

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

A regular meeting of the City of Fontana Planning Commission was held on Monday, July 11, 2005, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:07 p.m. Following the Pledge of Allegiance, Commissioner Meyer gave the invocation.

ROLL CALL:

Present: Chairperson Lee, Commissioners Clark, Galasso, Meyer, and Slowik (arrived at 6:26 p.m.).

Absent: None.

Also Present: Planning Manager Don Williams, AICP; Senior Planners Charles Fahie, AICP, and Orlando Hernandez; Associate Planners Shannon Casey, AICP, and DiTanyon Johnson; Assistant Planner Amber Gregg; City Attorney Jeffrey Ballinger; City Clerk Bea Watson; and Commission Secretary Orvene Steenbock.

MINUTES:

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Approve the June 27, 2005, regular Planning Commission meeting as presented. Motion was carried by a vote of 3-0-1, with Commissioner Lee abstaining.

PUBLIC FORUM:

Tony Orlich, Randall Avenue, spoke regarding Home Depot.

CONSENT CALENDAR: None.

AGENDA INFORMATION:

The Planning Commission reviewed the update of future City Council Agenda items for the July 19, 2005, regular meetings; and Planning Commission items for July 25, 2005, and, August 8, 2005, regular meetings.

PUBLIC HEARINGS

TENTATIVE TRACT MAP NO. 16790 AND VARIANCE NO. 05-004 (CONTINUED FROM 6-27-05): Staff requests that the Planning Commission continue this item to a date uncertain.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: Continue the public hearing for **TENTATIVE TRACT MAP NO. 16790 AND VARIANCE NO. 05-004** to a Planning Commission date uncertain. Motion carried by a vote of 4-0.

The public hearing was opened regarding **AMENDMENT NO. 1 OF THE SIERRA LAKES SPECIFIC PLAN DEVELOPMENT AGREEMENT (CONTINUED FROM 6-27-05):** Filed by Sierra Lakes Land Co., LLC to request an amendment to the Sierra Lakes Specific Plan Development Agreement. Located on an irregularly-shaped property consisting of seven parcels (APNs: 0226-201-01, -02, -03, -07, -11, -12, and, -13) totaling approximately 16.7 net acres located at the southwest corner of Sierra Lakes Parkway and Citrus Avenue, and having a frontage of 1,200 feet on Sierra Lakes Parkway and a frontage of 410 feet on Citrus Avenue.

Staff presentation by Orlando Hernandez.
No written communication was received.
No one spoke for the applicant.
No one spoke in favor or opposition.
The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to: Forward a recommendation to the City Council to approve **AMENDMENT NO. 1** to the **SIERRA LAKES SPECIFIC PLAN DEVELOPMENT AGREEMENT.** Motion carried by a vote of 4-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 04-017R1:** Filed by Madole and Associates to request a revision to the previously approved Conditions of Approval for Design Review No. 04-017 to revise Condition No. 27, which restricts the hours of operation of the trash compactor. Located on an irregularly-shaped property consisting of one parcel (APN: 1100-121-49) totaling approximately 15.8 acres located on the north side of Foothill Boulevard and the west side of Cherry Avenue (but excluding the existing Chevron service station parcel) and having a frontage of approximately 910 feet on Foothill Boulevard and a frontage of approximately 420 feet on Cherry Avenue.

Staff presentation by Charles Fahie, AICP.
No written communication was received.

Speaking for the applicant was Gordon Davis, 1035 NW Hoyt, Portland, OR; and, Tung-Chen Shung, LSA Associates, Inc., 20 Executive Park, #200, Irvine. No one spoke in favor or opposition. The public hearing was closed.

Commissioner Slowik arrived at 6:26 p.m.

By consensus, the Planning Commission accepted the following change to Condition No. 27:

27. No trucks shall remain idling, and no refrigeration units on trucks shall be left running, behind the loading docks for more than five (5) minutes during nighttime hours (10:00 p.m. to 7:00 a.m.) or more than 15 minutes during daytime hours (7:00 a.m. to 10:00 p.m.). ~~In addition, operation of the trash compactors shall be limited to daytime hours (7:00 a.m. to 10:00 p.m.) only. After the store is operational, the applicant may conduct additional noise studies to determine the impact of the noise generated by the trash compactors on the residents to the west to determine if the hours of operation could be revised.~~

The above restriction for the operation of the trash compactors is deleted contingent upon the applicant relocating both trash compactors to the northwest end of the building and installing a cover over the compactors supported by a screen wall along the west side of the loading area. The Planning Commission also requested that staff work with the applicant to approve the change in the placement of the trash compactors and also the material used for the roof/cover of the trash compactors.

