



City of Fontana Planning Commission Minutes

Cathline Fort, Chair
Idilio Sanchez, Vice Chair
Ralph Thrasher, Secretary
Raj Sangha, Commissioner
Ricardo Quintana, Commissioner

Tuesday, October 17, 2023

6:00 P.M.

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, October 17, 2023. Vice Chair Sanchez called the meeting to order at 6:01 p.m.

Present: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation by Chaplain Deylyne McCampbell, the Pledge of Allegiance was led by Commissioner Sangha.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:**A. Approval of Minutes:**

Approve the Regular Planning Commission Meeting Minutes of October 3, 2023.

ACTION: A Motion was made by Commissioner Quintana and seconded by Commissioner Sangha and passed by a vote of 3-0 to approve the Consent Calendar.

The motion carried by the following vote:

Aye: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

PUBLIC HEARINGS:

PH-A Master Case No. 22-037, General Plan Amendment No. 22-005, Zoning District Map Amendment No. 22-006, Development Code Amendment No. 22-007, and Design Review No. 22-020: A request for the Planning Commission for land use designation amendments on 2.4 gross acres (APNs: 0230-041-33, -44, -52, -60, and -61) and the development of a new 24-unit apartment project on two (2) parcels, APNs 0230-041-52 and -60, totaling approximately 0.9 gross acres, pursuant to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

Vice Chair Sanchez opened the Public Hearing.

Salvador Quintanilla, Senior Planner, presented the staff report.

The commission and staff discussed the projects proposed parking; whether the project was gated and the security parameters between the school located to the east of the project.

The applicant, Saber Awad, on behalf of SA Golden Investment, Inc., stated that he read and agreed to the Conditions of Approval.

The applicant and the commission briefly discussed the projects estimated development start date.

The Public Hearing was closed.

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. 2023-036 and forward a recommendation to the City Council to:

1. **Adopt the Mitigated Negative Declaration and direct staff to file a Notice of Determination; and,**
2. **Adopt a resolution approving General Plan Amendment (GPA) No. 22-005; and,**
3. **Adopt an ordinance approving Zone Change Amendment (ZCA) No. 22-006; and,**
4. **Adopt an ordinance approving Development Code Amendment (ZCA) No. 22-007; and,**
5. **Adopt a resolution approving Design Review (DR) No. 22-020.**

ACTION: Motion was made by Commissioner Quintana, seconded by Commissioner Sangha, and passed by a vote of 3-0 to adopt Resolution PC No. 2023-036; and approve Master Case No. 22-037; General Plan Amendment No. 22-005; Zoning District Map Amendment No. 22-006; Development Code Amendment No. 22-007, and Design Review No. 22-020.

The motion carried by the following vote:

Aye: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

PH-B Master Case No. 22-079: General Plan Amendment (GPA) No. 22-007, Specific Plan Amendment (SPA) No. 22-003, Development Agreement (AGR) No. 22-003, Tentative Parcel Map (TPM No. 20638) No. 22-016, Design Review (DRP) No. 22-040, and Final Environmental Impact Report for the development of an industrial commerce building totaling approximately 490,565 square feet within a project site comprised of approximately 18.8 acres.

Vice Chair Sanchez opened Public Hearing.

Alejandro Rico, Associate Planner, presented the staff report and mentioned that staff provided the Commission a separate memo indicating the modification of the project's development agreement.

The commission requested staff to clarify the project's zoning designation and the assigned zoning on the property above the project along Santa Ana Avenue.

The commission and staff also discussed the queuing of the project and the Sustainability Ordinance.

The applicant, Dan Bick, on behalf of Seefried Industrial Properties, Inc., stated that he read and agreed to the Conditions of Approval and thanked the Planning Commission for the opportunity to work and operate within the city and gave a brief description of the proposed project.

Commissioner Sangha complimented the project's nighttime renderings.

Planning Attorney, Steven Deithsch addressed the applicant and asked to confirm his understanding of the alteration of the Draft Development Agreement.

The following individuals spoke in favor:

- Anthony Bolano
- Zach Strasters
- David Mitchel
- Jr. Ortiz

The following individuals spoke in opposition:

- Amy Smith

The Public Hearing was closed.

