

**CITY OF FONTANA  
PLANNING COMMISSION  
REGULAR MEETING  
JULY 18, 2007**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, July 18, 2007, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:06 p.m. Following the Pledge of Allegiance, Commissioner Clark gave the invocation.

**ROLL CALL:**

Present: Chairperson Lee, Commissioners Clark, and Meyer.

Absent: Commissioner Galasso, and Slowik.

Also Present: Director of Community Development Don Williams, AICP; Senior Planner Orlando Hernandez; Associate Planners Stephanie Hall, and DiTanyon Johnson; Assistant Planners Shawnika Johnson, and Arely Monarez; City Attorney Jeffrey Ballinger; City Clerk Tonia Lewis, and Planning Commission Secretary Orvene Steenbock.

**MINUTES:**

MINUTES

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: Approve the minutes of the June 5, 2007, regular Planning Commission meeting as presented. Motion was carried by a vote 2-0-1, with Commissioner Clark abstaining.

APPROVE  
June 5, 2007

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Approve the minutes of the June 19, 2007, regular Planning Commission meeting as presented. Motion carried by a vote of 3-0.

APPROVE  
June 19, 2007

**PUBLIC FORUM:** None.

PF

**OTHER COMMISSION BUSINESS:**

**CONSENT CALENDAR:**

CC

**TEXT OF RESOLUTION NO. PC 2007-004:**

Staff presentation by Shannon J. Casey, AICP.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: Approve the Consent Calendar as presented. Motion carried by a vote of 3-0.

APPROVE  
CC

**AGENDA INFORMATION:**

AGDA INFO

The Planning Commission reviewed the update of future City Council agenda items for the July 24, 2007, and, August 14, 2007 meetings and the Planning Commission items for the August 7, 2007, and, August 21, 2007, meeting.

**PUBLIC HEARINGS:**

PH

The public hearing was opened regarding **TENTATIVE PARCEL MAP NO. 18450**: Filed by Empire Companies, to request the subdivision of approximately 17 acres into eleven parcels for Phases I and II of the Sierra 18450

PH-1  
APPROVE  
TPM

Crossroads Shopping Center. The project site is a rectangularly-shaped property of approximately 17 acres (APN: 0194-381-42) located on the northeast corner of Jurupa Avenue and Sierra Avenue having a frontage of approximately 1,200 feet on the east side of Sierra Avenue and an approximate depth of 620 feet east of Sierra Avenue.

Staff presentation by DiTanyon Johnson, staff recommends approval. No written communication was received.

Speaking for the applicant was Brian MacLellan, DEA, 4200 Concoors; and, Wana Sims, Empire Companies, 3536 Concoors Street, #300, 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.

By consensus, the Planning Commission requested that Condition No. 15, be moved from under the heading of "Prior to issuance of Building/ Construction Permit:" to under "General Conditions", Condition No. 15, reads as follows:

- 15. Record the approved subdivision map in accordance with the City Code as required for the project site.

Motion made by Commissioner Clark, seconded by Commissioner Meyer, to: 1) Find that the project has been reviewed under the previously approved Mitigated Negative Declaration for the Empire Center South project, which has adequately identified the impacts associated with the project, pursuant to Section 15162 of the CEQA Guidelines and direct staff to file a Notice of Determination; and, 2) approve **TENTATIVE PARCEL MAP NO.18450**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 3-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 06-023/DESIGN REVIEW NO. 06-055**: Filed by Kenji D. Shintakli to request a Conditional Use Permit to increase parking and add two parish housing units to the existing Central Congregation of the Jehovah's Witness facility. A Design Review application was also submitted for the design of the proposed housing units. The project site is a rectangular-shaped property consisting of one parcel (APN 0190-131-12) totaling approximately 1.5 gross acres, and is located approximately 174 feet south of Miller Avenue, west of Sierra Avenue, an approximately 843 feet east of Juniper Avenue. The project site has a street frontage of approximately 166 feet on the west side of Sierra Avenue, a depth of 402 feet, and is located between Cornerstone Baptist Church to the north and an existing single-family residence to the south.

PH-2  
 APPROVE  
 CUP 06-023  
 DR 06-055

Staff presentation by Shawnika Johnson, staff recommends approval. No written communication was received. Speaking for the applicant was Teri Schlegel, 11054 Stone River Drive, Alta Loma. 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:

Deleted Condition No. 23;

23. ~~The existing private sewage system will have to be modified as required to accommodate the new use. Plans and/or supporting data will have to be submitted to, and approved by, the Building & Safety Division regarding the new use the necessary modifications. Additionally, approval from the Regional Water Quality Control Board, Santa Ana Region, is required for the new use.~~

Added Condition No. 24a;

24. Public pay telephones are permitted only with the prior written approval of the City. A public pay telephone is permitted on the interior of a building/structure subject to an approved Administrative Site Plan. The location of the public telephone shall be specifically identified in the Administrative Site Plan.

Motion made by Commissioner Meyer, seconded by Commissioner Clark, to: 1) Determine that this project is Categorically Exempt pursuant to Class 3 (Infill Development) Section 3.15, of the Local CEQA Guidelines and direct staff to file the Notice of Exemption; and, 2) approve **CONDITIONAL USE PERMIT NO. 06-023, AND DESIGN REVIEW NO. 06-055,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 3-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 07-011:** Filed by Milestone Management to request a Conditional Use Permit for the review and approval of a new Conditional Use Permit to operate an existing Alcoholic Beverage Control (ABC) Type 21 (Off-Sale General) License within an existing CVS Pharmacy of approximately 23,300 square feet. The project site is an irregularly-shaped property consisting of one parcel (APN: 0193-361-09) of approximately 9.5 adjusted gross acres and is located at 9840 Sierra Avenue, which is located on the northwest corner of the intersection of Sierra Avenue and Marygold Avenue having a frontage of approximately 488 feet on the west side of Sierra Avenue, and an approximate depth of 670 feet.

