

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 5, 2008**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, February 5, 2008, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Lee called the meeting to order at 6:12 p.m. Following the Pledge of Allegiance, the invocation was given by Commissioner Meyer.

ROLL CALL:

Present: Chairperson Lee, Commissioners Galasso, Meyer, Slowik, and Young, Jr.

Absent: None.

Also Present: Director of Community Development Don Williams, AICP; Principal Planner Craig L. Bruorton, AICP; Senior Planner Shannon Casey, AICP; Associate Planner Paul Gonzales; Assistant Planners Jon S. Dille, 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 Slowik, seconded by Commissioner Young, Jr., to: Approve the minutes of the January 15, 2008, regular Planning Commission meeting as presented. Motion was carried by a vote 5-0. APPROVE
Jan. 15, 2008

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding election and media.

ELECT/MEDIA

Mr. Quiroga, and students from Fontana Middle School Travel Club, spoke regarding McTeacher Night.

MCTEACHER
NIGHT

OTHER COMMISSION BUSINESS: None.

OCB

CONSENT CALENDAR: None.

CC

AGENDA INFORMATION:

AGDA INF

The Planning Commission reviewed the update of future City Council agenda items for the February 12, 2008, February 26, 2008, March 7, 2008, and March 11, 2008, meetings and the Planning Commission items for the February 18, 2008, meeting.

PUBLIC HEARINGS:

PH

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 18347 (TTM No. 06-031)/DESIGN REVIEW (DR) NO. 06-056/CONDITIONAL USE PERMIT (CUP) No. 07-012 (CONTINUED FROM 1-15-08):** The Windrows – Arrow: Filed by Massoud Monshizadeh, to request a Tentative Tract Map to merge five (5) parcels into one (1) parcel for condominium purposes to develop a mixed use project which includes 12 commercial units totaling 8,126 square feet fronting on Arrow Boulevard, six (6) work/live units totaling 8,510 square feet, six (6) live/work units totaling 9,266 square feet, and 36 single family residential attached units totaling 50,752 square feet. Conditional Use Permit No. 07-012 is to allow single family attached dwellings within the Boulevard Overlay District. Design Review No. 06-056 is for the design, architecture and amenities of the proposed mixed use project; and **TENTATIVE TRACT MAP NO. 18439 (TTM No. 07-013)/DESIGN REVIEW (DR) NO. 07-009/CONDITIONAL USE PERMIT (CUP) No. 07-007 (CONTINUED FROM 1-15-08):** The Windrows – Valencia: a request for a Tentative Tract Map to merge thirteen parcels into one parcel for condominium purposes to develop 56 single family attached units. Conditional Use Permit No. 07-007 is to allow multiple-family dwellings within the Boulevard Overlay District. Design Review No. 07-009 is for the design and architecture of the proposed residential units which are connected to a mixed use project (TTM No. 18347, DR No. 06-056 and CUP No. 07-012) to the north. The projects are located: The Windrows Arrow at 16395 Arrow Boulevard, 16411 Arrow Boulevard, 16425 Arrow Boulevard, 16441 Arrow Boulevard and (0191-191-23). The Windrows – Valencia at 8571 Oleander Avenue, 8579 Oleander Avenue, 8589 Oleander Avenue, 16330 Valencia Avenue, 16338 Valencia Avenue, 16346 Valencia Avenue, 16354 Valencia Avenue, 16362 Valencia Avenue, 16370 Valencia Avenue, 16380 Valencia Avenue, 16392 Valencia Avenue, 16404 Valencia Avenue, 16412 Valencia Avenue.

PH-1
 APPROVE
 TTM 18347
 DR 06-056
 CUP 07-012
 AND
 TTM 18439
 DR 07-009
 CUP 07-007

Staff presentation by Shawnika Johnson, and Shannon Casey, AICP, staff recommends approval.

No written communication was received.

Speaking for the applicant were Brad Buller, 10877 Yuba Ct, Rancho Cucamonga; Erik Peterson, CEDG Architect, 401 E. Columbia Avenue, Pomona; William Hsweh, 3439 Willow Glen Lane, West Covina; and, Massoud Monshizadeh, 1439 Rosewood Circle, Tustin.

Speaking in favor was Mr. Lawani, Rotimi Lawani Investment.

Speaking in opposition were Tai-Nan Dan Yuan, 1730 Fairgreen Drive, Fullerton; 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:

1. The following Condition shall be added:
 - a. The HOA will determine the plant material within the roof garden and maintain the roof garden at the Windrows at Arrow. The HOA shall include a provision within stating that amenities within the Windrows of Valencia and the Windrows at Arrow shall be shared by all residents. This condition shall be placed in the CC&Rs.

