

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
NOVEMBER 21, 2006**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, November 21, 2006, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:08 p.m. Following the Pledge of Allegiance, Commissioner Slowik gave the invocation.

ROLL CALL:

Present: Chairperson Lee, Commissioners Clark, Galasso, and Slowik.

Absent: Commissioner Meyer.

Also Present: Director of Community Development Don Williams, AICP; Senior Planners Charles Fahie, AICP, and Orlando Hernandez; Associate Planner DiTanyon Johnson; Assistant Planners Jon S. Dille, and Paul Gonzales; Economic Development Manager Elisa Grey; City Attorney Jeffrey Ballinger; City Clerk Bea Watson, and Commission Secretary Orvene Steenbock.

MINUTES:

MINUTES

Motion made by Commissioner Galasso, seconded by Commissioner Slowik, to: Approve the minutes of the November 7, 2006, regular Planning Commission meeting as presented. Motion was carried by a vote of 3-0-1, with Commissioner Lee abstaining.

APPROVE
11/7/06

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding crime – red curbs.

CONSENT CALENDAR: None.

CC

AGENDA INFORMATION:

AGDA INFO

The Planning Commission reviewed the update of future City Council agenda items for the November 28, 2006, and, December 12, 2006, meetings and Planning Commission items for the December 5, 2006, and, December 19, 2006, meetings.

PUBLIC HEARINGS:

PH

By consensus, the Planning Commission moved Public Hearing No. 2 to the end of the agenda.

The public hearing was opened regarding the **DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)/FONTANA PROMENADE SPECIFIC PLAN/ GENERAL PLAN AMENDMENT NO. 06-011/ZONE CHANGE NO. 06-011**: Filed by the City of Fontana to request review and comments on the DEIR prepared for the following cases: 1) Fontana Promenade Specific Plan; and, 2) General Plan Amendment No. 06-011 and Zone Change No. 06-011 to reflect the Specific Plan on the Policy Map and District Map. The project site is rectangular in shape consisting of 48 parcels of approximately 125 gross acres and is generally located south of South Highland Avenue, between Juniper Avenue to the west and Sierra Avenue to the east, and north of Baseline Avenue, and having an approximate length of 4,500 feet from South Highland Avenue to Baseline Avenue and having an approximate depth of 1,300 feet from Juniper Avenue to Sierra Avenue. **Staff requests** that the Planning Commission continue the public hearing for review of the DEIR for the following: 1) Fontana Promenade Specific Plan; 2) General Plan Amendment No. 06-011 and 3) Zone Change No. 06-011 to the regularly scheduled Planning Commission meeting of December 5, 2006.

PH-1
CONT
GPA 06-011
ZC 06-011

Motion made by Commissioner Galasso, seconded by Commissioner Clark, to: Continue the public hearing for review of the DEIR for the following: 1) **FONTANA PROMENADE SPECIFIC PLAN**; 2) **GENERAL PLAN AMENDMENT NO. 06-011**, and, 3) **ZONE CHANGE NO. 06-011** to the next regularly scheduled Planning Commission meeting of December 5, 2006. Motion carried by a vote of 4-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 06-026/ TENTATIVE TRACT MAP NO. 17859 (CONTINUED FROM 11-7-06)**: Filed by Fontana Hills, LLC, to request the construction of a new 13 unit condominium complex consisting of six two-story buildings with proposed recreational amenities to include a tot-lot, a barbeque area and a large lawn area. The project site is an irregularly-shaped property consisting of two parcels (APN: 0190-121-28, and -62) of approximately 1.2 adjusted gross acres and is located approximately 800 feet west of the intersection of Paine Street and Juniper Avenue on the north side of Paine Street, and having a frontage of approximately 146 feet on Paine Street and a depth of approximately 260 feet.

PH-3
APPROVE
DR 06-026
TTM 06-016

Staff presentation by Paul Gonzales, staff recommends approval. No written communication was received. Speaking for the applicant was Kent C. K. Wu, 1274 E. Center Court Drive, Suite 211, Covina. No one spoke in favor. Speaking in opposition were Eddie Sanchez, 16594 Paine Street; and, Don Atkinson, 16848 Merrill Avenue. The public hearing was closed. The Planning Commission discussed and deliberated after the public hearing was closed.

