

**CITY OF FONTANA  
PLANNING COMMISSION  
REGULAR MEETING  
MAY 16, 2006**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, May 16, 2006, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 5:04 p.m. Following the Pledge of Allegiance led by Boy Scouts Josh and AJ, Commissioner Meyer gave the invocation.

**ROLL CALL:**

Present: Chairperson Lee, Commissioners Clark (arrived at 7:36 p.m.), Galasso, Meyer, and Slowik.

Absent: None.

Also Present: Director of Community Development Don Williams, AICP; Senior Planners Charles Fahie, AICP, Orlando Hernandez, and Kevin Ryan; 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 Meyer, seconded by Commissioner Galasso, to: Approve the minutes of the May 2, 2006, regular Planning Commission meeting as presented. Motion was carried by a vote of 3-0-1, with Commissioner Slowik abstaining.

**PUBLIC FORUM:**

Tony Orlich, Randall Avenue, spoke regarding media campaign reform.

**CONSENT CALENDAR:**

**CONDITIONAL USE PERMIT NO. 02-07R1:** The request is for an approval of an ownership change of the previously approved Conditional Use Permit (CUP No. 02-007) which is for a Type 21 ABC License, located at 16012 Foothill Boulevard.

Motion made by Commissioner Slowik, seconded by Commissioner Meyer, to: Accept the Consent Calendar as presented. Motion was carried by a vote of 4-0.

**AGENDA INFORMATION:**

The Planning Commission reviewed the update of future City Council agenda items for the May 23, 2006, May 26, 2006, special meeting, and, June 13, 2006, meetings and Planning Commission items for the June 6, 2006, and June 20, 2006, meetings.

**PUBLIC HEARINGS**

The public hearing was opened regarding **DESIGN REVIEW NO. 06-008:** Filed by New West Homes to request construction of nine single-family homes on Tentative Tract Map No. 16458. The project site is a rectangularly-shaped property consisting of nine lots totaling approximately 2.5 gross acres located on the southeast corner of Miller Avenue and Hemlock Avenue, having an approximate frontage of 290 feet on Miller Avenue and an approximate frontage of 270 feet on Hemlock Avenue.

Staff presentation by Orlando Hernandez.

No written communication was received.

No one spoke for the applicant.

No one spoke in favor.

Speaking in opposition was Wayne Bridges, 7748 Mariners Way.

The public hearing was closed.

By consensus, the Planning Commission added Condition No. 12a, to the Conditions of Approval, as follows:

**12a. The applicant shall verify the integrity of the existing wall located on the east side of the project site.**

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Direct staff to file a Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 06-008,** subject to the attached Findings and Conditions of Approval, as modified. Motion carried by a vote of 4-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 05-045/TENTATIVE PARCEL MAP NO. 17652/DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) HOME DEPOT DEVELOPMENT AGREEMENT:**

Filed by Greenberg Farrow to request review of a the DEIR prepared for the following cases: 1) Design Review for the construction of a 148,821 square feet commercial shopping center; 2) a parcel map to reconfigure four existing parcels into four new parcels; and 3) a statutory development agreement for Home Depot. The project site is an rectangularly-shaped property consisting of four parcels (APNs: 0225-101-17, -18, -19, and -26) totaling approximately 13.7 gross acres located at the southwest corner of Santa Ana Avenue and

Sierra Avenue, and having an approximate frontage of 780 feet on Santa Ana Avenue and an approximate frontage of 510 feet on Sierra Avenue.

Staff presentation by Orlando Hernandez, and Eric Lewis.

No written communication was received.

Speaking for the applicant was DEIR Consultant John Berg.

No one spoke in favor.

