

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
OCTOBER 2, 2007**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, October 2, 2007, 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 Galasso, Meyer, and Slowik.

Absent: None

Also Present: Director of Community Development Don Williams, AICP Senior Planner Orlando Hernandez, Associate Planner DiTanyon Johnson, Supervising Traffic System Specialist Tom Neary; City Attorney Jeffrey Ballinger; City Clerk Tonia Lewis, and Planning Commission Secretary Orvene Steenbock

MINUTES:

MINUTES

Motion made by Commissioner Slowik, seconded by Commissioner Galasso, to Approve the minutes of the September 18, 2007, regular Planning Commission meeting as presented. Motion was carried by a vote 4-0

APPROVE
SEPT. 18, 2007

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding Democracy?

John DeSousa, 7565 Concord, spoke regarding address visibility

OTHER COMMISSION BUSINESS: None

OCB

CONSENT CALENDAR: None

CC

AGENDA INFORMATION:

AGDA INFO

The Planning Commission reviewed the update of future City Council agenda items for the October 23, 2007, and November 13, 2007, meeting and the Planning Commission items for the October 16, 2007, and November 6, 2007, meetings

PUBLIC HEARINGS:

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17496/DESIGN REVIEW NO. 07-016 AND CONDITIONAL USE PERMIT NO. 07-018:** Filed by Ms Yoon Kim, Young Homes, to request a tentative tract map to create a condominium map, a design review for the construction of 41 townhomes providing 82 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 rectangularly-shaped property consisting of two parcels (APNs. 0230-071-03, and -04) of approximately 8.8 adjusted gross acres located on the southwest corner of Foothill Boulevard and Live Oak Avenue. **Staff requests that the Planning Commission continue the above-referenced project to a date uncertain, at the request of the applicant.**

PH
PH-1
CONT
TTM 17496
DR 07-016
CUP 07-018
DATE
UNCERTAIN

Motion made by Commissioner Meyer, seconded by Commissioner Slowik, to Continue the public hearing for **TENTATIVE TRACT MAP NO. 17496/DESIGN REVIEW NO. 07-016 AND CONDITIONAL USE PERMIT NO. 07-018,** to a date uncertain. Motion carried by a vote of 4-0

The public hearing was opened regarding **DESIGN REVIEW NO. 07-06 AND CONDITIONAL USE PERMIT NO. 07-04 (CONTINUED FROM 9-4-07):** Filed by Western Mall LLC, to request a design review for site and architectural review of two retail buildings totaling approximately 33,956 square feet, which includes a grocery store (Fresh and Easy), and a Conditional Use Permit for a Type 20 ABC License for the grocery store. The project site is a rectangularly-shaped property consisting of one parcel (APN 1110-241-01) of approximately 4.4 gross acres and is located on the southwest corner of Baseline Avenue and Citrus Avenue having a frontage of 640 feet on the south side of Baseline Avenue and an approximate frontage of 260 feet on the west side of Citrus Avenue

PH-2
APPROVE
DR 07-06
CUP 07-04

Staff presentation by DiTanyon Johnson and Tom Neary, staff recommends approval

No written communication was received

Speaking for the applicant Shane Stephens, 200 N Maryland, Glendale, and, Babak Bardi, Avico Inc./CDD Inc 1260 S. La Cienega Boulevard, Los Angeles
Speaking in favor was John DeSousa, 7565 Concord.

Speaking in opposition were Ed Antonacci, 15915 Jackson Drive, and, Brian Meseberg, 7330 Tokay.

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

Modified Condition No. 10;

- 10 On-site equipment (i.e., parking lot sweepers, etc.) shall not be operated directly adjacent to the existing homes **earlier than 7:00 a.m.** or after 9:00 p.m. to minimize noise impact to the adjoining residential areas

Added Condition No. 100;

- 100 Access to Tokay Avenue shall be limited to emergency vehicle access only, until the traffic signal at Baseline Avenue and Tokay Avenue, and the median break are completed, at which time such access shall be made available to all traffic, as approved by the City Engineer and at the sole and expense of the property owner

Motion made by Commissioner Slowik, seconded by Commissioner Lee, to 1) Adopt the Mitigated Negative Declaration and direct staff to file the Notice of Determination, and, 2) approve **DESIGN REVIEW NO. 07-06 AND CONDITIONAL USE PERMIT NO. 07-04**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0

