

**CITY OF FONTANA  
PLANNING COMMISSION  
REGULAR MEETING  
MARCH 28, 2005**

A regular meeting of the City of Fontana Planning Commission was held on Monday, March 28, 2005, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:08 p.m. Following the Pledge of Allegiance, Commissioner Clark gave the invocation.

**ROLL CALL:**

Present: Chairperson Lee, Commissioners Clark, Galasso, Meyer, and Slowik.

Absent: None.

Also Present: Principal Planner Craig L. Bruorton, AICP; Senior Planner Orlando Hernandez; Senior Administrative Analyst Cecilia Henderson; Associate Planners Shannon J. Casey, AICP, Stephanie Hall, and, DiTanyon Johnson; Assistant Planner Jon S. Dille; City Attorney Jeffrey Ballinger; City Clerk Bea Watson; and Commission Secretary Orvene Steenbock.

**MINUTES:**

Motion made by Commissioner Clark, seconded by Commissioner Galasso to: Approve the March 14, 2005, regular Planning Commission meeting as presented. Motion was carried by a vote of 5-0.

**PUBLIC FORUM:**

Raymond Navarro, 15682 Paine Street, spoke regarding homes.

Tony Orlich, Randall Avenue, spoke regarding media control and democracy.

**CONSENT CALENDAR:** None.

**AGENDA INFORMATION:**

The Planning Commission reviewed the update of future City Council Agenda items for the April 5, 2005, April 19, 2005, and, May 3, 2005, regular meetings, and Planning Commission items for the April 11, 2005, and, April 25, 2005, regular meetings.

**PUBLIC HEARINGS**

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 04-023**: Filed by Barbara Saito to request a Conditional Use permit for the construction of an unmanned wireless telecommunications facility, incorporating a new 60'-0" slim-line tower. Located a 9683 Alder Avenue, on the northeast corner of Alder Avenue and San Bernardino Avenue.

Staff presentation by Jon S. Dille, and Craig Bruorton, AICP.

No written communication was received.

Speaking for the applicant was Barbara Saito, Nextel, 310 Commerce, Irvine.

No one spoke in favor.

Speaking in opposition were Cindi Chiatovich, 9618 Evergreen Lane; and, Larry Woodford, 17633 Hibiscus Court.

The public hearing was closed.

By consensus, the Planning Commission deleted the following Engineering Development Fees from the Conditions of Approval:

<b>ENGINEERING DEVELOPMENT FEES</b>	
*Master Storm Drain Fee (I-10 North Benefit Area)	<del>\$1,886.52 (Net 0.12 AC x \$15,721.00)</del>
** Flood Control Fee	<del>\$1,189.35 (Gross 0.27 AC x \$4,405)</del>
City Sewer Fee	\$770 per EDU +\$25.00
Inland Empire Utility Agency	\$3,905.00 per EDU
<b>TOTAL:</b>	

\*THIS ESTIMATED IS BASED ON 0.12 ACRES

\*\*THIS ESTIMATED IS BASED ON 0.27 ACRES

Motion made by Commissioner Galasso, seconded by Commissioner Meyer, to: Determine that the project is categorically exempt pursuant to Section 3.16, Class 1, of the Local Guidelines for implementing CEQA; direct staff to file the Notice of Exemption; and, approve **CONDITIONAL USE PERMIT NO. 04-023**, subject to the attached Findings and Conditions of Approval, as modified. Motion carried by a vote of 4-0-1, with Commissioner Clark voting against.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17167/ANNEXATION NO. 04-011**: Filed by Manny Gonzales to request a Tentative Tract Map to subdivide approximately four gross acres into 16 single-family residential lots. Located south of Fairview Drive between Williams Road and Dumond Drive.

Staff presentation by DiTanyon Johnson, and, Cecilia Henderson.

No written communication was received.

Speaking for the applicant was Manuel Gonzales, TGA Development Engineering, Inc., 13800 Heacock Street, Suite 290, Moreno Valley.

No one spoke in favor.

