

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
OCTOBER 23, 2008**

A regular meeting of the City of Fontana Planning Commission was held on Thursday, October 23, 2008, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Slowik called the meeting to order at 6:05 p.m. Following the Pledge of Allegiance led by Commissioner Lee, the invocation was given by Father Jim Gibson, of the Blessed John the 23rd Catholic Church.

ROLL CALL:

Present: Chairperson Slowik, Commissioners Galasso, Lee, Meyer, and Young, Jr.(arrived at 6:25 p.m.).

Absent: None.

Also Present: Director of Community Development Don Williams, AICP; Principal Planner Craig Bruorton, AICP; Senior Planners Shannon Casey, AICP; and, Charles Fahie, AICP; Assistant Planner Dawn Clement; Community Policing Technician Secretary Wendy Felshaw; City Attorney Rahsaan J. Tilford; 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 October 7, 2008, regular Planning Commission meeting, as presented. Motion was carried by a vote 4-0-1, with Commissioner Slowik abstaining.

APPROVE
10/7/08

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding the engaging.

ENGAGING

CONSENT CALENDAR: None.

C C

AGENDA INFORMATION:

AGDA INF

The Planning Commission reviewed the update of future City Council agenda items for the October 28, 2008, November 13, 2008, and, November 25, 2008, meetings, and the Planning Commission items for the and November 18, 2008 meeting.

PUBLIC HEARINGS:

PH

The public hearing was opened regarding **GENERAL PLAN AMENDMENT NO. 08-09/ZONE CHANGE NO. 08-06**: Filed by the City of Fontana, to request a General Plan Amendment from Single-Family Residential (R-SF) to General Commercial (C-G) and a zone change from Single-Family Residential (R-1) to General Commercial (C-2) on approximately 8.1 acres. The project site is an irregularly-shaped property consisting of 30 parcels (APNs: 0228-301-01 through -08; 0228-301-20 through -23; and 0228-301-33 through -49) of approximately 8.1 gross acres located on the northwest corner of the intersection of South Highland Avenue and Citrus Avenue, and having a frontage of approximately 1,240 feet on the north side of South Highland Avenue, a frontage of approximately 322 feet on the west side of Citrus Avenue and having a depth of approximately 322 feet.

PH-1
ADOPT
RES PC
2008-05
APPROVE
GPA 08-09
ZC 08-06

Staff presentation by Craig Bruorton, AICP, staff recommends approval. No written communication was received. No member of the public 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) Forward a recommendation to the City Council to adopt the Negative Declaration of Environmental Impact and the State of California Department of Fish and Game de Minimis Impact Finding prepared for **GENERAL PLAN AMENDMENT NO. 08-09 AND ZONE CHANGE NO. 08-06**, and direct staff to file a Notice of Determination; 2) adopt **RESOLUTION PC NO. 2008-05**, forwarding a recommendation to the City Council to adopt a resolution approving General Plan Amendment No. 08-09, and an ordinance approving Zone Change No. 08-06. Motion carried by a vote of 4-0.

Commissioner Young, Jr. arrived at 6:25 p.m.

The public hearing was opened regarding **DESIGN REVIEW NO. 05-068R1/ TEMPORARY USE PERMIT NO. 08-066**: Filed by KB Home, Greater Los Angeles, Inc., to request revision to an approved design review application to modify the architectural elevations and floor plans for 103 single-family residential homes (21 lots in TM No. 14244, and 82 lots in TM No. 14245) and a temporary use permit to establish a model home complex in TM No. 14244 in the Southridge Village Specific Plan. The homes will be built in two tracts located in the southernmost part of the Southridge Village Specific Plan. Tract Map (TM) No. 14244 is an irregularly-shaped property consisting of 73 single-family residential lots of approximately 12.3 net acres located on the south side of Citrus Avenue extending south to the Riverside County line with a frontage of approximately 1,000 feet along Citrus Avenue. TM No. 14245 is an irregularly-shaped property consisting of 82 single-family residential lots of approximately 15.4 net acres located on the south side of Elm Avenue extending south to the Riverside County line with a frontage of approximately 430 feet along Elm Avenue.