Speaking in opposition were Paul and Diane Fernandez, 16895 Manila Court; Dale Peeler, 10890 Nuevo Drive; Chuck Pagano, 10870 Nuevo; and, Rudy Miranda, 10820 Bennett Drive.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to: 1) Open the public hearing on the Draft EIR prepared for **DESIGN REVIEW NO. 05-045, TENTATIVE PARCEL MAP NO. 17652, AND DEVELOPMENT AGREEMENT** to receive comments from all interested parties; 2) review and provide Planning Commission comments on the DEIR; and, 3) continue the project to the regularly scheduled Planning Commission meeting of July 5, 2006. Motion carried by a vote of 4-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 06-011/CONDITIONAL USE PERMIT NO. 06-009**: Filed by Thomas P. Giese to request a design review to construct seven new buildings totaling approximately 97,712 square feet; removal of six buildings totaling 13,260 square feet; and a conditional use permit to allow outdoor storage on 33.5 acres. The project site is an irregularly-shaped property consisting of one parcel (APN: 0238-062-07) of approximately 33.5 acres at 13032 Slover Avenue approximately 415 feet east from the intersection of Etiwanda Avenue and Slover Avenue and having approximately 2,227 feet of frontage on the north side of Slover Avenue, approximately 694 feet along the east side of the Southern California Edison Company easement, and approximately 2,000 feet on the south side of the southern Pacific Railroad right-of-way, and approximately 660 feet on the west side of the San Bernardino County Flood Control Channel. The project site is located within the Fontana Gateway Specific Plan area.

Staff presentation by Shannon J. Casey, AICP, and Orlando Hernandez.

No written communication was received.

Speaking for the applicant were Doug Andresen, 17087 Orange Way; and, Richard Mueller, Ameron International, 10681 Foothill Boulevard, #450, Rancho Cucamonga.

No one spoke in favor or opposition.

The public hearing was closed.

By consensus, the Planning Commission modified Condition No. 10 of the Conditions of Approval, as follows:

10. Applicant shall resurface the outdoor storage with compacted slag and/or gravel as specified in the Fontana Gateway Specific Plan. **Compacted sand with a dust palliative (continuous watering of the outdoor storage area) is acceptable as an alternative to compacted slag and/or gravel.**

Motion made by Commissioner Slowik, seconded by Commissioner Lee, to: 1) Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding; 2) direct staff to file the Notice of Determination; and, 3) approve **DESIGN REVIEW NO. 06-011 AND CONDITIONAL USE PERMIT NO. 06-009**, subject to the attached Findings and Conditions of Approval, as modified. Motion carried by a vote of 4-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17824/CONDITIONAL USE PERMIT NO. 05-042/DESIGN REVIEW NO. 05-058**: Filed by Williams Lyon Homes, Inc. to request certification of the Final Environmental Impact Report (FEIR, State Clearinghouse No. 2005021052) and associated Statement of Overriding Consideration; approve a Tentative Tract Map (TTM) No. 17824; for a one-lot residential condominium map; approval of Design Review (DR) No. 05-058, a request for site plan and architectural design for a 109-unit for sale attached residential condominium project, and approval of Conditional Use Permit (CUP) No. 05-042 for a Planned Unit Development required to permit project implementation. The property is an irregularly-shaped parcel (APN: 0228-021-29) on approximately 8.9 acres on the south side of South Highland Avenue between San Sevaine Road and Hemlock Avenue to the east and having approximately 298 feet of frontage on San Sevaine Road, approximately 1,324 feet of frontage on South Highland Avenue, and approximately 330 feet of frontage on Hemlock Avenue.

Staff presentation by Shannon J. Casey, AICP.

No written communication was received.

Speaking for the applicant RBF Consultants, Kari Cano, and Matt Burris; and Rick Brown, William Lyon Homes, 4490 Von Karman, Newport Beach.

Speaking in favor was Scott Thomas, 15180 Wright Court.

No one spoke in opposition.

The public hearing was closed.

Motion made by Commissioner Galasso, seconded by Commissioner Meyer, to: 1) Certify the Final Environmental Impact Report (FEIR, State Clearinghouse No. 2005021052) and associated Statement of Overriding Considerations; 2) approve **TENTATIVE TRACT MAP (TTM) NO. 17824**; for a one-lot residential condominium map; 3) continue **DESIGN REVIEW NO. 05-058**, a request for site plan and architectural design for a 109-unit for sale attached residential condominium project, to the June 6, 2006 regular Planning Commission meeting; 4) approve **CONDITIONAL USE PERMIT (CUP) NO. 05-042** for a Planned Unit Development required to permit project

implementation; and, 5) direct staff to file the Notice of Determination subject to the Findings and Conditions of Approval. Motion carried by a vote of 4-0.

The Planning Commission took a break from 7:18 p.m. to 7:23 p.m.

