

**CITY OF FONTANA  
PLANNING COMMISSION  
REGULAR MEETING  
AUGUST 19, 2008**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, August 19, 2008, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Slowik called the meeting to order at 6:04 p.m. Following the Pledge of Allegiance led by Commissioner Meyer, the invocation was given by Commissioner Lee

**ROLL CALL:**

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

Absent: Commissioner Galasso.

Also Present: Director of Community Development Don Williams, AICP; Principal Planners Craig Bruorton, and Kevin Ryan; Senior Planners Shannon Casey, and Stephanie Hall; Associate Planners Paul Gonzales, and DiTanyon Johnson; Assistant Planners Dawn Clement, Jon Dille, and Salvador Quintanilla; FPD Special Operations Secretary Wendy Felshaw; City Attorney Jeffrey Ballinger; City Clerk Tonia Lewis and Planning Commission Secretary Orvene Steenbock.

**MINUTES:**

MINUTES

Motion made by Commissioner Meyer, seconded by Commissioner Young, Jr., to: Approve the minutes of the August 5, 2008, regular Planning Commission meetings, as presented. Motion was carried by a vote 4-0.

APPROVE  
8/5/08

**PUBLIC FORUM:**

PF

Tony Orlich, Randall Avenue, spoke regarding public apathy.

**CONSENT CALENDAR:**

None.

CC

**AGENDA INFORMATION:**

AGDA INF

The Planning Commission reviewed the update of future City Council agenda items for the August 26, 2008, and September 9, 2008, meetings, and the Planning Commission items for the September 2, 2008, and, September 16, 2008, meetings.

**PUBLIC HEARINGS:**

PH

The public hearing was opened regarding **AMENDMENT NO. 08-007, AN AMENDMENT TO CHAPTER 15, ARTICLE XII OF THE MUNICIPAL CODE:** Filed by the City of Fontana, to request an amendment to Chapter 15, Article XII, of the Fontana Municipal Code establishing regulations and procedures that pertain to massage establishments, located city-wide.

PH-1  
APPROVE  
AMEND.  
08-007  
**RES 08-04**

Staff presentation by Dawn Clement, and Stephanie Hall, 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.

By consensus, the Planning Commission modified the Code Amendment, as follows:

*Recognized school* means any school or institution of learning approved by ~~the state board of education,~~ **a state certified program of education** in the **massage** profession, which has for its purpose the teaching of the theory, method, profession or work of massage technician, which school requires a resident course of study of not less than 600 hours to be given in not less than six calendar months before the student shall be furnished with a diploma or certificate of graduation for such school or institution of learning showing the successful completion of such study or learning. Schools offering correspondence courses and not requiring actual class attendance shall not be deemed recognized schools. ~~The city clerk~~ **City of Fontana Police Department** shall confirm that an applicant has actually attended classes and matriculated in a recognized school. (Code 1968, § 15-1)

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Forward a recommendation to the City Council to adopt a Negative Declaration and file a Notice of Determination; and, 2) adopt **RESOLUTION NO. PC 2008-04,** forwarding an ordinance to the City Council to approve an amendment to Chapter 15, Article X11 of the Municipal Code (AMD No. 08-007), and direct staff to file a Notice of Determination. Motion carried by a vote of 4-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 06-045:** Filed by Highland Automotive Properties, to request a design review to construct a 71,441 square foot auto dealership (Rock Honda), including service center, covered service drive and showroom. The project site is an irregularly-shaped property consisting of four parcels (APNs 0240-061-17,

PH-2  
APPROVE  
DR 06-045

-29, -32, and -34) of approximately 10.4 adjusted gross acres located at the northeast corner of the intersection of South Highland Avenue and Cypress Avenue and having a frontage of approximately 904 feet on the north side of South Highland Avenue and a frontage of approximately 360 feet on the east side of Cypress Avenue.

Staff presentation by Salvador Quintanilla, staff recommends approval.

No written communication was received.

Speaking for the applicant was Tom Chadwell, Piercey Automotive Group, 13600 Beach Boulevard, Westminster.