PH-2
APPROVE
DR 05-068R1
TUP 08-066

Staff presentation by Charles Fahie, AICP, staff recommends approval. No written communication was received. Speaking for the applicant Eric Scheck, and Steve Ruffner, KB Home, 36310 Inland Valley Drive, Wildomar. No member of the public 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 Condition No. 4, to read as follows:

- 4. Pre-plot elevations to the satisfaction of the Director of Community Development, with a minimum of seven (7) lots to have veneer on Tract No. 14244, with a proposed housing plan mix for each plan to be no more than 35%.

Motion made by Commissioner Young, Jr., seconded by Commissioner Lee, to: 1) Find that the project is Categorical Exempt pursuant to Section 3.07 of the Local CEQA Guidelines and direct staff to file a Notice of Exemption; 2) approve **DESIGN REVIEW NO. 05-068R1**; and approve **TEMPORARY USE PERMIT NO. 08-066**. Motion carried by a vote of 5-0.

Commissioner Galasso removed himself due to possible conflict of interest.

The public hearing was opened regarding **SPECIFIC PLAN NO. 04-006, ZONE CHANGE NO. 07-005, GENERAL PLAN AMENDMENT NO. 06-006, DEVELOPMENT AGREEMENT, AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) (STATE CLEARINGHOUSE NO. 2006071109) FOR THE ARBORETUM SPECIFIC PLAN**: Filed by North Fontana Investment Company, LLC, to request adoption of a resolution recommending that the City Council: 1) certify the Arboretum Specific Plan Final Environmental Impact Report (FEIR, State Clearinghouse No. 2006071109) and associated Statement of Overriding Considerations; 2) adopt an ordinance approving Specific Plan No. 04-006 (Arboretum Specific Plan) to allow a maximum of 3,526 residential dwelling units, a 10.7 acre public Arboretum Park, a 3.7 acre public park, a 34.3 acre site for an elementary and an adjacent middle school, and a second 12.1 acre elementary school site all on approximately 531.3 gross acres; 3) adopt an ordinance approving Zone Change No. 07-005; 4) adopt a resolution approving General Plan Amendment No. 06-006 to change the land use designation on-site to Multi-family residential, modify the Circulation Plan to match the specific plan and to change the General Plan to allow 3,000 square foot single-family residential lots in a specific plan; and 5) adopt the development agreement for the Arboretum Specific Plan. The project site is an irregularly-shaped property consisting of forty four parcels (APNs: 0239-081-06, 09, -11, -12, 14, -15, -16, -18, -19, -20, -21, -23, -24, -28, -29, -31, -36, -37, -38, -40, -41, -42, -43, -44, 0239-131-03, -06, -09, -10, -14, -18, -19, -20, -21, -22, -23, -35, -36, -38, -39, -43, -45, -47, -49, and -51) on approximately 531.3 gross

PH-3
CONT.
SP 04-006
ZC 07-005
GPA 06-006
DEV. AGR.
DEIR
11/18/08

acres and is located on the northwest corner of Casa Grande Avenue and Sierra Avenue having a frontage of approximately one mile west on Casa Grande Avenue and a frontage of approximately one mile north on Sierra Avenue.

Staff requests that the Planning Commission continue this item to the November 18, 2008, Planning Commission hearing to allow the applicant to finalize the Arboretum Specific Plan DA.

Staff presentation by Charles Fahie, AICP, staff recommends continuation. No written communication was received.

No member of the public spoke in favor.

Speaking in opposition was Tony Orlich, Randall Avenue

The public hearing was closed.

Motion made by Commissioner Meyer, seconded by Commissioner Lee, to: 1) Continue **SPECIFIC PLAN NO. 04-006, ZONE CHANGE NO. 07-005, GENERAL PLAN AMENDMENT NO. 06-006, DEVELOPMENT AGREEMENT, AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) (STATE CLEARINGHOUSE NO. 2006071109) FOR THE ARBORETUM SPECIFIC PLAN,** to the regular Planning Commission meeting on November 18, 2008. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Commissioner Galasso returned.