2. Special Condition – Engineering Division (Land Development)
 - a. The applicant shall provide clearance of all existing onsite easements or applicable) from the respective utility companies within the tentative tract map boundaries.

3. The following header, “Prior to Issuance of Certificates of Occupancy” shall be placed before Condition Number 84 on page E1-32.

4. Condition No. 3 on page E1-38 shall be modified to read “All managers and on-site staff shall be trained and the property shall be certified through the Crime Free Multi-Housing Program”.

5. Condition No. 17m on page E1-41, shall be modified to read, “Two-story homes and three-story homes with a second story elevation facing a public right-of-way shall be provided with design features which could include pot shelves, shutters, wood siding under roof peaks, color contrasting paint under roof peaks, and/or windows, etc./or such other features approved by the Planning Commission”.

6. Condition No. 2 on page E1-48 shall read, “Public pay telephones are permitted only with the prior written approval of the City. A public pay telephone is permitted on the exterior of a building/structure subject to an approved Conditional Use Permit (CUP). A public pay telephone is permitted on the interior of a building/structure subject to an approved Administrative Site Plan (ASP). In each case, the location of the public pay telephone shall be specifically identified in the CUP and/or ASP. This condition shall be included in the CC&Rs”.

7. Condition No. 5 on page E1-39 shall be modified to read, “The applicant shall provide a copy of the Homeowners Association Codes, Covenants and Restrictions 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 issuance of the first Certificate of Occupancy. The CC&Rs shall include a provision restricting a mix of uses by a percentage of the total square footage that requires a parking demand greater than 39 spaces for the mixed use component (Buildings A and A’) of the project. The parking demand shall be calculated using the most current Zoning and Development Code in effect. This provision shall be recorded in

the grant deed. Additionally, a provision shall be included in the CC&Rs restricting any uses within garages except for vehicular parking”.

8. Condition No. 5 on page E1-49 shall be modified to read, “The Homeowner’s Association shall maintain the trash enclosure and keep the trash containers inside the enclosure at all times. This condition shall be included in the CC&Rs”.
9. Condition No. 7 on page E1-49 shall be modified to read, “Signs shall comply with the City of Fontana sign requirements. No more than 25% of the total window area and clear doors shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is a clear and unobstructed view of the interior of the premises from the public sidewalk or entrance to the premises. This condition shall be included in the CC&Rs”.
10. Table 5

56 Single-Family Attached Residential Units The Windrows – Valencia					
# of Bedrooms	# of Units	Parking Spaces		Calculation	Development Standard Used
		Required	Provided		
1	2	3	8	1.5:unit of which one space shall be within an enclosed garage	ZDC
	6	6		1:unit for residence under 1000 SF	BO
2	16	32	32	2:unit for residences 1000 SF or larger	BO Note: parking standards for the BO and the ZDC are the same
3	32	64	64	2: unit for residences 1000 SF or larger	BO
Total	56	108	104		
Parking Shortage		-1			

10. Table 8

36 Single-Family Attached Residential Units Windrows – Arrow					
# of Bedrooms	# of Units	Parking Spaces		Calculation	Development Standard Used
		Required	Provided		
1	2	2	2	1.5:unit of which one space shall be within an enclosed garage	ZDC
2	13	26	26	2:unit for residences 1000 SF or larger	BO Note: parking standards for the BO and the ZDC are the same.

3	21	42	42	2:unit for residences 1000 SF or larger	BO
Total	36	71	70		
Parking Shortage	-1 Parking Space				

- 11. The combined projects provide 19 parking spaces in excess of the number required.

Motion made by Commissioner Meyer, seconded by Commissioner Young, Jr., to: 1) Recommend adoption of the attached Mitigated Negative Declaration (MNDs) for the Windrows at Arrow and the Windrows at Valencia to the City Council; 2) recommend approval of **TENTATIVE TRACT MAP NO. 18347 (TTM NO. 06-031), DESIGN REVIEW NO. 06-056, AND CONDITIONAL USE PERMIT (CUP) NO. 07-012 (WINDROW AT ARROW)** to City Council; 3) recommend approval of **TENTATIVE TRACT MAP NO. 18439 (TTM NO. 07-013), DESIGN REVIEW NO. 07-009, AND CONDITIONAL USE PERMIT (CUP) NO. 07-007 (WINDROWS AT VALENCIA)** to the City Council; 4) Recommend approval of the Development Agreement to the City Council; and 5) recommend the City Council to direct staff to file a Notice of Determination (NOD), with updated Conditions of Approval, with the above listed modifications. Motion carried by a vote of 5-0.

Commissioner Galasso removed himself due to a possible conflict of interest.