The public hearing was opened regarding **DESIGN REVIEW NO. 05-068/CONDITIONAL USE PERMIT NO. 05-050**: Filed by KB Home, Greater Los Angeles, Inc. to request site and architectural review for homes on 201 single-family residential lots (46 lots in TTM No. 14243, 73 lots in TTM No. 14244, and 82 lots in TTM No. 14245) and a conditional use permit to establish a model home complex in TTM No. 14244 in the Southridge Village Specific Plan. The homes will be built in three tracts located in the southern most part of the Southridge Village Specific Plan. Tentative Tract Map (TTM) No. 14243 is a rectangularly-shaped property consisting of one parcel (APN: 0193-192-22) of approximately 6.4 net acres located at the south terminus of Alpine Drive and extending south to the Riverside County line for approximately 510 feet along the Metropolitan Water District's utility corridor. TTM No. 14244 is an irregularly-shaped property consisting of two parcels (APN: 0193-192-23, and -24) of approximately 12.3 net acres located on the south side of Citrus Avenue extending south to the Riverside County line with a frontage of approximately 1,000 feet along Citrus Avenue. TTM No. 14245 is an irregularly-shaped property consisting of two parcels (APN: 0193-192-17, and 0193-503-30) of approximately 15.4 net acres located on the south side of Elm Avenue extending south to the Riverside County line with a frontage of approximately 430 feet along Elm Avenue.

Staff presentation by Charles Fahie, AICP.

No written communication was received.

Speaking for the applicant Jary Cockkoft, KB Home, 801 Corporate Center Drive, Pomona.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to: 1) Find that the project has been reviewed under the previous Negative Declaration for Specific Plan Amendment (AMD) No. 04-006 pursuant to Section 15162 of the Local CEQA Guidelines and direct staff to file a Notice of Determination; 2) approve **DESIGN REVIEW NO. 05-068**; and, approve **CONDITIONAL USE PERMIT NO. 05-050**. Motion carried by a vote of 4-0.

Commissioner Clark arrived at 7:36 p.m.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 16983/DESIGN REVIEW NO. 04-035**: Filed by Vichy USA Corporation to request a tentative tract map application and a design review application to establish a 16-unit condominium complex on approximately 1.6 adjusted gross acres. The project site is a flag-shaped property consisting of one

parcel (APN: 0190-081-21) of approximately 1.6 adjusted gross acres and is located on the west side of Cypress Avenue, approximately 600 feet north of Foothill Boulevard, having an approximate frontage of 45 feet on Cypress Avenue and an approximate depth of 300 feet.

Staff presentation by Charles Fahie, AICP.

No written communication was received.

Speaking for the applicant John B. Withert, JWA, 18800 Von Karman Avenue, Irvine; and, Jason Sun, Architect Sun's, Inc., 2121 W. Mission Road, #303, Alhambra.

No one spoke in favor or opposition.

The public hearing was closed.

By consensus, the Planning Commission added Special Conditions to the Conditions of Approval, as follows:

- 17a. **Applicant shall remove the trash container and enclosure from in front of the recreation area and place smaller round trash containers within the grass and barbecue area. The trash enclosure shall be moved and swapped with one of the two parking spaces at the north east corner of the site.**
- 17b. **All proposed barbecue grills shall have a built-in shelving adjacent to the grill for serving and food preparation.**
- 17c. **The entry drive aisle to the development shall be clearly marked with "No Parking" signs and striping.**
- 17d. **In addition to the City's required landscaping; both sides of the entry drive aisle into the development shall be lined with palm trees as depicted on the site plan and the landscape plan.**

Motion made by Commissioner Slowik, 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; and, approve **TENTATIVE TRACT MAP NO. 16983 AND DESIGN REVIEW NO. 04-035**, with the above listed modifications. Motion carried by a vote of 5-0.

The public hearing was opened regarding **GENERAL PLAN AMENDMENT NO. 05-005/ZONE CHANGE NO. 05-004**: Filed by McArther Bird to request a General Plan Amendment to change approximately nine gross acres of land designated C-C (Community Commercial) to C-G (General Commercial); a Zone Change from C-1 (Community Commercial) to C-2 (General Commercial). The project site is a rectangularly-shaped property consisting of two parcels (APNs 0225-041-14 and -15) of approximately nine gross

acres and is located on the southwest corner of Slover Avenue and Sierra Avenue and a depth of approximately 600 feet along Slover Avenue.