Motion made by Commissioner Slowik, 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 the California Environmental Quality Act (2004) and direct staff to file a Notice of Exemption; and, approve **REVISION NO. 1 TO DESIGN REVIEW NO. 04-017**, to modify Condition No. 27 as listed above. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 05-006/CONDITIONAL USE PERMIT NO. 05-004/CONDITIONAL USE PERMIT NO. 05-005 (ABC)**: Filed by RHL Design Group to request a design review and two (2) conditional use permits to establish a 7-Eleven store (with an off-site beer and wine ABC license (Type 20)), a 1,348 square foot retail building, a gas station with a car wash and a pad for a 3,825 square foot retail building on approximately 2.2 adjusted gross acres (APNs: 0226-131-18 and 0226-131-19). The project site is a triangularly-shaped parcel located in the Summit Heights Specific Plan on the north side of the intersection of Summit Avenue and Beech Avenue south of the Falcon Ridge shopping center. The project site has approximately 420 feet of frontage along Summit Avenue.

Staff presentation by Charles Fahie, AICP.

No written communication was received.

Speaking for the applicant was Robert Fiscus, RHL Design Group, 2401 E. Katella Avenue, #400, Anaheim.

No one spoke in favor or opposition.

The public hearing was closed.

By consensus, the Planning Commission requested the deletion of Condition No. 11, as follows:

11. ~~There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00 p.m., during any day of the week.~~

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: (1) Determine that the project is categorically exempt pursuant to Section 3.16, Class 32 of the Local Guidelines for Implementing the California Environmental Quality Act (2004) and direct staff to file a Notice of Exemption; (2) Approve DESIGN REVIEW NO. 05-006; (3) approve CONDITIONAL USE PERMIT NO. 05-004; and, (4) approve CONDITIONAL USE PERMIT NO. 05-005 for a "Type 20" ABC License. Motion carried by a vote of 5-0.

The public hearing was opened regarding CONDITIONAL USE PERMIT NO. 05-015: Filed by Scott Harvey to request a conditional use permit to operate a 4,150 square foot charter school in the Empire Center Specific Plan. Located in the Palm Court Shopping Center 17216 Slover Avenue, Suite L-102.

Staff presentation by Shannon J. Casey, AICP.

No written communication was received.

Speaking for the applicant was LeAndra McCormick, Options for Youth, Inc., 508 Fernpark, Glendora.

No one spoke in favor.

Speaking in opposition was Tony Orlich, Randall Avenue.

The public hearing was closed.

By consensus, the Planning Commission requested the following modification to Condition No. 8, as follows:

8. The establishment or installation of public pay telephones are ~~only~~ permitted on the exterior of buildings **only with** ~~by~~ approval of the Planning Commission by a Design Review application. ~~an on the exterior of buildings by approval of staff by an Administrative Site Plan application in a commercial zone within the City of Fontana.~~

The Planning Commission also requested a total of 12 bicycle racks be provided at the site, which the applicant verbally agreed to.

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 CEQA Guidelines and direct staff to file the Notice of Exemption; and approve **CONDITIONAL USE PERMIT NO. 05-015**, 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. 17438**: Filed by North Fontana Investment Company, LLC to request a tentative tract map to subdivide approximately 19.3 acres of land into 56 single-family residential lots. The project site is a rectangularly-shaped property consisting of two parcels (APNs: 0239-141-22, and -19), totaling approximately 19.3 gross acres located at the southeast corner of Casa Grande Avenue and Citrus Avenue, and having a frontage of approximately 1,200 feet on Casa Grande Avenue and a frontage of approximately 640 feet on Citrus Avenue.

Staff presentation by Orlando Hernandez.

No written communication was received.

Speaking for the applicant was Bryan Goodman, North Fontana Investment Company, LLC, 1156 N. Mountain Avenue, Upland.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to: (1) Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding and direct staff to file the Notice of Determination; and, (2) approve **TENTATIVE TRACT MAP NO. 17438**, 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. 05-001**: Filed by Lonnie Tabbaa to request a design review to construct and operate a 29,778 square foot truck stop facility located within the Southwest Industrial Park Specific Plan (SWIP). The project site is a rectangularly-shaped property consisting of one parcel (APN: 0234-061-31) totaling approximately 4.1 net acres located at the northwest corner of Valley Boulevard and Almond Avenue, and having a frontage of approximately 310 feet on Valley Boulevard and a frontage of approximately 580 feet on Almond Avenue.

Staff presentation by Orlando Hernandez.

No written communication was received.

Speaking for the applicant was Doug Andresen, Architect, 17087 Orange Way; and, Lonnie Tabbaa, Fontana Truck Stop, 1440 Darlene Drive.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Galasso, seconded by Commissioner Clark, to: (1) Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding prepared for the project, and direct staff to file the Notice of Determination; and, (2) approve **DESIGN REVIEW 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. 05-007**: Filed by Centex Homes to request a Design Review to construct 113 single-family homes including five model homes. The project site is a square shaped property consisting of one parcel (APN: 0239-141-28) of approximately 40 gross acres located approximately 2,000 feet west of the intersection of Summit Avenue and Sierra Avenue, having a frontage of approximately 1,200 feet on the north side of Summit Avenue and having a depth of approximately 1,200 feet.

