



City of Fontana Planning Commission Minutes

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

Tuesday, January 16, 2024	6:00 P.M.	Grover W. Taylor Council Chambers
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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, January 16th, 2024. Vice Chair Sanchez called the meeting to order at 6:03 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 Fontana Police Department Chaplain Daniel Vasquez, 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 December 5th, 2023.

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

The motion carried by the following vote:

AYES: Vice Chair Sanchez, Commissioners Sangha, and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-A Master Case No. 22-063: Conditional Use Permit No. 23-002 and Design Review No. 22-033 - A request for the Planning Commission to review and approve an expansion to an existing non-conforming Public Storage facility. (Continued from December 5, 2023).

Vice Chair Sanchez opened Public Hearing.

Jon Dille, Associate Planner, presented the staff report.

No one spoke in favor or opposition of this item.

The Public Hearing was closed.

RECOMMENDATION:

Staff recommends that the Planning Commission continue this project to a date uncertain to allow the applicant and staff additional time to finalize the project details and the supporting documents for the project.

ACTION: Motion was made by Commissioner Quintana and seconded by Commissioner Sangha that this item be continued to a date uncertain.

The motion carried by the following vote:

AYES: Vice Chair Sanchez, Commissioners Sangha, and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-B Master Case No. 22-145, Tentative Parcel Map No. 22-034 (TPM No. 20669) and Design Review No. 22-065 for a proposed mixed-use development comprised of 437 residential units with 4,000 square feet of commercial retail area, pursuant to a Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program. (Continued from December 19, 2023).

Vice Chair Sanchez opened Public Hearing.

George Velarde, Assistant Planner, recommended that the Planning Commission continue this item to the April 2, 2024, Regular Planning Commission Meeting.

The City Clerk's Department received three (3) written correspondences in opposition of this item.

The following individuals spoke in opposition:

- Delshawn McClellon
- Eddie Campos
- Angel E.

RECOMMENDATION:

Staff recommends that the Planning Commission continue this item to the April 2, 2024, Regular Planning Commission Meeting.

ACTION: Motion was made by Commissioner Sangha and seconded by Commissioner Quintana and passed by a vote of 3-0 to Master Case No. 22-145, Tentative Parcel Map No. 22-034 (TPM No. 20669) and Design Review No. 22-065 to the April 2, 2024, Regular Planning Commission Meeting.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-C Master Case No. 22-059 and Design Review No. 22-035 - A request for site and architectural approval of a 168,760 square foot industrial commerce center building on an approximate 8.43-acre site pursuant to a Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program. (Continued from December 19, 2023).

Vice Chair Sanchez opened Public Hearing.

George Velarde, Assistant Planner, presented the staff report.

No written correspondence was received.

The Commission requested clarification on truck travel along Beech Avenue. Staff confirmed that Beech Avenue would not extend to the opposite side as it currently terminates.

The following individuals spoke in favor:

- Juan Serrato
- Rafael Legido

The applicant Peter Schafer on behalf of AIREF Acquisitions LLC, stated that he read and agreed to the Conditions of Approval and spoke briefly on how this project would bring great improvements to the city.

The Commission and applicant discussed potential point of sale of the project.

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. 2024-001; and,

- 1. Adopt the Mitigated Negative Declaration, Mitigation, Monitoring and Reporting Program (MMRP) and direct staff to file a Notice of Determination; and,**
- 2. Approve Design Review Project No. 22-035.**

ACTION: Motion was made by Commissioner Quintana and seconded by Vice Chair Sanchez and passed by a vote of 3-0 to; adopt Resolution PC No. 2024-001; and, approve Master Case No. 22-059 and Design Review No. 22-035.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners, Sangha, and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-D Draft Subsequent Environmental Impact Report (Draft SEIR) for Master Case No. 23-059, a request to receive comments on the Draft SEIR, State Clearinghouse No. 2023070065, for the development of two industrial commercial center buildings for the Cherry Commerce Center project, which includes an approximately 477,480 square foot building, and an approximately 221,953 square foot building, on approximately 29.4-gross acres. (Continued from December 19, 2023).

Vice Chair opened Public Hearing.

No written correspondence was received.

George Velarde, Assistant Planner, presented the staff report and recommended that the Planning Commission open the public hearing, receive public comments and to direct staff to address any comments received on behalf of the public.

The last day for public comment is January 22, 2024.

The applicant, Candace Burnett on behalf of Kimley-Horn was present and available to address any public comments and respond as appropriate.

No one spoke in favor or opposition of this item.

The Public Hearing was closed.

