

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
APRIL 11, 2005**

A regular meeting of the City of Fontana Planning Commission was held on Monday, April 11, 2005, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:06 p.m. Following the Pledge of Allegiance, Commissioner Slowik 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 Charles D. Fahie, AICP; Associate Planners Shannon J. Casey, AICP; and, Stephanie Hall; Assistant Planners Jon S. Dille and, Amber Gregg; City Attorney Salvador Salazar; City Clerk Bea Watson; and Commission Secretary Orvene Steenbock.

MINUTES:

Motion made by Commissioner Galasso, seconded by Commissioner Slowik to: Approve the March 28, 2005, regular Planning Commission meeting as corrected. Motion was carried by a vote of 5-0.

PUBLIC FORUM:

Tony Orlich, Randall Avenue, spoke regarding Granny D and Don Haddock.

CONSENT CALENDAR: None.

AGENDA INFORMATION:

The Planning Commission reviewed the update of future City Council Agenda items for the April 19, 2005, and, May 3, 2005, regular meetings; and Planning Commission items for the April 25, 2005, and, May 9, 2005, regular meetings.

PUBLIC HEARINGS

The public hearing was opened regarding **DESIGN REVIEW NO. 03-033 (CONTINUED FROM 3-14-05):** Filed by Michael Doriz to request a design

review to construct two buildings, of approximately 9,600 and 10,500 square feet, respectively, for the purpose of automotive repair. The project site is approximately 2.3 gross acres. Located on the northeast corner of Cherry Avenue and Aliso Drive within the Southwest Industrial Park Specific Plan.

Staff presentation by Stephanie Hall.

No written communication was received.

Speaking for the applicant was Michael Doriz, P. O. Box 1111, Fontana.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Continue **DESIGN REVIEW NO. 03-033**, to the May 9, 2005, Planning Commission meeting. Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 16494**: Filed by Oasis Homes, Inc., to request a tentative tract map to subdivide an approximately 5.0 acre parcel into 20 single-family residential lots. Located on the east side of Cypress Avenue, approximately 675 feet south of Baseline Avenue.

Staff presentation by Stephanie Hall.

No written communication was received.

Speaking for the applicant was Fabricio Badiola, Oasis Homes, 9267 Haven Avenue, Suite 240, Rancho Cucamonga.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: Adopt the Negative Declaration and direct staff to file a Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 16494**, 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. 05-001**: Filed by Paisano Ristaurante Italiano, LLC to request a Conditional Use Permit for a new Alcohol Beverage Control (ABC) License, Type 47 (On Sale General for Bona Fide Public Eating Place) at the proposed Paisano Ristaurante in the Regency Center. Located on the north side of the Summit Avenue and Beech Avenue, Suite 400 in Shop "G".

Staff presentation by Charles D. Fahie, AICP.

No written communication was received.

Speaking for the applicant was Anthony Russo, 6338 Show Horse Way, Rancho Cucamonga.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Determine that the project is categorically exempt pursuant to Section 3.16, Class 1 of the Local Guidelines for Implementing the California Environmental Quality Act (2003), and direct staff to file a Notice of Exemption; and, approve **CONDITIONAL USE PERMIT NO. 05-001**, 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. 04-057/VARIANCE NO. 05-003**: Filed by Bryan T. Goodman to request a design review to construct a private recreation area that includes a 14,500 square-foot recreation center and a 700 square-foot pool equipment and restroom building on approximately 3.5 gross acres, and, Variance No. 05-003 is a request to reduce the amount of code-required parking from 132 spaces to 101 spaces in the Citrus Heights North Specific Plan. Located in Planning Area No. 21, in the Citrus Heights North Specific Plan, approximately 530 feet north of Summit Avenue and 600 feet east of Knox Avenue.

Staff presentation by Shannon J. Casey, AICP.

No written communication was received.

Speaking for the applicant was Bryan Goodman, SC Fontana Development Corporation, 1156 N. Mountain Avenue, Upland.

No one spoke in favor.

Speaking in opposition were Tony Orlich, Randall Avenue.

The public hearing was closed.

