

**CITY OF FONTANA
PLANNING COMMISSION
REGULAR MEETING
NOVEMBER 18, 2008**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, November 18, 2008, in the Steelworkers Auditorium, in the Lewis Library and Technology Center, 8437 Sierra Avenue, Fontana, California. Chairperson Slowik called the meeting to order at 6:05 p.m. Following the Pledge of Allegiance led by Commissioner Young, Jr., the invocation was given by Chairperson Slowik.

ROLL CALL:

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

Absent: None.

Also Present: Principal Planner Craig Bruorton, AICP; Senior Planners Shannon Casey, AICP; Charles Fahie, AICP, Orlando Hernandez and Stephanie Hall, Associate Planner Paul Gonzales and Assistant Planner Dawn Clement, and Salvador Quintanilla; Senior Associate Engineer Leticia Ortiz; 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 October 23, 2008, regular Planning Commission meeting, as presented. Motion was carried by a vote 5-0.

APPROVE
10/23/08

PUBLIC FORUM:

PF

Tony Orlich, Randall Avenue, spoke regarding the media.

MEDIA

CONSENT CALENDAR: None.

C C

AGENDA INFORMATION:

AGDA INF

The Planning Commission reviewed the update of future City Council agenda items for the November 25, 2008, and December 9, 2008, meetings, and the Planning Commission items for the December 2, 2008, and December 16, 2008, meetings.

PUBLIC HEARINGS:

PH

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 (CONT'D From 10-23-08)**: The project 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 December 2, 2008, Planning Commission hearing to allow the applicant to finalize the Arboretum Specific Plan Development Agreement.

PH-1
CONT
SP 04-006
ZC 07-005
GPA 06-006
DEV AGR
DEIR
12/2/08

Staff presentation by Charles Fahie, AICP, staff recommends continuation. No written communication was received. No member of the public spoke in favor or opposition. 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 December 2, 2008, Planning Commission meeting. Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Commissioner Galasso returned.

The public hearing was opened regarding **GENERAL PLAN AMENDMENT NO. 08-012:** Filed by the City of Fontana, to request removal of the language "Warehousing and Distribution" from the Land Use Element Section as it pertains to the I-L (Light Industrial) and I-G (General Industrial) of the General Plan.

PH-2
ADOPT RES
PC 08-06
APPROVE
GPA 08-012

Staff presentation by Dawn Clement, 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 Young, Jr., seconded by Commissioner Galasso, to: 1) Adopt **RESOLUTION NO. PC 2008-06,** and forward a recommendation to the City Council to adopt the Negative Declaration and direct staff to file the Notice of Determination; and, 2) forward a recommendation to the City Council to adopt a resolution approving **GENERAL PLAN AMENDMENT NO. 08-012.** Motion carried by a vote of 4-0.

By consensus, the Planning Commission agreed to hear Public Hearings 3 and 4 together.

Commissioner Slowik removed himself due to the fact that he was not present at the first hearing of these items.

The public hearings were opened regarding **ADMINISTRATIVE SITE PLAN NO. 07-004/CONDITIONAL USE PERMIT NO. 07-006/ADMINISTRATIVE SITE PLAN NO. 07-046/CONDITIONAL USE PERMIT NO. 07-031 (CONT'D FROM 10-23-08)**: 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 a tractor trailer leasing, sales, and repair. An Administrative Site Plan (ASP No. 07-046) 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 and 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, an approximate frontage of 630 feet on Santa Ana Avenue, and a depth of 630 feet.

PH-3 & PH-4
 APPROVE
 ASP 07-004
 CUP 07-006
 ASP 07-046
 CUP 07-031
 and,
 APPROVE
 ASP 07-047
 CUP 07-032

and,

ADMINISTRATIVE SITE PLAN NO. 07-047/CONDITIONAL USE PERMIT NO. 07-032 (CONT'D FROM 10-23-08): 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 presentation by Paul Gonzales, staff recommends approval.

No written communication was received.

Speaking for the applicant were David Eshleman, 10973 Catawba Avenue; Ray Allard, Allard Engineering, 8253 Sierra Avenue; and, Michael Schaefer, Attorney, 215 N. D Street, San Bernardino.

