

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
June 2, 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, June 8, 2020, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Quiroga called the meeting to order at 6: 10 p.m.

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

Absent: None

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Senior Planner DiTanyon Johnson; Associate Planner Jon S. Dille; Associate Planner Brett Hamilton; 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 Secretary Garcia.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of May 19, 2020.

ACTION: A motion was made by Commissioner Sanchez and seconded by Commissioner Fort to approve the Minutes of the May 19, 2020, Planning Commission Meeting. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

PUBLIC HEARINGS:

A. Master Case No. 20-012; Minor Use Permit No. 20-002; Design Review No. 20-001 - A request to review and approve a Minor Use Permit to operate a new 91-unit senior apartment complex within the Transitional District of the Form Base Code Zoning District. The zoning district requires approval of a Minor Use Permit prior to operating a senior apartment complex; and, a Design Review for the site and architectural review for a new 91-unit senior apartment complex within two (2) three (3) story buildings totaling approximately 87,618 square feet, with one-bedroom units and two bedroom units, range in size from 600 square feet to 940 square feet.

Associate Planner Jon S. Dille provided the staff report.

Staff provided changes to the Conditions of Approval regarding security guards and having a manned reception area.

Discussion was held on how “substantial” security is defined.

Discussion was held on the normal business hours of apartment management.

Discussion was held on how many units on the lower levels have yards.

Discussion was held on the building having senior citizen accessible bathrooms.

Discussion was held on having washers and dryers on every floor.

Discussion was held on the project being a gated community.

The Public Hearing was opened.

Speaking for the applicant, David Spiegel and Marc Kogan.

The applicant spoke on being able to build this project and making the city proud.

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

Discussion was held on the building timeline.

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 Garcia to adopt **Resolution PC No. 2020-030**; 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 2019 Local Guidelines for implementing the California Environmental Quality Act, and direct staff to file a Notice of Exemption; and, 2) Adopt a resolution approving Minor Use Permit No. 20-002, and approving Design Review No. 20-001 with revised conditions of approval as provided by staff. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

B. Master Case No. 19-073; Design Review No. 19-025 - A request to review and approve a Design Review for site and architectural review of a warehouse facility totaling approximately 173,913 square feet on 7.86 adjusted gross acres.

Senior Planner DiTanyon Johnson provided the staff report.

Discussion was held on how many parking spaces will be charging stations and if permits will be required.

Discussion was held on the framing of the corner glazing.

Discussion was held on the screening of the trailer parking spaces.

The Public Hearing was opened.

Speaking for the applicant, Michael Weber.

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

Discussion was held on the framing of the corner glazing.

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 Commissioner Sanchez to adopt **Resolution PC No. 2020-031**, to: 1) Adopt the Addendum and Mitigation, Monitoring, and Reporting Program, (MMRP) to the SWIP PEIR (SCH NO. 2009091089) and direct staff to file a Notice of Determination; and, 2) Approve Design Review No. 19-025. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

C. Master Case No. 20-028; Conditional Use Permit No. 20-009; Conditional Use Permit No. 20-008; Administrative Site Plan No. 20-005 - A request to review and approve Conditional Use Permit No. 20-009 - A request to establish a 24-hour automobile fueling station; and, Conditional Use Permit No. 20-008 – A

request to establish off-site retail sales of alcoholic beverages (Type 20 ABC license for beer and wine) at the proposed 24-hour convenience store; and, an Administrative Site Plan No. 20-005 - Site and architectural review of a fuel service station with an approximately 4,000 square foot convenience store and 4,356 square foot fuel canopy.

Associate Planner Brett Hamilton provided the staff report.

Staff received communication from James Constant regarding Mango Avenue being a private road.

Assistant Engineer Gabriel Guerrero-Gabany confirmed that Mango Avenue is a public street.

Discussion was held on adding wind barrier doors to the northeast facing entrance.

Discussion was held on the front wall looking very plain.

Discussion was held on the lighting of the back of the parking lot.

Discussion was held on the landscaping at Sierra Lakes Parkway and Mango Avenue.

Discussion was held on the ABC license being transferred from the existing 7-11 across the street to the new 7-11 with the old 7-11 being closed.

Discussion was held on truck traffic along Mango Avenue.

The Public Hearing was opened.

Speaking for the applicant, Eric Silverman spoke on discussing the change of the front of the building with the 7-11 corporation.

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

Speaking for the applicant, Steven Pollock spoke on discussing the adding of wind barrier doors with the 7-11 corporation and being able to make changes requested within bounds and wanting to comply with the changes requested.

Discussion was held on the corner design.

Nikos Constant spoke in opposition to the project.

Robert Constant spoke in opposition to the project.

The Public Hearing was closed.

Discussion was held on the recommended changes coming back to the Planning Commission. It was determined that the changes would not come back to the Planning Commission but would be handled by staff.

ACTION: Motion was made by Secretary Garcia and seconded by Commissioner Sanchez to adopt **Resolution PC No. 2020-032**; 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 of the 2019 Local Guidelines for Implementing CEQA, and direct staff to file a Notice of Exemption; 2) Approve Conditional Use Permit No. 20-009 (fuel service station); 3) Approve Conditional Use Permit No. 20-008 (type 20 ABC license); and, 4) Approve Administrative Site Plan No. 20-005 with direction to staff to work with the applicant on the wind barrier doors, the design of the front of the building and up lighting. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

D. Master Case No. 15-078; Annexation No. 16-001; General Plan Amendment No. 15-005; General Plan Amendment No. 17-001; Zone Change No. 15-009; Tentative Parcel Map No. 19712; Design Review No. 16-003; Development Agreement No. 16-001; General Plan Amendment No. 20-008; Zone Change No. 20-007 - I-15 Logistics Project

Senior Planner DiTanyon Johnson provided the staff report.

