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City of Fontana

Planning Commission

Minutes

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

Tuesday, July 16, 2024 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, July 16, 2024. Chair Fort called the meeting to order at 6:03 p.m.

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

Absent: None

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation by Chaplain Daniel Vasquez, the Pledge of Allegiance was led by Vice Chair Sanchez.

PUBLIC COMMUNICATIONS:

A. Public Communications:

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None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of July 2nd, 2024.

ACTION: A Motion was made by Vice Chair Sanchez and seconded by Commissio ner Sangha and passed by a vote of 5-0 to approve the Consent Calendar.

The motion carried by the following vote:

Aye: Chair Fort, Vice Chair Sanchez, Secretary Quintana, Commissioners Sangha, and Thrasher.

Absent: None

Abstain: None

PH- A Master Case No. 20-027R1; Conditional Use Permit No. 95-019R4 - A request to modify conditions of approval for an existing Alcoholic Beverage Control (ABC) license to allow the sale of distilled spirits and wine smaller than 375 ml and the sale of beer/malt beverages in single size containers of 40 oz or less for the existing Circle K convenience store located at 16119 Foothill Boulevard, pursuant to CEQA Guidelines Section No. 15301 (Existing Facilities). (Continued from June 18, 2024).

Chair Fort opened the Public Hearing.

Associate Planner, Alexia Barberena, presented the staff report and answered questions of the Commission.

Staff and the commission discussed the amount and types of calls for service that were directly related to Circle K Convenience Store. Additionally, the commission requested information on the number of surrounding locations that can sell single size containers and the date of when the last approval was granted. Staff indicated that they did not have this information at hand.

Staff and the commission discussed the memo that was provided by the Fontana Police Department which did not support the amendments to the conditions of approval.

Another discussion ensued between staff and the commission regarding the procedures for monitoring permits and steps that the city takes to keep local applicants in compliance. Associate Planner, Alexia Barberena, described periodic inspections that are conducted.

Docusign Envelope ID: 64A35232-52B3-4C33-BBF1-E1853D73FDA7

The applicant, Jagjit Singh, on behalf of J & Sandeep Inc., stated that he read and agreed to the Conditions of Approval. The applicant Mr. Singh also provided the commission with documentation summarizing the store's (3) three month's sales and expenses.
The commission and applicant discussed the (6) six calls for service that were directly related to applicant's location and the type of customers that would draw single size sales to his store.

Lastly, the commission and applicant discussed the potential increase in sales he would gain if he was allowed to sell single size containers.

No one spoke in favor or opposition of this item.

No written correspondence was received.

The Public Hearing was closed.

Director of Planning, Patty Nevins, commented on the project's conditions with restrictions and noted that they are consistent with recent past practices. Director Nevins also noted staff recommendation for this project is consistent with the Planning's Commissions determination on a recent project near this location.

Director Nevins provided the commission with insight on how the project's findings are written and commented on Fontana Police concerns regarding the general welfare and public health.

The commission and staff discussed the project and factors reviewed.
Chair Fort stated that the number of calls for service, the types of calls, and other factors were some of the differentiations discussed. She shared concerns regarding customer base and clientele as it relates to this project.

Director Nevins noted that the project is within the proximity to a local pre-school.

City Attorney, Stephen Deitsch recommended that the commission elaborate while making a motion to either approve or disapprove the applicant's request.

The commission requested the revision of the proposed resolution with rewording of the 3rd finding in support of the approval.

RECOMMENDATION:

Based on the information in this staff report, staff recommends that the Planning Commission:

1. **Determine that the project is categorically exempt pursuant, to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 (Categorical Exemption) of the Local 2019 Guidelines for Implementing the CEQA, and**

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direct staff to file a notice of Exemption; and,

2. **Approve Conditional Use Permit No. 95-019R4 subject to the attached findings.**

ACTION: Motion was made by Commissioner Thrasher and seconded by Commissioner Sangha and passed by a vote of 4-1 to approve the requested modifications for Public Hearing Item "A"; amend Resolution No. PC 2024-039 and approve Conditional Use Permit No. 95-019R4.

The motion carried by the following vote:

AYES: Vice Chair Sanchez, Secretary Quintana, Commissioners Sangha, and Thrasher; NOES: Chair Fort; ABSTAIN: None. ABSENT: None

PH-B Master Case No. 21-120-R2; Design Review No. 21-043-R2 - A request to modify previously approved elevations for a 68 unit attached residential condominium project, on an approximately 4.6-acre site located at 6697 Citrus Avenue, pursuant to a previously adopted Mitigated Negative Declaration

Chair Fort opened the Public Hearing.

