

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
DECEMBER 5, 2006**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, December 5, 2006, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:05 p.m. Following the Pledge of Allegiance, Commissioner Meyer gave the invocation.

ROLL CALL:

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

Absent: None.

Also Present: Director of Community Development Don Williams, AICP; Senior Planner Kevin Ryan; Associate Planner Shannon Casey, AICP; Assistant Planners Jon S. Dille, and Paul Gonzales; Police Captain Terry Holderness; Traffic Engineer Eric Lewis; City Attorney Jeffrey Ballinger; City Clerk Bea Watson, and Commission Secretary Orvene Steenbock.

MINUTES:

MINUTES

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: Approve the minutes of the November 21, 2006, regular Planning Commission meeting as corrected. Motion was carried by a vote of 4-0-1, with Commissioner Meyer abstaining.

APPROVE
11/21/06

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding peace now.

OTHER COMMISSION BUSINESS:

Chairperson Lee, Director Williams and the Planning Commission recognized City Clerk Bea Watson for her hard work and dedication to the City of Fontana, from 1998 through 2006, and wished her a wonderful retirement.

CONSENT CALENDAR: None.

CC

AGENDA INFORMATION:

AGDA INFO

The Planning Commission reviewed the update of future City Council agenda items for the December 12, 2006, meeting and Planning Commission items for the December 19, 2006, and, January 16, 2007 meetings.

PUBLIC HEARINGS:

PH

DESIGN REVIEW NO. 04-026/TENTATIVE PARCEL MAP NO. 17821/ VARIANCE NO. 06-006 (LYTLE CREEK APARTMENTS) (Continued from 11-7-06): Filed by Holland Development, to request 1) Certify the Final Environmental Impact Report (EIR) (State Clearing House No: 2005021054) the associated Statement of Overriding Considerations and the Mitigation Monitoring Program and Report; 2) Approve Tentative Tract map No. 17821 to merge 16 parcels into one lot; 3) Approve Design Review No. 04-026 to construct a 233-unit apartment complex; and, 4) Approve Variance No. 06-006 to reduce rear-yard setbacks to zero-feet. The project site is a rectangularly-shaped property consisting of 16 parcels (APNs: 0226-162-09 to -11, -13 to -20, -23, -25 to -27, and -29) of approximately 11 gross acres, with a frontage of approximately 560 feet on the south side of Sierra Lakes Parkway and is bound by Lytle Creek Road to the west, Maloof Avenue to the east, and the Highland Channel to the south.

PH-1
APPROVE
DR 04-026
TPM 17821
VAR 06-006

Staff presentation by Don Williams, AICP, and Shannon Casey, AICP, staff recommends approval.

Written communications were received from Johnson & Sedlack, Attorneys of Law, 26785 Camino Seco, Temecula; and, Steve Smith, Ph.D. Program Supervisor, Planning, Rule Development & Area Sources.

Speaking for the applicant were Bradley Karvasek, and Tom Warren, Holland Partners, 3491 E. Concoors, Suite 102.

Speaking in favor was Keith Clements, 8014 Mango Avenue, Apt. 48.

Speaking in opposition were Scott Thomas, FRIENDS; and, Tony Orlich Randall Avenue.

The public hearing was closed.

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

By consensus, the Planning Commission modified the Conditions of Approval, as follows:

5. The following are basic, flexible plotting and design criteria for development under new Design Reviews. Variations and possible additional criteria may be added by the Commission to individual Design Reviews based upon Commission consideration of individual circumstances:

F. Each unit shall be provided with four (4) phone lines jacks (this requirement shall be identified on the phasing site plan).

10.A All mitigation measures as stated in the approved Environmental Impact Report's Mitigation Monitoring Program shall be implemented.

10.B All barbeques shall be incorporated into decorative barbeque islands to the satisfaction of the Director of Community Development.

11.A A police phone number for reporting noise ordinance violations shall be posted on Lytle Creek Road, Sierra Lakes Parkway, and Maloof Avenue, on the site so as to be visible to the traveling public during all grading and construction activities. The sign shall be posted to the satisfaction of the Director of Community Development.

30.A High Speed internet service connectivity shall be provided to the project to the satisfaction of the Director of Community Development.

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to: 1) Adopt the Statement of Overriding Consideration and Certify the Final EIR (SCH: 20045021054); 2) approve **TENTATIVE PARCEL MAP NO. 17821**; 3) approve **DESIGN REVIEW NO. 04-026**; and approve **VARIANCE NO. 06-006**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-1, with Commissioner Clark in opposition, not to the apartments, but to the location of the entrance.

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(Continued from 11-21-06)**; 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. (See Vicinity Map, Attachment No. 2):

PH-2
DEIR
GPA 06-011
ZC 06-011

Staff presentation by Kevin Ryan, 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.

Motion made by Commissioner Clark, seconded by Commissioner Slowik, to: 1) Hold the public hearing on the Draft EIR prepared for the **FONTANA PROMENADE SPECIFIC PLAN** to receive comments from all interested

parties; 2) review and provide Planning Commission comments on the DEIR; and, 3) Direct staff to prepare the Final EIR. Motion carried by a vote of 5-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 06-051/ CONDITIONAL USE PERMIT NO. 06-030**: Filed by Oasis Homes, Inc. to request a Design Review for the construction of eighteen single-family homes and a detention basin on Tentative Tract Map No. 16919; and, a Conditional Use Permit request to use an off-site model home complex located in Tract No. 16563, Lot Nos. 13 (Parking Lot), 14, 15, 16 from the Fontana Villa Development. The project site is a rectangularly-shaped property consisting of four parcels (APNs: 0240-052-11, -12, -13, -14) of approximately 4.7 adjusted gross acres and is located approximately 440 feet south of the intersection of Walnut Avenue and Oleander Avenue on the east side of Oleander Avenue, and having a frontage of approximately 330 feet on Oleander Avenue and an approximate depth of 625 feet.

