

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
AUGUST 8, 2005**

A regular meeting of the City of Fontana Planning Commission was held on Monday, August 8, 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 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 Orlando Hernandez; Associate Planners Shannon J. Casey, AICP, and DiTanyon Johnson; Assistant Planners Paul Gonzales, and Amber Gregg; City Attorney Jeffrey Ballinger; City Clerk Bea Watson; and Commission Secretary Orvene Steenbock.

MINUTES:

Motion made by Commissioner Clark, seconded by Commissioner Meyer, to: Approve the July 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 meeting rules.

CONSENT CALENDAR: None.

AGENDA INFORMATION:

The Planning Commission reviewed the update of future City Council Agenda items for the August 16, 2005, regular meeting; and Planning Commission items for August 22, 2005, and, September 12, 2005, regular meetings.

PUBLIC HEARINGS

The public hearing was opened regarding **SPECIFIC PLAN NO. 03-010/SUMMIT AT ROSENA SPECIFIC PLAN (CONTINUED FROM 7-25-05):** Filed by JW Mitchell Land Co., LLC to request a proposal to construct a master-planned community of 475 single-family dwelling units on approximately 91.2 acres, 425 multi-family residential units on approximately 37.7 acres, an eight acre multi-use activity center, a 20 acre passive park, and a 12 acre elementary school site. The project site is an irregularly-shaped property consisting of nine parcels (APNs: 0239-121-44, -50, -51, and 0239-141-16, and -20 thru -24) of approximately 180 gross acres, with a frontage of approximately 1,000 feet on Summit Avenue and approximately 3,000 feet on Sierra Avenue, with a depth of approximately 3,500 feet north of Summit Avenue and approximately 2,000 feet west of Sierra Avenue. **Staff requests** that the Planning Commission review and comment on the Summit at Rosena Specific Plan, accept comment and testimony on the project and associated Draft Environmental Impact Report and continue the Specific Plan to October 11, 2005, Planning Commission meeting.

Staff presentation by DiTanyon Johnson.

No written communication was received.

Speaking for the applicant was Lloyd Zola, HDR Representative for JW Mitchell Co., 3600 Lime Street, #715, Riverside.

Speaking in favor was Yvonne Medina, Fontana Unified School District, 9680 Citrus Avenue.

Speaking in opposition was Tony Orlich, Randall Avenue.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to: Accept comment and testimony, and continue the **SPECIFIC PLAN NO. 03-010/SUMMIT AT ROSENA SPECIFIC PLAN,** to the October 11, 2005, regular Planning Commission meeting. Motion carried by a vote of 5-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 04-038/CONDITIONAL USE PERMIT NO. 04-026:** Filed by Fonco Nite Inc. (Knights of Columbus). Conditional Use Permit (CUP) No. 04-038, is a request to use and operate an assembly hall for the Knights of Columbus. An additional CUP request (CUP No. 04-026) was submitted for a new Alcohol Beverage Control (ABC) license, Type 51 (Service Club) subject to Conditions of Approval for the existing commercial building. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0191-221-03) of approximately .8 adjusted gross acres and is located at 16432 Merrill Avenue.

Staff presentation by Paul Gonzales.

No written communication was received.

Speaking for the applicant was Sam Garcia, President of the Knights of Columbus.

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:

Modified of Condition No. 13, as follows:

13. Hours of operation shall be permitted only between 6 p.m. and 10 p.m. Sunday thru Thursday, and 12 p.m. to ~~11 p.m.~~ **12 a.m.** on Friday and Saturday. **No alcohol is to be sold or served after 11 p.m.**

Addition of Condition No. 25, as follows:

25. **Public pay telephones are permitted only with the prior written approval of the City. A public pay telephone is permitted on the exterior of the building/structure subject to an approved Conditional Use Permit (CUP). A public pay telephone is permitted on the interior of a building/structure subject to an approved Administrative Site Plan (ASP). In each case, the location of the public pay telephone shall be specifically identified in the CUP and/or the ASP.**

Motion made by Commissioner Slowik, seconded by Commissioner Meyer, to: (1) Determine that the project is categorically exempt pursuant to Section 3.16, Class 1 of the Local Guidelines for Implementing CEQA and direct staff to file a Notice of Exemption; (2) approve **CONDITIONAL USE PERMIT NO. 04-038**, subject to the attached Findings and Conditions of Approval, with the above listed modifications; and, approve **CONDITIONAL USE PERMIT NO. 04-026**, 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. 05-013/CONDITIONAL USE PERMIT NO. 05-007 (CONTINUED FROM 7-25-05)**: Filed by Lyon, Warren and Associates to relocate a previously approved gas station/drive-thru restaurant (in the Sierra Crossroads Shopping Center) approximately 200 feet west of the originally approved location, Conditional Use Permit No. 05-007 is a request to sell beer and wine (Type 20 license) from the Quickstuff convenience store. Located at the northeast corner of Sierra Avenue and Jurupa Avenue in the Sierra Crossroads Shopping Center. (APN: 0194-381-05).