By consensus, the Planning Commission made the following modifications to the Conditions of Approval:

4. This project will comply with all applicable provisions, regulations and development standards in the City of Fontana Municipal Code and the ~~Fontana Gateway Specific Plan~~ **Citrus Heights North Specific Plan**.
- ~~30. Provide a Traffic Study Report as required by the latest revision of the City's Traffic Study and Report Policy. All mitigations/recommendations resulting from any final approved report shall be included in the improvement design submittals.~~

Motion made by Commissioner Slowik, seconded by Commissioner Meyer, to: Separate the Design Review and the Variance for separate votes. Motion carried by a vote of 5-0.

Motion made by Commissioner Galasso, seconded by Commissioner Clark, 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. 04-057**, subject to the attached Findings and Conditions of

Approval, as modified above. Motion carried by a vote of 4-1, with Commissioner Slowik voting against.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Approve **VARIANCE NO. 05-003**, subject to the attached Findings and Conditions of Approval, as modified above. Motion carried by a vote of 4-1, with Commissioner Slowik voting against.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 16869**: Filed by SC Fontana Development Corp., to request a review and approval of Tentative Tract Map No. 16869 to subdivide approximately 15.9 gross acres into 73 single-family residential lots. Located at the northeast corner of the intersection of the proposed Parkside Way and Summit Avenue, and having approximately 790 feet of frontage along Summit Avenue, in Planning Area No. 7 of the Citrus Heights North Specific Plan.

Staff presentation by Shannon J. Casey, AICP.

No written communication was received.

Speaking for the applicant was Bryan Goodman, SC Fontana Development Corporation, 1156 N. Mountain Avenue, Upland.

No one spoke in favor.

Speaking in opposition were Tony Orlich, Randall Avenue.

The public hearing was closed.

By consensus, the Planning Commission made the following modification to the Conditions of Approval:

- ~~11. Provide a Traffic Study Report as required by the latest revision of the City's Traffic Study and Report Policy. All mitigations/recommendations resulting from any final approved report shall be included in the improvement design submittals.~~

Motion made by Commissioner Slowik, seconded by Commissioner Galasso, to: Direct staff to file the Notice of Determination of a previously approved CEQA document; and, approve **TENTATIVE TRACT MAP NO. 16869**, subject to the attached Findings and Conditions of Approval, as modified above. Motion carried by a vote of 5-0.

Commissioner Galasso removed himself due to possible conflict of interest.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17059**: Filed by Young Homes to request a tentative tract map to subdivide a parcel of land, approximately 4.7 net acres into 20 single-family residential lots. The project site is a rectangularly-shaped property consisting of one parcel (APN 0228-353-03) of approximately 4.7 net acres and is located approximately 650 feet east of the southeast corner of the intersection of Miller Avenue and

Hemlock Avenue and having a frontage of approximately 330 feet on the south side of Miller Avenue.

Staff presentation by Jon S. Dille.

No written communication was received.

Speaking for the applicant was Michael Bass, Young Homes, 10407 Trademark, Rancho Cucamonga.

No one spoke in favor or opposition.

The public hearing was closed.

By consensus, the Planning Commission made the following modifications to the Conditions of Approval:

23. Curb return and entry monument areas shall be kept clear of ~~above~~ ground utility facilities. ~~Above~~ ground utility facilities shall be located as approved by the City Engineer.

~~56. Owner/Developer shall submit to the City a copy of the Notice of Completion approved by the State Water Resource Control Board for the project's cancellation of its General Construction Activity Storm Water Permit.~~

~~57. The applicant shall fully construct landscape improvement on site and offsite per approved plans, the city Standards and Specifications, and shall obtain the City Inspector's final inspection sign off after verification of safe sight distance standards are met. Landscape improvements shall also include completion of landscape elements within and abutting lettered lots dedicated for open spaces as well as landscape easements.~~

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: Adopt the Negative Declaration and Fish and Game De Minimis Impact Finding and direct staff to file a Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 17059**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