The public hearing was opened regarding **APPEAL NO. 08-001:** Filed by Ritmo Latino, to request approval of Appeal No. 08-001, overturning the Director of Community Development's denial of Design Review Sign No. 08-019, a request for a wall sign at 9810 Sierra Avenue, Suite D.

PH-4
CONT
APPEAL
08-001
1/20/09

Staff presentation by Don Williams, AICP, staff recommends continuation. Written communication was received from Cassandra E. Hooks, KLINEDINST P.C., 777 South Figueroa Street, Suite 4700, Los Angeles, indicating the appellant's Agreement with and support for the continuance. No member of the public spoke in favor or opposition. The public hearing was closed.

Motion made by Commissioner Lee, seconded by Commissioner Young, Jr., to: 1) Continue **APPEAL NO. 08-001,** to the regular Planning Commission meeting on January 20, 2009. Motion carried by a vote of 5-0.

By consensus the Planning Commission heard the follow to items together.

The public hearings were opened regarding **ADMINISTRATIVE SITE PLAN NO. 07-04/CONDITIONAL USE PERMIT NO. 07-006 AND ADMINISTRATIVE SITE PLAN NO. 07-046/CONDITIONAL USE PERMIT NO. 07-031 (CONT'D FROM 10-7-08):** Filed by David Eshleman, to request an Administrative Site Plan (ASP No. 07-004) for a new 18,348 square foot truck inspection building and a Conditional Use Permit (CUP No. 07-006) for the proposed use of tractor trailer leasing, sales, and repair. An Administrative Site Plan (ASP No. 07-046)

PH-5 & 6
CONT PH-5
ASP 07-004
CUP 07-006
ASP 07-046
CUP 07-031
and, PH-6

for a façade change to an existing 9,600 square foot building, and conversion of an existing residence and garage to an office and show room. Additionally, Conditional Use Permit (CUP No. 07-031) is requested to approve an existing 9,600 square foot building for a race and repair shop. The project site is a rectangularly-shaped property consisting of two parcels (APN 0237-191-01 and -12), of approximately 13.5 gross acres located on the southeast corner of Santa Ana Avenue and Catawba Avenue, and having an approximate frontage of 950 feet on Catawba Avenue, and an approximate frontage of 630 feet on Santa Ana Avenue, and a depth of 630 feet. **Staff requests** that the Planning Commission continue this item to the November 18, 2008, Planning Commission meeting for additional time to complete outstanding issues.

ASP 07-047
CUP 07-032
11/18/08

and,

ADMINISTRATIVE SITE PLAN NO. 07-047/CONDITIONAL USE PERMIT NO. 07-032 (CONT'D FROM 10-7-08): Filed by David Eshleman, to request an Administrative Site Plan (ASP) for a new 10,454 square foot building with office and truck inspection area, and a Conditional Use Permit (CUP) for the proposed use of a tractor trailer leasing, sales, and repair area. The project site is a rectangularly-shaped property of two parcels (APN 0237-191-27 and -28) of approximately seven (7) gross acres located 1300 feet south of the intersection of Santa Ana Avenue and Catawba Avenue, on the east side of Catawba Avenue and having an approximate frontage of 500 feet on Catawba Avenue, and a depth of 630 feet. **Staff requests** that the Planning Commission continue this item to the November 18, 2008, Planning Commission meeting for additional time to complete outstanding issues.

Motion made by Commissioner Lee, seconded by Commissioner Galasso, to: 1) Continue **ADMINISTRATIVE SITE PLAN NO. 07-04/CONDITIONAL USE PERMIT NO. 07-006 AND ADMINISTRATIVE SITE PLAN NO. 07-046/CONDITIONAL USE PERMIT NO. 07-031,** and, 2) continue **ADMINISTRATIVE SITE PLAN NO. 07-047/CONDITIONAL USE PERMIT NO. 07-032,** to the regular Planning Commission meeting on November 18, 2008. Motion carried by a vote of 4-0-1, with Commissioner Slowik abstaining.