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:

3. This approval shall not be effective until such time as Old Highland Avenue public right-of-way (approximately 60 feet wide extending 874 feet east of Cypress Avenue and located approximately 851 feet west of Auto Center Drive) is vacated and the applicant is successful in obtaining ownership of the entire vacated area. **Prior to issuance of grading permit and to the satisfaction of the City Engineer, the applicant shall provide an access easement to Rotolo Chevrolet until such time the street improvements, either temporary or permanent, from the northerly end of Auto Center Drive to the northerly boundary limits of Rotolo Chevrolet are constructed.**
57. **Old** Highland Avenue right-of-way shall be restricted to no parking on the North Side of the Street until such time as the Auto Center Road extension is completed.
58. Applicant shall coordinate with the City for the **Old** Highland Avenue Street Vacation process.

Also, added was:

Old Highland Avenue exists on the north side of APNs 0240-061-17, -29, -32, and – 34 (Rock Honda). The street would be required to be vacated. However, this access is for Rotolo Chevrolet vehicle delivery; therefore, some form of access to Rotolo Chevrolet will have to be maintained, until such time the loop road can be constructed. This may include a temporary access easement.

Motion made by Commissioner Young, Jr., seconded by Commissioner Slowik, to: 1) Direct staff to file a Notice of Determination; and, 2) approve **DESIGN**

**REVIEW NO. 06-045.** Motion carried by a vote of 4-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 06-039R1:** Filed by Centex Homes, to request revision and substitution of two previously approved single-family home designs on eleven lots as part of Design Review No. 06-039 with two modified single-family home designs (Plan Nos. 3258 and 3320). The project consists of eleven parcels (APNs: 1107-382-36, -39, -43, -46, -49, -53, -54, -55, -64, -67, and -69) which are located within Tract No. 16290-2 of the Coyote Canyon Specific Plan, which is located approximately 1,500 feet west of the intersection of Duncan Canyon Road and Roadrunner Road, with a frontage of 850 feet on the south side of Duncan Canyon Road and a depth of approximately 1,000 feet south of Duncan Canyon Road.

PH-3  
APPROVE  
DR 06-039R1

Staff presentation by DiTanyon Johnson, staff recommends approval. No written communication was received. Speaking for the applicant was Debra Meyer, Centex Homes, 1265 Corona Pointe Court, Corona. 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 Young, Jr., to: 1) Determine that the project is Categorically Exempt pursuant to Class 2, Section 3.16, of the Local CEQA Guidelines and direct staff to file the Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 06-039R1,** subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0.

The public hearing was opened **TENTATIVE PARCEL MAP NO. 19061 AND DESIGN REVIEW NO. 08-05:** Filed by Craig Ames, PGA & W Architects/Planners, to request a tentative parcel map to merge sixteen parcels totaling approximately 9.1 acres into two parcels and a Design Review request to construct an approximately 59,680 square foot building for retail office and distribution uses. The project site is a rectangularly-shaped property and consisting of sixteen parcels (APNs 0251-321-01 through -16) totaling approximately 9.1 gross acres, located on the southeast corner of Valley Boulevard and Cypress Avenue having an approximate frontage of 727 feet on the south side of Valley Boulevard and an approximate frontage of 629 feet on the east side of Cypress Avenue.

PH-4  
APPROVE  
APM 19061  
DR 08-005

Staff presentation by DiTanyon Johnson, and Kevin Ryan, staff recommends approval. No written communication was received. Speaking for the applicant was Craig Ames, and Kevin, PGA&W Architects, 5263 So. Commerce Drive, Murray, Utah. No one spoke in favor.

Speaking in opposition was Victor Vollhardt, 9344 Laurel Avenue.  
 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 Meyer, to: 1) Adopt the Negative Declaration and direct staff to file the Notice of Determination; and, 2) approve **TENTATIVE PARCEL MAP NO. 19061 AND DESIGN REVIEW 08-005**, subject to the attached Findings and Conditions of Approval. Motion carried by a vote of 4-0.

