

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
DECEMBER 19, 2006**

A workshop of the City of Fontana Planning Commission was held on Tuesday, December 19, 2006, at 5:00 p.m. regarding the Promenade Specific Plan, in the Executive Conference Room of the City Hall, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the workshop to order at 5:10 p.m., with Commissioners Clark, Galasso, Meyer, and Slowik present.

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, December 19, 2006, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:20 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: Director of Community Development Don Williams, AICP; Senior Planners Charles Fahie, AICP, Orlando Hernandez, and, Kevin Ryan; Associate Planners Shannon Casey, AICP, and, DiTanyon Johnson; Assistant Planners Jon S. Dille, and, Dawn Rowe; Planning Intern Anthony Rice; City Attorney Jeffrey Ballinger; City Clerk Tonia Lewis, and Commission Secretary Orvene Steenbock.

MINUTES: None.

MINUTES

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding peace instead of war.

CONSENT CALENDAR: None.

CC

AGENDA INFORMATION:

AGDA INFO

The Planning Commission reviewed the update of future City Council agenda items for the January 18, 2007, and January 23, 2007, meetings, and Planning Commission items for the January 16, 2007, and February 6, 2007, meetings.

PUBLIC HEARINGS:

PH

By consensus, the Planning Commission agreed to entertain Public Hearing 2, at the beginning of this evening's public hearings.

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

PH-2
ADOPT
RES. PC
2006-15
SP 05-063
GPA 06-010
ZC 06-007
APPROVE
TTM 18143
THRU 18147
DR 06-029
THRU 06-033

- ◆ 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.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Continue **GENERAL PLAN AMENDMENT (AMD) NO. 06-010, VENTANA SPECIFIC PLAN (SPL) NO. 05-063, ZONE CHANGE (ZC) NO. 06-007/TENTATIVE TRACT MAPS NOS. 18143, 18144, 18145, 18146, AND 18147/DESIGN REVIEW NOS. 06-029, 06-030, 06-031, 06-032, AND 06-033,** to regularly scheduled Planning Commission meeting on February 6, 2006. Motion carried by a vote of 5-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 05-005 (CONTINUED FROM 10-17-06):** Filed by Andresen Architecture, to request approval of a design review to construct seven apartment units on approximately 0.6 acres in the Multi-Family Residential (R-3) within the Boulevard Overlay zoning district. The project site is an irregularly-shaped property on one parcel (APN 0190-141-37) totaling approximately 0.6 acres located on the west side of Sierra Avenue approximately 70 feet south of Malaga Street and having approximately 174 feet of frontage on the west side of Sierra Avenue.

PH-1
APPROVE
DR 05-005

Staff presentation by Shannon J. Casey, AICP, 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 deleted Conditions Nos. 39, and 51, from the Conditions of Approval, as follows:

- 39. ~~The project shall be served by the City's sanitary sewer system and all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or approved by the City Engineer~~

- 51. ~~The applicant shall fully construct landscape improvements on site and offsite per approved plans, the City Standards and Specifications, and shall obtain the City Inspector's final inspection sign-off after verification of safe sight distance standards are met. Landscape improvements shall also include completion of landscape elements within and abutting lettered lots dedicated for open spaces as well as landscape easements~~

Motion made by Commissioner Slowik, seconded by Commissioner Clark, to: Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 32 of the Local CEQA Guidelines and direct staff to file the Notice of Exemption; and, approve **DESIGN REVIEW NO. 05-005**, subject to the attached Findings and Conditions of Approval, as modified. Motion carried by a vote of 5-0.

Commissioner Galasso removed himself due to possible conflict of interest.

The public hearing was opened regarding the **TENTATIVE PARCEL MAP NO. 18193**: Filed by Mr. Ken Galasso to request subdivision of one parcel of land of approximately 1.0 acre into two lots. The project site is a rectangularly-shaped property consisting of one parcel (APN 0246-121-41) of approximately 1.0 gross acre located approximately 163 feet south of the southwest corner of Arrow Boulevard and Laurel Avenue having a frontage of approximately 150 feet on the west side of Laurel Avenue and a depth of approximately 285.3 feet.