The public hearings was opened regarding **DESIGN REVIEW NO. 04-053 AND CONDITIONAL USE PERMIT NO. 04-027**: Filed by Young Homes, LLC to request construction of 18 single-family homes within Tract Map No. 16346. Conditional Use Permit No. 04-027 is a request for three model homes, located in Tract Map No. 16346. Located on the southwest corner of Almeria Avenue and Baseline Avenue, on approximately 3.9 gross acres and,

DESIGN REVIEW NO. 04-054: Filed by Young Homes, LLC to request construction of 46 single-family homes within Tract Map No. 16992. Located on

the north side of Miller Avenue and is bounded by Beech Avenue and Elm Avenue, on approximately 9.9 gross acres, and,

DESIGN REVIEW NO. 04-055: Filed by Young Homes, LLC to request a design review to construct 24 single-family homes within Tract Map No. 16991. Located at the southwest corner of Beech Avenue and Rancho Fontana Village Parkway, on approximately 4.8 gross acres within the Rancho Fontana Specific Plan, and,

DESIGN REVIEW NO. 04-058: Filed by Young Homes, LLC to request a design review to construct 16 single-family homes within Tract Map No. 16993. Located on the south side of Miller Avenue and is bounded by Beech Avenue and Sultana Avenue, on approximately 4.9 gross acres.

Staff presentation by Amber Gregg.

No written communication was received.

Speaking for the applicant was Arthur Levine, Young Homes, 10370 Trademark Street, Rancho Cucamonga.

Speaking in favor was LaJuana Alcott, 15610 Jackson Drive.

Speaking in opposition was Tony Orlich, Randall Avenue.

The public hearing was closed.

By consensus, the Planning Commission noted that the Park Fees were to be \$3,000.00 per dwelling unit, due to the fact that these were in-fill projects.

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. 04-053,** subject to the attached Findings and Conditions of Approval, with above modification. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Approve **CONDITIONAL USE PERMIT NO. 04-027,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

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. 04-054,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Motion made by Commissioner Meyer, seconded by Commissioner Lee, 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. 04-055**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Motion made by Commissioner Slowik, seconded by Commissioner Clark, to: Adopt the Mitigated 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. 04-058**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Commissioner Galasso returned.

OTHER COMMISSION BUSINESS: None

STAFF REPORT: None.

PLANNING MANAGER REPORT:

STATUS REPORT ON CONDITIONAL USE PERMITS FOR THE SALE OF ALCOHOL FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER, 2004.

Staff presentation by Craig Bruorton, AICP.

REQUEST FOR WORKSHOPS ON HOUSING LAW ISSUES (MAY 9, 2005) AND ANNEXATION PROCESSING (TO BE DETERMINED).

Staff presentation by Craig Bruorton, AICP.

By consensus, the Planning Commission requested that the workshop on Housing Law Issues be held on May 9, 2005, at 5:00 p.m. and if possible to also cover the Annexation Processing on that evening, and if not, to have the workshop on Annexation on May 23, 2005.

COMMISSION REMARKS:

Commissioner Meyer welcomed the temporary City Attorney to this evening's meeting.

Commissioner Clark encouraged new residents to get involved in the area around their homes and find out what the zoning is for future build out. He wished everyone a good night.

Commissioner Slowik thanked the Kaiser Permanente representative who gave the recent presentation at Rotary Club on the reconstruction of some Kaiser facilities in Fontana. He stated that this is Rotary's Centennial year, representing 100 years of service. He invited everyone to attend the Boys and Girls Club Celebrity luncheon on Wednesday, April 20, 2005, at noon at the Sons of Italy. He reminded everyone of the Special Olympics to be held at Fontana High School on April 16, 2005, starting at 9:00 a.m.

Commissioner Galasso stated that the Chamber of Commerce will be hosting a luncheon in honor of Josie Gonzales at Sierra Lakes on Thursday, April 21, 2005, at 11:30 a.m. He informed everyone of the grand opening of the Stater Brothers at the Falcon Ridge shopping center on Wednesday, April 20, 2005.

Commissioner Lee thanked staff and volunteers for the wonderful Mayor's Gala.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 8:34 p.m. to the next regular Planning Commission meeting on April 25, 2005, at 6:00 p.m., in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.

Orvene Steenbock
Planning Commission Recording Secretary

Carole Lee
Chairperson