Speaking in opposition were Gabriel Baltezar, 7848 Dumond Dr.; Wallace E. Reck, 7849 Williams Road; Daniel Lopez, 18242 Barbee Street; and, August Soldanu, 7925 Williams.

The public hearing was closed.

By consensus, the Planning Commission made the following be modification to Conditions No. 39:

- 39. Dedicate public street and utility easements in accordance with the Circulation Element of the adopted General Plan/~~Rancho Fontana Specific Plan~~, as shown on the tentative map, and . . .

Motion made by Commissioner Slowik, seconded by Commissioner Clark, to: Adopt the Negative Declaration and Fish and Game De Minimis Impact Finding and direct staff to file the Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 17167**, subject to the attached Findings and Conditions of Approval, as modified. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 04-039**: Filed by Douglas Franz Architects to request a design review to construct a new 34,974 square foot industrial building on 1.6 acres in the Fontana Gateway Specific Plan. Located on the northwest corner of Santa Ana Avenue and Mulberry Avenue.

Staff presentation by Shannon J. Casey, AICP.

No written communication was received.

Speaking for the applicant was Jackson Smith, Newcastle Partners, 1300 Quail Street, #106, Newport Beach.

No one spoke in favor or opposition.

The public hearing was closed.

By consensus, the Planning Commission made the following modification to the staff report:

**PROJECT DESCRIPTION:**

- A. Net Site Area: **1.6** ~~12.8~~ Acres

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding and direct staff to file the Notice of Determination; and, approve **DESIGN REVIEW NO. 04-039**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 04-025/ADMINISTRATIVE SITE PLAN REVIEW NO. 04-026:** Filed by Food Service Concepts to request review and approval of an Administrative Site Plan Review for a 2,164 square-foot fast-food restaurant (Del Taco) with drive-through service and a Conditional Use Permit for a restaurant in the M-2T district of the Southwest Industrial Park. Located at 10020 Cherry Avenue.

Staff presentation by Shannon J. Casey, AICP.

No written communication was received.

Speaking for the applicant were Roy McKinney, Food Services Concepts - Ken Butts Architect - B & L Diners, 1101-A West Melinda Lane, Phoenix, AZ; and, Mark Sandoval, Mark Development, 111 N. 5<sup>th</sup>, Redlands.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding and direct staff to file the Notice of Determination; and, approve **ADMINISTRATIVE SITE PLAN REVIEW NO. 04-026 AND CONDITIONAL USE PERMIT NO. 04-025,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 04-038R1:** Filed by Empire Land LLC to request a revision of Condition No. 4.v. of the October 11, 2004, Conditions of Approval. Located on the southeast corner of Sierra Avenue and Santa Ana Avenue (the final phase of Tract No. 16495).  
and,

The public hearing was opened regarding **DESIGN REVIEW NO. 04-012R1:** Filed by Forecast Homes to request a revision to Condition No. 4.v. of the June 28, 2004, Conditions of Approval. Located approximately 600 feet east of Sierra Avenue and bounded to the north and south by Santa Ana Avenue and Jurupa Avenue (tract No. 16495-1 and 16495-2).

Staff presentation by Stephanie Hall.

No written communication was received.

Speaking for the applicant were Steve Chaparro, Forecast Homes, 4240 E. Jurupa Street, Suite 402, Ontario; Dave Bulloch, Empire Communities, 87 Passage, Irvine; and, James Mullins, Empire Land, LLC, 3536 Concoors Street, Suite 300, Ontario. Speaking in favor and opposition was Tony Orlich, Randall Avenue.

The public hearing was closed.