RECOMMENDATION:

Based on the information contained in this staff report, staff recommends that the Planning Commission adopt Resolution No. PC 2023-037, and forward a recommendation to the City Council to:

- 1. Adopt a resolution to certify the EIR, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, and direct staff to file a Notice of Determination; and,**
- 2. Adopt a resolution approving General Plan Amendment (GPA) No. 22-007; and,**
- 3. Adopt an ordinance approving Specific Plan Amendment (SPA) No. 22-003; and,**
- 4. Adopt an ordinance approving Development Agreement (AGR) No. 22-003; and,**
- 5. Adopt a resolution approving Tentative Parcel Map No. 22-016 (TPM No. 20638) and Design Review No. 22-040 subject to the attached Findings and Conditions of Approval.**

ACTION: Motion was made by Commissioner Sangha, seconded by Commissioner Quintana, and passed by a vote of 3-0 to adopt Resolution PC No. 2023-037; approve Master Case No. 22-079; Specific Plan Amendment No. 22-003; Development Agreement No. 22-003, Tentative Parcel Map No. 22-016; Design Review No. 22-040 and Final Environmental Impact Report.

The motion carried by the following vote:

Aye: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

PH-C Master Case No. 23-017: Administrative Site Plan (ASP) No. 23-012 pursuant to Section No. 15332 (Class No. 32, Infill Development), and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the CEQA.

Vice Chair Sanchez opened Public Hearing.

Alejandro Rico, Associate Planner, presented the staff report.

Commissioner Sangha commented on the landscaping of the project.

The applicant, Jamie Knollmiller, stated that she read and agreed to the Conditions of Approval and briefly commented on the expansion of the project .

No one spoke in favor or opposition of this item.

The Public Hearing was closed.

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. 2023-038; and,

- 1. Determine that the project is categorically exempt pursuant to Section No. 15332 (Class No. 32, Infill Development), and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and,**
- 2. Approve Administrative Site Plan (ASP) No. 23-012.**

ACTION: Motion was made by Vice Chair Sanchez, seconded by Commissioner Quintana, and passed by a vote of 3-0 to adopt Resolution PC No. 2023-038, approve Master Case No. 22-017 and Administrative Site Plan No. 23-012.

The motion carried by the following vote:

Aye: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

PH-D Master Case (MCN) No. 23-092; General Plan Amendment (GPA) No. 23-003, Zoning District Map Amendment (ZCA) No. 23-004, and Development Code Amendment (ZCA) No. 23-005, Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program.

Vice Chair Sanchez opened Public Hearing.

Rina Leung, Senior Planner, presented the staff report.

The commission asked for clarification on the types of mining that took place at the location where Vulcan Pit previously was located. The commission and staff also discussed examples of shelters for the Emergency Shelter Overlay.

The Public Hearing was closed.

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. 2023- 039, and forward a recommendation to the City Council to:

- 1. Adopt the Initial Study/Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program and direct staff to file the Notice of Determination; and,**
- 2. Adopt a resolution approving General Plan Amendment (GPA) No. 23-003; and,**
- 3. Adopt an ordinance approving Zoning District Map Amendment (ZCA) No. 23-004; and,**
- 4. Adopt an ordinance approving Development Code Amendment (ZCA) No. 23-005.**

ACTION: Motion was made by Commissioner Quintana, seconded by Commissioner Sangha, and passed by a vote of 3-0 to adopt Resolution PC No. 2023-039 and approve Master Case No. 23-092; General Plan Amendment (GPA) No. 23-003; Zoning District Map Amendment (ZCA) No. 23-004 and Development Code Amendment (ZCA) No. 23-005.

The motion carried by the following vote:

Aye: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

PH-E Master Case No. 23-098 and Municipal Code Amendment No. 23-001 - Amendment to Fontana Municipal Code Chapter 9 to modify Article V (Industrial Commerce Centers Sustainability Standards), Section 9-71(f), pursuant to a categorical exemption in accordance with CEQA Guidelines section 15301.

Vice Chair Sanchez opened Public Hearing.

Patty Nevins, Director of Planning, presented the staff report.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information in the staff report staff recommends that the Planning Commission adopt Resolution PC No. 2023-040; and,

1. Determine that this Ordinance is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c), 15061(b)(3) (the common-sense exemption), and Section No. 3.22 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, alternatively, pursuant to CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and 15308 (Actions by Regulatory Agencies for Protection of the Environment), and Section No. 3.22 of the 2019 Local Guidelines for Implementing of CEQA, as implementation of this ordinance is to improve the environment; and;
2. Approve a resolution recommending that the City Council adopt an Ordinance for Municipal Code Amendment (MCA) No. 23-001 to amend Chapter 9 of the Municipal Code.

ACTION: Motion was made by Commissioner Sangha, seconded by Commissioner Quintana, and passed by a vote of 3-0 to adopt Resolution PC No. 2023-040; and, Determine that this Ordinance is categorically exempt pursuant to the California Environmental Quality Act (CEQA) and Approve a resolution recommending that the City Council adopt an Ordinance for Municipal Code Amendment (MCA) No. 23-001 to amend Chapter 9 of the Municipal Code.