Chairperson Lee stated that she had reviewed the minutes from the previous meeting regarding Design Review No. 06-026 and Tentative Tract Map No. 06-016.

Motion made by Commissioner Slowik, seconded by Commissioner Galasso, to: 1) Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 32 of the Local Guidelines for implementing CEQA and direct staff to file a Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 06-026 AND TENTATIVE TRACT MAP NO. 06-016.** Motion carried by a vote of 4-0.

The public hearing was opened regarding the **TENTATIVE TRACT MAP NO. 16243:** Filed by New West Properties, to request a Tentative Tract Map to create 19 single-family residential lots on approximately 4.7 net acres within the California Landings Specific Plan in the City of Fontana. The project site is a rectangularly-shaped property consisting of two (2) parcels (APNs: 0228-021-14 and 15) located on the east side of Hemlock Avenue, south of Highland Avenue, 6791 Hemlock Avenue, and having an approximate frontage of 335 feet on Hemlock Avenue within the California Landings Specific Plan, City of Fontana.

PH-4
APPROVE
TTM 16243

Staff presentation by Charles D. Fahie, AICP, staff recommends approval. No written communication was received. Speaking for the applicant was Mitchell Bradford, New West Properties, 450 Newport Center Drive, Suite 480, Newport Beach. No one spoke in favor or opposition. The public hearing was closed. The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission modified Condition No. 55 of the Conditions of Approval, as follows:

- 55. Construct city standard **non**-curb adjacent sidewalk on Hemlock ~~north~~ **south** of Street "A" to match existing sidewalk improvements.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: 1) Direct staff to file a Notice of Exemption; and, 2) approve **TENTATIVE TRACT MAP NO. 16243.** Motion carried by a vote of 4-0.

The public hearing was opened regarding the **GENERAL PLAN AMENDMENT NO. 06-005/ZONE CHANGE NO. 06-004:** Filed by Michael Narvaez to request an amendment (a General Plan Amendment) from R-SF (Single-Family Residential) to R-M (Medium Density Residential) and a zone change from R-1 (Single-Family Residential) to R-2 (Medium Density Residential). The project site is a rectangularly-shaped property consisting of three (3) parcels (APNs 0193-101-24, -58, -59), of approximately 1.7

PH-5
APPROVE
GPA 06-005
ZC 06-004
ADOPT
RES PC
2006-14

adjusted gross acres and is located on the east side of Cypress Avenue between Randall Avenue and Athol Street and having an approximate frontage of 254 feet and an approximate depth of 298 feet along Cypress Avenue.

Staff presentation by Orlando Hernandez, staff recommends approval. No written communication was received. Speaking for the applicant was Michael Narvaez, 2607 S. Dover Place, Ontario. No one spoke in favor or opposition. The public hearing was closed. The Planning Commission discussed and deliberated after the public hearing was closed.

Motion made by Commissioner Galasso, seconded by Commissioner Clark, to: 1) Forward a recommendation to the City Council to adopt the Negative Declaration of Environmental Impact and the State of California Department of Fish and Game De Minimis Impact Finding prepared for **GENERAL PLAN AMENDMENT NO. 06-005, and ZONE CHANGE NO. 06-004**, and direct staff to file a Notice of Determination; and, 2) adopt **RESOLUTION PC NO. 2006-14**, forwarding a recommendation to the City Council to adopt a resolution approving Amendment No. 06-005 (A General Plan Amendment) and an ordinance approving Zone Change No. 06-004. Motion carried by a vote of 4-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 05-052/CONDITIONAL USE PERMIT NO. 05-038/TENTATIVE PARCEL MAP NO.16997**: Filed by Fontana Housing Authority, to request a Design Review and Conditional Use Permit for the construction of a 115 room hotel and a 6,000 square foot restaurant and a Tentative Parcel Map to subdivide one parcel into two parcels. The project site is a rectangularly-shaped property consisting of one parcel (APN 0194-371-11) totaling approximately 4.4 adjusted gross acres located on the southeast corner of Slover Avenue and Sierra Avenue and having an approximate frontage of 395 feet on Slover Avenue and 480 feet on Sierra Avenue.

