

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
JANUARY 16, 2007**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, January 16, 2007, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:10 p.m. Following the Pledge of Allegiance, Commissioner Slowik gave the invocation.

ROLL CALL:

Present: Chairperson Lee, Commissioners Clark(arrived at 6:45 p.m.), Galasso, Meyer, and Slowik.

Absent: None.

Also Present: Director of Community Development Don Williams, AICP; Senior Planner Orlando Hernandez; Assistant Planners Jon S. Dille, Paul Gonzales, and Shawnika Johnson, and Dawn Rowe; City Attorney Jeffrey Ballinger; City Clerk Tonia Lewis, and Commission Secretary Orvene Steenbock.

MINUTES:

MINUTES

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to: Approve the minutes of the December 5, 2006, and December 19, 2006 regular Planning Commission meetings as corrected. Motion was carried by a vote of 4-0.

APPROVE
12-5-06
12-19-06

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding media reform and conference.

OTHER COMMISSION BUSINESS:

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 meeting and Planning Commission items for the February 6, 2007, and, February 20, 2007 meetings.

PUBLIC HEARINGS:

PH

The public hearing was opened regarding the **DESIGN REVIEW NO. 05-018R1**: Filed by Mr. Patrick Diaz, to request construction of 18 houses ranging in size from 1,968 square feet to 3,015 square feet. The project site is a rectangularly-shaped property consisting of two parcels (APN 0240-012-10 and -11) of approximately 4.1 adjusted gross acres and is located on the northwest corner of the intersection of Walnut Street and Oleander Avenue and having a frontage of approximately 670 feet on the north side of Walnut Street and a second frontage of approximately 280 feet on the west side of Oleander Avenue.

PH-1
 APPROVE
 DR 05-018R1

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

Speaking for the applicant was Patrick J. Diaz, Crestwood Corp.,
 3453 Coral Way, Pomona.

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.

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

Added Condition No. 6a;

- 6a. 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.

Modified Condition No. 40;

- 40. Map Recordation Requirements. ~~Prior to recordation,~~ The applicant shall submit to Fire Department any required Water System plans, Fire Equipment Agreement and Surety, Access Maintenance Agreement, and plans for emergency/evacuation access roads as detailed in the General Requirements section of these conditions.
 The Fire Flow for this project shall be:
 1250 GPM for a 2 Hour duration at 20 psi residual operating pressure.

Motion made by Commissioner Slowik, seconded by Commissioner Galasso, to: 1) Find that the project has been reviewed under the previously adopted

Negative Declaration for Tentative Tract Map No. 17388 and Design Review No. 05-018 pursuant to Section 15162 of the Local CEQA Guidelines and direct staff to file a Notice of Determination, and 2) approve **DESIGN REVIEW NO. 05-018R1**. Motion carried by a vote of 4-0.

The public hearing was opened regarding the **TENTATIVE TRACT MAP NO. 17606/DESIGN REVIEW NO. 05-046 AND CONDITIONAL USE PERMIT NO. 05-033**: Filed by Ms. Yoon Kim, to request a tentative tract map to create a condominium map, a design review for the construction of 33 town homes providing 66 units, and a conditional use permit to establish a planned unit development to revise the building separation standards within the project. The project site is a irregularly-shaped property consisting of six parcels (APNs: 0191-091-19, -21, -23, -32, -40, and -41) of approximately 6.0 adjusted gross acres and is located approximately 180 feet east of the southeast corner of the intersection of Foothill Boulevard and Cypress Avenue with a frontage of approximately 490 feet on the south side of Foothill Boulevard and a second frontage located approximately 280 feet south of the southeast corner of the intersection of Foothill Boulevard and Cypress Avenue of approximately 180 feet on the east side of Cypress Avenue, and a depth of approximately 600 feet.

PH-2
 APPROVE
 TTM 17606
 DR 05-046
 CUP 05-033

Commissioner Clark arrived at 6:45 p.m.