The public hearing was opened regarding **GENERAL PLAN AMENDMENT NO. 06-018/ZONE CHANGE NO. 06-012/ CONDITIONAL USE PERMIT NO. 06-036 AND TENTATIVE TRACT MAP NO. 17885**: Filed by Young Homes, to request a General Plan Amendment to modify the Land Use Policy Map and change the General Plan land use designation on approximately 30 acres from Single-Family Residential (R-SF) and Multi-Family Residential (R-MF) to Medium Density Residential (R-M). A Zone Change request to modify the zoning on the Zoning District Map to change the zoning from Single-Family Residential (R-1) and Multi-Family Residential (R-3) to Medium Density Residential (R-2) A Conditional Use Permit for a Planned Unit Development on approximately 43 acres, and, a Tentative Tract Map request to subdivide approximately 43 acres into 243 single-family residential lots. The project site is a irregularly-shaped property consisting of eleven parcels (APNs 1110-331-03, 1110-331-05 through -12, 1110-331-18, 1110-331-22) of approximately 43 gross acres and is located approximately 700 feet north of the intersection of Foothill Boulevard and Sultana Avenue having a frontage of 1,000 feet on the east side of Sultana Avenue and an approximate depth of 1,200 feet east of Sultana Avenue

PH-3
ADOPT
RES. PC
2007-07
APPROVE
GPA 06-018
ZC 06-012
CUP 06-036
TTM 17885

Staff presentation by DiTanyon Johnson, staff recommends approval
No written communication was received
Speaking for the applicant Reggie King, Young Homes, 10370 Trademark Street, Rancho Cucamonga, and, Ray Allard, Allard Engineering

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) Adopt **RESOLUTION NO. PC 2007-07**, and forward a recommendation to the City Council to adopt the Mitigated Negative Declaration and direct staff to file the Notice of Determination, and, 2) adopt a resolution approving **GENERAL PLAN AMENDMENT NO. 06-018** and adopt an ordinance approving **ZONE CHANGE NO. 06-012**; and, 3) forward a recommendation to the City Council to approve **CONDITIONAL USE PERMIT NO. 06-036 AND TENTATIVE TRACT MAP NO. 17885**. Motion carried by a vote of 4-0

The Planning Commission took a break from 7:56 p.m. to 8:10 p.m.

The public hearing was opened regarding **SPECIFIC PLAN NO. 05-002/ GENERAL PLAN AMENDMENT NO. 06-009/ZONE CHANGE NO. 06-006/ TENTATIVE TRACT MAP NOS. 18244 AND 18245/TENTATIVE PARCEL MAP NO. 18201 AND DESIGN REVIEW PLAN NOS. 06-041, 06-042 AND 06-043 (CONTINUED FROM 9-4-07)**: Filed by Hopkins Real Estate Group and DR Horton, to request:

PH-4
ADOPT
RES PC
2007-08
APPROVE
SPA 05-002
ZC 06-006
GPA 06-009
TPM 18201
TTM 18244
18245, 18245
DR 05-041
05-042, 05-043

Certification of the Final Environmental Impact Report (FEIR, State Clearing-house No 2005121025) and associated Statement of Overriding Considerations along with a request to approve the Providence Pointe Specific Plan (SPL No 05-002), a mixed-use community on approximately 34 acres with up to 85 single-family residential units at the western section of the site, up to 120 residential condominium units at the northeastern section of the site, and approximately 93,830 square feet of retail commercial uses at the southeastern section of the site. The project includes the following applications

- ◆ A General Plan Amendment (AMD No 06-009) to change the land use designation of the project site to Single Family Residential, Multi-Family Residential and General Commercial;
- ◆ A Zone Change (ZC No 06-006) to rezone the site as Specific Plan (SP),
- ◆ A specific plan request for the adoption of Providence Pointe Specific Plan;
- ◆ Tentative Tract Map (TTM) No. 18244 is a request to subdivide approximately 20.9 acres of a larger parcel into 86 single-family residential lots,
- ◆ TTM No 18245 is a request to subdivide Lot No 86 of TTM No 18244 into 120 lots for condominium purposes;
- ◆ TPM No 18201 is a request to subdivide the 10 acre commercial portion into nine parcels,

- ◆ DR No 06-041 is a request for site and architectural review for 85 single-family residential lots,
- ◆ DR No 06-042 a request for site and architectural approval for 120 multi-family condominium units, and,
- ◆ DR No 06-043 a request for site plan and architectural approval for 93,830 square feet shopping center

The project site is an irregularly-shaped property composed of two parcels (APNs 0228-131-02, and -19) of approximately 34 acres located on the northwest corner of Baseline Avenue and Citrus Avenue and having an approximate frontage of 1,280 feet on Baseline Avenue and 1,020 feet on Citrus Avenue. The site is approximately three quarters of a mile south of the 210 Freeway

Staff presentation by Orlando Hernandez, staff recommends approval. Written communication was received from Fontana Unified School District, 9680 Citrus Avenue.