Staff presentation by Amber Gregg.

No written communication was received.

Speaking for the applicant was Steve Schneider, 9455 Ridgehaven Ct., Suite 200, San Diego.

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:

Modification of Condition No. 12 to read as follows:

12. **Public pay telephones are permitted only with the prior written approval of the City. A public pay telephone is permitted on the exterior of the building/structure subject to an approved Conditional Use Permit (CUP). A public pay telephone is permitted on the interior of a building/structure subject to an approved Administrative Site Plan (ASP). In each case, the location of the public pay telephone shall be specifically identified in the CUP and/or the ASP.**

Deletion of Condition No. 100, as follows:

100. ~~Except for individual single family residences the master developer shall submit to the Fire Department four (4) copies of the water system improvement plans for approval. New water systems shall have minimum eight (8) inch mains, six (6) inch laterals, six (6) inch riser and approved six (6) inch fire hydrant. Standard 903.1 (F10)~~

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: Direct staff to file a Notice of Determination of a previously approved CEQA document; and, approve **DESIGN REVIEW NO. 05-013 AND CONDITIONAL USE PERMIT NO. 05-007.** Motion carried by a vote of 5-0.

The public hearing was opened regarding **VARIANCE NO. 05-007:** Filed by Stater Brothers Markets to request a Variance to exceed the maximum sign area for a wall sign permitted by the Municipal Code. The Code permits 100 square feet, and Stater Brothers is proposing approximately 177 square feet and additional service signs. Located at the northeast corner of Sierra Avenue and Jurupa Avenue in the Sierra Crossroads Shopping Center. (APN: 0194-381-05).

Staff presentation by Amber Gregg.

No written communication was received.

Speaking for the applicant was Mike McCasland, Stater Brothers, 21700 Barton Road, Colton.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: Determine that the project is categorically exempt pursuant to Section 3.16, Class 11 of the Local CEQA Guidelines and direct staff to file a Notice of Exemption; and, approve **VARIANCE NO. 05-007**, subject to the attached Findings. Motion carried by a vote of 4-1, with Commissioner Slowik opposing.

The public hearings were opened regarding **DESIGN REVIEW NO. 05-009/CONDITIONAL USE PERMIT NO. 05-021**: Filed by Silveroak Development Corp. to construct 35 single-family homes on Tentative Tract Map No. 16597. Conditional Use Permit No. 05-021 is a request to utilize an existing model home complex within Tentative Tract No. 16380. The project site is a rectangularly-shaped property consisting of 35 lots totaling approximately 8.3 gross acres located on the northwest corner of Baseline Avenue and Beech Avenue, having an approximate frontage of 660 feet on Baseline Avenue and an approximate frontage of 600 feet on Beech Avenue.

and also,

DESIGN REVIEW NO. 05-011/CONDITIONAL USE PERMIT NO. 05-022: Filed by Silveroak Development Corp., to construct 17 single-family homes on Tentative Tract Map No. 16503. Conditional Use Permit No. 05-022 is a request to utilize an existing model home complex within Tentative Tract No. 16380. The project site is a rectangularly-shaped property consisting of 17 lots totaling approximately 3.9 gross acres located on the northwest corner of Baseline Avenue and Hemlock Avenue, having an approximate frontage of 330 feet on Baseline Avenue and an approximate frontage of 630 feet on Hemlock Avenue.

Staff presentation by Amber Gregg.

No written communication was received.

Speaking for the applicant was Jim Montgomery, Silveroak Development, 19100 Von Karman Avenue, Irvine.

No one spoke in favor or opposition.

The public hearing was closed.

Motions 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 **DESIGN REVIEW NO. 05-009 AND CONDITIONAL USE PERMIT NO. 05-021**, subject to the attached Findings and Conditions of Approval.

and also,

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. 05-011 AND CONDITIONAL USE PERMIT NO. 05-022**, subject to the attached Findings and Conditions of Approval. Motions carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE PARCEL MAP NO. 17309**: Filed by Chaffey community College to request a Tentative Parcel Map to merge 19 lots into one lot and to abandon approximately 480 feet of Olive Street south of Merrill Avenue. The project site is an irregularly-shaped property consisting of 19 parcels (APNs: 0193-131-01, -05, -06, -07, -11, -12, -49, -59, -60, -61, 0193-151-20, -21, -23, -24, -25, -26, -29, -30, and -39) totaling approximately 8.4 gross acres located south of Merrill Avenue, between Juniper Avenue and sierra Avenue and is bisected by Olive Street.

