

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
April 21, 2020
Available Remotely**

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, April 21, 2020, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Quiroga called the meeting to order at 6:09 p.m.

Present: Chairperson Quiroga, Vice Chairperson Fort (joined at 6:30 p.m.), Secretary Garcia, and Commissioner Sanchez

Absent: Commissioner Sangha

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Senior Planner Paul Gonzales; Associate Planner Jon Dille; Associate Planner Brett Hamilton; Planning Technician Mai Thao; and Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Secretary 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 April 7, 2020.

ACTION: A motion was made by Secretary Garcia and seconded by Commissioner Sanchez to approve the Minutes of the April 7, 2020, Planning Commission Meeting. Motion passed by a vote of 3-0. (AYES: Quiroga, Garcia, Sanchez; NOES: None; ABSTAIN: None)

PUBLIC HEARINGS:

A. Master Case No. 18-054; General Plan Amendment No. 19-008; Zone Change No. 19-006; Tentative Tract Map No. 20018; Development Agreement No. 20-001 - Project Site totals approximately 34 adjusted gross acres - Frome (Continued from April 7, 2020).

Planning Manager Orlando Hernandez provided the staff report.

Discussion was held on the project not being a gated community.

Discussion was held on the width of the streets.

Discussion was held on the lot sizes and the reduction in the lot sizes.

Discussion was held on the amenities being provided.

Discussion was held on the number of units being increased.

Discussion was held on the Lewis Company not contacting the Planning Commission to discuss the reduction of the lot sizes.

Discussion was held on the project being in the works for several years.

Discussion was held on the rezoning of the project.

Discussion was held on the infrastructure improvements that will also benefit future developments instead of amenities within the project.

Discussion was held on the storm drain not being possible without the applicant's contribution.

Director AbuBakar spoke on the City's challenge to provide housing and this type of project helping the City avoid penalties.

Discussion was held on this zone change not being driven by SB330.

Discussion was held on the cost of a park and other amenities versus the infrastructure costs and the Ad Hoc Committee recommending supporting the infrastructure.

Senior Engineer Kathy Raasch spoke on the infrastructure contribution covering the costs of the missing link portion of the storm drain on Duncan Canyon between Citrus

Avenue and the freeway.

The Public Hearing was opened.

Speaking for the applicant, Stacey Sassaman spoke on following the typical route to getting a project approved and not reaching out to Commissioner Sanchez to discuss their plans. Ms. Sassaman spoke on the importance of the storm drain to the community.

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

Discussion was held on gating the project due to the crime in the Duncan Canyon and Coyote Canyon communities and gated communities having less calls for service.

Discussion was held on adding the storm drain and having 10,000 sq. ft lots.

The applicant spoke on the number and size of various sized lots and gated communities in smaller communities not being feasible.

Discussion was held on possible amenities versus the storm drain.

Discussion was held on how many lots would be lost if the project was gated.

Discussion was held on the size of nearby lots.

Discussion was held on expected high density projects coming forward.

No communication was received in favor or opposition.

The Public Hearing was closed.

Discussion was held on holding a Workshop before making a decision on this item.

Discussion was held on high density projects.

Discussion was held on having to accommodate 17,000 plus number of housing units between 2021 and 2029.

ACTION: Motion was made by Secretary Garcia and seconded by Commissioner Sanchez to deny staff's recommendation. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

Attorney Otto spoke on having to continue this item to revise the Resolution for staff to provide findings for denial.

A recess was called at 7:35 p.m.

The meeting was reconvened at 7:44 p.m.

Discussion was held on the language of the revised Resolution.

Commissioner Sanchez redacted his second of the Motion posed by Secretary Garcia.

ACTION: Motion was made by Commissioner Sanchez and seconded by Vice Chairperson Fort to reconsider Public Hearing Item A. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

Discussion was held on working with the applicant on the size of the lots.

Discussion was held on how a Workshop would be held.

Discussion was held on possible options on the development.

The Public Hearing was re-opened.

The applicant spoke on preferring to have action taken tonight to deny the project versus continuing the item.

The applicant spoke on not coming back with 10,000 sq. ft. lots.

Discussion was held on possible options.

The applicant spoke on the lot sizes of the original project being less than 5,000 sq. ft. lots.