The motion carried by the following vote:

Aye: Vice Chair Sanchez, Commissioners Sangha, and Quintana

Absent: Chair Fort and Secretary Thrasher

DIRECTOR COMMUNICATIONS:

A. Director Communications:

None.

COMMISSION COMMENTS:

A. Public Communication Commission Comments:

Commissioner Quintana thanked city staff for their reports and commented on all the different mix of projects that were approved at tonight's meeting.

Commissioner Sangha also thanked city staff for their reports; expressed his excitement on the new developments coming to the city. Closed his comments by thanking the public for allowing him to serve on the commission.

Vice Chair Sanchez thanked all city staff and conveyed his appreciation for their hard work; expressed his excitement on all the new projects that are coming to Fontana. Vice Chair Sanchez also thanked all the speakers that came out to speak in support of the projects and closed his comments by thanking the public for the ability to serve on the Planning Commission,

ADJOURNMENT:

Vice Chair Sanchez adjourned the meeting at 6:47 p.m. to the next Regular Planning Commission Meeting on Tuesday, November 7, 2023, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Susana Gallardo
Specialist to the Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 7th DAY OF NOVEMBER 2023.**



Idilio Sanchez
Vice Chairperson


Certificate Of Completion

Envelope Id: CBBCB18BD89F46CDBBB4F63D723CFEEF	Status: Completed
Subject: Complete with DocuSign: PC Minutes of 10-17-2023.docx	
Source Envelope:	
Document Pages: 8	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Maria Torres
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	8353 Sierra Avenue
	Fontana, CA 92335
	mtorres@fontanaca.gov
	IP Address: 192.146.186.123


Record Tracking

Status: Original	Holder: Maria Torres	Location: DocuSign
12/12/2023 05:57 PM	mtorres@fontanaca.gov	

Signer Events	Signature	Timestamp
---------------	-----------	-----------

Susana Gallardo		Sent: 12/12/2023 05:58 PM
sgallardo@fontana.org		Viewed: 12/19/2023 07:29 AM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	Signed: 12/19/2023 07:30 AM
	Using IP Address: 192.146.186.96	

Electronic Record and Signature Disclosure:
Accepted: 12/19/2023 | 07:29 AM
ID: b64e24be-2be1-4484-b359-ee2859bde14f

Idilio Sanchez		Sent: 12/19/2023 07:30 AM
idilio.ms@abscollision.co		Viewed: 1/3/2024 03:34 PM
PRESIDENT	Signature Adoption: Drawn on Device	Signed: 1/3/2024 03:35 PM
Security Level: Email, Account Authentication (None)	Using IP Address: 162.233.247.103	

Electronic Record and Signature Disclosure:
Accepted: 8/8/2017 | 03:02 PM
ID: c08a4011-f4e8-46b0-a1cb-9233fcd1d37

In Person Signer Events	Signature	Timestamp
-------------------------	-----------	-----------

Editor Delivery Events	Status	Timestamp
------------------------	--------	-----------

Agent Delivery Events	Status	Timestamp
-----------------------	--------	-----------

Intermediary Delivery Events	Status	Timestamp
------------------------------	--------	-----------

Certified Delivery Events	Status	Timestamp
---------------------------	--------	-----------

Carbon Copy Events	Status	Timestamp
--------------------	--------	-----------

Maria Torres	<div>COPIED</div>	Sent: 1/3/2024 03:35 PM
mtorres@fontanaca.gov		Resent: 1/3/2024 03:35 PM
Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

Carbon Copy Events	Status	Timestamp
Kathy Kasinger Kkasinger@fontana.org Records Coordinator Security Level: Email, Account Authentication (None)	COPIED	Sent: 1/3/2024 03:35 PM Viewed: 1/8/2024 01:27 PM
Electronic Record and Signature Disclosure: Accepted: 6/26/2023 12:01 PM ID: 313ff663-c622-41d0-ac8d-292f7d782a66		

Witness Events	Signature	Timestamp
----------------	-----------	-----------

Notary Events	Signature	Timestamp
---------------	-----------	-----------

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	12/12/2023 05:58 PM
Certified Delivered	Security Checked	1/3/2024 03:34 PM
Signing Complete	Security Checked	1/3/2024 03:35 PM
Completed	Security Checked	1/3/2024 03:35 PM

Payment Events	Status	Timestamps
----------------	--------	------------

Electronic Record and Signature Disclosure
--

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cteveda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at cteveda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.