corrections to the Conditions of Approval under Item 2.

Discussion was held on overnight parking and enforcing the use of garages.

Discussion was held on public improvements to the pedestrian bridge area over the flood control channel.

Discussion was held on the lighting of the Pacific Electric Trail.

Discussion was held on bike trail safety.

Discussion was held on graffiti deterrent plans along the wash.

Discussion was held on the design of the Veteran's Memorial Wall.

Discussion was held on the landscape plan.

Discussion was held on the location of the pedestrian bridges and trails.

Discussion was held on the safety of pedestrians.

Discussion was held on traffic on Victoria; staff is coordinating with Cal Trans.

Manager Hernandez spoke on Victoria being realigned to address traffic issues.

Discussion was held on the median and the flow of traffic.

Discussion was held on the number of lanes on Victoria.

The Public Hearing was opened.

Speaking for the applicant, Patrick Potts, agreed to restricting overnight parking, adding up lighting, and adding a canopy to the tot lot area.

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

Discussion was held on using the main entrance to alleviate traffic.

Alan Henley spoke in opposition to the project, and expressed concern with posted notices, rentals, traffic, and the value of homes. Mr. Henley requested information regarding parcels.

Chris Brock expressed concern with safety of pedestrians and bike riders near the lush landscape near the road.

The Public Hearing was closed.

Discussion was held on the number of condominiums in the project.

Discussion was held on the Public Hearing notices.

Discussion was held on the path lighting on the Pacific Electric Trail.

Discussion was held on the landscaping maintenance.

Manager Hernandez spoke on the process for approving line of sight landscaping.

Direction was given to staff to work with the applicant on the line of sight landscaping, restricting overnight parking, adding up lighting, and adding a canopy to the tot lot area.

Director AbuBakar provided a technical correction to table 4.2.

**ACTION:** Motion was made by Commissioner Sanchez and seconded by Commissioner Garcia to adopt **Resolution PC No. 2019-048**, and forward a recommendation to the City Council to;1) Adopt the Addendum to the previously certified Westgate Specific Plan Environmental Impact Report (SCH No. 1991062014) pursuant to Section 15164 of the California Environmental Quality Act (CEQA) guidelines and Section 8.06 of the 2019 Local Guidelines for Implementing CEQA, and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 18-007; approving Tentative Tract Map No. 20229 (TTM 18-016) and approving Design Review No. 18-031; 3) Adopt an ordinance approving Specific Plan Amendment No. 18-004; and,

4) Adopt an ordinance approving Development Agreement No. 19-001 with corrections provided by staff and direction to staff to work with the applicant on the line of sight landscaping, restricting overnight parking, adding up lighting, and adding a canopy to the tot lot area. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

**C. Master Case No. 19-042; Conditional Use Permit No. 19-017 - A request for review and approval of a Conditional Use Permit (CUP) for an approved BurgerIM restaurant to operate with a California Department of Alcoholic Beverage Control (ABC) Type 41 (On-Sale Beer and Wine- Eating Place) license.**

Planning Technician George Velarde provided the staff report.

Staff did not receive any communication on the project.

Discussion was held on other on-site ABC licenses in the area.

Discussion was held on the hours of operation.

The Public Hearing was opened.

Speaking for the applicant, John Brown.

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 Vice Chairperson Fort and seconded by Secretary Sangha to adopt **Resolution PC No. 2019-049**; 1) Determine that the project is categorically exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 of the Local 2019 Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 19-017 subject to the attached Findings and Conditions of Approval. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

**D. Master Case No. 19-058; Administrative Site Plan No. 19-037 - A request for the approval of an Administrative Site Plan for site and architecture review of a 2,625 square foot Jack in the Box restaurant with a drive-through within a multi-tenant commercial center.**

Assistant Planner Fernando Herrera provided the staff report.

Discussion was held on the awning colors.

The Public Hearing was opened.

Speaking for the applicant, Greg Miller.

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

Anthony Rankin spoke in opposition to the project due to location of the trash enclosure and the hours of operation.

Speaking for the applicant, Ata Khan spoke on behalf of his father, the franchise owner of the project and provided background information on the project and being a good neighbor.

Discussion was held on the location of a nearby Jack in the Box.

The Public Hearing was closed.

Direction was given to staff to work with the applicant regarding an alternate location of the trash enclosure.

Discussion was held on the location of the speaker and volume at night.

Discussion was held on the previously approved height of the wall.

The Public Hearing was reopened.

Anthony Rankin spoke on the height of the wall near his property.

The Public Hearing was closed.

The Public Hearing was reopened.

The applicant spoke on the control of the speaker volume and what can be done to control the volume.

