

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
MAY 6, 2008**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, May 6, 2008, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Slowik called the meeting to order at 6:06 p.m. Following the Pledge of Allegiance led by Commissioner Lee, the invocation was given by Commissioner Galasso.

ROLL CALL:

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

Absent: None.

Also Present: Director of Community Development Don Williams, AICP; Senior Planners Shannon Casey, AICP, Charles Fahie, AICP, and, Orlando Hernandez; Associate Planner DiTanyon Johnson; Assistant Planners Arely Montanez, Salvador Quintanilla, and Dawn Rowe; Planning Compliance Technician Rena Sweeney; Accountant I Lynn Rogers; City Attorney Jeffrey Ballinger; City Clerk Tonia Lewis; and Planning Commission Secretary Orvene Steenbock.

MINUTES:

MINUTES

Motion made by Commissioner Lee, seconded by Commissioner Young, Jr., to: Approve the minutes of the April 15, 2008, regular Planning Commission meeting as corrected. Motion was carried by a vote 5-0.

APPROVE
4/15/08

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding media failure.

CONSENT CALENDAR: None.

CC

AGENDA INFORMATION:

AGDA INF

The Planning Commission reviewed the update of future City Council agenda items for the May 13, 2008, meetings, and the Planning Commission items for the May 20, 2008, and, June 3, 2008, meetings.

PUBLIC HEARINGS:

PH

The public hearing was opened regarding **2008/2009-2014/2015 CAPITAL IMPROVEMENTS PROGRAM (CIP):** Filed by the City of Fontana to request receiving a presentation on the Preliminary 2008/2009-2014/2015

PH-1
APPROVE
2008/09-

Capital Improvement Program (CIP), and make a finding that the CIP is in conformance with the goals and policies of the City's 2003 General Plan. Located citywide.

2014/15
CIP

Staff presentation by Lynn Rogers, 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 Lee, seconded by Commissioner Young, Jr., to: 1) Recommend that the City Council adopt a Negative Declaration of Environmental Impact and a California Fish and Game De Minimis Impact Finding; and direct staff to file the Notice of Determination; 2) find that the information and proposed projects identified in the 2008/09 – 2014/15 CIP are in conformance with the goals and policies of the 2003 General Plan; 3) recommend that the City Council adopt the 2008/09 – 2014/15 CIP. Motion carried by a vote of 5-0.

The public hearing was opened regarding **ADMINISTRATIVE SITE PLAN NO. 07-034/SIERRA BUSINESS PARK DEVELOPMENT AGREEMENT AMENDMENT**: Filed by Brian Wilson, Sierra Business Park, LLC, to request approval of an administrative site plan review application to construct one industrial building totaling 308,600 square feet on approximately 13.6 acres; and an Amendment to the Sierra Business Park Development Agreement to include Parcel No. 0256-011-10 within the Sierra Business Park area. The project site is a rectangularly-shaped property consisting of three parcels (APNs: 0256-011-10, -33 and -34) totaling approximately 13.6 adjusted gross acres located at the northwest corner of Santa Ana Avenue and Tamarind Avenue and having approximately 1,080 feet of frontage along Tamarind Avenue.

PH-2
APPROVE
ASP 07-034

Staff presentation by Orlando Hernandez, staff recommends approval.
No written communication was received.
Speaking for the applicant was Brian Paine, Sierra Business Park, LLC, 4350 Von Karman Avenue, Suite 200, Newport Beach.
No one spoke in favor.
Speaking in opposition was Juanita Ruiz, Tamarind Avenue, Bloomington.
The public hearing was closed.
The Planning Commission discussed and deliberated after the public hearing was closed.

By consensus, the Planning Commission made the following modifications to the Conditions of Approval:

- 7. The trash enclosure shall be constructed of ~~masonry decorative block~~

concrete tilt up to match the building and shall be designed and constructed to the satisfaction of the Director of Community Development.

PRIOR TO ~~MAP~~ LOT LINE RECORDATION:

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Forward a recommendation to the City Council to approve the Mitigated Negative Declaration for the project, and direct staff to file a Notice of Determination; 2) forward a recommendation to the City Council to approve the Amendment to the Sierra Business Park, Development Agreement and to approve **ADMINISTRATIVE SITE PLAN NO. 07-034.** Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 17165:** Filed by Blackmon Homes, to request a tentative tract map to subdivide approximately 30 adjusted gross acres into 89 single-family residential lots with a minimum lot size of 10,000 square feet. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0239-141-27) of approximately 30 adjusted gross acres and is located on the southwest corner of Casa Grande Avenue and having a frontage of approximately 400 feet along Cypress Avenue.

