

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
August 6, 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, August 6, 2019, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Quiroga called the meeting to order at 6:02 p.m.

Present: Chairperson Quiroga, Secretary Sangha, Commissioner Sanchez and Commissioner Garcia, Vice Chairperson Fort (arrived at 6:18 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; City Clerk Tonia Lewis and Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Commissioner Garcia, 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 16, 2019.

ACTION: A motion was made by Commissioner Sangha and seconded by Commissioner Garcia to approve the Minutes of the July 16, 2019, Planning Commission Meeting. Motion passed by a vote of 4-0. (AYES: Quiroga, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

PUBLIC HEARINGS:

A. Master Case No. 19-028; Administrative Site Plan No. 19-015; Conditional Use Permit No. 19-010 - The Administrative Site Plan is a request for site and architectural review of a 7,851 square foot pad building for tire sales and installation on an approximately 31,145 square foot parcel within a multi-tenant commercial center in the Empire Center Specific Plan; the Conditional Use Permit No. 19-010 is a request to allow the use of the property for a tire sales and installation.

Planning Manager Orlando Hernandez provided the staff report.

Discussion was held on why it is being changed from a restaurant to a tire store.

Discussion was held on previous plans to split the existing building into multiple tenants.

Discussion was held on what staff has done to entice restaurants to the area.

Discussion was held on potential tenants on the property.

Commissioner Fort confirmed that she was prepared for this item.

The Public Hearing was opened.

Speaking for the applicant, Reid Kunishige spoke on the study done to select the location of the project.

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

Commissioner Sanchez spoke on wanting sit down restaurants in Fontana.

Commissioner Quiroga spoke on wanting sit down restaurants in Fontana and not to tear one down to build something else.

Discussion was held on how long the building was vacant.

Discussion was held on who was responsible for "way finding" signs.

Discussion was held on what can be done to entice development of sit-down restaurants.

Director AbuBakar spoke on the loss of redevelopment funds taking away the ability for the city to be creative to attract that type of businesses.

Discussion was held on other sit-down locations available in the south.

Discussion was held on how many restaurants have been interested in developing on the property.

Commissioner Sanchez spoke on wanting to entice more restaurants like Rialto did to get those businesses here.

Manager Hernandez spoke on the item being presented tonight is a discretionary item that the Planning Commission can grant or make findings for denial and staff also pushing for developers to bring sit-down restaurants. Staff will take back the Commission's comments to hold discussions with the City Council for further action.

Chairperson Quiroga spoke on this item being a prime spot and more people moving through there than before.

Director AbuBakar reminded the Commission that the item being presented is a CUP for a tire shop.

Chairperson Quiroga spoke on tearing a sit-down down to build something else.

Commissioner Fort asked what can be done to incentivize more sit-down restaurants.

Attorney Otto reminded the Commission that this item is for a CUP and not a discussion on whether to have restaurants or incentivizing restaurants and should be brought back to the item to avoid violating the Brown Act; the Commission needs to look at the application before them and determining whether it meets the nature of the code and the findings of the Conditional Use Permit.

Commissioner Sanchez disagreed with Attorney Otto and encouraged the conversation to know in which direction the Commission wants to go.

Attorney Otto clarified that incentivizing restaurants is not on the agenda and the conversation on that topic should be limited.

Commissioner Garcia spoke on the building being vacant for 15 years and bringing new business and enhancing the area would be good for the area; although she agrees to more sit downs, it hasn't happened in 15 years.

Commissioner Quiroga is concerned that nothing has been done to entice developers.

Discussion was held on "appropriate and desirable development".

Director AbuBakar spoke restaurant incentives and that the policies will need to come from the council and maybe there is an opportunity to agendize the matter for discussion with the city council.

Discussion was held on the applicant's rights if this project is not approved tonight.

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

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Garcia and seconded by Commissioner Fort to adopt **Resolution No. PC 2019-052**; 1) Determine that the project qualifies for a Categorical Exemption pursuant to Section No. 15332, (Class No. 32, In-Fill Development Project) of the California Environmental Quality Act (CEQA) and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA and direct staff to file a Notice of Exemption; 2) Approve Administrative Site Plan No. 19-015; and, 3) Approve Conditional Use Permit No. 19-010. Motion passed by a vote of 3-2. (AYES: Fort, Sangha, Garcia; NOES: Quiroga, Sanchez; ABSTAIN: None)

B. Master Case No. 19-022; Design Review No. 19-009; Conditional Use Permit No. 19-008 - The Design Review is a request for site and architectural review for the development of a tire recapping facility of approximately 63,000 square feet with a maximum 5,000 square foot of office/mezzanine space, four (4) dock-height loading doors (one out-side), three (3) ground level loading doors, and 58 passenger vehicle parking spaces. The building height varies between 41-foot to 45 foot; the Conditional Use Permit is a request to operate an Industrial Repair facility which will manufacture like-new tire by replacing the tread.