Discussion was held on the amenities the applicant was willing to provide.

The applicant agreed to gating the project and not deducting from the storm drain.

Discussion was held on the total costs of the storm drain.

Discussion was held on the total costs of the development impact fees.

Discussion was held on how many homes would be lost if this project was moved forward as a gated community.

Discussion was held on the lot sizes not meeting the zoning requirement at the time of original approval.

Discussion was held on adding a 10,000 sq. ft. pocket park; the applicant agreed to a minimum 5,000 sq. ft. tot lot.

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

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Vice Chairperson Fort and seconded by Commissioner

Sanchez to adopt **Resolution PC No. 2020-017** forwarding a recommendation to the City Council to: 1) Adopt the Mitigated Negative Declaration, and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 19-008 and Tentative Tract Map No. 20018; and, 3) Adopt an ordinance approving Zone Change No. 19-006 and Development Agreement No. 20-001 with the addition of a 5,000 sq. ft. pocket park and making the project a gated community. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

ACTION: Motion was made by Commissioner Sanchez and seconded by Vice Chairperson Fort to extend the time of the Planning Commission Meeting to 11:00 p.m. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

A recess was called at 8:52 p.m.

The meeting was reconvened at 9:05 p.m.

B. Master Case No. 20-027; Conditional Use Permit No. 95-019R3 - A request to review and approve a Conditional Use Permit for an existing convenience store (Circle K) to operate with an Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) license.

Planning Technician Mai Thao provided the staff report.

Discussion was held on the current hours of operation; and the proposal of being open 24 hours.

Discussion was held on the hours of alcohol sales.

Discussion was held on the previous ABC license at the location.

Discussion was held on the calls for service.

Policing Technician, Wendy Ratcliffe, reported that there were no significant calls for service.

The Public Hearing was opened.

Speaking for the applicant, Gurvinder Singh.

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

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Vice Chairperson Fort and seconded by Secretary Garcia to adopt **Resolution PC No. 2020-018**; 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 2018 Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 95-019R3 subject to the attached Findings and Conditions of Approval. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

C. Master Case No. 19-040; Design Review No. 19-017 - A request to review and approve a new warehouse facility of approximately 106,500 square feet - Slover Logistics Warehouse.

Associate Planner Jon Dille provided the staff report.

Discussion was held on the number of possible tenants.

The Public Hearing was opened.

Speaking for the applicant, Courtney Smith.

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

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Secretary Garcia and seconded by Vice Chairperson Fort to adopt **Resolution No. PC 2020-019:** 1) Adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and direct staff to file a Notice of Determination; and, 2) Approve Design Review No. 19-017. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

D. Master Case No. 18-096R1; Tentative Tract Map No. 20224 (TTM 18-011); Design Review No. 18-028R1 - A request to review and approve an amendment to a previously approved Tentative Tract Map (TTM) for condominiums from 253 attached and detached condominiums to 198 detached units and a Design Review application for site and architecture review of the amended condominiums.

Senior Planner Paul Gonzales provided the staff report.

A correction to Super Page 138 will be made to change "...east side of Duncan Canyon" to "...east side of Citrus."

Discussion was held on no changes being made to the retail center.

The Public Hearing was opened.

Speaking for the applicant, Bryan Avila.

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

Discussion was held on the detached homes getting individual side yards.

Discussion was held on what prompted the changes to the project.

Discussion was held on the proposed date of groundbreaking.

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Sanchez and seconded by Vice Chairperson Fort to adopt **Resolution PC No. 2020-020**, to: 1) Determine that the project has been reviewed under a previous Mitigated Negative Declaration/Monitoring and Reporting Program and, pursuant to Sections 15162 through 15164, and Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination; 2) Approve Tentative Tract Map No. 20224 (TTM 18-011R1); and, 3) Approve Design Review No. 18-028R1. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

E. Master Case No. 18-130; Tentative Parcel Map No. 20067 (TPM No. 18-015); Conditional Use Permit No. 18-038; Design Review No. 18-035 - A request to review and approve a proposal to construct a new church building and rehabilitate the existing church facility - St. Mary's Catholic Church.

Associate Planner Jon Dille provided the staff report.