PH-3
 APPROVE
 TPM 18193

Staff presentation by Anthony Rice, staff recommends approval. No written communication was received. Speaking for the applicant was Jesse Armandarez, Sierra Realty. No one spoke in favor. Speaking in opposition was Tony Orlich, Randall Avenue. The public hearing was closed. The Planning Commission discussed and deliberated after 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 direct staff to file a Notice of Exemption; and, (2) approve **TENTATIVE PARCEL MAP NO. 18193**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Commissioner Galasso returned.

The public hearing was opened regarding the **DESIGN REVIEW NO. 06-019/ TENTATIVE TRACT MAP NO. 18001**: Filed by Peter Bon to request a Tentative Tract Map for a one-lot Condominium Airspace Map to develop 13 condominium units. Design Review No. 06-019 is a request to develop a thirteen unit condo project on approximately 1.2 acres in the R-2 (Medium Density) with Boulevard Overlay zoning district. The project site is a rectangularly-shaped property consisting of one parcel (APN 0241-061-26) totaling approximately 1.2 adjusted gross acres located on the north side of San Jacinto Avenue and having an approximate frontage of 168 feet and an approximate depth of 298 feet along San Jacinto Avenue.

PH-4
 PPROVE
 DR 06-019
 TTM 18001

Staff presentation by Orlando Hernandez, staff recommends approval. No written communication was received.

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

No one spoke in favor.

Speaking in opposition were Syed Raza, 12600 Central Avenue, Chino; and, Lupe Martinez, 16751 San Jacinto.

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:

Revised Condition No. 14, and added Condition No. 14a;

14. The applicant shall provide a copy of the Homeowners Association Covenants, **Conditions and Restrictions** (CC&Rs) for review and approval by the City's Director of Community Development. The City shall be included as a third-party to the CC&Rs. The CC&Rs shall be recorded prior to **Recordation of the Final Map. The applicant shall provide language in the CC&R's to regulate the use of parking stalls and garage spaces to ensure that the garage spaces are used to park two autos and/or trucks and the visitor spaces are reserved for visitors.**

14a) The tot-lot shall be constructed in a manner (materials, equipment, etc) similar to tot-lots located in public parks and to the satisfaction of the Director of Community Development.

Motion made by Commissioner Clark, seconded by Commissioner Galasso, to: (1) Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 32 of the Local CEQA Guidelines and direct staff to file the Notice of Exemption; and (2) approve **DESIGN REVIEW NO. 06-019**

AND TENTATIVE TRACT MAP NO. 18001, subject to the attached Findings and Conditions of Approval, as modified. Motion carried by a vote of 5-0.

The public hearing was opened regarding the **CONDITIONAL USE PERMIT NO. 06-018**: Filed by Mr. Greg Vayberman to request a Conditional Use Permit review and approval to operate a 1,647 square foot substance abuse facility. The project site is an irregularly-shaped property consisting of one parcel (APN 0193-361-09) of approximately 9.5 adjusted gross acres located at 9880 Sierra Avenue, Suite No. E and F, which is approximately 130 feet north of the northwest corner of intersection of Marygold Avenue and Sierra Avenue, with a frontage of approximately 485 feet on the west side of Sierra Avenue, and having a second frontage located approximately 160 feet west of the northwest corner of the intersection of Marygold Avenue and Sierra Avenue, with a frontage of approximately 509 feet on the north side of Marygold Avenue.

PH-5
APPROVE
CUP 06-018

Staff presentation by Jon S. Dille, staff recommends approval.

No written communication was received.

Speaking for the applicant was James Harley, All Cities Permit Services, 8621 Juniper Avenue, #207, Fontana.

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 Meyer, seconded by Commissioner Slowik, to: (1) Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 1 of the Local Guidelines for implementing CEQA (2006) and direct staff to file the Notice of Exemption; and, (2) approve **CONDITIONAL USE PERMIT NO. 06-018**. Motion carried by a vote of 5-0.

The public hearing was opened regarding the **DESIGN REVIEW NO. 06-024**: Filed by Alere Property to request a design review for site and architectural review of a tilt up industrial warehouse building totaling 311,658 square feet on a total of approximately 15 adjusted gross acres. The project site is an irregularly-shaped property consisting of two parcels (APNs: 1110-161-02 and 1110-161-03) totaling approximately 15 adjusted gross acres located on the east side of Hemlock Avenue, north of Foothill Boulevard with a frontage of approximately 228 feet on Hemlock Avenue, and a depth of approximately 245 feet east of Hemlock Avenue.

PH-6
APPROVE
DR 06-024

Staff presentation by Dawn Rowe, staff recommends approval.