Speaking for the applicant Dan Boyd, DR Horton, 2280 Wardlow Circle, Suite 100, Corona, and, Jeff Hopkins, Hopkins Real Estate Group, 17461 Derlan Avenue, Suite 106, Irvine

Speaking in favor was Rick Price, 1235 N Harbor, Suite 200, Fullerton.

Speaking in opposition were Ed Antonacci, 15915 Jackson Drive, and, Brian Meseberg, 7330 Tokay 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

Deleted Condition No 66,

~~66. This Master Development shall be improved in accordance with the City Code, City Standards and approved Providence Pointe Specific Plan. The City will further review and determine the precedence of conformity over the City Code and the Specific Plan. This will be reviewed on a case by case basis.~~

Modified Conditions Nos. 54, 55, 56;

54. **Prior to Certificate of Occupancy**, the applicant shall have fully constructed public improvements per approved plans, City Standards and Specifications, and shall have addressed all punch list items to the satisfaction of the City Engineer

55 **Prior to Certificate of Occupancy**, prior to final subdivision acceptance all required undergrounding of overhead utilities shall be completed.

56 **Prior to Certificate of Occupancy**, applicant shall have provided, but not be limited to, the following underground utility services to each lot: sanitary sewers, water, electric power, telephone, and cable television

Added Condition No. 23a;

23a A Parking Management Plan shall be provided and approved to the satisfaction of the Director of Community Development.

Also, the Planning Commission gave direction to the applicant to work with staff to modify the single-family residential elevations

Motion made by Commissioner Meyer, seconded by Commissioner Galasso, to 1) Forward a recommendation to the City Council to certify the Final Environmental Impact Report (FEIR), adopt the Statement of Overriding Consideration, adopt the mitigation monitoring plan and direct staff to file a Notice of Determination, 2) adopt **RESOLUTION NO. PC 2007-08**, and forward a recommendation to the City Council to adopt an ordinance approving **SPECIFIC PLAN NO. 05-002, ZONE CHANGE NO. 06-006** and a resolution approving **GENERAL PLAN NO. 06-009**; 3) forward a recommendation to the City Council to approve **TENTATIVE PARCEL MAP NO. 18201, TENTATIVE TRACT MAP NOS. 18244 AND 18245, AND DESIGN REVIEW NOS. 05-041, 05-042 AND 05-043.** Motion carried by a vote of 4-0

PUBLIC FORUM CONTINUED: None

OTHER COMMISSION BUSINESS: None

STAFF REPORTS: None.

DIRECTOR REPORT:

D R

Director Williams requested the Commission's permission to agendize the cancellation of the January 1, 2008, Planning Commission meeting in the future for action. He stated that at the October 9, 2007, City Council meeting they would be appointing a new Planning Commissioner to fill the vacancy. He stated that the League of Cities Planning Institute would probably be held sometime in March, and requested that the Commissioners review their calendars so that plans could be scheduled in the near future if the Commissioners would like to attend. He stated that he had received a memo from Brad Buller, who is working on a series of workshops to be held in San Bernardino to help Planning Commissioners, the first annual workshop is to be held in Chino on November 1, 2007, at 7:30 a.m., and if more than three Commissioners would like to attend, the next meeting should be adjourned to that time and date. He informed the Planning Commission that the calendar is light for the next couple of months and asked the Commissioners if they would like to have a workshop regarding small lot condos.

COMMISSION REMARKS:

Commissioner Galasso thanked everyone who came out to this evening's meeting, and wished all a good evening

Commissioner Meyer wished everyone a good evening.

Commissioner Slowik stated that he attended the American Legion 262 dedication on September 29, 2007, and that it was a great event. He stated that he was very impressed with the improvements done on there new building, and commended those who participated in the rehabilitation. He requested that this evening's meeting be adjourned in memory of his great grandmother Ethel Cooper Simmons, who recently passed away at the age of 103

Commissioner Lee wished Janice Rutherford a quick recovery from her broken ankle

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 9 40 p.m , in memory of Ethel Cooper Simmons, to the next regular Planning Commission meeting on Tuesday, October 16, 2007, at 6:00 p m , in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.



Orvene Steenbock
Planning Commission Secretary



Carole Lee
Chairperson