Associate Planner Jon S. Dille provided the staff report.

Discussion was held on the east elevation.

Discussion was held on the color palette.

The Public Hearing was opened.

Speaking for the applicant, Chris Savage spoke on two items that were mistakenly placed in the Conditions of approval that do not apply to this project - Condition No. 16 regarding the sewer and Condition No. 19 regarding hazardous materials.

Applicant has read, understood and agreed to the conditions of approval.
Condition No. 16 will be stricken.

Condition No. 19 is a standard condition that only applies if the tenant is handling hazardous waste.

The applicant agreed to work with staff on changing the color palette.

Discussion was held on Park House being the operator.

Director AbuBakar will work with the applicant to ensure the color scheme is enhanced.

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 Fort to adopt **Resolution PC No. 2019-053**; 1) Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-Fill) of the CEQA and Section No. 3.22 (Certain Infill Projects) of the Local Guidelines for Implementing the California Environmental Quality Act, 2019, and direct staff to file a Notice of Exemption; and, 2) Approve Design Review No. 19-009 and approve Conditional Use Permit No. 19-008 with the removal of Condition No. 16 and direction to staff to work with the applicant on the color scheme. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Sangha, Sanchez, Garcia; NOES: None; ABSTAIN: None)

C. Master Case No. 15-003; Zoning Code Amendment No. 18-004 - Amend the Zoning and Development Code (Chapter 30 of the Fontana Municipal Code) and Subdivisions (Chapter 26 of the Fontana Municipal Code). The Zoning and Development Code will also be amended to include the Form Based Code and Down Town Area Plan.

Senior Planner Paul Gonzales provided the staff report.

Commissioner Garcia requested a continuance to be able to review information provided by staff and possibly have a workshop on this item.

Commissioner Sanchez agreed with Commissioner Garcia.

Director AbuBakar suggested a workshop on August 20, 2019, after the regular Planning Commission meeting.

Discussion was held on form based code and where color palettes would be addressed in the document.

Director AbuBakar spoke on the pages addressing standards and design guidelines.

Discussion was held on pages addressing what projects come before the Commission.

Commissioner Sanchez spoke on the Commission making it clear what they want and some standards are not to his liking.

Manager Hernandez spoke on staff providing a report to the Planning Commission on projects being approved.

Director AbuBakar spoke on the direction from City Council on staff's approval for the project that meet a certain size of buildings and trying it for one year.

Discussion was held on having a Joint Workshop with City Council.

The Public Hearing was opened.

John Carlo spoke in favor of the project and spoke on trusting City staff's recommendation.

The Public Hearing was closed.

Discussion was held on the Workshop to be held on August 20, 2019, at 4:00 p.m.

ACTION: Motion was made by Commissioner Sanchez and seconded by Commissioner Garcia to continue this item to a Workshop, and then have the item agendized for possible action on August 20, 2019. 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 August 13, 2019, August 27, 2019, and September 10, 2019, meetings for the Planning Commission's information; and an update of future Planning Commission items for the August 20, 2019, September 3, 2019, and September 17, 2019, regular meetings for the Planning Commission's information.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Sangha thanked staff for the staff reports.

Commissioner Garcia expressed prayers to the victims of Gilroy, El Paso, and Daytona.

Commissioner Garcia wished Commissioner Sanchez a happy birthday.

Commissioner Fort wished everyone a good night.

Commissioner Sanchez congratulated his daughter on her 28th birthday.

Commissioner Sanchez appreciates everyone's input in our future growth of the city.

Commissioner Sanchez wished everyone a good night.

Chairperson Quiroga will begin his 20th year of teaching.

Chairperson Quiroga spoke on his daughter starting Kindergarten.

Chairperson Quiroga spoke on keeping loved ones near.

Chairperson Quiroga spoke on National Night Out.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the meeting adjourned at 7:54 to a Planning Commission Workshop on August 20, 2019, at 4:00 p.m. then to a Regular Planning Commission Meeting on Tuesday, August 20, 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 20TH DAY OF AUGUST, 2019.**

DocuSigned by:

Daniel Quiroga

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Daniel Quiroga
Chairperson

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Ysela Aguirre

yselac13@aol.com

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