PH-6
APPROVE
DR 05-052
CUP 05-038
TPM 16997

Staff presentation by Orlando Hernandez, and Elisa Grey, staff recommends approval. No written communication was received. No one spoke in favor or opposition. The public hearing was closed. The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission deleted Condition No. 37, of the Conditions of Approval, as follows:

~~37. The existing parcels shall be combined into a single parcel, or a lot~~

~~line adjustment shall be done so that the proposed structure(s) does not cross any property line and complies with all requirements of the California Building Code, prior to any building permits being issued.~~

Motion made by Commissioner Slowik, seconded by Commissioner Galasso, to: 1) Direct staff to file a Notice of Determination of a previously approved CEQA document; and, approve **TENTATIVE PARCEL MAP NO. 16997, DESIGN REVIEW NO. 05-052, AND CONDITIONAL USE PERMIT NO. 05-038.** Motion carried by a vote of 4-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 05-012:** Filed by Andresen Architecture, to request a Design Review for construction of thirteen (13) single-family homes within previously approved Tentative Tract Map No. 16620. The project site is an irregularly-shaped property consisting of two parcels (APNs 0246-031-13 and -29) totaling approximately 2.4 gross acres located approximately 100 feet west of the intersection of Ivy Street and Frankfort Avenue, and will complete the cul-de-sac on Ivy Street. The site has a depth of approximately 440 feet at the end of this cul-de-sac.

PH-7
APPROVE
DR 05-012

Staff presentation by Paul Gonzales, staff recommends approval. No written communication was received. Speaking for the applicant were Doug Andresen, Architect, 17087 Orange Way; and, Bleu Pride, Builder/Developer, P. O. Box 1392, Redlands. No one spoke in favor. Speaking in opposition was Jean Mitre, 8207 Laurel. The public hearing was closed. The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission modified Condition Nos. 11 and 24, of the Conditions of Approval, as follows:

11. All architectural treatments and/or projections located on any elevation of any plan ~~should~~ **shall** be of durable non-foam (e.g. extrusive polystyrene) material on the first story; ~~for~~ the use of foam for additional detailing on second story elevations is permissible.
24. Prior to 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. ~~A note to this effect shall be placed on the tentative tract map prior to recordation of the final map.~~

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: 1) Direct staff to file a Notice of Determination of a previously approved

CEQA document; and, 2) approve **DESIGN REVIEW NO. 05-012.** Motion carried by a vote of 4-0.

The public hearing was opened regarding the **TENTATIVE TRACT MAP NO. 18128:** Filed by Mr. Carl T. Kobbins, Jr., to request to subdivide a property of approximately 1.6 adjusted gross acres into eight lots for the purpose of single-family residential development. The lots range in size from 6,783 square feet to 12,602 square feet. The project site is a rectangularly-shaped property of one parcel (APN 1110-361-13) of approximately 1.6 adjusted gross acres and is located at 7991 Almeria Avenue, approximately 725 feet north of the northeast corner of the intersection of Foothill Boulevard and Almeria Avenue, and having a frontage of approximately 165 feet on the east side of Almeria Avenue and having a depth of approximately 630 feet.

PH-8
APPROVE
TTM 18128

Staff presentation by Jon S. Dille, staff recommends approval.
No written communication was received.

Speaking for the applicant was Carl Kobbins, 8880 Benson Avenue, #100, Montclair.

Speaking in favor Gary Laughlin, Laughlin and Assoc., Inc., 3949 Lexington Avenue, Chino.

No one spoke in opposition.

The public hearing was closed.

The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission requested staff work with the applicant, and Gary Laughlin regarding future sewer access for Laughlin and Assoc. property north of the project.

Motion made by Commissioner Galasso, seconded by Commissioner Clark, to: 1) Direct staff to file the Notice of Determination; and, approve **TENTATIVE TRACT MAP NO. 18128.** Motion carried by a vote of 4-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 06-046/CONDITIONAL USE PERMIT NO. 06-017:** Filed by Empire Companies to request revision of a previously approved Design Review (Design Review No. 03-041), to construct an approximate 54,300 square foot shopping center on Phase II of Sierra Crossroads, which includes a drug store and retail shops and including a Conditional Use Permit (Conditional Use Permit No. 06-017) request for an approximately 10,010 square foot daycare. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0194-381-42) of approximately seven (7) acres and is located on the northeast corner of Jurupa Avenue and Sierra Avenue having a frontage of approximately 500 feet on the east side of Sierra Avenue and an approximate depth of 600 feet.