The public hearing was opened regarding **TIME EXTENSION FOR TENTATIVE TRACT MAP NO. 17389**: Filed by Mr. Benny Sam, Young Homes, to request a time extension for Tentative Tract Map No. 17389 requesting a two-year extension of the approval pursuant to Chapter 26 of the Fontana Municipal Code. The project site is an irregularly-shaped property consisting of 10 parcels (APNs 228-151-03, and -08, through -16) totaling approximately 10.4 adjusted gross acres located on the north side of Chase Road approximately, 107 feet west of the northwest corner of the intersection of Chase Road and Citrus Avenue, and having an approximate frontage of 822 feet on Chase Road and an approximate depth of 660 feet north of Chase Road.

PH-2
APPROVE
TIME EXT.
TTM 17389

Commissioner Young left the dias at 7:40 p.m.

Staff presentation by Jon S. Dille, staff recommends approval. No written communication was received. Speaking for the applicant was Yoon Kim, Young Homes, 10370 Trademark, 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 Slowik, seconded by Commissioner Meyer, to: 1) Determine that the time extension is Categorically Exempt pursuant to Section 3.07 of the Local Guidelines for Implementing the California Environmental Quality Act (2006) and direct staff to file a Notice of Exemption; and, 2) approve the **TIME EXTENSION FOR TENTATIVE TRACT MAP NO. 17389**, for two years until August 22, 2009, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 3-1-1, with Commissioner Galasso abstaining and Commissioner Young, Jr., absent.

Commissioner Galasso returned.

Commissioner Young, Jr. returned at 7:44 p.m.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 07-036**: Filed by Archeion Nevada to request a Conditional Use Permit for the review and approval of a new Conditional Use Permit (CUP) to operate a church assembly of 5,040 square feet within a previously approved industrial business park located at 7888 Cherry Avenue, Building 1, Suite A. The project site is an irregularly-shaped property consisting of one (1) parcel (APN: 1100-391-04) of approximately 4.6 gross acres located on the northwest corner of the intersection of Cherry Avenue and Meyer Canyon Drive, having a frontage of approximately 530 feet on the west side of Cherry Avenue, and an approximate depth of 440 feet.

PH-3
APPROVE
CUP 07-036

Staff presentation by Arley Monarez, staff recommends approval.

No written communication was received.

Speaking for the applicant was Tracy Watson.

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:

7. No day care or school services shall be provided on the project site. **Incidental and ancillary childcare or Sunday school services may be provided during the above-referenced hours of operation, on Sunday, but shall be prohibited at all other times and days.**

Motion made by Commissioner Young, Jr., seconded by Commissioner Slowik, to: 1) Determine that the project is Categorically Exempt pursuant to Section 3.15, Class 1 of the Local Guidelines for Implementing CEQA (2006); and, 2) approve **CONDITIONAL USE PERMIT NO. 07-036**, subject to the Conditions of Approval, with the above listed modification, and direct staff to file the Notice of Exemption. Motion carried by a vote of 5-0.

PUBLIC FORUM CONTINUED: None.

OTHER COMMISSION BUSINESS: None.

STAFF REPORTS: None.

DIRECTOR REPORT:

D R

Discussion of possible re-zoning of area bounded by Citrus Avenue, Sierra Avenue, Jurupa Avenue, and Santa Ana Avenue (Agendized at the consensus of the Planning Commission at the meeting of January 15, 2008) DISCUSS RE-ZONING

The Planning Commission and staff discussed the rezoning of the above listed area. The Planning Commission requested staff draft a letter to Mr. McGinty, stating that the re-zoning had been discussed but that no changes to the existing would be entertained at this time.

The letter was also to state that possible re-zoning might be considered in the future upon conclusion of the update of the Southwest Industrial Park Specific Plan now underway. The letter was to be signed by the Director of Community Development.

Director Williams had no comments.

Commissioner Young, Jr. left for the evening at 8:11 p.m.

COMMISSION REMARKS:

Commissioner Galasso had no comments.

Commissioner Meyer stated that he had spent the past weekend with more than 50 teenagers at a retreat for the Third Year Confirmation class of Sacred Heart Church.

Commissioner Slowik stated he and Commissioner Young, Jr. would be facing off at the burger eating challenge tomorrow night, with the proceeds to go to the Fontana Middle School Travel Club, and thanked all those who have supported this event so far.

Commissioner Lee encouraged everyone to save the date of Thursday, March 13, 2008, to attend the Exchange Club of Fontana 55th Anniversary Recognition Dinner, to be held at Sierra Lakes Country Club at 6:00 p.m. She also requested prayers for Dr. Arlene Piazza as she is facing some serious challenges.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 8:17 p.m. to the next regular Planning Commission meeting on Tuesday, February 19, 2008, at 6:00 p.m., in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.

Orvene Steenbock
Planning Commission Secretary

Carole Lee
Chairperson