

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, June 21, 2022

6:00 PM

Grover W. Taylor Council Chambers

Planning Commission

*Cathline Fort, Chair
Raj Sangha, Vice Chair
Idilio Sanchez, Secretary
Matthew Gordon, Commissioner
Ralph Thrasher, Commissioner*

CALL TO ORDER/ROLL CALL:

The Regular Meeting of the Fontana Planning Commission was held on Tuesday, June 21, 2022, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Chair Fort called the meeting to order at 6:01 p.m.

ROLL CALL:

Present: Chair Fort, Vice Chair Sangha, Secretary Sanchez, and Commissioners Thrasher and Gordon

Absent: None

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Commissioner Gordon, the Pledge of Allegiance was led by Commissioner Thrasher.

PUBLIC COMMUNICATIONS:

There were no public communications received.

CONSENT CALENDAR:

ACTION: Motion was made by Commissioner Thrasher, seconded by Secretary Sanchez, and passed by a vote of 4-0-1 to adopt Consent Calendar Item CC-A (AYES: Fort, Sangha, Sanchez and Thrasher: NOES: None: ABSTAINED: Gordon).

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez and Commissioner Thrasher

Abstain: Commissioner Gordon

A. Approval of Minutes

Approve the Regular Planning Commission Meeting Minutes of June 7, 2022.

CC-A Approval of Minutes of June 7, 2022

[**21-1490**](#)

PUBLIC HEARINGS:

PH-A Master Case No. 18-097R1; Design Review No. 21-032 - a proposal to construct twelve two-story single-family primary homes, five (single-story) standard detached accessory dwelling units, seven (single-story) non-standard detached accessory dwelling units, and four attached junior accessory dwelling units on a previously approved/recorded tract map (Tentative Tract Map No. 20230).

[**21-1488**](#)

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution

PC No. 2022-018; and,

1. Determine that the project is Categorically Exempt pursuant Section No. 15332, (Class No. 32, In-Fill Development Project) and Section No. 3-18 (In-Fill Projects of the 2019 Local Guidelines for implementing CEQA, and direct staff to file a Notice of Exemption; and

2. Approve Design Review No. 21-032.

APPLICANT:

**Andresen Architecture, Inc.
17087 Orange Way
Fontana CA 92335**

LOCATION:

The project site is located on the north side of Merrill Avenue east of Palmetto Avenue, the project site is otherwise identified as 8844, 8843, 8851, 8859, 8864, 8667, 8876, 8877, 8884, 8885, 8892, and 8893 Encinitas Court (APNs: 0192-242-61, -62, -63, -64, -65, -66, -67, -68, -69, -70, -71, and -72)

PROJECT PLANNER:

Jon S. Dille, Associate Planner

Chair Fort opened Public Hearing Item PH-A.

Associate Planner Jon Dille provided the staff report.

No written communications were received.

Representing Andresen Architecture Inc., Doug Andresen, acknowledged that he had read and agreed to the Conditions of Approval.

The Commission and staff discussed garage spaces, onsite and street parking in relation to the proposed development.

There were no public communications received for this item.

The Public Hearing was closed.

The commission and staff further discussed the parking issues: garage spaces, overnight parking, adjustment of red curbs to allow for additional parking, state code and development advisory parking requirements.

ACTION: Motion was made by Chairperson Fort, seconded by Secretary

Sanchez, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item PH-A.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez, Commissioner Gordon and Commissioner Thrasher

PH-B Master Case No. 21-126; Tentative Parcel Map No. 20485 (TPM No. 21-026), Tentative Tract Map No. 20511 (TTM No. 21-010), Conditional Use Permit No. 21-024 and Design Review No. 21-049; A request for site and architectural approval for the development of 143 condominium units (96 attached motorcourt units and 47 detached cluster units) in a Planned Unit Development (PUD) and to subdivide the subject 10.3 acre site for condominium purposes.