PH-3  
APPROVE  
CUP 07-011

Staff presentation by Arely Monarez, staff recommends approval. No written communication was received. Speaking for the applicant was Roger Babosa, Milestone Management, 21196 Jasmynes, Lake Forest. 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 that the hours the CVS would be permitted to operate, is twenty-four (24) hours a day, seven (7) days a week.

Motion made by Commissioner Clark, seconded by Commissioner Meyer, to: 1) Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 1 of the Local Guidelines for Implementing CEQA; and, 2) approve **CONDITIONAL USE PERMIT NO. 07-011,** subject to the Conditions of Approval, and direct staff to file the Notice of Exemption. Motion carried by a vote of 3-0.

The public hearing was opened regarding **GENERAL PLAN AMENDMENT NO. 07-004/ZONE CHANGE NO. 07-002**: Filed by the City of Fontana, to request to change approximately 1.2 acres of land designated Public Facilities (P-PF) to General Commercial (C-G); and Zone Change No. 07-002 is a request to change the zoning from Public Facilities (P-PF) to General Commercial (C-2). The project site is a rectangularly-shaped property consisting of one (1) parcel (APN: 0190-321-35) of approximately 1.2 gross acres and is located approximately 445 feet east of the northeast corner of Foothill Boulevard and Tamarind Avenue, having a frontage of approximately 198 feet on the north side of Foothill Boulevard (17586 and 17590 Foothill Boulevard).

PH-4  
 APPROVE  
 GPA 07-004  
 ZC 07-002  
 ADOPT  
 RES. PC  
 2007-05

Staff presentation by Arely Monarez, 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 Meyer, seconded by Commissioner Clark, to: 1) Forward a recommendation to the City Council to adopt the Negative Declaration of Environmental Impact prepared for General Plan Amendment No. 07-004, and Zone Change No. 07-002, and direct staff to file a Notice of Determination; and, 2) adopt **RESOLUTION PC NO. 2007-05**, forwarding a recommendation to the City Council to adopt a resolution approving **GENERAL PLAN AMENDMENT NO. 07-004**, and an ordinance approving **ZONE CHANGE NO. 07-002**. Motion carried by a vote of 3-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 18348**: Filed by South Fontana Investment Company, LLC, to request a tentative tract map to subdivide approximately 258 gross acres into 14 lots for residential and recreational development, five lettered lots and a remainder parcel for development phasing. The project site is a rectangularly-shaped property consisting of 12 parcels (APNs 256-131-05, -11 through -15, 194-401-04, -05, -09, 256-141-36, -38, and -39) of approximately 258 gross acres and is located approximately 5,230 feet east of the intersection of Sierra Avenue and Jurupa Avenue and approximately 1,000 feet south of Jurupa Avenue bounded to the north by a 300 foot wide utility corridor, to the south by the Riverside County boundary line, and to the east by Locust Avenue/Armstrong Road, and having a frontage of approximately 4,500 feet and to the west by Alder Avenue and the Jurupa Hills.

PH-5  
 APPROVE  
 TTM 18348

Staff presentation by Stephanie Hall, staff recommends approval.  
 No written communication was received.  
 Speaking for the applicant was Garth Chambers, South Fontana Investment Company, LLC.

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 Conditions of Approval, as follows:

Delete Condition No. 31;

- 31. ~~Prior to map recordation, the applicant shall have completed the process of forming a Community Facilities District (CFD) for the purpose of financing the costs of infrastructure improvements and financing the costs of maintenance and operation of the street lighting, landscaping, parks, and parkways and the removal of or cover of graffiti. To initiate the process, the applicant shall submit the completed CFD application forms accompanied by appropriate fee to the City Financial Services Division. the package will include all maps necessary to show the district boundaries, the location of all lighting and landscape maintenance areas (with applicable dimensions and types of landscape) and include all related Engineer's report as approved by the City Engineer.~~

Add Condition No. 78;

- 78. All public sidewalk improvements shall be ~~6 feet wide and non-crub adjacent along the Major Highways, primary highways and secondary highway. All collectors and local street shall hae a 5' wide non-crub adjacent sidewalk.~~ **consistent with the approved Alignment Study and the Valley Trails Specific Plan.**

Motion made by Commissioner Clark, seconded by Commissioner Meyer, to: 1) Direct staff to file a Notice of Determination; and, 2) approve **TENTATIVE TRACT MAP NO. 18348**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 3-0.

**PUBLIC FORUM CONTINUED:** None.

**OTHER COMMISSION BUSINESS:** None.

**STAFF REPORTS:** None.

**DIRECTOR REPORT:**

Director Williams stated that the workshop regarding the proposed changes to the Fontana Zoning and Development Code has been moved to immediately after the next regular Planning Commission meeting on August 7, 2007.

**COMMISSION REMARKS:**

Commissioner Meyer wished everyone a good evening. He commented on how efficiently this evening's meeting went and stated that he looks forward to seeing Commissioners Galasso and Slowik at the next meeting.

Commissioner Clark wished everyone a good evening.

Commissioner Lee wished everyone a good evening.

**PUBLIC FORUM CONTINUED:** None.

**ADJOURNMENT:**

By consensus, the Planning Commission meeting was adjourned at 8:35 p.m., to the next regular Planning Commission meeting on Tuesday, August 7, 2007, at 6:00 p.m., in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA, with a workshop regarding the proposed changes to the Fontana Zoning & Development Code to follow immediately after the Planning Commission meeting in the Executive Conference Room.

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Orvene Steenbock  
Planning Commission Secretary

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Carole Lee  
Chairperson