No written communication was received.

Speaking for the applicant was Clark Newhall, Alere, 38 Hillgrass, 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 accepted the revised Conditions of Approval as presented.

Motion made by Commissioner Slowik, seconded by Commissioner Galasso, to: (1) Adopt the Negative Declaration and Fish and Game De Minimis Impact Finding and direct staff to file a Notice of Determination; and, (2) approve **DESIGN REVIEW NO. 06-024.** Motion carried by a vote of 5-0.

The public hearing was opened regarding the **TENTATIVE TRACT MAP NO. 17685:** Filed by J W Mitchell Land Co., LLC to request a tentative tract map to subdivide approximately 164 gross acres (Summit at Rosena Specific Plan) into 16 planning areas. The project site is an irregularly-shaped property consisting of nine parcels (APNs: 0239-131-44, -50, -51 and 0239-141-16, and -20 thru -24) of approximately 164 gross acres, with a frontage of approximately 1,000 feet on Summit Avenue and approximately 3,000 feet on Sierra Avenue, and having an approximate depth of 3,500 feet north of Summit Avenue and 2,000 feet west of Sierra Avenue.

PH-7
APPROVE
TTM 17685

Staff presentation by DiTanyon Johnson, staff recommends approval. No written communication was received. Speaking for the applicant was Don Edison, KCT Consultants, 4344 Latham St. #200, Riverside. 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 Meyer, to: (1) Find that the project has been reviewed under the previously approved Environmental Impact Report for the Summit at Rosena Specific Plan 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 **TENTATIVE TRACT MAP NO. 17685,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

OTHER COMMISSION BUSINESS:

2007 PLANNING COMMISSION CALENDAR AND FILING SCHEDULE DEADLINES:

Staff presentation by Don Williams AICP.

STAFF REPORTS: None.

DIRECTOR REPORT:

**PLANNING COMMISSION INTERPRETATION REQUEST REGARDING
CONDITIONAL USE PERMIT NO. 05-049, TENTATIVE TRACT MAP NO. 17580, AND
DESIGN REVIEW NO. 05-066 – SENIOR HOUSING PROJECT AT 16580 MERRILL
AVENUE:** Located on the northwest corner of Merrill Avenue and Pepper Avenue.

Staff presentation by Don Williams, AICP.

Victor Palos, Studio 3 Architects, 325 N. 2nd Avenue, Upland, spoke regarding this item.

By consensus, the Planning Commission agreed with staff as regards the interpretation cited by staff relating to Conditional Use Permit No. 05-049, Tentative Tract Map No. 17580, and Design Review No. 05-066, a proposed senior housing project at 16580 Merrill Avenue. Specifically, the Planning Commission interpreted senior housing in the General Commercial zoning district to mean low and very-low income rental housing, and not just senior housing for sale or only deed restricted as to age. The Planning Commission made this interpretation based on the fact that only low-income rental units for senior have thus far been approved in the General Commercial zoning district.

Director Williams stated that the Lytle Creek Apartments have been appeal to the City Council and that a special City Council meeting will be held on January 18, 2007 to hear the appeal.

Director Williams informed the Planning Commission that the Home Depot project had also been appealed to the City Council, that the City Council had upheld the Planning Commission decision, a law suit has been filed, but that a possible settlement has been reached by all three parties involved.

Director Williams stated that the League of Cities Planners Institute has been scheduled and that staff will be getting the dates and information to the Planning Commissioners in the near future.

COMMISSION REMARKS:

Commissioner Galasso wished a Merry Christmas to all.

Commissioner Meyer stated that he is happy to see Applebees, Costco, and Ralph's opened. He encouraged anyone interested in a last minute tax deduction to make a donation to the new library. He wished everyone a blessed Merry Christmas and a Happy New Year.

Commissioner Slowik welcomed Tonia Lewis to the Planning Commission. He requested this evening's meeting be adjourned in memory of Hal Clark. He wished everyone a Merry Christmas and a Happy New Year.

Commissioner Clark stated that he is enjoying the new Costco. He wished everyone a great Merry Christmas, a Happy New Year, and a safe holiday.

Commissioner Lee thanked the interested community members for staying through the evening's meeting. She welcomed Tonia Lewis. She wished everyone a peaceful and blessed holiday and stated that she would see everyone in the New Year.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 8:20 p.m. the next regular meeting on January 16 2007, 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