Staff received a letter with comments pertaining to the EIR from the Department of Justice, an email from Golden State Environmental Justice Alliance with comments on the EIR and email from Phil Valvo with concerns about the project and various letters of support from labor unions.

Discussion was held on the car parking stalls.

Discussion was held on measures to deter tractor trucks from going south on Lytle Creek.

Senior Engineer Kathy Raasch spoke on Lytle Creek being weight restricted.

Discussion was held on the light up cornices.

Discussion was held on the elevations.

Discussion was held on the location of the trees.

Discussion was held on the bike lane.

Discussion was held on adding something that will take the focus away from the warehouses as someone is driving down the street.

Discussion was held on the monument sign.

Discussion was held on the number of trees

Discussion was held on what is being proposed for the adjacent vacant property.

Discussion was held on the size of the letters on the sign.

The Public Hearing was opened.

Speaking for the applicant, Patrick Daniels spoke on measures to prevent trucks from going west on Lytle Creek Road and the elevation grade of the project.

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

Discussion was held on the water tower.

Liuna spoke in favor of the project.

Danny Rivera spoke in favor of the project.

Efrain Lopez spoke in favor of the project.

Eddie Rivera spoke in favor of the project.

Phil Valvo spoke in opposition to the project.

Lani Gusman spoke on the hours of operation.

Discussion was held on how measures will alleviate traffic for residents.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Sanchez and seconded by Commissioner Sangha to adopt **Resolution PC No. 2020-033**, and forward a recommendation to the City Council to: 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; 1) Adopt a resolution requesting that the Local Agency Formation Commission (LAFCO) initiate proceedings for the I-15 Logistics annexation located in the City of Fontana's northly sphere of influence and bound by Lytle Creek to the north and the I-5 Freeway to the south under Annexation No.16-001; 2) Adopt a resolution approving General Plan Amendment No. 15-005, General Plan Amendment No. 17-001, approving Tentative Parcel Map No. 19712 and Design Review No. 16-003, subject to the attached Findings and Conditions of Approval; 3) Adopt an ordinance approving Zone Change No. 15-009; 4) Adopt an ordinance approving Development Agreement No. 19-002; 5) Adopt a resolution approving General Plan Amendment No. 20-008; 6) Adopt an ordinance approving Zone Change No. 20-007 with direction to staff to work with the applicant to deter traffic from traveling on Lytle Creek road, measures to alleviate traffic, adding up lighting to the cornices and holding a workshop on the signage/monument, adding foliage along the screening walls, and the color of the building. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

E. Master Case No. 20-030; General Plan Amendment No. 20-010; Specific Plan Amendment No. 20-001; Tentative Tract Map No. 20346 (TTM No. 20-001); Design Review No. 20-014 - Providence Pointe Specific Plan

Director of Community Development Zai AbuBakar provided the staff report.

Discussion was held on the entrance on the left side being shared with the adjacent development.

The Public Hearing was opened.

Speaking for the applicant, Phil Burum spoke on having one parcel and moving the entrance closer to the western property line.

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

Discussion was held on the roof tiles and the community being gated.

Discussion was held on project signage.

Daryl Merrick spoke in opposition to the project.

The Public Hearing was closed.

ACTION: Motion was made by Vice Chairperson Fort and seconded by Secretary Garcia to adopt **Resolution PC No. 2020-034**, forwarding a recommendation to the City Council to: 1) Adopt the Addendum to the Providence Pointe Specific Plan Environmental Impact Report (State Clearinghouse No. 2005121025) and direct staff to file a Notice of Determination; 2) Adopt a resolution approving General Plan Amendment No. 20-010; 3) Adopt an ordinance approving Specific Plan Amendment No. 20-001; and, 4) Adopt a resolution approving Tentative Tract Map No. 20346 (TTM No. 20-001) and approving Design Review No. 20-014. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; 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 June 9, 2020, June 23, 2020, July 14, 2020, and July 28, 2020, meetings for the Planning Commission's information; and an update of future Planning Commission items for the June 16, 2020, July 7, 2020, July 21, 2020, and July 28, 2020, regular meetings for the Planning Commission's information.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Sangha thanked staff for the reports on the good mix of projects being brought forward.

Commissioner Sangha wished everyone to have peaceful protests.

Commissioner Sanchez spoke on the good projects and having the honor of being involved in the growth of the City of Fontana.

Commissioner Sanchez thanked his wife for allowing him to participate.

Secretary Garcia thanked the Planners for the time they spend on the projects before bringing them forward.

Secretary Garcia thanked the leadership of the city and the Police Department that keep us safe during the peaceful protests.

Vice Chairperson Fort spoke on being proud to see the city is still moving forward even when economy is struggling.

Vice Chairperson Fort commended the city leadership, officials, law enforcement, citizens and residents for acting responsibly during this time.

Vice Chairperson Fort requested tonight's meeting be adjourned in memory of George Floyd.

Chairperson Quiroga thanked his fellow Commissioners for loving our city.

Chairperson Quiroga requested prayers for George Floyd, his family and our country.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission meeting adjourned at 9:58 p.m. in memory of George Floyd to the next Regular Planning Commission Meeting on Tuesday, June 16, 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 JUNE 16, 2020 AT 6:00 P.M. SHALL BE AVAILABLE TO THE PUBLIC REMOTELY.**

DocuSigned by:

Ysela Aguirre

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Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 16TH DAY OF JUNE 2020.**

DocuSigned by:

Daniel Quiroga

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Daniel Quiroga
Chairperson

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Witness Events	Signature	Timestamp
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Envelope Sent	Hashed/Encrypted	7/4/2020 10:36:19 AM
Certified Delivered	Security Checked	7/4/2020 10:36:19 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

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