PH-9
APPROVE
DR 06-046
CUP 06-017

Staff presentation by DiTanyon Johnson, staff recommends approval.

No written communication was received.

Speaking for the applicant were Ian Wiles, Wana Sims, and, Bob Kraus, Empire Companies, 3536 Concoors, #300, Ontario.

No one spoke in favor.

Speaking in opposition was Reggie Norman, 17115 L. Viola Court.

The public hearing was closed.

The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission added Condition Nos. 15a and 16a, to the Conditions of Approval, as follows:

- 15a. The applicant shall install defensive traffic bollards around the day care building to the satisfaction of the Director of Community Development and the City Traffic Engineer.
- 16a. The applicant shall redesign and install a prominent fountain feature at the northeast corner of Sierra Avenue and Jurupa Avenue, to include water, landscaping and lighting, to the satisfaction of the Director of Community Development. This feature shall be installed prior to the issuance of a building permit for any building or structure approved as part of Phase II of the Sierra Crossroads project.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: Approve **CONDITIONAL USE PERMIT NO. 06-017**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 3-1, with Commissioner Slowik opposing. Commissioner Slowik stated that his reasons for opposing the motion were related to safety concerns for the children at the proposed day care center as a result of the day care centers location.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: 1) Find that the project has been reviewed under the previously approved Mitigated Negative Declaration for the Empire Center South project has adequately identified the impacts associated with the project, pursuant to Section 15162 of the Local CEQA Guidelines and direct staff to file a Notice of Determination; and, 2) approve **DESIGN REVIEW NO. 06-046**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 3-0-1, with Commissioner Slowik abstaining. Commissioner Slowik stated that he abstained based on the developer proposing a design review inconsistent with previous commission action on the project.

By consensus, the Planning Commission recessed a break from 9:08 p.m. to 9:17 p.m.

The public hearing was opened regarding **SPECIFIC PLAN NO. 05-063/**

PH-2

**GENERAL PLAN AMENDMENT NO. 06-010/ZONE CHANGE NO. 06-007/
TENTATIVE TRACT MAP NOS. 18143 THRU 18147 AND DESIGN REVIEW**

PLAN NOS. 06-029 THRU 06-033: Filed by Trumark Companies to request certification of the Final Environmental Impact Report (FEIR, State Clearinghouse no. 2005111048) and associated Statement of Overriding Considerations (SOC) along with a request to approve the Ventana at Duncan Canyon Specific Plan (SPL No. 05-063), a mixed-use community on approximately 103.3 acres with up to 842 residential condominium units at the eastern and southwestern sections of the site, approximately 211,570 square feet of retail commercial uses at the western central section of the site and 362,930 square feet of office/light manufacturing/research and development uses at the northwestern and southwestern sections of the project site. The project encompasses the following additional applications:

CONT
SP 05-063
GPA 06-010
ZC 06-007
TTM 18143
THRU 18147
DR 06-029
THRU 06-033
TIL 11/21/06

- ◆ General Plan Amendment (AMD No. 06-010) to change the land use designation of the project site to Multi-Family Residential, Light Industrial, and General Commercial and to revise the Circulation Master Plan to reflect the proposed street alignments and classifications: 1) realignment of Lytle Creek Road; establishment of cross sections of Duncan Canyon Road between the I-15 Freeway and Citrus Avenue; and, establishment of Citrus Avenue alignment north of Duncan Canyon Road to the north end of the Specific Plan boundary.
- ◆ Zone Change (ZC No. 06-007) to modify the Zoning District Map to designate the project site as Specific Plan (SP) No. 23;
- ◆ Tentative Tract Maps (TTM Nos. 18143, 18144, 18145, 18146, and 18147) to subdivide the planning area with a master tract map (TTM No. 18143) to establish the ten (10) planning areas and four (4) residential condominium tract maps: TTM No. 18144 (101 units); TTM No. 18145 (130 units); TTM No. 18146 (99 units); and, TTM No. 18147 (105 units) located on the north and south side of Duncan Canyon Road east of the I-15 Freeway at the future Duncan Canyon Road Interchange; and,
- ◆ Design Review applications (DR Nos. 06-029, 06-030, 06-031, 06-032, and 06-033), including site and architecture review for: 1) DR No. 06-029/TTM 18143 - 332,886 sq. ft. of office space, 18,420 sq. ft. of restaurant space, 70,694 sq. ft. of retail space, and a 64,908 sq. ft. (80 rooms) hotel (within Planning Area Nos. 1, 2, 3, 8, 9, and 10) on approximately 42 acres; 2) DR No. 06-030/TTM 18144 - 101 condominiums with live/work units in three-story six-plex buildings (Planning Area No. 4) on approximately 8 acres; 3) DR No. 06-031/TTM 18145 - 130 condominiums/single-family homes in detached motor court configured six-plex buildings (Planning Area No. 5) on approximately 17 acres; 4) DR No. 06-032/TTM 18146 - 99 two-story single family homes/detached condominiums (Planning Area No. 6) on approximately 13 acres; and, 5) DR No. 06-033/TTM 18147 - 105 two-story single-family homes/detached