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 modified the Conditions of Approval, as follows:

Administrative Site Plan No. 07-004:

2. The rights and privileges granted by this project shall not become effective, ~~nor shall the Applicant commence the use for which this project is granted,~~ until both of the following have occurred:
 - A. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and
 - B. All other Conditions of Approval imposed by this project have been fulfilled. **The Planning Commission's approval of this project shall not be deemed an approval of tractor trailer storage, which is illegal in this zone.**

Conditional Use Permit No. 07-006:

4. The rights and privileges granted by this project shall not become effective, ~~nor shall the Applicant commence the use for which this project is granted,~~ until both of the following have occurred:
 - A. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and
 - B. All other Conditions of Approval imposed by this project have been fulfilled. **The Planning Commission's approval of this project shall not be deemed an approval of tractor trailer storage, which is illegal in this zone.**

Motion made by Commissioner Galasso, seconded by Commissioner Lee, to: 1) Adopt the Mitigated-Negative Declaration, direct staff to file a Notice of Determination; and, 2) approve **ADMINISTRATIVE SITE PLAN NO. 07-007 AND CONDITIONAL USE PERMIT NO. 07-006**, 3) approve **ADMINISTRATIVE SITE PLAN NO. 07-046 AND CONDITIONAL USE PERMIT NO. 07-031.**

and,

1) Adopt the Negative Declaration and direct staff to file a Notice of Determination; and, 2) approve **DESIGN REVIEW NO. 07-047 AND CONDITIONAL USE PERMIT NO. 07-032.** Motions carried by a vote of 4-0-1, with Chairperson Slowik abstaining.

Commissioner Slowik returned.

Commissioner Galasso removed himself due to possible conflict of interest.

The public hearing was opened regarding **DESIGN REVIEW NO. 07-046/ CONDITIONAL USE PERMIT NO. 05-038/DEVELOPMENT CODE AMENDMENT NO. 08-006:** Filed by Kaiser Foundation Hospitals, to request review and recommendation of approval to the City Council for Design Review No. 07-046 for the construction of a 537,400 square foot new hospital and support building, a 33,100 square foot central utility plant and a new Southern California Edison Substation; Development Code Amendment No. 08-006, is a request to modify the Medical Center Overlay. The project site is an irregularly-shaped property consisting of one parcel (APN 0251-101-06) totaling approximately 47 adjusted gross acres located on the east side of Sierra Avenue between Marygold Avenue and Valley Boulevard and having an approximate frontage of 1,920 feet on Marygold Avenue, 1,440 feet on Valley Boulevard and 860 feet on Sierra Avenue.

PH-5
APPROVE
DR 07-046
CUP 05-038
DCA 08-006

Staff presentation by Orlando Hernandez, staff recommends approval.

No written communication was received.

Speaking for the applicant were Dominic Nigro, and Jim Harrington, Kaiser Permanente.

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 modified the Conditions of Approval, as follows:

- 8. The establishment or installation of public pay telephones are only permitted on the exterior **and interior** of buildings by approval of the Planning Commission by a Design Review application.
- 21. The applicant shall be required to provide space-counting systems and/or Parking Access and Revenue Control System, if parking efficiency is not improved with the implementation of Conditions Nos. ~~22~~ **19** and ~~23~~ **20**.

22. ~~If parking becomes an issue at the K-Mart Shopping Center, the applicant will be required to provide alternate temporary parking at the request of the Director of Community Development. If the City receives complaints regarding Kaiser construction parking at the K-Mart shopping center, the Director of Community Development shall require Kaiser Permanente to take steps to alleviate the problem, including but not limited to doing a parking utilization study. If the problem cannot be alleviated, then the Director of Community Development Director may require Kaiser Permanente to find an alternative temporary parking.~~
75. Delete
84. **Applicant shall provide a 6 foot wide non-curb adjacent sidewalk along Marygold Avenue street frontage to the satisfaction of the City Engineer.** ~~The 6' sidewalk along the south side of Marygold Avenue may require the relocation of street light poles. The 6' sidewalk only adjacent to existing pedestrian signal light will not be required.~~
89. Modifications to the proposed access ramp along the Southerly driveway approach **on Sierra Avenue** shall be coordinated with the Department of Engineering/Traffic and Land Development.
90. **Applicant shall design and construct the storm drain improvements on Marygold Avenue extending west to connect to existing Sierra Avenue Storm Drain, to the satisfaction of the City Engineer.** ~~Kaiser Hospital shall agree to provide fair share monies and make future fair share agreement with the City for storm drain improvements along that portion of the Master Planned Storm Drain in Palmetto Avenue between Valley Boulevard and Marygold Avenue as well as in Marygold Avenue westerly from Palmetto Avenue, and a second storm drain in Marygold Avenue extending west to connect to the existing Sierra Avenue Storm Drain. (PER CofA FROM DR 91-32; CUP 91-19 — DATED January 24, 1994)~~
117. ~~An automatic~~ **A** smoke control system complying with the California Fire Code, NFPA and all applicable local standards is required. The applicant shall submit three (3) sets of detailed ~~smoke removal system~~ plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. **[F-63]**
128. Delete
129. Delete