Staff presentation by DiTanyon Johnson.

No written communication was received.

Speaking for the applicant was James Bogle, Centex Homes, 1265 Corona Point Court, Corona.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Galasso, seconded by Commissioner Clark, to: (1) Find that the project has been reviewed under the previous Mitigated Negative Declaration for Tentative Tract Map No. 16695 pursuant to Section 15162 of the Local CEQA Guidelines; (2) approve **DESIGN REVIEW NO. 05-007**, subject to the attached Findings and Conditions of Approval; and, (3) direct staff to file a Notice of Determination. Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17548/DESIGN REVIEW NO. 04-043**: Filed by Nardi Associates LLP to request a tentative tract map to subdivide approximately 2.2 gross acres for land ownership of 24 condominiums and a design review request for the site and architectural review of the 24 condominiums, ranging in size from 1,387 square feet to 1,544 square feet. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0246-031-23) of approximately 2.2 gross acres located approximately 145 feet south of the intersection of Laurel Avenue and Upland Avenue, having a frontage of approximately 155 feet on the east side of Laurel Avenue and having an approximate depth of 535 feet east of Laurel Avenue.

Staff presentation by DiTanyon Johnson.

No written communication was received.

Speaking for the applicant was Norberto F. Nardi, Nardi Associates, LLP, 122 S. Vine, Ontario; and, Scott Poston, Laurel Street Development, LLC, 4241 Mentone Avenue, Culver City.

No one spoke in favor.

Speaking in opposition were Scott Keaveny and Wilhelmina George, 17941 Upland Avenue; and, Nereyda L. Rodriguez, 17933 Upland.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Continue **DESIGN REVIEW NO. 04-043 AND TENTATIVE TRACT MAP NO. 17548**, to the next regular Planning Commission meeting on July 25, 2005.

Motion carried by a vote of 5-0.

The public hearing was opened regarding **ADMINISTRATIVE SITE PLAN NO. 04-019/CONDITIONAL USE PERMIT NO. 04-019**: Filed by Dr. M. Zafer to request an administrative site plan to construct a new 4,503 square foot animal hospital, and a conditional use permit to operate a veterinary hospital in that structure. The project site is a rectangularly-shaped property consisting of one parcel (APN No. 0191-011-10) of approximately 16,020 square feet and is located approximately 365 feet from the southeast corner of the intersection of Foothill Boulevard and Citrus Avenue and having an approximate frontage of 60 feet on the south side of Foothill Boulevard.

Staff presentation by Amber Gregg.

No written communication was received.

Speaking for the applicant was Doug Andresen, Architect, 17087 Orange Way; and, Dr. M. Zafer, Fontana Animal Hospital, 16153 Foothill Boulevard.

No one spoke in favor or opposition.

The public hearing was closed.

By consensus, the Planning Commission requested the following modification to Condition No. 67, as follows:

67. Relocate existing offsite improvements **in the right way adjacent to** the adjoining parcel east of the development and taper AC pavement to match existing offsite improvements.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: (1) Determine that the project is categorically exempt pursuant to Section 3.16, Class 32 of Local CEQA Guidelines and direct staff to file the Notice of Exemption; and, approve **ADMINISTRATIVE SITE PLAN NO. 04-019 AND CONDITIONAL USE PERMIT NO. 04-019**, as modified above. Motion carried by a vote of 4-0.

OTHER COMMISSION BUSINESS:

AMENDMENT TO PLANNING COMMISSION BY-LAWS: Filed by the City of Fontana to request an amendment to Planning Commission Rules and Regulations for the City Planning Commission (“By-Law”) in order to move the regularly scheduled meetings from the second and fourth Mondays of each month to the second and fourth Tuesdays of each month.

STAFF REPORT: None.

PLANNING MANAGER REPORT:

STATUS REPORT ON CONDITIONAL USE PERMITS FOR THE SALE OF ALCOHOL FOR THE MONTHS OF JANUARY, FEBRUARY AND MARCH 2005.

Staff presentation by Don Williams, AICP.

STATUS REPORT ON CONDITIONAL USE PERMITS FOR THE SALE OF ALCOHOL FOR THE MONTHS OF APRIL, MAY, AND JUNE 2005.

Staff presentation by Don Williams, AICP.

COMMISSION REMARKS:

Commissioner Clark thanked all of the people who came out and attended this evening’s meeting, especially the residents who took the time to learn how the Planning Commission works.

Commissioner Slowik thanked everyone who participated in the 4th of July Spectacular at Fontana High School, and especially thanked staff for its hard work.

Commissioner Lee wished everyone a good evening, and encouraged everyone to take the opportunity to help in the development of a great City of Fontana.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 9:05 p.m., to the next regular Planning Commission meeting on July 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