condominiums (Planning Area No. 7) on approximately 12 acres.

The project site is a triangularly-shaped property consisting of 11 parcels (APNs: 0226-073-01 through -06, 0226-092-15, -36, -38, -45, and - 49) totaling approximately 103.3 acres bounded by Citrus Avenue on the east, the I-15 Freeway on the northwest, Lytle Creek Road on the west, and a Southern California Edison Company (SCE) right-of-way on the south having approximately 1,600 feet of frontage on the north and south side of Duncan Canyon Road, approximately 3,800 feet and 1,800 feet of frontage on the west and east side respectively of Lytle Creek Road and approximately 2,300 feet of frontage on the west side of Citrus Avenue.

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

Speaking for the applicant were Peter Moses (Trumark) and Jess Harris of JHK Consulting, 9911 Irvine Center Drive, Irvine.

No one spoke in favor or opposition.

The public hearing was closed.

The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission agreed to continue beyond the regulation meeting time of 10:00 p.m.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: Continue **GENERAL PLAN AMENDMENT (AMD) NO. 06-010/ ZONE CHANGE NO. 06-007/TENETATIVE TRACT MAPS NO.S 18143, 18144, 18145, 18146, AND 18147, and DESIGN REVIEW NOS. 06-029, 06-030, 06-031, 06-032, AND 06-033**, to the regular Planning Commission meeting of December 19, 2006. Motion carried by a vote of 4-0.

OTHER COMMISSION BUSINESS: None.

SMALL CONDOMINIUM PROJECTS

Staff presentation by Don Williams, AICP.

By consensus, the Planning Commission moved this item to the December 5, 2006, regular Planning Commission meeting for discussion.

STAFF REPORTS: None.

DIRECTOR REPORT: None.

Director Williams stated that an area of approximately 20 acres located south of Slover Avenue and north of Jurupa Avenue on the west side of Tamarind Avenue adjacent to the

Sierra Business Park was approved for annexation to the City last week by the Local Agency Formation Commission.

He stated that the January 2, 2006, regular Planning Commission meeting has been cancelled.

COMMISSION REMARKS:

Commissioner Clark stated that he would see everyone in 2 weeks. He congratulated Mayor Nuaimi and Council Members Roberts and Scialdone on being reelected. He also congratulated Gus Hawthorne, and the other members of the Fontana Unified School District Board on their recent election.

Commissioner Galasso wished everyone a Happy Thanksgiving

Commissioner Slowik expressed his thanks to everyone that attended the Veteran's Day Ceremony at Veterans Park. He congratulated COSTCO on their Grand Opening in North Fontana. He congratulated those elected to the City Council and the Fontana Unified School District Board, also Janet Koehler-Brooks and Toni Lewis. He congratulated Kathy Binks for having a school named in her honor at the November 18, 2006 School Board meeting. He expressed his condolence to the families of Mary Cardoza and Frank Videgar, and requested this evening's meeting be adjourned in their memory.

Commissioner Lee expressed her thankfulness for the continued building of a happy and healthy Community, and stated that we have a lot to be thankful for. She wished everyone a good evening and a Great Thanksgiving.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 11:02 p.m. to the next regular meeting on December 5, 2006, 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