The public hearing was opened regarding **CONDITIONAL USE PERMIT NO. 04-013R1:** Filed by the City of Fontana, to request revocation of Conditional Use Permit (CUP) No. 04-013R1 for a Type 41 Alcohol Beverage Control (ABC) License (On-Sale Beer and Wine for a Bona Fide Public Eating Place). The project is located at 16785 Arrow Boulevard, on the southwest corner of Arrow Boulevard and Bennett Avenue (APN: 0191-272-21).

PH-7
REVOKE
CUP 04-013R1

Staff presentation by Dawn Clement, staff recommends revocation. No written communication was received. No one spoke for the applicant. No member of the public 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 Meyer, to: 1) Determine that the revocation is Categorically Exempt pursuant to Section 3.16, Class 21 of the Local Guidelines for Implementing the California Environmental Quality Act (2006), and direct staff to file a Notice of Exemption; and, 2) Revoke **CONDITIONAL USE PERMIT NO. 04-013**, subject to the attached Findings. Motion carried by a vote of 5-0.

OTHER COMMISSION BUSINESS:

O C B

STAFF REPORTS: None.

S F

DIRECTOR REPORT:

D R

Director Williams reminded the Commission there would be no Planning Commission meeting on November 4, 2008. He stated he would be on vacation from November 13, 2008, to December 1, 2008, so he will not be at the next Planning Commission meeting on November 18, 2008.

COMMISSION REMARKS:

C R

Commissioner Lee stated there was recently an excellent event at Palmetto Elementary School, where the school library was redone through a joint collaboration of Target and the United Way. She expressed her thanks to Council Members Rutherford, and Warren and Planning Commissioner Galasso for attending the library event. She stated her grandchildren are getting into the spirit of Planning this past weekend by helping her to review the Planning Commission agenda, and giving their input regarding the house designs. She wished everyone a pleasant evening. She encouraged everyone to come out to the upcoming ice hockey game in Ontario.

Commissioner Galasso wished everyone a good night.

Commissioner Meyer commented he would let another Planning Commissioner mention the dinner honoring David Wiener and the Grand Opening of Fontana Park. He stated the San Bernardino Law Library, where he works, received the Public Printer's Library of the Year Award from the Federal Government last Monday in Washington D. C. and that he was honored to be there to accept the award. He stated on November 12, 2008, the Law Library will be hosting the Public Printer of the United States. He encouraged everyone to get out and vote in the November 4th election, and wished all of the candidates well. He wished everyone a good evening.

Commissioner Young, Jr. relinquished the Fontana Park announcement to the Chairman. He encouraged everyone to visit the candidate website if they are still undecided about who to vote for in the upcoming election. He mentioned the fundraiser held last Friday for the

Fontana Middle School Travel Club, at which Mayor Nuaimi ran 18 laps in one hour. He stated there will be a free tax seminar at the Steelworker's Auditorium on November 13, 2008. He stated that on October 28, 2008, the City of Fontana City Council would be receiving the Helen Putnam Award for being one of the top 100 Cities in the nation to raise young people in, and expressed thanks to our Healthy Fontana program for being a primary reason for the award. He reminded everyone that October is Breast Cancer Awareness Month.

Commissioner Slowik reminded everyone of the upcoming "Art in the Park" event to be held on November 18, 2008, featuring "Colors of the Dragon". He invited everyone to attend the Grand Opening of Fontana Park on Saturday, October 25, 2008, starting at 10:00 a.m. He congratulated David Wiener for receiving the "Citizen of the Year" Award at a dinner hosted by the Rotary Club and Boys Scouts of America. He thanked the Mayor for the walk-a-thon fundraiser for the Fontana Middle School Travel Club and stated that he and Commissioner Young, Jr., would be having another burger consuming competition fundraiser for the Travel Club with the date to be determined sometime in 2009. He stated that the Hunter's Ridge Fuel Modification Zone really benefited the north end this past week by helping to protect from the recent fires.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

By consensus, the Planning Commission meeting was adjourned at 7:44 p.m., to the next regular Planning Commission meeting on Tuesday, November 18, 2008, at 6:00 p.m., in the Steelworkers Auditorium located in the Lewis Library and Technology Center at 8437 Sierra Avenue, Fontana, CA.

Orvene Steenbock
Planning Commission Secretary

Matthew Slowik
Chairperson