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

Written communication was received from Isabel Salazar, 8273 Chantry Avenue. Speaking for the applicant was Yoon Kim, and Reggie King, Young Homes, 10370 Trademark Street, Rancho Cucamonga; and, Andrew Suzuki, BSB Design, 555 Anton Boulevard, Costa Mesa.

No one spoke in favor.

Speaking in opposition were Tina Lopez, 8251 Chantry Avenue; Armand MuSolino, 8203 Chantry Avenue; Isabel and Maria Salazar, 8273 Chantry Avenue; G. E. Stephens, environmental driller, 8226 Chantry; Michael Gonzales, 8204 Chantry Avenue; Judith Gonzales, 8204 Chantry Avenue; Mary Learmont, 8166 Pepper Avenue; James F. Coon, 8156 Pepper Avenue; Terri Canales, 8159 Juniper Avenue; 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:

Tentative Tract Map No. 17606

5. The condominium CC&Rs shall include a condition requiring the storage of all trash and recyclable containers to be placed behind the fence/wall or in the garage. The CC&Rs shall be submitted to the Community Development Department prior to their recordation and shall provide that they may not be amended without written approval of the Community Development Department. **The CC&Rs shall provide for parking regulation and**

enforcement (including adequate reservation of spaces for visitors and occupants as approved by the City) through a permitting process. The City shall be included as a third-party to the CC&Rs. The CC&Rs shall be recorded prior to issuance of the first Certificate of Occupancy.

Design Review No. 05-046

5. The following are basic 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:
 - a. The proposed architectural features provided on the front elevations shall be added to all street elevations **to the satisfaction of the Director of Community Development.**
 - 6a. **The applicant shall up-grade the barbeques located on the property to the satisfaction of the Director of Community Development.**
 - 6b. **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.**
14. **The condominium CC&Rs shall include a condition requiring the storage of all trash and recyclable containers to be placed behind the fence/wall or in the garage. The CC&Rs shall be submitted to the Community Development Department prior to their recordation and shall provide that they may not be amended without written approval of the Community Development Department. The CC&Rs shall provide for parking regulation and enforcement (including adequate reservation of spaces for visitors and occupants as approved by the City) through a permitting process. The City shall be included as a third-party to the CC&Rs. The CC&Rs shall be recorded prior to issuance of the first Certificate of Occupancy. ~~The CC&Rs shall include a restriction on resident parking in the guest parking stalls. The guest parking stalls shall be marked for guest parking only.~~**

Motion made by Commissioner Meyer, 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 **TENTATIVE TRACT MAP NO. 17606, DESIGN REVIEW NO. 05-046 AND CONDITIONAL USE PERMIT NO. 05-033.** Motion carried by a vote of 4-1, with Commissioner Slowik opposing.

The Planning Commission took a break from 9:37 p.m. to 9:52 p.m.
 Motion made by Commissioner Clark, seconded by Commissioner Meyer,
 to: Extend the meeting past 10:00 p.m. Motion carried by a vote of 5-0.

The public hearing was opened regarding **TIME EXTENSION NO. 06-026 FOR TENTATIVE TRACT MAP NO. 16723**: Filed by Young Homes to request a two-year time extension for Tentative Tract Map No. 16723, a 74 lot single-family residential subdivision on approximately 20 acres. The project site is a rectangularly-shaped property consisting of four parcels (APNs 0240-061-05, 0240-061-06, 0240-061-22 and 0240-061-23) totaling approximately 20 gross acres, and is located north of Walnut Avenue, west of Juniper Avenue, east of Cypress Avenue and south of South Highland Avenue. The project has a street frontage of approximately 1255 feet on the north side of Walnut Avenue, and extends from Cypress Avenue to Juniper Avenue.

