

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
MAY 9, 2005**

The Planning Commission and staff met for a Workshop at 5:00 p.m. on Monday, May 9, 2005, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, California, prior to the regular Planning Commission meeting to discuss Housing Law Issues, a presentation by Jeffrey Ballinger and Marco Martinez of Best, Best and Krieger. The workshop was called to order at 5:06 p.m. Present were Chairperson Lee, Commissioners Clark, Galasso, Meyer, and Slowik (arrived at 5:16p.m.).

A regular meeting of the City of Fontana Planning Commission was held on Monday, May 9, 2005, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:14 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: Planning Manager Don Williams, AICP; Senior Planner Charles Fahie, AICP; Associate Planners Shannon Casey, AICP, and Stephanie Hall; Assistant Planners Jon S. Dille, Paul Gonzales, and Dinah Quinones; and Planning Intern Kristina Cline; Resource Budget Officer James Riley; Account Clerk II Steve McGuffey; Senior Administrative Analyst Cecilia Henderson; City Attorney Jeffrey Ballinger; City Clerk Bea Watson; and Commission Secretary Orvene Steenbock.

MINUTES:

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Approve the April 25, 2005, regular Planning Commission meeting as corrected. Motion was carried by a vote of 5-0.

PUBLIC FORUM:

Tony Orlich, Randall Avenue, spoke regarding media.

CONSENT CALENDAR:

CONDITIONAL USE PERMIT NO. 01-024R1: Filed by Alfredo's Italian Restaurant to request a Conditional Use Permit for a person-to-person transfer of a Type 47 (On-Sale General – Bona Fide Public Eating Place) ABC license with a previously approved conditional use permit for Alfredo's Italian Restaurant, 14050 Cherry Avenue, Suite O, Fontana, CA 92335.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: approve the above Consent Calendar item as presented. Motion carried by a vote of 5-0.

CONDITIONAL USE PERMIT NO. 03-001R1: A person-to-person transfer of a Type 41 Alcohol Beverage control (ABC) license with a previously approved conditional use permit for El Capirano, located at 17490 Arrow Boulevard.

Staff presentation by Paul Gonzales.
Speaking for the applicant was Manuel Vargas, 17490 Arrow Boulevard.

By consensus the Planning Commission added the following condition to the Conditions of Approval:

The existing drive thru window shall not be used for sales, and that if allowed by Building Code, the window opening shall be structurally closed within six (6) months of this approval.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: approve the above Consent Calendar item with the addition of the above listed condition. Motion carried by a vote of 5-0.

AGENDA INFORMATION:

The Planning Commission reviewed the update of future City Council Agenda items for the May 17, 2005, and, June 7, 2005, regular meetings; and Planning Commission items for the May 23, 2005, and, June 13, 2005, regular meetings.

PUBLIC HEARINGS

DESIGN REVIEW NO. 03-033 (CONTINUED FROM 4-11-05): Filed by Michael Dorriz to request a Design Review for site and architectural approval of two buildings of approximately 9,000 and 10,500 square feet for the purpose of automotive repair. Located on the northeast corner of Cherry Avenue and Aliso Drive within the Southwest Industrial Park Specific Plan. **Staff requests** that the Planning Commission remove Design Review No. 03-033 from the Planning Commission agenda, at the request of applicant.

Motion made by Commissioner Galasso, seconded by Commissioner Clark, to: Remove **DESIGN REVIEW NO. 03-033** from the Planning Commission agenda. Motion carried by a vote of 5-0.

TENTATIVE TRACT MAP NO. 16897: Filed by Collins Allan to request a tentative tract map to subdivide approximately 4.5 gross acres into 29 single-family residential lots. Located on the southwest corner of Miller Avenue and Lime Avenue. **Staff requests** that the Planning Commission continue the public hearing for Tentative Tract Map No. 16897 to the May 23, 2005, Planning Commission meeting, to allow the applicant additional time to make changes to the tentative tract map.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: Continue the public hearing for **TENTATIVE TRACT MAP NO. 16897,** to the May 23, 2005, Planning Commission meeting. Motion carried by a vote of 5-0.

The public hearing was opened regarding **2005/2006-2011/2012 CAPITAL IMPROVEMENTS PROGRAM (CIP):** Filed by the City of Fontana to request a presentation on the preliminary 2005/2006-2011/2012 Capital Improvement Program (CIP). Located citywide.