Alejandro Rico, Associate Planner, presented the staff report and noted the memorandum presented to the commission recommending the removal of condition of approval #30.

The applicant, Rudy Provost, on behalf of D.R. Horton., stated that he read and agreed to the Conditions of Approval; additionally, the applicant confirmed that he requested the removal of condition #30.

No one spoke in favor or opposition of this item.

No written correspondence was received.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information contained in this staff report and attached Exhibits, staff recommends that the Planning Commission adopt Resolution No. PC 2024-040.

1. **Find that the project has been reviewed under a previously adopted Mitigated Negative Declaration ("MND") analyzing all potential impacts of the Project, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.), State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), and Section 8.09 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA and that no further analysis is required, and direct staff to file a Notice of Determination, and**

Docusign Envelope ID: 64A35232-52B3-4C33-BBF1-E1853D73FDA7

2. **Approve Design Review No. 21-043-R2;**

ACTION: Motion was made by Vice Chair Sanchez and seconded by Secretary Quintana and passed by a vote of 5-0 to approve Public Hearing Item "B"; adopt Resolution No. PC 2024-040 and approve Design Review No. 21-043-R2.

The motion carried by the following vote:

AYES: Chair Fort, Vice Chair Sanchez, Secretary Quintana, Commissioners Sangha, and Thrasher; NOES: None; ABSTAIN: None. ABSENT: None

DIRECTOR COMMUNICATIONS:

A. **Director Communications:**

None.

COMMENTS:

A. **Public Communication Commission Comments:**

Commissioner Sangha thanked staff for their staff reports and the public for the opportunity to serve and closed his comments by wishing the public a good night.

Commissioner Thrasher thanked everyone for putting on a good meeting and thanked fellow commissioners for a great discussion during tonight's meeting.

Secretary Quintana echoed fellow commissioner Thrashers comments and thanked the public for the opportunity to serve.

Vice Chair Sanchez thanked everyone for the opportunity to serve the city; thanked planning staff for making his job easier and closed his comments by wishing everyone a happy belated 4th of July.

Chair Fort echoed most of the comments that were previously mentioned by fellow commissioners; commented on tonight's deliberation; thanked everyone for their participation at tonight's meeting and closed her comments by thanking the public for the opportunity to serve.

ADJOURNMENT:

Chair Fort adjourned the meeting at 7:08 p.m. to the next Regular Planning Commission Meeting on Tuesday, August 20th, 2024, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Docusign Envelope ID: 64A35232-52B3-4C33-BBF1-E1853D73FDA7

Susana Gallardo

Susana Gallardo
Specialist to the Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION ON THE 20th DAY OF AUGUST 2024.

Cathline Fort
Chairperson

DocuSign

Certificate Of Completion

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Signer Events	Signature	Timestamp
Susana Gallardo sgallardo@fontana.org Security Level: Email, Account Authentication (None)	Susana Gallardo Signature Adoption: Pre-selected Style Using IP Address: 192.146.186.96	Sent: 8/21/2024 | 08:46 AM Viewed: 8/21/2024 | 10:26 AM Signed: 8/21/2024 | 10:27 AM
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Cathline Fort cathlinefort@verizon.net Security Level: Email, Account Authentication (None)	Signature Adoption: Drawn on Device Using IP Address: 23.19.253.1 Signed using mobile	Sent: 8/21/2024 | 10:27 AM Viewed: 9/7/2024 | 08:30 PM Signed: 9/7/2024 | 08:30 PM
Electronic Record and Signature Disclosure: Accepted: 9/7/2024 | 08:30 PM ID: 91bbd03f-9cad-40bd-be21-aea209963737		

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 mtorres@fontanaca.gov Security Level: Email, Account Authentication (None)	COPIED	Sent: 9/7/2024 | 08:30 PM Resent: 9/7/2024 | 08:30 PM
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) **Electronic Record and Signature Disclosure:** Accepted: 8/12/2024 | 11:49 AM ID: 110b28a7-9576-4058-ac79-3dd5ee7f7b8c	COPIED	Sent: 9/7/2024 | 08:30 PM Viewed: 9/9/2024 | 08:05 AM

Witness Events	Signature	Timestamp

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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	8/21/2024 | 08:46 AM
Certified Delivered	Security Checked	9/7/2024 | 08:30 PM
Signing Complete	Security Checked	9/7/2024 | 08:30 PM
Completed	Security Checked	9/7/2024 | 08:30 PM

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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:	•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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