RECOMMENDATION:

Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-019, to:

- 1. Adopt the Addendum and Mitigation, Monitoring and Reporting Program (MMRP) to the Lytle Creek Apartments EIR (SCH No. 2005021054) and direct staff to file a Notice of Determination; and,**
- 2. Approve Tentative Parcel Map No. 20485 (TPM No. 21-026)**
- 3. Approve Tentative Tract Map No. 20511 (TTM No. 21-010);**
- 4. Approve Conditional Use Permit No. 21-024; and**
- 5. Approve Design Review No. 21-049.**

APPLICANT:

Ryan Combe
Lennar Homes
980 Montecito Drive, Suite No. 302
Corona, CA 92879

LOCATION:

The project site is located on the south side of Sierra Lakes Parkway between Lytle Creek Road and Maloof Avenue (APNs: 1108-052-02, -03, -04, -05, -06, -07, -08, -09, -10, -11, -12, -13, -14, -15, -16, -17)

PROJECT PLANNER:
Cecily Session-Goins, Associate Planner

Chair Fort opened Public Hearing Item PH-B.

Associate Planner Cecily Session-Goins provided the staff report.

Written communications were received from the following:

- Jasmine Cunningham
- Courtney Welch

Representing Lennar Homes, Candyce Burnett, acknowledged that she had read and agreed to the Conditions of Approval.

The following individuals spoke in opposition of the project:

- Robert Holcomb

The Public Hearing was closed.

The commission requested clarification on the roofing and type of market rate or rentals.

Associate Planner Session-Goins confirmed that the roofing will be tile roofing. The units will be market rate units for sale, and there will be a Home Owners Association in place.

ACTION: Motion was made by Secretary Sanchez, seconded by Commissioner Gordon, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item- PH-B.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez, Commissioner Gordon and Commissioner Thrasher

PH-C Master Case No. 22-042, Conditional Use Permit No. 22-014 and Design Review No. 22-024 - A request for site and architectural review for the construction of a two-story building to be used for public assembly (religious facility) and the operation of associated functions by Water of Life Community Church.

[**21-1457**](#)

RECOMMENDATION:

Based on the information contained within this staff report and subject to the attached findings, and conditions of approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-020: and,

- 1. Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-Fill) of the California Environmental Quality Act and Section No. 3-18 (Infill Projects) of the 2019 Local Guidelines for implementing the CEQA, and direct staff to file a Notice of Exemption; and,**
- 2. Approve Conditional Use Permit No. 22-014; and,**
- 3. Approve Design Review No. 22-024.**

APPLICANT:

**Raymond Allard
16866 Seville Avenue
Fontana, CA 92335**

LOCATION:

The project site is located on the south side of Arrow Avenue, between Tokay Avenue and Citrus Avenue (APN: 0232-201-12 and -13).

PROJECT PLANNER:

Cecily Session-Goins, Associate Planner

Chair Fort opened Public Hearing Item PH-C.

Associate Planner Cecily Session-Goins provided the staff report.

No Written communications were received.

Chair Fort inquired about the commencement of the next planning phases.

Associate Planner Sessions-Goins stated the next phases are dependent on funding and would probably start in a year to two years.

Discussion ensued regarding the following: conditional use permit, security, space utilization, multi-purpose rooms, food pantry storage and distribution service, food prep area, community gathering and assembly rooms, noise impact, and operating conditions.

Applicant Ray Allard, acknowledged that he had read and agreed to the Conditions of Approval. He also thanked Associate Planner Session-Goins for her hard work and working thoroughly on this project.

The following individual was called upon to speak during this period but was absent from the Chambers:

- Jim Kensinger (Mr. Kensinger, a representative from Water of Life submitted a speaker card because he thought it was necessary to potentially speak as a part of the applicant's team).

The hearing was closed.

The hearing was reopened for the following speakers.

- Miguel Espinoza spoke in opposition of the project
- Elizabeth Sena spoke in opposition of the project

The commission inquired about the zoning and whether there were any other projects presented for the property.

Associate Planner Session-Goins stated there were no other projects presented other than the proposed, and that the land is zoned for the intended use.