PH-3
APPROVE
TTM 17165

Staff presentation by Charles D. Fahie, AICP, staff recommends approval. No written communication was received. Speaking for the applicant was Ray Allard, 8253 Sierra 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.

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Approve the Mitigated Negative Declaration and direct staff to file a Notice of Determination; and, 2) approve **TENTATIVE TRACT MAP NO. 17165.** Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 07-035/ CONDITIONAL USE PERMIT NO. 07-026:** Filed by Mr. Andy Warren, to request a design review to construct three retail building totaling approximately 18,863 square feet and a three story mini-storage building totaling approximately 56,300 square feet including a Conditional Use Permit request to permit the use of the proposed mini-storage secondary to the proposed retail use. The project site is a rectangularly-shaped property consisting of one parcel (APN: 0240-011-17) of approximately 4.6 acres and is located approximately 607 feet south of the intersection of South Highland Avenue and Citrus Avenue having a frontage of 308 feet on the east side of Citrus Avenue and an approximate depth of 607 feet.

PH-4
APPROVE
DR 07-035
CUP 07-026

Staff presentation by DiTanyon Johnson, staff recommends approval.

No written communication was received.

Speaking for the applicant was Andy Warren, Tri-Warren Dev., 536 S. 2nd Avenue, #N, Covina.

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 No. 17, as follows:

- 17. The following Development fees are applicable to the retail square footage of the development and must be paid prior to Certificate of Occupancy. These fees are estimated to be as follows:

PLANNING DEVELOPMENT FEES	DEVELOPMENT FEE AMOUNT
Circulation Improvement Fee	\$7.851 per sq.ft.
Fire Service Protection Fee	\$0.25 per sq.ft.
Landscape Improvement Fee	\$0.872 per sq.ft.
Library Facility Fee	\$0.042 per sq.ft.
Police Facility Fee	\$0.526 per sq.ft.
Public Facility Improvement Fee	\$0.398 per sq.ft.

The following Development fees are applicable to the mini-storage square footage of the development and must be paid prior to Certificate of Occupancy. These fees are estimated to be as follows:

PLANNING DEVELOPMENT FEES	DEVELOPMENT FEE AMOUNT
Circulation Improvement Fee	\$3.202. per sq.ft.
Fire Service Protection Fee	\$0.10 per sq.ft.
Landscape Improvement Fee	\$0.348 per sq.ft.
Library Facility Fee	\$0.042 per sq.ft.
Police Facility Fee	\$0.131 per sq.ft.
Public Facility Improvement Fee	\$0.398 per sq.ft.

Motion made by Commissioner Galasso, seconded by Commissioner Young, Jr., to: 1) Determine that the project is Categorically Exempt pursuant to Class 32 Section 3.16, of the Local CEQA Guidelines and direct staff to file the Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 07-035 AND CONDITIONAL USE PERMIT NO. 07-026**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **TENTATIVE TRACT MAP NO. 18657/CONDITIONAL USE PERMIT NO. 07-039 AND DESIGN REVIEW NO. 07-044**: Filed by William Fox Homes, to request a tentative tract map to subdivide approximately 9.1 acres into 58 residential condominiums (for-sale units) and 42 single-family detached homes; a Conditional Use Permit for Planned Unit Development on the approximately 9.1 acres; and, a Design Review for the site and architectural review of the proposed condominiums and single-family detached homes. The project site is a squarely-shaped property consisting of thirteen parcels (APNs: 0240-071-02, 24, 31, 33, 34, 36, 38, 44 through -49) of approximately 9.1 gross acres located on the southwest corner of Walnut Avenue and Juniper Avenue having an approximate frontage of 633 feet on the south side of Walnut Avenue and a frontage of approximately 630 feet on the west side of Juniper Avenue.