Staff presentation by James R. Riley and Steve McGuffey.
No written communication was received.
No one spoke in favor.
Speaking in opposition was Tony Orlich, Randall Avenue.
The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Determine that the 2005/2006-2011/2012 CIP is consistent with the General Plan, recommend that the City Council adopt a Negative Declaration and California Fish and Game De Minimis Impact Finding, and direct staff to file the Notice of Determination. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 04-011:** Filed by Mr. Darryl L. Hann to request a design review to construct two new industrial tilt-up buildings: 20,770 square feet and 13,494 square feet. The buildings will offer space for office, manufacturing and warehousing. The project site is an irregularly-shaped property consisting of two parcels (APNs: 1100-391-06 and 1100-291-07) of approximately 1.8 gross acres located approximately 214 feet west of the southwest corner of the intersection of Edison Avenue and Cherry Avenue and having a frontage of approximately 266 feet on the southwest side of the knuckle of Edison Avenue.

Staff presentation by Jon S. Dille.

No written communication was received.

Speaking for the applicant was Darryl L. Hann, D. L. Hann Construction, 16931 Edgewater, Huntington Beach.

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 California Fish and Game De Minimis Impact Finding and direct staff to file the Notice of Determination; and, approve **DESIGN REVIEW NO. 04-011**, subject to the attached Findings and Conditions of Approval, with change in numbering and clean up of conditions. Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17050**: Filed by Mr. Carl Kobbins, Jr., to request a subdivision of land, approximately 1.2 net acres, into six lots for the purpose of single-family residential development. The project site is a rectangularly-shaped property consisting of one parcel (APN 0193-081-27) of approximately 1.2 net acres, at 9115 Date Street, located on the southeast corner of the intersection of Athol Street and Date Street, having frontage of approximately 300 feet on the south side of Athol Street and having a frontage of approximately 167 feet on the east side of Date Street.

Staff presentation by Jon S. Dille.

No written communication was received.

Speaking for the applicant was Carl Kobbins, 8888 Benson, Montclair.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding and direct staff to file a Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 17050**, subject to the attached Findings and Conditions of Approval. 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. 17142 AND ANNEXATION NO. 04-001**: Filed by Zack Hovav to request a subdivision of an approximately 4.6 gross acre parcel into 18 single-family residential lots and a request to annex into the City of Fontana. Upon annexation the zoning designation will become R-1 Single-Family Residential. The project site (TTM No. 17142 and Annexation No. 04-001) is an irregularly shaped property consisting of 18 parcels totaling approximately 9.8 gross acres located on the west side of Laurel Avenue and having a frontage of approximately 520 feet north of Merrill Avenue and a frontage of

approximately 330 feet south of Merrill Avenue, and having a depth of 640 feet west of Laurel Avenue.

The annexation site is an irregularly-shaped property consisting of 16 parcels (APNs 246-151-51, 27, 28, 33, 51, 52, 74 through 77, 249-011-08, 09, 39, 40, 67, 69, and 70) totaling approximately 6.7 gross acres located on the west side of Laurel Avenue and having a frontage of approximately 520 feet north of Merrill Avenue and a frontage of approximately 330 feet south of Merrill Avenue, and having a depth of 325 feet west of Laurel Avenue.

The tentative tract map site is an irregularly-shaped property consisting of five parcels (APNs 246-151-50 through 52, 71 and 77) totaling approximately 4.6 gross acres, located at the northwest corner of Merrill Avenue and Laurel Avenue having an approximate frontages of 640 feet north of Merrill Avenue (but excluding four residentially developed parcels fronting on Merrill Avenue), and having an approximate depth of 522 feet north of Merrill Avenue.

Three parcels of approximately 3.8 gross acres (APNs 246-151-51, 52 and 77) overlap and are included in both the annexation area and the tentative tract map area and all are included in the project area.

Staff presentation by Stephanie Hall and Cecilia Henderson.

No written communication was received.

Speaking for the applicant was Manuel Gonzales, P.E., TGA, 1181 California Avenue, Suite 101B, Corona; and, Zack Hovav, 1633 Glenwood Avenue, Upland.

Speaking in favor were Ken Galasso; and, Bea Watson.

Speaking in opposition was Manuel Jimenez, 17836 Merrill Avenue.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Meyer, to: Adopt the Negative Declaration and Fish and Game De Minimis Impact Findings, and direct staff to file a Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 17142**, 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.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 16874**: Filed by SC Fontana Development Corp., to request a review and approval of Tentative Tract Map No. 16874 to subdivide approximately 6.2 gross acres into 36 single-family residential lots. Located on an irregularly shaped area of land on two parcels (APN 226-092-63, -43) totaling approximately 6.2 gross acres located approximately 1,100 feet east of Knox

Avenue and having approximately 366 feet of frontage along the north side of the Edison Right-of-way. Tentative Tract Map No.16874 is Planning Area No. 8 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 Corp., 1156 N. Mountain Avenue, Upland

No one spoke in favor or opposition.

The public hearing was closed.