ACTION: Motion was made by Commissioner Thrasher, seconded by Commissioner Gordon, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item PH-C.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez, Commissioner Gordon and Commissioner Thrasher

PH-D Master Case No. 22-039; Tentative Parcel Map No. 20549 (TPM No. 22-006) and Design Review No. 22-022 - A proposal to consolidate four parcels and for the site and architectural review and approval to construct an industrial commerce center building totaling approximately 77,558 square feet on approximately 4.378 adjusted gross acres. [21-1444](#)

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-021; and,

- 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 Tentative Parcel Map No. 20549 (TPM No. 22-006)**
- 3. Approve Design Review (DRP) No. 22-022**

APPLICANT:

**Luke Rutherford
Citrus LPIV 11 LLC
2442 Dupont Drive**

Irvine, CA 92612**LOCATION:**

The project site is located at 11208, 11232, and 11236 Citrus Avenue and 16056 Jurupa Avenue (APNs: 0237-191-15, -33, -36 and -48), west of Citrus Avenue and north of Jurupa Avenue.

PROJECT PLANNER:

Salvador Quintanilla, Senior Planner

Chair Fort opened Public Hearing Item PH-D.

Senior Planner Salvador Quintanilla provided the staff report.

Written communications were received from the following:

- Maribel Nunez in opposition
- Californians for Homeownership

Commissioner Gordon inquired about the expected number of truck trips for the proposed facility and whether the project was in the Southwest Industrial Park ("SWIP") designated area.

Senior Planner Quintanilla stated that based on the trip generation study conducted, the facility will have around 176 truck trips, a low number compared to surrounding areas. Mr. Quintanilla also confirmed that the project is in SWIP.

Representing the Applicant, Michael Sizemore, acknowledged that he had read and agreed to the Conditions of Approval.

Commissioner Gordon thanked the applicant for bringing this project to Fontana.

The following individuals spoke in favor of the project:

- Angel Esparza
- Orlando Garcia
- Thomas Ruiz

The following individuals spoke in opposition of the project:

- Gabriel Mendez
- Janet Bernabe
- Elizabeth Sena

The hearing was closed.

In reference to re-zoning, Director Nevins clarified that there is no re-zoning for the proposed project and the uses are permitted.

The Commission and staff further discussed proximity to Jurupa Hills High School, truck traffic and obstruction on Jurupa Avenue.

ACTION: Motion was made by Commissioner Gordon, seconded by Secretary Sanchez, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item PH-D.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez, Commissioner Gordon and Commissioner Thrasher

PH-E Master Case No. 22-013; Tentative Parcel Map No. 20508 (TPM No. 22-002) and Design Review No. 22-007 - A proposal for site and architectural review and approval to construct an industrial commerce center building totaling approximately 289,875 square feet on approximately 12.4 adjusted gross acres.

[**21-1455**](#)

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-022; and,

- 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;**
- 2. Approve Tentative Parcel Map No. 20508 (TPM No. 22-002); and**
- 3. Approve Design Review (DRP) No. 22-007.**

APPLICANT:

**CPL Slover LLC
2442 Dupont Drive
Irvine, CA 92612**

LOCATION:

The project site is located at 14070, 14092 and 14138 Slover Avenue and 10400 Banana Avenue (APNs: 0236-021-02, -03, -20, and -21, and 0236-031-01 and -02).

PROJECT PLANNER:

Alejandro Rico, Associate Planner

Chair Fort opened Public Hearing Item PH-E.

Associate Planner Alejandro Rico provided the staff report.

Written communications were received from the following:

- Maribel Nunez in opposition
- Californians for Homeownership

Commissioner Gordon and staff discussed potential traffic backup, proximity to schools, location in relation to Southwest Industrial Park Specific Plan and zoning.

Representing the applicant, Michael Sizemore, acknowledged that he had read and agreed to the Conditions of Approval.

Commissioner Sanchez thanked the applicant for bringing this project to Fontana.