The Public Hearing was closed.

Discussion was held on limiting the distance between franchises.

Discussion was held on conditioning noise levels.

**ACTION:** Motion was made by Commissioner Garcia and seconded by Secretary Sangha to adopt **Resolution PC No. 2019-050**; 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 3.22 (Class 32) of the City of Fontana 2019 Local Guidelines for Implementing the California Environmental Quality Act, and direct staff to file a Notice of Exemption; and, 2) Approve Administrative Site Plan No. 19-037 with direction to staff to work with the applicant regarding the location of the trash enclosure. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

**E. Master Case No. 18-088; Specific Plan Amendment No. 18-003; Tentative Tract Map No. 20228; Design Review Project No. 18-023 - Amendment to the California Landings Specific Plan.**

Senior Planner DiTanyon Johnson provided the staff report.

Staff did not receive any communication in favor or opposition to the project.

Staff requested Condition No. 15 to be deleted.

Discussion was held on mitigations for freeway noise.

Vice Chairperson Fort disclosed that she met with the developer.

Chairperson Quiroga disclosed that he met with the developer.

Commissioner Sanchez disclosed that he met with the developer.

Secretary Sangha disclosed that he met with the developer.

Commissioner Garcia disclosed that she met with the developer.

The Public Hearing was opened.

Speaking for the applicant, Patrick Potts agreed to add necessary lighting and adding a canopy to the playground equipment.

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

Discussion was held on the entrance signage.

Michal McKinis spoke on safety concerns with ingress and egress.

The Public Hearing was closed.

Discussion was held on ingress, egress and emergency exits.

Discussion was held on resident awareness of emergency exits.

**ACTION:** Motion was made by Commissioner Sanchez and seconded by Commissioner Garcia to adopt **Resolution PC No. 2019-051**; and to recommend approval to the City Council for: 1) Specific Plan Amendment No. 18-003 a proposed amendment to the California Landings Specific Plan to change the existing zoning on approximately 14.8 acres from Commercial to Detached and Attached Cluster to allow up to 13.5 dwelling units per acre to be consistent with the existing General Plan Designation of Multi-Family Residential (R-MF); 2) Tentative Tract Map No. 20228 a request to subdivide approximately 14.8 acres of property for "Condominium Purposes"; and, 3) A Design Review request for the construction of 100 attached condominiums and 94 detached condominiums, along with three (3) park areas that included multiple amenities including a club house and restroom building totaling 1,697 square footage with direction to staff to

add conditions that require the project applicant to provide up-lighting at the entrance, add canopies over the playground equipment, and to require notification to future residents within the community of the emergency exit plan. 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. Development Code Update Status**

Director AbuBakar provided an update on a Workshop held with City Council regarding design guidelines in the Zoning and Development Code.

### **B. Director Communications:**

Planning Commission reviewed an update of future City Council Agenda items for July 23, 2019, August 13, 2019, and August 27, 2019, meetings for the Planning Commission's information; and an update of future Planning Commission items for the August 6, 2019 and August 20, 2019, regular meetings for the Planning Commission's information.

Manager Hernandez shared that the City Council Workshop being held on July 23, 2019, will begin at 4:00 p.m.

## **COMMISSION COMMENTS:**

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

Secretary Sangha thanked staff for the informative staff reports.

Secretary Sangha is excited with the variety of projects brought forward.

Commissioner Garcia thanked Stratham Homes for bringing their projects forward and staff for working with them.

Vice Chairperson Fort thanked staff for helping them be prepared for the meetings.

Vice Chairperson Fort spoke on working together to do the best for all stakeholders.



Commissioner Sanchez commended staff for doing an amazing job on working with developers.

Commissioner Sanchez spoke on vacationing with his family.

Chairperson Quiroga commended staff for taking the Commission's recommendations.

Chairperson Quiroga spoke on vacationing with his family and noticing how other cities are developed.


Chairperson Quiroga wished his mom a happy birthday.

## **WORKSHOP:**

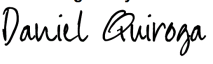
None.

## **ADJOURNMENT:**

By consensus, the meeting adjourned at 8:33 p.m. to the Regular Planning Commission Meeting on Tuesday, August 6, 2019 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:  
  
6215EB89E9C04DA  
Ysela Aguirre  
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 6TH DAY OF AUGUST, 2019.**

DocuSigned by:  
  
C81A84FE45B54C9  
Daniel Quiroga  
Chairperson

## Certificate Of Completion

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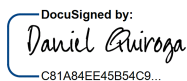
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	8/18/2019 8:16:54 PM
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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
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>

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