RECOMMENDATION:

Staff recommends that the Planning Commission: 1) Open the public hearing on the Draft SEIR prepared for the Cherry Commerce Center Project to receive comments from the public; 2) Provide any Planning Commission comments on the Draft SEIR; and 3) Direct staff to address all comments received on the Draft SEIR within the Final SEIR.

ACTION: Motion was made by Vice Chair Sanchez and seconded by Commissioner Quintana and passed by a vote of 3-0 to direct staff to proceed finalizing the SEIR, and to address any comments that may be received from the public.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha, and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-E Master Case No. 23-094 and Specific Plan Amendment No. 23-003 - A request to modify the West End Specific Plan to add "Escape Room" as a permitted use within the Light Industrial (BP2) District within the West End Specific Plan, pursuant to a categorical exemption in accordance with CEQA Guidelines section 15060(c), and 15061(B)(3). (Continued from December 19, 2023).

Vice Chair Sanchez opened Public Hearing.

Salvador Quintanilla, Senior Planner, presented the staff report.

No written correspondence was received.

The Commission requested further clarification on the meaning of ‘Escape Room’ and the type of use that this project would bring.

The applicant Shaun Nieves on behalf of BSS Entertainment spoke regarding the type of business that this project would bring to the city.

No one spoke in favor or in 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. 2024-002; and recommend that the City Council:

- 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 Sections No. 3.01 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 found 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. Adopt an Ordinance for Specific Plan Amendment (SPA) No. 23-003 to modify the West End Specific Plan to add “Escape Room” as a permitted use within the Light Industrial District (BP2) District in the West End Specific Plan.**

ACTION: Motion was made by Commissioner Sangha and seconded by Vice Chair Sanchez and passed by a vote of 3-0 to adopt Resolution PC No. 2024-002; approve Master Case No. 23-094 and Specific Plan Amendment No. 23-003.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-F Master Case No. 20-073, General Plan Amendment No. 20-015, Zoning District Map Amendment No. 20-015, Conditional Use Permit No. 22-013, Tentative Tract Map No. 20-006 (TTM No. 20358), and Design Review No. 20-028 - A request for Planning Commission review of amendments to the land use 21-2713 Page 6 of 11 Planning Commission Regular Agenda January 16, 2024 designations on 8.8 gross

acres (APNs: 0233-122-28, -29, -60, -63), a Conditional Use Permit to establish a Planned Unit Development for the project, subdivision of four parcels, and site and architectural review to construct a 53-lot single family residential detached development, located on the southeast corner of Orchid Avenue and Poplar Avenue, and on the west side of Catawba Avenue, pursuant to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

Vice Chair Sanchez opened Public Hearing.

No written correspondence was received.

Jon Dille, Associate Planner presented the staff report and noted a memorandum which identifies requested modifications by the applicant to the proposed conditions of approval.

The Commission and staff discussed the elevation and site plans of the project and the Commission's desire for a more modern and gated community.

Deputy City Manager, Phillip Burum provided the commission additional context and recommended that the applicant work with staff to include minor modifications to the Tuscan elevation plans.

The applicant Steve Landis, on behalf of Monte Vista Homes, stated that he read and agreed to modifications on the proposed Conditions of Approval. The applicant also agreed to work with staff and make any necessary changes to the site plan.

Lastly, the applicant provided his suggestion as to why this project should not be gated.

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. 2024-003; and recommend that City Council:

- 1. Adopt the Mitigated Negative Declaration, approve the Mitigation Monitoring and Reporting Program; and direct staff to file a Notice of Determination; and,**
- 2. Adopt a resolution approving General Plan Amendment (GPA) No. 20-015; and,**
- 3. Adopt an ordinance approving Zoning District Map Amendment (ZCA) No. 20-015; and,**
- 4. Adopt a resolution approving Conditional Use Permit (CUP) No. 22-013; and,**
- 5. Adopt a resolution approving Tentative Tract Map No. 20-006 (TTM No.**

- 20358); and,
6. Adopt a resolution approving Design Review (DRP) No. 20-028.

ACTION: Motion was made by Vice Chair Sanchez and seconded by Commissioner Sangha and passed by a vote of 3-0 to; adopt Resolution PC No. 2024-003; and recommend that the City Council approve Master Case No. 20-073, General Plan Amendment No. 20-015, Zoning District Map Amendment No. 20-015, Conditional Use Permit No. 22-013, Tentative Tract Map No. 20-006 (TTM No. 20358), and Design Review No. 20-028 with modifications to the proposed conditions of approval.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-G Master Case No. 23-089 and Design Review No. 23-031 - A request for site and architectural approval of a 29,500 square foot Fire District Administration East Annex Building on an approximately 1.86-acre site, pursuant to a Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program

Vice Chair Sanchez opened Public Hearing.

