



City of Fontana

Planning Commission

Minutes

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

Tuesday, September 20, 2022 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, September 20, 2022. Chair Fort called the meeting to order at 6:02 p.m.

Present: Chair Fort, Secretary Sanchez, and Commissioners Gordon

Absent: Vice Chair Sangha and Commissioner Thrasher

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

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

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

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

Approve the Regular Planning Commission Meeting Minutes of September 6, 2022.

ACTION: A Motion was made by Commissioner Gordon and seconded by Secretary Sanchez and passed by a vote of 3-0-2 to approve the Consent Calendar.

The motion carried by the following vote: AYES: Fort, Sanchez, and Gordon; NOES: None; ABSTAIN: None; ABSENT: Sangha and Thrasher

PUBLIC HEARINGS:

PH-A Master Case No. 22-068; General Plan Amendment No. 22-006 and Zone Change No. 22-008 - A request to amend the general plan land use map and zoning district map in order to provide consistency and cohesiveness for parcels 0241-051-02, -13, -16 and -32 and development sites in the immediate vicinity.

Staff requested that this item be continued to the October 4, 2022, Planning Commission Meeting.

ACTION: Motion was made by Commissioner Gordon, seconded by Secretary Sanchez, and passed by a vote of 3-0-2 to continue Public Hearing Item A to the next Regular Planning Commission meeting of Tuesday, October 4, 2022.

The motion carried by the following vote: AYES: Fort, Sanchez, and Gordon; NOES: None; ABSTAIN: None; ABSENT: Sangha and Thrasher

PH-B Master Case No. 22-034 and Conditional Use Permit 22-011- a request to operate a smoke, tobacco and vape shop in an approximate 1,500 square foot tenant space in the South Sierra shopping center.

Chair Fort opened Public Hearing.

George Velarde, Assistant Planner presented the staff report.

The commission and staff discussed the projects' condition of approval #13.

The applicant, Farid Elias, stated that he read and agreed to the Conditions of Approval.

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. 2022-037; and,

1. Determine that the proposed project is exempt pursuant to Section 15301 Class 1, (Existing Facilities) of the California Environmental Quality Act (CEQA) and Section 3.22 of the 2019 Local Guidelines for implementing CEQA, and direct staff to file a Notice of Exemption; and;
2. Approve Conditional Use Permit No. 22-011.

ACTION: Motion was made by Secretary Sanchez, seconded by Commissioner Gordon, and passed by a vote of 3-0-2 to adopt Resolution PC No. 2022-037 and approve Master Case No. 22-034 and Conditional Use Permit 22-011- A request to operate a smoke, tobacco and vape shop in an approximate 1,500 square foot tenant space in the South Sierra shopping center.

The motion carried by the following vote: AYES: Fort, Sanchez, Gordon; NOES: None; ABSTAIN: None; ABSENT: Sangha and Thrasher

PH-C Master Case No. 21-127; Tentative Tract Map No. 20431 (TTM No. 21-011) - a proposal to consolidate four lots totaling approximately 4.4 adjusted gross acres into one parcel for condominium purpose, and Design Review No. 20-050 - a proposal to construct a new 82-unit condominium complex within 27 two-story buildings totaling approximately 128,000 square feet.

Chair Fort opened Public Hearing.

Jon S. Dille, Associate Planner presented the staff report.

The commission and staff discussed the main entrance and exits of the project; in addition, a discussion ensued regarding the amount of parking spaces per unit and the location of guest parking. The commission briefly discussed the location of the project's amenities.

The applicant, Mohammad Monshizadeh, commented on the acquisition of the parcels; parking requirements and some of the amenities of the project such as the walking path.

The applicant stated that he read and agreed to the Conditions of Approval and discussed adjustments and revisions to several conditions with Commission and staff. modifications included changes to:

- Page 10, condition of approval #5, add the word "overhead" before the word, "utilities".

- Page 12, change the last heading to add the word “offsite” before the words “construction permits”.
- Page 16, condition of approval #12, to add the word, “overhead”, before the word, “utilities”.
- Page 16, condition of approval #13, to add the words, “if required”, after the word, “security”.
- Page 16, condition of approval #18, to add the word, “a plan”, prior to “clustered or individual mailboxes”.
- Page 18, change to the heading would read, “prior to the issuance of building permits”, remove the word, “construction” from heading.

The following individuals spoke in opposition:

- Celeste Vorndran

The Public Hearing was closed.

The Commission and staff addressed several of the speakers concerns such as, rentals versus market rate, septic versus sewer and amount of traffic along Cherry Avenue, guest parking and Speedway controls.

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 -038: 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 Tentative Tract Map No. 20431 and Design Review No. 21-050.**

ACTION: Motion was made by Secretary Sanchez, seconded by Commissioner Gordon, and passed by a vote of 3-0-2 to adopt Resolution PC No. 2022-038 and approve Master Case No. 21-127; Tentative Tract Map No. 20431 (TTM No. 21-011) - a proposal to consolidate four lots totaling approximately 4.4 adjusted gross acres into one parcel for condominium purpose, and Design Review No. 20-050 - a proposal to construct a new 82-unit condominium complex within 27 two-story buildings totaling approximately 128,000 square feet with modifications to noted conditions of approvals.