Staff presentation by Don Williams, AICP.

No written communication was received.

Speaking for the applicant was Steve Menzer, Chaffey Community College, 5885 Haven Avenue, Rancho Cucamonga.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: (1) Determine that the project is categorically exempt pursuant to Section 3.16, Class 15 of the Local Guidelines for implementing CEQA and is exempt from further environmental review and direct staff to file a Notice of Exemption; and, (2) approve **TENTATIVE PARCEL MAP NO. 17309**, 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. 16876**: Filed by Bryan Goodman to request review and approval of a Tentative Tract Map to subdivide approximately 39 gross acres into 99 lots for the purpose of single-family residential development. The project site is a rectangularly-shaped property on one parcel (APN 0226-092-36), totaling approximately 39 gross acres located at the northwest corner of Citrus Avenue and Knox Avenue and having approximately 1279 feet of frontage along the west side of Citrus Avenue and approximately 1320 feet along the north side of Knox Avenue. Tentative Tract No. 16876 is Planning Area No. 3 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 or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: (1) Direct staff to file the Notice of Determination of a previously approved CEQA document; and, (2) approve **TENTATIVE TRACT MAP NO. 16876.** Motion carried by a vote of 5-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 05-006:** Filed by Juan Lopez to request a transfer of an existing Alcohol Beverage Control (ABC) license, Type 41 (On-Sale Beer and Wine for a Bona Fide Public Eating Place). The project site is an irregularly-shaped property consisting of one parcel located at 17509 Foothill Boulevard and Tamarind Avenue.

Staff presentation by Paul Gonzales.
 No written communication was received.
 Speaking for the applicant was Richard Ortiz, 596 W. Marshall Boulevard, San Bernardino.
 No one spoke in favor or opposition.
 The public hearing was closed.

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

Modifications to Conditions Nos. 3 and 12, as follows:

3. The property owner shall construct and maintain a City approved trash enclosure and keep the trash bins inside the enclosure, **to the satisfaction of the City, within six (6) months of the approval of the Conditional Use Permit.** ~~Modified trash enclosure in rear of restaurant.~~

12. Hours of operation shall be permitted Monday through Thursday between the hours of 8 a.m. and ~~9~~ **11** p.m., Friday and Saturday between 8 a.m. and ~~9 p.m.~~ **12 a.m.**, and Sunday between the hours of 8 a.m. and ~~9~~ **11** p.m.

Addition of Condition No. 23, as follows:

23. **Public pay telephones are permitted only with the prior written approval of the City. A public pay telephone is permitted on the exterior of the building/structure subject to an approved Conditional Use Permit (CUP). A public pay telephone is permitted on the interior of a building/structure subject to an approved Administrative Site Plan (ASP). In each case, the**

location of the public pay telephone shall be specifically identified in the CUP and/or the ASP.

The Planning Commission also directed that the signage on Foothill Boulevard be repaired within six (6) months of the approval of the Conditional Use Permit.

Motion made by Commissioner Slowik, seconded by Commissioner Clark, to: Determine that the project is categorically exempt pursuant to Section 3.16, Class 1 of the Local Guidelines for Implementing CEQA and direct staff to file a Notice of Exemption; and, approve **CONDITIONAL USE PERMIT NO. 05-006**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

OTHER COMMISSION BUSINESS: None.

STAFF REPORT: None.

PLANNING MANAGER REPORT:

Manager Williams introduced Assistant Planner Sean Flanagan, a new City of Fontana Planner employee.

COMMISSION REMARKS:

Commissioner Galasso stated that the Fontana Chamber of Commerce would be hosting a Golf Tournament on September 1st, which will kick-off the Race Week activities.

Commissioner Meyer stated that a group of youth from Sacred Hearts Catholic Church would be traveling to the Vatican to attend World Youth Day and requested travel prayers.

Commissioner Clark wished everyone a good evening.

Commissioner Slowik stated that the Boys and Girls Club Golf Tournament would be held on August 19, 2005. He thanked San Bernardino County Supervisor Josie Gonzales and Mayor Mark Nuaimi for speaking recently at the Rotary Club meetings.

Commissioner Lee wished everyone a good evening. She thanked staff for its effort in bringing projects to the Planning Commission for approval, which contribute to the growth of the City of Fontana, and the many agencies that benefit our community.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 9:35 p.m., to the next regular Planning Commission meeting on August 22, 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