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. 16874**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 16518**: Filed by Pacific Grove Corporation to request a subdivision of an approximately 9.2 gross acre parcel into 33 lots for the use of single-family residential development. The project site is a rectangularly-shaped property consisting of four parcels and having 9.2 gross acres located on the north west corner of Miller Avenue and Maple Avenue, and having 388 feet of frontage on Miller Avenue and 590 feet of frontage on Maple Avenue.

Staff presentation by Paul Gonzales.

No written communication was received.

Speaking for the applicant was Manuel Gonzales, P.E., TGA, 1181 California Avenue, Suite 101B, Corona; and, Bud Elam, Pacific Grove Corporation, 19 Corporate Plaza, Newport Beach.

No one spoke in favor.

Speaking in opposition was Tony Orlich, Randall Avenue.

The public hearing was closed.

By consensus, the Planning Commission added Condition No. 80 to the Conditions of Approval, as follows:

80. Utilities – Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement (s) and on any private property, to the satisfaction of the Community Development Director.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Adopt the Negative Declaration and direct staff to file a Notice of

Determination; and, approve **TENTATIVE TRACT MAP NO. 16518**, subject to the attached Findings and Conditions of Approval, with the addition of Condition No. 80. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 04-047/TIME EXTENSION NO. 05-015**: Filed by Grand Pacific Communities, Corp., to request site and architectural approval for 18 single-family residences and a time Extension for Tentative Tract Map No. 16399. The project site is rectangularly-shaped property consisting of one parcel (APN: 0243-131-45) of approximately four (4) net acres located on the south side of Miller Avenue, approximately 300 feet west of the southwest corner of the intersection of Miller Avenue and Maple Avenue, and having a frontage of approximately 330 feet on Miller Avenue.

Staff presentation by Charles Fahie, AICP.

No written communication was received.

Speaking for the applicant was Richard Chou, Grand Pacific Communities, 100 N. Barranca Avenue, Suite 950, West Covina.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: Find that the project has been reviewed under the previous Negative Declaration for the tentative tract map (TTM No. 16399) pursuant to Section 15162 of the Local CEQA Guidelines; approve **TIME EXTENSION NO. 05-015** for Tentative Tract Map No. 16399; and, approve **DESIGN REVIEW NO. 04-047**, 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. 04-036R1/DESIGN REVIEW NO. 03-024R1**: Filed by David Wiener to request replacing the approved (8) inch running brick, Stone Products Corp., (CB-4052), on the elevations with a 100% acrylic Exterior Insulation Finish System (EIFS) for the approved design review for a 16,745 square foot Social Security office building and three (3) commercial retail buildings with a total square footage of 25,029 square feet on approximately 4.0 acres. The project site is a rectangularly-shaped property consisting of eight (8) parcels (APNs: 0225-131-23 through -30) located on the west side of Sierra Avenue approximately 600 feet south of Slover Avenue having a frontage of Approximately 650 feet on Sierra Avenue.

Staff presentation by Charles Fahie, ACIP.

No written communication was received.

Speaking for the applicant was Doug Andresen, 17087 Orange Way; Brett Henry, Dryvit Systems, 5425 Copper Sand, Las Vegas; and, Michael Wiener.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, 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 (2004) and direct staff to file a Notice of Exemption; and, approve **REVISION NO. 1 TO DESIGN REVIEW NO. 03-024**, subject to that attached Conditions of Approval; and, request **REVISION NO. 1 TO DESIGN REVIEW NO. 04-036**, be continued to the May 23, 2005, Planning Commission meeting to give staff and the Commission time to review samples of the Exterior Insulation Finish System (EIFS). Motion Carried by a vote of 5-0.

OTHER COMMISSION BUSINESS: None

STAFF REPORT: None.

PLANNING MANAGER REPORT:

PLANNING DIVISION MONTHLY REPORT FOR APRIL 2005:

Staff presentation by Don Williams, AICP.

COMMISSION REMARKS:

Commissioner Meyer recognized Commissioners Galasso and Slowik as two of the top bidders of the auction at the Mayor's Gala.

Commissioner Clark wished everyone a good evening.

Commissioner Slowik wished all Mothers a belated Mother's Day. He thanked Terri Schneider for her computer assistance. He congratulated Evan Brooks for recently receiving his Eagle Scout Award. He thanked the Exchange Club and all service clubs in advance for their contributions to the upcoming Fontana Days, and reminded everyone of the Pancake Breakfast on June 4, 2005, presented by the Rotary Club.

Commissioner Lee encouraged anyone interested in being in the Fontana Days Parade to contact Bea Watson as soon as possible.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 9:47 p.m., to a workshop on May 23, 2005, at 5:30 p.m. regarding Annexation, followed by the next regular Planning Commission meeting on May 23, 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