The motion carried by the following vote: AYES: Fort, Sanchez, Gordon; NOES: None; ABSTAIN: None; ABSENT: Sangha and Thrasher

PH-D Master Case No. 22-109 and Design Review Sign No. 22-041 - a request to establish a sign program for the Northgate Plaza located on approximately 7.04 acres.

Chair Fort opened Public Hearing.

Alexia De La Torre, Assistant Planner presented the staff report.

The applicant Tom Hunt, on behalf of Promotional Signs, Inc., stated that he read and agreed to the Conditions of Approval.

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. 2022-039; and,

- 1. Determine that the proposed project is exempt pursuant to Section 15301 (Class No. 1, Existing Facilities) 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; and**
- 2. Approve Design Review Sign No. 22-041.**

ACTION: Motion was made by Commissioner Gordon, seconded by Secretary Sanchez, and passed by a vote of 3-0-2 to adopt Resolution PC No. 2022-039 and approve Master Case No. 22-109 and Design Review Sign No. 22-041 - a request to establish a sign program for the Northgate Plaza located on approximately 7.04 acres.

The motion carried by the following vote: AYES: Fort, Sanchez, Gordon; NOES: None; ABSTAIN: None; ABSENT: Sangha and Thrasher

Planning Commission adjourned meeting to a recess at 7:03 p.m.

Planning Commission reconvened meeting at 7:10 p.m.

PH-E Master Case No. 22-110 and Municipal Code Amendment No. 22-007 - Fontana Municipal Code amendment to Chapter 2 (Administration), Chapters 9 (Environmental Protection and Resource Extraction) Chapter 25 (Streets, Sidewalk, and Other Public Ways), Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development Code), and Chapter 33 (Cannabis Businesses and Activities).

Chair Fort opened Public Hearing.

Salvador Quintanilla, Senior Planner presented the staff report.

The Commission and staff discussed timing issues and streamlining the process of the Development Advisory Board Meetings; staff clarified the proposed process would remain the same but would cut down on time. In addition, staff also commented on internal city projects and their streamlined development process.

The Commission and staff also discussed modifications and current requirements for the improvement of public open space. Further discussion also took place regarding applicants and their request for a Development Advisory Board hearing and the streamline process. The Commission expressed concerns regarding applicants and their options should they wish to still meet.

Chair Fort noted the memo regarding the posting Ordinance. Chair Fort also expressed disappointment regarding the established Cannabis Business activity ordinance and commented on the adequate distances.

The Commission commented on requirements for owners including background checks to ensure reputable owners who are applying for business activities. Commission suggested staff consider some type of encouragement as it relates to hiring practices.

Patty Nevins, Director of Planning, clarified that city projects amendment was written broadly, and would allow modification of development standards and entitlement processes.

Commissioner Gordon and Deputy City Manager, Phillip Burum, discussed current Development Advisory Board Hearing processes.

No one spoke in favor or opposition of this item.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information in the staff report staff recommends that the Planning Commission adopt Resolution PC No. 2022-040; 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. 22-007 to amend Chapter 2, Chapter 9, Chapter 25, Chapter 26, Chapter 30, and Chapter 33 of the Municipal Code.

ACTION: Motion was made by Commissioner Gordon, seconded by Secretary Sanchez, and passed by a vote of 3-0-2 to adopt Resolution PC No. 2022-040; and, approve Master Case No. 22-110 and Municipal Code Amendment No. 22-007 - Fontana Municipal Code amendment to Chapter 2 (Administration), (Chapters 9 (Environmental Protection and Resource Extraction) Chapter 25 (Streets, Sidewalk, and Other Public Ways), Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development Code), and Chapter 33 (Cannabis Businesses and Activities).

The motion carried by the following vote: **AYES:** Fort, Sanchez, Gordon; **NOES:** None; **ABSTAIN:** None; **ABSENT:** Sangha and Thrasher

DIRECTOR COMMUNICATIONS:

- A. Director Communications: None

COMMISSION COMMENTS:

- A. Public Communication Commission Comments:

Commissioner Gordon thanked all staff for their efforts in working with the applicants; he also thanked Director of Planning Patty Nevins for her assistance and expertise regarding a citizen request.

Secretary Sanchez commented on his appreciation of staff and attorneys' improvement and involvement and noted that he agrees with the streamlined process and mentioned that the city is headed towards the right direction.

Chair Fort agreed with the comments regarding the Planning team, and thanked staff for their hard work. Chair Fort also commented on the Cannabis ordinance and echoed her previous comments.. Chair Fort closed by thanking city and the public for the opportunity to serve.

ADJOURNMENT:

By consensus, the meeting adjourned at 7:44 p.m. to the next Regular Planning Commission Meeting on Tuesday, October 4, 2022, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Susana Gallardo
Administrative Assistant

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 4th DAY OF OCTOBER 2022.**

Cathline Fort
Chairperson