No written correspondence was received.

Rina Leung, Senior Planner presented the staff report.

The commission requested a timeline as to the groundbreaking and time of completion of the project.

Deputy City Manager, Phillip Burum, provided the Commission the scheduled time of demolition and provided a projected date of completion for the project.

Christopher Smethurst, City of Fontana Senior Engineer, stated that he read and agreed to the conditions of approval and provided additional information on 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. 2024-004; and,

- 1. Adopt the Mitigated Negative Declaration, approve a Mitigation**

- Monitoring and Reporting Program and direct staff to file a Notice of Determination; and,**
- 2. Approve Design Review (DR) No. 23-031.**

ACTION: Motion was made by Commissioner Quintana and seconded by Vice Chair Sanchez and passed by a vote of 3-0 to; adopt Resolution PC No. 2024-004; and approve Master Case No. 23-089 and Design Review No. 23-031.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-H Resolution No. PC 2024-005: A Resolution of the Planning Commission of the City of Fontana, California, Recommending, Pursuant to an Exemption from the California Environmental Quality Act, that the City Council Approve a Development Agreement with Fontana Responsible and Compliant Retail, LLC, concerning a retail cannabis business and Direct Staff to File a Notice of Exemption.

Vice Chair Sanchez opened Public Hearing.

Deputy City Manager, Phillip Burum, presented the staff report and answered questions of the Commission.

No written correspondence was received.

Commission and staff discussed the fencing around the project site.

The applicant, Fontana Responsible and Compliant Retail, LLC was not in attendance.

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 findings, conclusions, and information in the staff report, resolution and presented in the public hearing, staff recommends that the Planning Commission adopt Resolution No. PC 2024-005; and recommend that the City Council:

- 1. Find, after review of the whole of the Project, including this Development Agreement, that the project is EXEMPT from the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and direct staff to file a Notice of Exemption; and,**

2. **Approve a Development Agreement with Fontana Responsible and Compliant Retail, LLC, based upon the findings in the staff report and resolution, pending final adoption of the Development Agreement ordinance by the City Council and an Operating Agreement with Fontana Responsible and Compliant Retail, LLC.**

ACTION: Motion was made by Vice Chair Sanchez and seconded by Commissioner Sangha and passed by a vote of 3-0 to adopt Resolution PC No. 2024-005 and adopt and execute a Development Agreement.

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha and Quintana

ABSENT: Chair Fort and Secretary Thrasher

PH-I Master Case No. 21-124 (R1); Design Review No. 21-046 (R1) - A request for approval of modifications to architecture and site design plans for 85 detached residential units on a 9.4-acre site, at the northwest corner of Summit Avenue and Citrus Avenue.

Vice Chair Sanchez opened Public Hearing.

No written correspondence was received.

Alejandro Rico, Associate Planner, presented the staff report.

The Commission and staff discussed the project's proposed modifications.

The applicant Matthew Brady, on behalf of D.R. Horton, 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. 2024-006; and,

1. **Find that the project has been reviewed under a previously certified Final Environmental Impact Report (State Clearing House No. (2003111125) and previously adopted Addendum, pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana's 2019 Local**

Guidelines for Implementing CEQA that no further analysis is required, and direct staff to file the Notice of Determination; and,

2. Approve Design Review No. 21-046 (R1).

ACTION: Motion was made by Vice Chair Sanchez and seconded by Commissioner Sangha and passed by a vote of 3-0 to adopt Resolution PC No. 2024-006; Master Case No. 21-124 (R1); Design Review No. 21-046 (R1).

The motion carried by the following vote:

AYES: Vice Chair Sanchez and Commissioners Sangha and Quintana

ABSENT: Chair Fort and Secretary Thrasher

DIRECTOR COMMUNICATIONS:

A. Director Communications:

None.

COMMENTS:

A. Public Communication Commission Comments:

Commissioner Quintana thanked Planning staff for their staff reports; expressed his excitement on the approval of current projects and thanked everyone for the opportunity to serve.

Commissioner Sangha thanked Planning staff for their staff reports; conveyed his excitement for 2024 and all the new developments that are coming to the city and thanked everyone for the opportunity to serve.

Vice Chair Sanchez wished the public a Happy New Year; commented on the projects that were presented at tonight's meeting and closed his comments by thanking his wife for attending tonight's Planning meeting.

ADJOURNMENT:

Vice Chairperson Sanchez adjourned the meeting at 7:24 p.m. to the next Regular Planning Commission Meeting on Tuesday, February 6, 2024, 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 6th DAY OF FEBRUARY 2024.**

Idilio Sanchez
Vice Chairperson