PH-3
 APPROVE
 TIME EXT.
 TTM 16723

Staff presentation by Shawnika Johnson, staff recommends approval.
 No written communication was received.
 Speaking for the applicant was Yoon Kim, Young Homes, 10370 Trademark Street, Rancho Cucamonga.
 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) Determine that the previously adopted Mitigated Negative Declaration is adequate without modification because the project proposes no significant changes to Tentative Tract Map No. 16723, and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previously adopted Mitigated Negative Declaration pursuant to Section 6.13, of the Local Guidelines for Implementing the California Environmental Quality Act 2006; 2) direct staff to file the Notice of Determination; and, 3) approve **TIME EXTENSION NO. 06-026**, subject to the attached Findings and Conditions of Approval, granting a two-year extension of time to **TENTATIVE TRACT MAP NO. 16723**. Motion carried by a vote of 5-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 06-001**: Filed by Mr. Akwinder Singh to request approval of a new conditional use permit of an existing liquor store, G&B Liquor. The existing store is currently operating with an Alcohol Beverage Control (ABC) Type 21 (Off-Sale General) license. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0233-122-38) of approximately 0.3 adjusted gross acres and is located at 15892 Randall Avenue.

PH-4
 APPROVE
 CUP 06-001

Staff presentation by Dawn Rowe, staff recommends approval.

No written communication was received.

Speaking for the applicant was Joe Sandhu, 15892 Randall Avenue.

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 the Conditions of Approval, as follows:

- 15. Hours of operation shall be between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday; and 7:00 a.m. and 12:00 a.m. Friday and Saturday.

- 23. Remove payphones on the south side of the business within ~~six~~ **two** months of transfer of ownership.

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Determine that the project in Categorical Exempt pursuant to Section 3.15, Class 1, of the Local Guidelines for Implementing CEQA; and, 2) approve **CONDITIONAL USE PERMIT NO. 06-001**, subject to the attached Findings and Conditions of Approval, and direct staff to file the Notice of Exemption. Motion carried by a vote of 5-0.

OTHER COMMISSION BUSINESS: None.

STAFF REPORTS: None.

DIRECTOR REPORT:

Director Williams stated that the League of Cities Planning Commissioner's Institute would be held March 21 through March 23, and that the Commissioners would receive information on it very soon. He stated that on the February 6, 2007, Planning Commission agenda there will be a design review for an L. A. Fitness gym. He stated that there is a need to move the regular Planning Commission meeting of March 6, 2007, to Monday, March 5, 2007, and suggested that this be put on the next Planning Commission agenda.

COMMISSION REMARKS:

Commissioner Galasso requested that after this evening's discussion regarding parking on a small condominium project, that parking requirement for this type of project should be brought back to a later Planning Commission meeting for discussion, especially as regards the Boulevard Overlay. He reminded everyone of the Chamber of Commerce sponsored Mayor's Round Table lunch that will be held on January 25, 2007, at Sierra Lakes.

Commissioner Meyer stated that he had attended the Recognition Dinner for Bea Watson last week, and thanked her for all of her hard work and dedication to the City of Fontana for many years.

Commissioner Slowik reminded everyone that, due to overwhelming response to the Mayor's Round Table Luncheon, there would also be a Mayor's Round Table Breakfast. He stated that he had attended Bea Watson's recognition dinner last Friday night and was pleased with Council Member Frank Scialdone comments for Bea. He reminded everyone of the grand opening of Pick Up Stix and that they had donated their first day proceeds to the Fontana Boys and Girls Club. He requested that this evening's meeting be adjourned in memory of Corporal Tomajo.

Commissioner Clark wished everyone a Happy New Year, and stated that it has been a pleasure to serve the City of Fontana as a Planning Commissioner.

Commissioner Lee reminded everyone that the Mayor's Gala is coming up and will be held on March 31, 2007, at 6:00 p.m., and that tickets could be purchased on-line right now. She wished everyone a Happy New Year, and thanked the Commissioners for their hard work during the past year. She encouraged people to come in to the Fontana Art Association and check out our local artists, at 8536 Sierra.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 10:31 p.m. in memory of Corporal Tomajo, to the next regular Planning Commission meeting on February 6, 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