Staff acknowledged receipt of communication from the following members of the community in support of the project: Elizabeth Marin-Gamboa, Robin Leddy, Andrew and Leticia V. Haase; Letty V. Haase, Robert Stangl, Edilberto Lenon, Michael and Renee Perry, Deguia Family (Rosa De Guia), Alejandra Collazo, Michelle Latina, Jose valdez, Rosalinda Villarreal, Paula Garcia, Vanessa Dingler, Rosendo Fernandez, Marcos Cardenas, Victoria Ciudad-Real, Eriberto Sanchez Solorzano, Mauricio Ciudad-Real, German Garcia, Alberto Cervantes, Alejandra Collazo, Susana Morales, Fritze Subaan, Catherine Ekaitis, Rustica Alvarez, Dina Martin, Susana Morales, Maria Arelano, Aurora Gorela, Corrona Daiz, Maria Urrubia, Victor Dais, Catherine Ekitis, Beatrice Duque, Rosalinda Villareal, Leticia, Lupe Delgadillo, Josue Marin, Karina Castillo, Maria and Arturo Gonzalez and Family.

Discussion was held on the parking calculation.

Discussion was held on the monument being brought forward at a later time.

The Public Hearing was opened.

Planning Manager Hernandez thanked Father AI for being available and for his prayers for tonight's meeting.

Speaking for the applicant, David Meyer.

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

Discussion was held on the rendering of the monument sign not matching the architecture of the entire project.

No further communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Vice Chairperson Fort and seconded by Commissioner Sanchez to adopt **Resolution No. PC 2020-021**: 1) Adopt the Initial Study/Mitigated Negative Declaration/Monitoring and Reporting Program and direct staff to file a Notice of Determination; and, 2) Adopt a resolution approving Tentative Parcel Map No. 20067, approving Conditional Use Permit No. 18-038, and approving Design Review No. 18-035. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

F. Master Case No. 19-016; General Plan Amendment No. 19-001; Zone Change No. 19-001; Specific Plan Amendment No. 19-002; Tentative Parcel Map No. 20084 (TPM No. 19-002); Design Review No. 19-005; Development Agreement No. 19-005; Design Review Sign Program No. 19-007; Master Case No. 20-009; General Plan Amendment No. 20-003; Zone Change No. 20-001; Master Case No. 20-008; General Plan Amendment No. 20-004; Zone Change No. 20-002 – Goodman Logistics Center Fontana III

Director of Community Development Zai AbuBakar provided the staff report.

Discussion was held on what the project site is zoned for.

Discussion was held on the lot sizes and number of units.

Discussion was held on when SB330 applies.

Discussion was held on the loss of more 10,000 sq. ft. units.

Discussion was held on feedback received from the community and responses to their communication.

Discussion was held on no projects currently being proposed on the alternate sites.

Discussion was held on property owners not being required to make any changes to their existing property.

Discussion was held on the applicant not being required to purchase nor provide units in the areas identified.

Discussion was held on property owners maintaining full control of their property rights and being able to develop or not if they choose.

Discussion was held on the General Plan Update designating Sierra as a walkable mixed-use area.

Discussion was held on pockets of residential units mixed with commercial units.

Discussion was held on the number of units being added.

The Public Hearing was opened.

Speaking for the applicant, Ward Mace spoke on the positive relationship with the City of Fontana and the importance and vitality of the logistics and distribution industry. Mr. Mace spoke on the timeline of the project before the state's housing mandates; settlement with Sierra Club and CCAEJ; and working with Father Al to address his concerns.

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

ACTION: Motion was made by Chairperson Quiroga and seconded by Secretary Garcia to extend the time of the Planning Commission Meeting to 11:30 p.m. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

Discussion was held on possible tenants.

Discussion was held on possible construction date.

Discussion was held on the effect of SB330 on this project.

A recess was called at 10:03 p.m.

The meeting was reconvened at 10:07 p.m.

Communication received from the public was read into the record as follows:

Ronald Soloni is opposed to the project.

Jose Barajas is opposed to the project.

Marcos Barajas is opposed to the project.

Richard Duncan Sr. is concerned with the timeliness of the notification of the meeting and requested the meeting be postponed instead of being held online.

Francisco Santana requested information on the project.

Alex Arteaga provided a letter in support of the project.

Crystal Valdez is opposed to the project.