The following individuals spoke in favor of the project:

- Janet Bernabe
- Elizabeth Sena
- Jeffrey Scott
- Andres Bujanda
- Adam Kawamoto
- Jorge Sorta
- Thomas Ruiz

No one spoke in opposition of the project.

The hearing was closed.

In reference to traffic queuing on streets, Deputy City Manager, Development Services Organization, Phil Burum reminded the commission that the city passed an updated ordinance to make it illegal in the City of Fontana. Mr. Burum stated that going forward staff reports will state whether the projects comply with the new sustainability ordinance.

ACTION: Motion was made by Commissioner Gordon, seconded by Vice Chair Sangha, and passed unanimously by a vote of 5-0 to adopt this Public Hearing Item PH-E.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez, Commissioner Gordon and Commissioner Thrasher

PH-F Master Case No. 22-072, Municipal Code Amendment No.

21-1473

22-006 - Request to approve Master Case No. 22-72; MCA22-006; Request to approve Ordinance No. 2022-XX Repealing Sections 30-6 Through 30-11 of Division 3 of Article 1 of Chapter 30, Amending Chapter 30 Permitted Uses, And Adding Chapter 33, "Cannabis Businesses And Activities."

RECOMMENDATION:

Based on the information contained within this staff report and subject to the attached findings, staff recommends that the Planning Commission adopt Resolution PC No. 2022-023: and,

- 1. Determine that the project is Categorically Exempt pursuant to Section No. 15061(B)(3) (the "common sense" exemption), or, in the alternative, Section 15303 (Class No. 3, Small Structures) of the California Environmental Quality Act and Section No. 3-22 (Categorical Exemptions) of the 2019 Local Guidelines for implementing the CEQA, and direct staff to file a Notice of Exemption; and,**
- 2. Approve a resolution recommending that the City Council adopt an ordinance for Municipal Code Amendment (MCA) No. 22-006 to amend Chapter 30 of the Fontana Municipal Code and add Chapter 33, "Cannabis Businesses and Activities".**

APPLICANT:

**City of Fontana - Planning Department
8353 Sierra Avenue
Fontana, CA 92355**

LOCATION:

Citywide

PROJECT PLANNER:

Patty Nevins, Director of Planning

Chair Fort opened Public Hearing Item PH-F.

Deputy City Manager, Development Services Organization, Phillip Burum, provided the staff report.

Written communications were received from the following:

- Kareem Gongora
- Amparo Munoz Miramontes

The Commission, Attorney Jennifer Farrell and staff discussed a number of

topics, including at-will inspections and limitations; documentation of transactions buffer requirements, location scoring; special events permits; approximate revenue/ gross receipts to be generated; limit to the size of the business; on site security; difficulty of revoking the permit after approval.

The Commission inquired about the final decisions in issuing the permit and Deputy City Manager Burum stated the ultimate authority in the issuance of permitting and selecting is the City Manager. The permitting will be based solely and exclusively on the scoring of the third-party consultant.

A recess was called at 8:30 p.m.

The meeting reconvened at 8:33 p.m.

The commission, attorney and staff continued their discussions, including air filtration systems; prohibition of onsite consumption, signage, social service support, security plan requirements; clarification on prohibiting smoking cannabis and tobacco in city owned and operated parks; and regulating operating hours of cannabis businesses.

The following individuals spoke regarding the public hearing:

- Janet Bernabe
- Ana Gaeta
- Elizabeth Sena

The hearing was closed.

In reference to previous discussions and given the volume of information provided, Commissioner Gordon stated he was undecided on the issue.

Chair Fort expressed her concerns in relation to the public health, safety, and general welfare finding.

Discussion ensued regarding the Public Hearing Item PH-F ordinance and feedback pertaining to lack of community input; buffer zone requirements and crime statistics, future permit revocation process, number of permits, and public usage.

Chair Fort asked for a Motion. Motion was made by Commissioner Thrasher. There was no second and the motion died.

Attorney Farrell suggested there can be a second motion.