PH-3
APPROVE
DR 06-051
CUP 06-030

Staff presentation by Salvador Quintanilla, staff recommends approval.

No written communication was received.

Speaking for the applicant was Doug Andresen, Architect, 17087 Orange Way.

No one spoke in favor.

Speaking in opposition was Philip Xie, 16365 Walnut Street.

The public hearing was closed.

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

By consensus, the Planning Commission modified the Condition of Approval, as follows:

Addition of:

- 6v. The applicant shall post the most recent City of Fontana General Plan map, size 24-inches by 36-inches, in all offices selling new homes in the subdivision, whether on-site or remote. The project site/tract boundary shall be clearly delineated on the General Plan map. Additionally, a 24-inch by 36-inch map showing the school district boundaries (for all districts in the City) shall be displayed. The General Plan information and school district boundaries may be included on the same map. The maps shall be clearly and prominently displayed and be visible to all persons entering the sales office.

Deletion of:

- 14d. ~~The following revised Development fees must be paid prior to the issuance of building permits. These fees are estimated to be as follows:~~

FINANCE MAPS:

~~As the purpose of this project's map is solely created financing lots from existing lands in the boundary of the project no conditions to construct or bond for construction will be made at this time. All infrastructure requirements will be as per requirements of subsequent development.~~

~~91. This subdivision shall be improved in accordance with the City Code and City Standards.~~

~~92. Provide streetlights as required by the City Engineer.~~

~~93. Prior to issuance of the 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 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: 1) Direct staff to file a Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 06-051 AND CONDITIONAL USE PERMIT NO. 06-030,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 04-061/ CONDITIONAL USE PERMIT NO. 05-020:** Filed by Andresen Architecture to request a Design Review for the construction of a new six unit apartment complex: A Conditional Use Permit (CUP) request for a low income housing unit. The project site is a rectangularly-shaped property consisting of one parcel (APN No. 0191-182-12) of approximately 0.6 adjusted gross acres and is located approximately 530 feet west of the intersection of Ceres Avenue and Oleander Avenue on the south side of Ceres Avenue, and having a frontage of approximately 91 feet on Ceres Avenue and an approximate depth of 270 feet.

PH-4
APPROVE
DR 04-061
CUP 05-020

Staff presentation by Paul Gonzales, staff recommends approval.

No written communication was received.

Speaking for the applicant was Doug Andresen, Architect, 17087 Orange Way.

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 added Condition No. 73, as follows:

73. Prior to Certificate of Occupancy, a Property Maintenance Agreement shall be entered into, with the City of Fontana to maintain all landscaping,

parking lot, drainage, lighting, and paved areas within the project in accordance with the standards of repair, maintenance and cleanliness specified in the plans submitted and approved by the Community Development Department. If such landscaping, parking lot, drainage, lighting and paved areas are not maintained, such Agreement grants to the City such rights of access, ingress and egress upon and across the project site as deemed necessary to undertake and complete corrective action and assess actual City cost against the applicant/owner/tenant and against the property. The Agreement shall also be recorded with the County.

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 CEQA and direct staff to file a Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 04-061 AND CONDITIONAL USE PERMIT NO. 05-020.** Motion carried by a vote of 5-0.

OTHER COMMISSION BUSINESS: None.

OPEN DISCUSSION ON THE ISSUE OF SMALL LOT CONDOMINIUM PROJECTS

Staff presentation by Don Williams, AICP.

By consensus, the Planning Commission formed a sub-committee of Commissioners Galasso and Lee to work with staff and the Police Department to research surrounding areas regarding small lot condominium projects and bring back the information to the Planning Commission and the City Council.

STAFF REPORTS: None.

DIRECTOR REPORT: None.

Director Williams stated that two appeals have been filed for consideration by the City Council, and are tentatively scheduled to be heard at a special City Council meeting on January 18, 2007.

Director Williams commended the Planning Commission on the professionalism and consideration of the Lytle Creek Apartments item, and stated that it is likely that this item will also be appealed to the City Council for action.

COMMISSION REMARKS:

Commissioner Galasso reminded everyone of the Fontana Christmas Parade on Saturday, December 9, 2006, at 10:00 a.m., with the Grand Marshall to be 1946 Miss Fontana, Millie Hanson. He thanked City Clerk Bea Watson for her many years of dedication to the City of Fontana.

Commissioner Meyer congratulated City Clerk Bea Watson on her retirement. He encouraged residents to donate to the new Library fundraiser. He stated that it is great to be back from Italy.

Commissioner Slowik thanked Dr. W. Ruble for his many years of service to the Fontana Unified School District. He stated that the recent discussion of pigeon regulations by the City Council, is a display of their dedication to the City of Fontana. He congratulated City Clerk Bea Watson and thanked her for enriching our lives. He congratulated the County Supervisors on their re-election. He wished everyone a Merry Christmas.

Commissioner Clark thanked City Clerk Bea Watson for her many years of service to the City of Fontana, and stated that the community will miss her dedication. He wished everyone a good evening, and thanked them for watching.

Commissioner Lee thanked City Clerk Bea Watson. She thanked Director Williams and staff for the information they presented to help the Planning Commission to be well informed to get the work done. She wished everyone a Happy Holiday and reminded them to come out to the Christmas Parade on Saturday, December 9, 2006, at 10:00 a.m.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 9:34 p.m. to a workshop on December 19, 2006, at 5:00 p.m. in the Executive Conference Room, regarding the Promenade Specific Plan, then to the regular meeting 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