Paul Basay is opposed to the project.

Discussion was held on comment letters received from the Sierra Club, GSEJA and Abigail Smith.

ACTION: Motion was made by Chairperson Quiroga and seconded by Commissioner Sanchez to extend the time of the Planning Commission Meeting to 12:00 a.m. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

Associate Planner Brett Hamilton read into the record communication received from Patrick Hanniger regarding EIR deficiencies.

Planning Manager Orlando Hernandez read into the record communication received from Suzanne Dishaw with questions regarding three townhouses on the southeast corner of Laurel and Arrow being built in an area that is not R-2 and plans to build R-2 buildings on the lots.

Planning Manager Orlando Hernandez read into the record communication received from Paul and Marcy objecting to the zoning change of their property from R-1 to R-2 and asking if the state determines the lifestyle of the people in Fontana do the people of Fontana determining their lifestyle.

Planning Manager Orlando Hernandez read into the record communication received from Gloria Marecek regarding already having three apartment buildings and condominiums in the neighborhood and not needing any more.

The Public Hearing was closed.

Discussion was held on the effect on a resident if they choose to sell their property.

Discussion was held on there being no plans for imminent domain.

ACTION: Motion was made by Secretary Garcia and seconded by Vice Chairperson Fort to adopt **Resolution No. PC 2020- 022**, and forward a recommendation to the City Council to: 1) Adopt a resolution to certify the 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. 19-001, approving Tentative Parcel Map No. 20084 (TPM No. 19-002), Design Review No. 19-005, and Design Review Sign No. 19-007 subject to the attached Findings and Conditions of Approval; 3) Adopt an ordinance approving Zone Change No. 19-001; 4) Adopt an ordinance approving Specific Plan Amendment No. 19-002; 5) Adopt an ordinance approving Development Agreement No. 19-002; 6) Adopt a resolution approving General Plan Amendment No. 20-003 and No. 20-004; and, 7) Adopt an ordinance approving Zone Change No. 20-001 and No. 20-002. Motion passed by a vote of 4-0. (AYES: Quiroga, Fort, Garcia, Sanchez, NOES: None; ABSTAIN: None)

Planning Manager Hernandez thanked Senior Planner Dawn Rowe for all of her hard work on the two items Mr. Hernandez presented on her behalf.

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 the April 28, 2020 and May 12, 2020, meetings for the Planning Commission's information; and an update of future Planning Commission items for the May 5, 2020 and May 19, 2020, regular meetings for the Planning Commission's information.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Secretary Garcia wished everyone a good night.

Vice Chairperson Fort spoke on the interesting discussion this evening and being passionate about the projects in Fontana.

Commissioner Sanchez agreed with Vice Chairperson Fort on being passionate about Fontana and being proud of his decisions tonight.

Commissioner Sanchez agreed thanked staff for all of their hard work, especially Dawn Rowe.

Commissioner Sanchez requested that tonight's meeting be adjourned in memory of those lost to COVID-19.

Chairperson Quiroga spoke on the importance of the projects.

Chairperson Quiroga spoke on Fontana continuing to plan for the future.

Chairperson Quiroga thanked Zai AbuBakar for doing a wonderful job.

Chairperson Quiroga reminded everyone to stay safe.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission meeting adjourned at 11:45 p.m. in memory of those lost to COVID-19 to the next Regular Planning Commission Meeting on Tuesday, May 5, 2020, at 6:00 p.m. (Due to the evolving situation with the COVID-19 Novel Coronavirus and the health recommendations for social distancing from the Center of Disease Control (CDC)), **THE CITY OF FONTANA PLANNING COMMISSION MEETING OF MAY 5, 2020 AT 6:00 P.M. SHALL BE AVAILABLE TO THE PUBLIC REMOTELY.**

DocuSigned by:



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Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 5TH DAY OF MAY 2020.**

DocuSigned by:



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Daniel Quiroga
Chairperson

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elpacol@hotmail.com

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Evelyne Ssenkoloto

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Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Witness Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/7/2020 10:15:30 AM
Certified Delivered	Security Checked	5/7/2020 10:15:30 AM
Signing Complete	Security Checked	5/7/2020 10:15:30 AM
Completed	Security Checked	5/7/2020 10:15:30 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
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.

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