PH-5
APPROVE
TTM 18657
CUP 07-039
DR 07-044

Staff presentation by DiTanyon Johnson, staff recommends approval. No written communication was received. Speaking for the applicant was Brian Collins, Jide Alade, and, Keith Stand, Williams Fox Homes, 3333 E. Concours, Building 7, 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 modified the Conditions of Approval, as follows:

4. J. **The Santa Barbara style of single-family detached units shall be modified or replaced to provide 360 degree architectural relief to the satisfaction of the Director of Community Development. The plans shall be provided to the Planning Commission by way of a Director’s Report.**

6. The applicant shall provide all the listed amenities, to the satisfaction of the Director of Community Development:
 - Barbecue pits **(all barbecue pits shall be constructed with shelves and be enclosed in a island)**

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Adopt the Negative Declaration and direct staff to file the Notice of Determination; and, 2) approve **TENTATIVE TRACT MAP NO. 18657, CONDITIONAL USE PERMIT NO. 07-039 AND DESIGN REVIEW NO. 07-044**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO.**

PH-6

07-025/ADMINISTRATIVE SITE PLAN NO. 07-033: Filed by Fontana Water Company, to request approval of a conditional use permit for a public utility (two water tanks) and a Administrative Site Plan to construct two reservoir water tanks totaling 9,523 square feet of area and having a combined capacity of approximately 1,430,000 gallons and a 1,452 square foot six (6) pump booster station. The project site is a rectangularly-shaped property consisting of three parcels (APN: 0228-141-09, -10 and 85) of approximately 1.9 adjusted gross acres and is located on the southwest corner of Walnut Avenue and Citrus Avenue and having approximate frontage of 561 feet on Walnut Avenue and an approximate depth of 133 feet.

APPROVE
CUP 07-025
ASP 07-033

Staff presentation by Salvador Quintanilla, staff recommends approval. No written communication was received.

Speaking for the applicant was Suzie Colon; Frank LoGuidice, and, Matt Yucelen, San Gabriel Valley Water Company, 11142 Garvey, El Monte.

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:

~~71. Applicant shall prepare signing and striping plans to provide for two-way left turn lanes on Citrus Avenue and Fontana Avenue along property frontages to the satisfaction of the Traffic Engineering Department.~~

111. The area housing the emergency generator ~~should~~ **shall** be completely enclosed and secured. ~~The proposed opening affects a dead space which invites crime and burglary.~~

Motion made by Commissioner Lee, seconded by Commissioner Slowik, to: 1) Adopt the Negative Declaration and California Fish and Game De Minimis Impact Finding and direct staff to file the Notice of Determination; and, 2) approve **CONDITIONAL USE PERMIT NO. 07-025 AND ADMINISTRATIVE SITE PLAN NO. 07-033**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 07-047:** Filed by Panattoni Development Company, LLC, to request approval of a design review to construct two warehouse/distribution industrial buildings totaling 187,562 square feet. The project site is a irregularly-shaped property consisting of one parcel (APN: 0237-191-43) of approximately 9.0 adjusted gross acres and is located approximately 313 feet east of the intersection of Catawba Avenue and Jurupa Avenue with a frontage of 449 feet on the north side of Jurupa Avenue and an approximate depth of 722 feet.

PH-7
APPROVE
DR 07-047

Staff presentation by Salvador Quintanilla, staff recommends approval. No written communication was received. Speaking for the applicant was Jacob LeBlanc, Panattoni Development, 34 Tesla, Suite 200, 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.

Motion made by Commissioner Meyer, seconded by Commissioner Young, Jr., to: Continue **DESIGN REVIEW NO. 07-047**, to the June 3, 2008, regular Planning Commission meeting. Motion carried by a vote of 5-0.

The Planning Commission took a break from 8:35 p.m. to 8:44 p.m.

The public hearing was opened regarding **DESIGN REVIEW AMENDMENT NO. 05-034R-1**: Filed by Costco Wholesale Corp., to request a design review amendment to the existing approved Design Review No. 05-034 for the approval of the proposed installation of front entry retractable overhead doors. The project site is an irregularly-shaped property consisting of approximately 14.6 gross acres at the southeast corner of Sierra Lakes Parkway and Cypress Avenue (APN 1119-191-09) and having approximately 425 feet of frontage along the south side of Sierra Lakes Parkway and approximately 355 feet of frontage on Cypress Avenue (16505 Sierra Lakes Parkway).