ACTION: Motion was made by Commissioner Sanchez, seconded by Commissioner Gordon, and passed by a vote of 4-1-0 to DENY Public Hearing Item PH-F Master Case No. 22-072 and not recommend the item to

City Council.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez and Commissioner Gordon

Noes: Commissioner Thrasher

PH-G Master Case No. 22-071 and Municipal Code Amendment No. 22-005 - Fontana Municipal Code amendment to Chapter 30 (Zoning and Development Code).

[**21-1469**](#)

RECOMMENDATION:

Based on the information in the staff report staff recommends that the Planning Commission adopt Resolution PC No. 2022-024; and,

1. Determine that this Ordinance is categorically exempted pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c), 15061(B)(3) (the common-sense exemption), and 15378 and Sections No. 3.01, 3.22, and 10.59 of the 2019 Local Guidelines for Implementing CEQA, in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment where it can be with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and,

2. Approve a resolution recommending that the City Council adopt an Ordinance for Municipal Code Amendment (MCA) No. 22-005 to amend Chapter 30 of the Municipal Code.

APPLICANT:

**City of Fontana
8353 Sierra Avenue
Fontana, CA 92335**

LOCATION:

Citywide

PROJECT PLANNER:

Rina Leung, Senior Planner

Chair Fort opened Public Hearing Item PH-G.

Senior Planner Rina Leung provided the staff report.

There were no written communications received.

Commissioner Gordon requested clarification on the 1500 feet buffer reduction to 600 feet and whether it would be consistent with other similar buffers in the city.

Senior Planner Leung stated the 600 feet buffer would be consistent with other similar buffers in the city such as Alcohol Beverage Control (ABC) Licenses.

There were no public communications received for this item.

The Public Hearing was closed.

Discussion ensued regarding the 600 feet versus the 1500 feet buffer requirement in relation to community safety and consistency with similar buffers.

Commissioner Gordon made a motion to not recommend Public Hearing Item G to City Council.

ACTION: Motion was made by Commissioner Gordon, seconded by Secretary Sanchez, and passed by a vote of 4-1-0 to not to recommend approval of Public Hearing Item PH-G.

The motion carried by the following vote:

Aye: Chairperson Fort, Vice Chair Sangha, Secretary Sanchez and Commissioner Gordon

Nay: Commissioner Thrasher

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Director Nevins announced this will be the last meeting with paper agenda packets distributed to the Commission, going forward agendas will be available to the commission electronically.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Gordon stated he was glad to have the electronic agenda transition. He commended his fellow commissioners for tough decisions they had to make tonight. He stated he is proud to be part of the commission and that there is no doubt the commission truly has the best interest of the Fontana community at heart.

Vice Chair Sangha thanked the staff for the staff reports and presentations. He stated that he is excited about all the development and great projects that are coming into the city. Thanked all who wished him a Happy Father's Day and wished everyone a happy and safe 4th of July and a good night.

Commissioner Thrasher thanked Planning and Information Technology departments staff for their hard work and support of the commission.

Commissioner Sanchez thanked staff for their hard work, staff reports and presentations. He commended the commission and stated he is honored to be part of the commission. He congratulated his daughter on her recent marriage and wished everyone a good night and blessings.

Chair Fort echoed her fellow commissioners' comments and thanked the commission for their commitment and decisions; thanked everyone that participated in tonight's meeting and wished everyone a good night.

ADJOURNMENT:

By consensus, the Planning Commission meeting adjourned at 9:59 p.m. to the next Regular Planning Commission Meeting on Tuesday, July 5, 2022, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Evelyne Ssenkoloto

Evelyne C. Ssenkoloto
Senior Administrative
Analyst

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION ON
THE 5TH DAY OF JULY 2022.**

Cathline Fort
Cathline Fort
Chairperson

Certificate Of Completion

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Maria Torres

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Fontana, CA 92335

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Evelyne Ssenkoloto



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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/6/2022 09:07 AM
Certified Delivered	Security Checked	7/10/2022 07:18 AM
Signing Complete	Security Checked	7/10/2022 07:18 AM
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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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