The public hearing was opened regarding **DESIGN REVIEW NO. 07-033**: Filed by Mr. Tim Song, Design Group Beau, to request a design review for the site and architectural review of twenty (20) residential condominiums (all for-sale units). The project site is a rectangularly-shaped property consisting of one parcel (APN: 0233 -131-02) of approximately 1.8 adjusted gross acres, located on the southeast corner of the intersection of Merrill Avenue and Catawba Avenue and having a frontage of approximately 288 feet on the south side of Merrill Avenue, and a frontage of approximately 284 feet on the east side of Catawba Avenue.

PH-5  
 APPROVE  
 DR 07-033

Staff presentation by Salvador Quintanilla, staff recommends approval. No written communication was received.  
 Speaking for the applicant was Dong Myung Kim, DGB, 9745 Reseda Boulevard, #29, Northridge.  
 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 Condition No. 34, of the Conditions of Approval, as follows:

- 34. Prior to issuance of building permits, applicant will be required to **file and record the** lot line adjustment for modifications made to the airspace lots.

Motion made by Commissioner Lee, seconded by Commissioner Young, Jr., to: 1) Determine that the project is Categorically Exempt pursuant to Section 3.16, Class 32 of the Local Guidelines for Implementing the California Environmental Quality Act (2006), and direct staff to file a Notice of Exemption; and, 2) approve **DESIGN REVIEW NO. 07-033**, subject to the attached Finding and Conditions of Approval. Motion carried by a vote of 4-0.

The public hearing was opened regarding **APPEAL NO. 08-002**: Filed by Pioneer Property, Ms. Tami Wetzel, to request an appeal of the Director of Community Development's decision denying an extension of time to complete

PH-6  
 DENY  
 APPEAL

the conditions of approval for a Conditional Use Permit (CUP) for a Truck Storage/Dispensing/Sales Business originally approved in the County of San Bernardino. The project site is a rectangularly-shaped property of approximately 4.8 gross acres located at 1184 Almond Avenue, approximately 750 feet north of the intersection of Jurupa Avenue and Almond Avenue, and having a frontage of approximately 330 feet on the west side of Almond Avenue and a depth of approximately 600 feet (APN 0236-171-11). 08-002

Staff presentation by Paul Gonzales, staff recommends approval.

No written communication was received.

Speaking for the applicant was Patrick McCall, 765 The City Drive, #350, Orange; and, Tami Wetzel, Pioneer Property, 15335 Valley Boulevard.

No one spoke in favor.

Speaking in opposition was Scott Roach, 14188 Durian Avenue.

The public hearing was closed.

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

By consensus, the Planning Commission took a break from 8:43 p.m. to 8:53 p.m.

Motion made by Commissioner Meyer, seconded by Commissioner Young, Jr., to: 1) Deny **APPEAL NO. 08-002**, thereby upholding the decision of the Director of Community Development, denying an extension of time to complete conditions of approval for CUP No. 12562CU1/W141-111/04/CUP01, originally approved in the County of San Bernardino, and to correct all outstanding violations of the CUP. 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 commented that while reviewing the Planning Commission by-laws recently he noticed they state that the Planning Commission may designate one or two Planning Commissioner's as representatives to attend the appropriate City Council meeting, when an appeal is filed regarding a Planning Commission tie vote.

Due to the fact that a Planning Commission action recently resulted in a tie vote and the item was appealed to the City Council, it was determined that Commissioners Lee and Slowik, would represent the Planning Commission at the September 9, 2008, City Council meeting, representing both sides of the split vote.

**COMMISSION REMARKS:**

Commissioner Young, Jr. wished everyone a good evening, and a safe drive home.

Commissioner Meyer wished everyone a good evening and a great week.

Commissioner Lee commended the community on its patience, while driving in the City of Fontana, with the many street improvements taking place.

Commissioner Slowik thanked staff for the opportunity to attend the San Bernardino County Water Conference, along with a couple of City Council Members and staff.

**PUBLIC FORUM CONTINUED:** None.

**ADJOURNMENT:**

By consensus, the Planning Commission meeting was adjourned at 9:24 p.m., to the next regular Planning Commission meeting on Tuesday, September 2, 2008, at 6:00 p.m., in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.

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Orvene Steenbock  
Planning Commission Secretary

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Matthew Slowik  
Chairperson