Motion made by Commissioner Lee, seconded by Commissioner Meyer, to: 1) Adopt a Mitigated Negative Declaration and file a Notice of Determination; 2) adopt the ordinance approving an amendment to Chapter 30, Article IX of the Municipal Code; and, 3) approve **DESIGN REVIEW NO. 07-046 AND DEVELOPMENT CODE AMENDMENT NO. 08-006.** Motion carried by a vote of 4-0-1, with Commissioner Galasso abstaining.

Commissioner Galasso returned.

OTHER COMMISSION BUSINESS:

O C B

2009 PLANNING COMMISSION CALENDAR AND FILING SCHEDULE DEADLINES: Staff requests that the Planning Commission adopt the calendar of meetings and filing schedule deadlines.

2009
CALENDAR

Motion made by Commissioner Meyer, seconded by Commissioner Young, Jr., to: Adopt the 2009 Calendar of Planning Commission meetings and filing schedule deadlines. Motion carried by a vote of 4-0.

STAFF REPORTS: None.

S F

DIRECTOR REPORT:

D R

Planner Bruorton had no comments.

COMMISSION REMARKS:

C R

Commissioner Slowik expressed his condolences to Bill Martin and his family on the passing of Darlene Martin, commented his prayers go out to family, and requested tonight's meeting be adjourned in her memory.

Commissioner Galasso congratulated Council Members Rutherford and Warren on their re-election. He wished a Happy Thanksgiving to all, and a good night.

Commissioner Lee congratulated our re-elected City Council Members Rutherford and Warren. She wished everyone a wonderful Thanksgiving, and stated we have much to be thankful for.

Commissioner Young, Jr. requested prayers for the Martin family at their loss. He reminded everyone of the Tree Lighting Ceremony on December 5, 2008, the Ice Skating and the Christmas Parade. He congratulated Commissioner Meyer for receiving the Law Library of the Year Award.

Commissioner Meyer congratulated City Attorney Ballinger on how very well his children behaved through tonight's meeting. He congratulated Kathleen Farris for receiving the Professional of the Year Award for her fundraising efforts. He congratulated City Council Members Rutherford and Warren for being re-elected. He congratulated the teens from Sacred Heart Church who spent last weekend up in the mountains, and stated they are great group of youngsters. He wished everyone a happy and blessed Thanksgiving. He expressed his condolences to the Martin family, and stated the service for Darlene Martin will held on Thursday.

Commissioner Slowik congratulated City Council Members Rutherford and Warren. He congratulated Commissioner Meyer for receiving the Library of the Year Award. He commended all who participated in the CERTs Refresher Drill last Saturday. He encouraged everyone to attend the San Bernardino County Museum's Wild Life Art Exhibit starting this Friday. He stated the "Commissioner's Burger Challenge" Fundraiser for Fontana Middle School Travel Club would be held in February, and is encouraging the Community Development and the Fontana Police Departments to participate. He wished everyone a Blessed Thanksgiving.

City Clerk Lewis encouraged everyone wanting to participate in the Christmas Parade to get their applications turned in as soon as possible.

PUBLIC FORUM CONTINUED: None.

ADJOURNMENT:

Motion made by Commissioner Lee, seconded by Commissioner Meyer, to adjourn the Planning Commission meeting in memory of Darlene Martin, at 8:19 p.m., to the next regular Planning Commission meeting on Tuesday, December 2, 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