By consensus, the Planning Commission modified the condition to both Design Review Nos. 04-038R1 and 04-012R1, as follows:

**“Where feasible, the remaining (to be built) non-electrical utility boxes shall be placed underground. All current utility boxes remaining above ground shall be camouflaged to the satisfaction of the Planning Manager.”**

By consensus, the Planning Commission requested that Planning Staff research to find out how many other design reviews have been approved, that may fall into the category of not having utilities undergrounded.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Direct staff to file the Notice of Determination; and, approve **DESIGN REVIEW NO. 04-038R1**, subject to the attached Findings and Revised Conditions of Approval; and, Direct staff to file the Notice of Determination; and, approve **DESIGN REVIEW NO. 04-012R1**, subject to the attached Findings and Revised Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 03-022R1**: Filed by Bruce Baerer to request a design review to construct a new 315,560 square foot warehouse with 5,660 square foot of office space within the Empire Center Specific Plan. Located approximately 1,769 feet east of Sierra Avenue along the north side of Slover Avenue. Empire Center Specific Plan (17300 Slover Avenue/APN 0254-221-58).

Staff presentation by Orlando Hernandez.

No written communication was received.

Speaking for the applicant was Patrick Russell, Sares-Regis Group, 18802 Barbeen Avenue, Irvine.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Meyer, to: Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding, and direct staff to file the Notice of Determination; and, approve **DESIGN REVIEW NO. 03-022R1**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

**DESIGN REVIEW NO. 04-025 (CONTINUED FROM 3-14-05)**: Filed by Doug Jacobs to request a design review to construct a new 84,031 square foot mini-warehouse, and a 6,890 square foot retail building on approximately 4.8 acres. Located at 11110 Sierra Avenue. **Staff requested** that the Planning Commission continue the public hearing for Design Review No. 04-025 to the April 25, 2005, Planning Commission meeting.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: Continue the public hearing for **DESIGN REVIEW NO. 04-025**, to the April 25, 2005, Planning Commission meeting. Motion carried by a vote of 5-0.

**OTHER COMMISSION BUSINESS:**

**APPOINTMENT TO THE CITY COUNCIL'S AD-HOC COMMITTEE FOR PLANNING STREAMLINING:**

Motion made by Commissioner Slowik, seconded by Commissioner Lee, to: Appoint Commissioners Galasso, and Meyer to an Ad-Hoc Committee for Planning Streamlining. Motion carried by a vote of 5-0.

**STAFF REPORT:** None.

**PLANNING MANAGER REPORT:**

**PLANNING DIVISION MONTHLY REPORT FOR FEBRUARY 2005:**

Staff presentation by Craig Bruorton, AICP

**COMMISSION REMARKS:**

Commissioner Galasso reported that the Chamber of Commerce will be hosting a luncheon in honor of Supervisor Josie Gonzales at Sierra Lakes on April 21, 2005, at 11:30 a.m., with a cost of \$30.00 per person.

Commissioner Slowik congratulated Pastor Emery James on his recent recognition for his 20 years of Pastoral Leadership to the Fontana Community. He recognized Supervisor Biane for his recent hosting of the State of the County Address, and stated that there are many things going on in the county that directly affect the City of Fontana. He congratulated Council Member Janice Rutherford for her recent recognition as Chaffey College Alumni of the Year. He invited the residents to attend the Celebrity Waiter Variety Show at the Sons of Italy, on Wednesday, April 20, 2005, from 12:00 p.m. to 1:30 p.m., with the proceeds to go to the Boys and Girls Club. He reminded the residents of the Mayor's Gala coming up on Saturday, April 2, 2005 at Jack Bulik Park.

Commissioner Meyer wished everyone a Happy Easter week. He reminded the residents that the quarterly community meetings are coming up, and that the Hunter's Ridge Community Meeting will be April 11, 2005. He reminded everyone that this coming Sunday, Daylight Savings Time begins, and he wished everyone well.

Commissioner Lee informed the residents that the Mayor's Gala will begin at 5:00 p.m. on April 2, 2005, with the State of the City Address at 8:00 p.m. She thanked Suzanne Nuaimi for her hard work creating and organizing the Mayor's Gala and the State of the City Address.

**PUBLIC FORUM CONTINUED:** None.

**ADJOURNMENT:**

By consensus, the Planning Commission meeting was adjourned at 9:44 p.m. to the next regular Planning Commission meeting on April 11, 2005, at 6:00 p.m., in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.

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Orvene Steenbock  
Planning Commission Recording Secretary

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Carole Lee  
Chairperson