Staff presentation by Amber Gregg.

No written communication was received.

Speaking for the applicant Kevin Bird, McArthur Bird LLC, 617 Erskine Drive, Pacific Palisades.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Adopt **RESOLUTION PC NO. 06-006**, a resolution recommending that the City Council: 1) adopt the Negative Declaration of Environmental Impact and the State of California Department of Fish and Game De Minimis Impact Finding and direct staff to file a Notice of Determination; 2) adopt a City Council resolution to approve **GENERAL PLAN AMENDMENT NO. 05-005** to amend the land use on the subject property from Community Commercial (C-C) to General Commercial (C-G); and, adopt an ordinance to approve **ZONE CHANGE NO. 05-004** to change the zone on the subject property from Community Commercial (C-1) to General Commercial (C-2). Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17199**: Filed by Castle Rising, LLC to request to subdivide approximately 16.5 acres into 21 lots for single-family residential development, two open space lots, and two lettered lots. The project is an irregularly-shaped property extending approximately 1,220 feet north of the existing terminus of Moncton Way and 813 feet west of the northerly extension of Moncton Way and 130 feet east of the northerly extension of Moncton Way, which is also known as Phase Four of the Hunter's Ridge Specific Plan.

Staff presentation by DiTanyon Johnson.

No written communication was received.

Speaking for the applicant Doug Massaro, Massaro & Welsh, 1572 N. Waterman Avenue, Suite 5, San Bernardino.

No one spoke in favor or opposition.

The public hearing was closed.

Motion made by Commissioner Clark, seconded by Commissioner Lee, to: 1) Find that the project has been reviewed under the previous Negative Declaration for the (Zone Change No. 98-07, Specific Plan Amendment No. 98-05, and General Plan Amendment No. 98-07) pursuant to Section 15162 of the Local CEQA Guidelines and direct staff to file a Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 17199**, 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. 06-007**: Filed by Red Brick Pizza to request a Conditional Use Permit (CUP) No. 06-007 from Sierra Lakes Village, LLC, for a new 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 (1119-181-07) located at 16155 Sierra Lakes Parkway, on the southeast corner of Citrus Avenue and Sierra Lakes Parkway in the Ralph's Shopping Center, and having a frontage of 24 feet and having a depth of 65 feet.

Staff presentation by Paul Gonzales.  
No written communication was received.  
Speaking for the applicant Amish Patel, 13632 Kings Canyon Court.  
No one spoke in favor or opposition.  
The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, 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; and, approve **CONDITIONAL USE PERMIT NO. 06-007**, subject to the attached Findings and Conditions of Approval.  
Motion carried by a vote of 5-0.

**OTHER COMMISSION BUSINESS:** None.

**STAFF REPORTS:** None.

**DIRECTOR REPORT:**

Director Williams reported that staff is working on arranging a workshop with the City Council regarding lot and house sizes, as well as tandem garage parking.

**COMMISSION REMARKS:**

Commissioners Galasso invited the Commissioners and City Staff to attend the Kick Off Mixer Barbeque for Fontana Days sponsored by the Fontana Chamber of Commerce at Veterans Park on Wednesday, May 31, 2006, from 5:00 to 7:00 p.m.

Commissioner Meyer wished everyone a Happy Memorial Day and encouraged them to remember loved ones and our fallen soldiers. He welcomed back Commissioner Slowik.

Commissioner Clark encouraged Fontana residents to participate in the 5K walk/run or the Half Marathon. He thanked staff for the recent Volleyball Tournament and stated that it was a very nice event.

City Clerk Watson encouraged anyone interest in participating in the Fontana Days Parade to let her know as soon as possible.

Commissioner Slowik encouraged everyone to come out to the World's Fastest Half Marathon on June 3, 2006, and also to the Pancake Breakfast sponsored by the Rotary Club. He expressed his condolences to the Brewster Family for the recent lose of their Son and Grandson, Sergeant Bryan Brewster. He stated that he was happy to be back from vacation.

Commissioner Lee wished everyone a good evening and encouraged them to participate in the Fontana Days events at Veterans Park.

**PUBLIC FORUM CONTINUED:** None.

**ADJOURNMENT:**

By consensus, the Planning Commission meeting was adjourned at 8:38 p.m., to the next regular Planning Commission meeting on June 6, 2006, at 5:00 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