PH-8
APPROVE
DRA 05-034R1

Staff presentation by Rena Sweeney, staff recommends approval. No written communication was received. Speaking for the applicant was Nathan Menard, Mulvanny G2 Architects, 18200 Von Karmen Avenue, Suite 910, 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 request the applicant require Costco to remove the cartons and shelving on the southwest corner of the building, and staff bring back a report to the next regular Planning Commission meeting.

Motion made by Commissioner Galasso, seconded by Commissioner Meyer, to: 1) Adopt the Categorical Exemption prepared for the project and direct staff to file the Notice of Exemption; and, 2) approve **DESIGN REVIEW AMENDMENT NO. 05-034R1**. Motion carried by a vote of 5-0.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 08-012**: Filed by Mr. and Mrs. Santacruz, to request review and approval of a new CUP to obtain an Alcoholic Beverage Control (ABC) Type 41 (On-Sale

PH-9
APPROVE
CUP 08-012

Beer and Wine for a Bona Fide Public Eating Place) License to be operated in conjunction with a restaurant (Taco Del Mar). The project site is an irregularly-shaped property consisting of one parcel (APN: 1100-691-07) of approximately 2.6 adjusted gross acres, located at 7426 Cherry Avenue, which is located approximately 697 feet south of the southwest corner of the intersection of Baseline Avenue and Cherry Avenue, and having a frontage of approximately 483 feet on the west side of Cherry Avenue, and an approximate depth of 587 feet. The business is located at 7426 Cherry Avenue, Suite 160.

Staff presentation by Arely Monarez, staff recommends approval.

No written communication was received.

Speaking for the applicant were Daniel J. Appel, R. E. Broker, 1384 No. Euclid Avenue, Upland; and, Alejandra Santacruz, 13836 Mesquite Drive.

No one spoke in favor opposition.

The public hearing was closed.

The Planning Commission discussed and deliberated after the public hearing was closed.

Motion made by Commissioner Young, Jr., seconded by Commissioner Lee, to: 1) Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 1 of the Local Guidelines for Implementing the California Environmental Quality Act (2006) and direct staff to file a Notice of Exemption; 2) approve **CONDITIONAL USE PERMIT NO. 08-012**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 5-0.

PUBLIC FORUM CONTINUED: None.

OTHER COMMISSION BUSINESS: None.

STAFF REPORTS: None.

DIRECTOR REPORT:

Director Williams had no comments.

COMMISSION REMARKS:

Commissioner Galasso stated he had no comments.

Commissioner Lee stated that it was nice to receive an invitation to the Annual Prayer Breakfast and wonderful to see so many involved. She stated that the new Library is very busy and very successful. She encouraged everyone to come to the dedication of the new Village of Heritage Neighborhood Center on May 31, 2008, at 11:00 a.m. She wished everyone a good evening.

Commissioner Meyer thanked the American Legion for their hard work and dedication bringing the Moving Vietnam Memorial Wall to the City of Fontana and all who participated.

Commissioner Young, Jr. stated that he attended the Annual Prayer Breakfast and found it to be truly a blessing. He invited everyone to come out for this year's Miss Fontana Pageant at Fontana High School on May 10, 2008. He commented that it was an honor to have the Vietnam Moving Memorial Wall here in Fontana, and stated Assembly Member Wilmer Amina Carter will be hosting a Veteran's Reception on May 15, 2008, 5:00 p.m. to 7:00 p.m. at 335 N. Riverside Avenue, Rialto. He thanked the Chamber for hosting the Annual Police and Fire Recognition Dinner.

Commissioner Slowik thanked all of the volunteers that helped with the Vietnam Moving Memorial Wall. He commented on how wonderful it is to have the Lewis Library and Technology Center complete and open. He invited everyone to come out to the grand opening of the new Village of Heritage Neighborhood Center. He congratulated the new Fontana Unified School District Superintendent Cali Olsen-Binks and the new FUSD Board Member Larry Clark. He congratulated Marcene Bell of the County of San Bernardino for her employment recognition award, and Martha Nagy of Fontana upon her recognition by the Sons of Italy. He encouraged everyone to come out to Fontana Days on June 5-8, 2008. He wished all the mothers a Happy Mother's Day, especially his Mom.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 7:42 p.m., in memory of Paul Morty, and Martin Matich, also for all who have lost their lives for our country, to the next regular Planning Commission meeting on Tuesday, May 20, 2008, at 6:00 p.m., in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.

Orvene Steenbock
Planning Commission Secretary

Matthew Slowik
Chairperson