

# **City of Fontana**

8353 Sierra Avenue  
Fontana, CA 92335



## **Regular Agenda**

**Resolution No. PC 2024-039**

**Tuesday, July 16, 2024**

**6:00 PM**

**Grover W. Taylor Council Chambers**

## **Planning Commission**

*Cathline Fort, Chair*  
*Idilio Sanchez, Vice Chair*  
*Ricardo Quintana, Secretary*  
*Ralph Thrasher, Commissioner*  
*Raj Sangha, Commissioner*

**Welcome to a meeting of the Fontana Planning Commission.**

Welcome to a meeting of the Fontana Planning Commission. Meetings are held at the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335. To address the Commission, please fill out a card located at the entrance to the right indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act of 1990 (42 USC § 12132), the Council Chambers is wheelchair accessible, and a portable microphone is available. Upon request, this agenda will be made available in appropriate alternative forms to persons with disabilities, as required by Section 12132 of the Americans with Disabilities Act of 1990. Any person with a disability who requires accommodation to participate in a meeting should direct such a request to the City Clerk's Office at (909) 350-7602 at least 48 hours before the meeting, if possible. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the City Clerk's Office.

Para traducción en Español, comuníquese con la oficina, "City Clerk" al (909) 350-7602.

The City of Fontana is committed to ensuring a safe and secure environment for its residents to engage with the government. No oversized bags or backpacks (size limit of 14"x14"x6") will be allowed inside the Council Chambers. All bags are subject to search. Face masks are prohibited in the Council Chambers, but clear masks will be provided upon request to accommodate individuals with medical needs, ensuring their safety and well-being. Before entering the Council Chambers, you may be subject to a metal detector screening. The City Manager retains the discretion to grant any exemptions. Fontana aims to provide safe buildings for our community members, employees, and visitors.

**CALL TO ORDER/ROLL CALL:****A. Call To Order/Roll Call:****INVOCATION/PLEDGE OF ALLEGIANCE:****A. Invocation/Pledge of Allegiance:****PUBLIC COMMUNICATIONS:**

This is an opportunity for citizens to speak to the Planning Commission for up to three minutes on items not on the Agenda, but within the Planning Commission's jurisdiction. The Planning Commission is prohibited by law from discussing or taking immediate action on non-agendized items.

**A. Public Communications:****CONSENT CALENDAR:**

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time Planning

Commission votes on them, unless a member of the Planning Commission requests a specific item be removed from the Consent Calendar for discussion.

**A. Approval of Minutes**

Approve the Regular Planning Commission Meeting Minutes of July 2, 2024.

**CC-A Approval of Minutes of July 2, 2024.**

**[21-3188](#)**

**Attachments:** [Draft Planning Commission Minutes of July 2, 2024](#)

**Approve Consent Calendar Item as recommended by staff.**

**PUBLIC HEARINGS:**

To comment on Public Hearing Items, you may submit comments via e-mail at [planning@fontanaca.gov](mailto:planning@fontanaca.gov). In the subject of your e-mail please indicate whether you are in favor or opposition of the item. Comments must be received no later than 5:00 p.m. on the day of the meeting. You may also fill out a card at the meeting and give it to the City Clerk. Public Comments should be no longer than three (3) minutes. If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

**All Public Hearings will be conducted following this format:**

- (a) hearing opened
- (b) written communication
- (c) council/staff comments
- (d) applicant comments
- (e) oral - favor
- (f) oral - opposition
- (g) hearing closed

**PH-A Master Case No. 20-027R1; Conditional Use Permit No. 95-019R4 - A request to modify conditions of approval for an existing Alcoholic Beverage Control (ABC) license to allow the sale of distilled spirits and wine smaller than 375 ml and the sale of beer/malt beverages in single size containers of 40 oz or less for the existing Circle K convenience store located at 16119 Foothill Boulevard, pursuant to CEQA Guidelines Section No. 15301 (Existing Facilities). (Continued from June 18, 2024)**

**[21-3135](#)**

**RECOMMENDATION:**

**Based on the information in this staff report, staff recommends that the Planning Commission:**

- 1. Determine that the project is categorically exempt pursuant**

to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 (Categorical Exemption) of the Local 2019 Guidelines for Implementing the CEQA, and direct staff to file a notice of Exemption; and,

2. Deny Conditional Use Permit No. 95-019R4 subject to the attached findings.

**APPLICANT:**

Jagjit Singh  
J & Sandeep, Inc.  
16119 Foothill Boulevard  
Fontana, CA 92336

**LOCATION:**

16119 Foothill Boulevard (APN: 0191-011-06).

**PROJECT PLANNER:**

Alexia De La Torre, Assistant Planner

**Attachments:** [Attachment No. 1 - Vicinity Map](#)  
[Attachment No. 2 - Floor Plan](#)  
[Attachment No. 3 - Census Tract No. 28.03](#)  
[Attachment No. 4 - ABC Matrix](#)  
[Attachment No. 5 - Resolution and Findings](#)  
[Attachment No. 6 - Police Department Memo](#)  
[Attachment No. 7 - Previously Approved PC Report \(MCN20-027\)](#)  
[Attachment No. 8 - Public Hearing Notice of Continuance](#)

**PH-B Master Case No. 21-120-R2; Design Review No. 21-043-R2 - A request to modify previously approved elevations for a 68 unit attached residential condominium project, on an approximately 4.6 acre site located at 6697 Citrus Avenue, pursuant to a previously adopted Mitigated Negative Declaration.**

**[21-3148](#)**

**RECOMMENDATION:**

Based on the information contained in this staff report and attached Exhibits, staff recommends that the Planning Commission adopt Resolution No. PC 2024-\_\_\_\_\_.

1. Find that the project has been reviewed under a previously adopted Mitigated Negative Declaration (“MND”) analyzing all potential impacts of the Project, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et



seq.), State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), and Section 8.09 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA and that no further analysis is required, and direct staff to file a Notice of Determination, and

## **2. Approve Design Review No. 21-043-R2**

### **APPLICANT:**

D.R. Horton  
2280 Wardlow Cir, Ste 100  
Corona, CA 92878

### **LOCATION:**

6697 Citrus Avenue (APN: 0240-011-17).

### **PROJECT PLANNER:**

Alejandro Rico, Associate Planner

**Attachments:** [Attachment No. 1 - Vicinity Map](#)  
[Attachment No. 2 - Project Plans](#)  
[Attachment No. 3 - Planning Commission Resolution and Conditions of Approval](#)  
[Attachment No. 4 - Notice of Determination](#)  
[Attachment No. 5 - Public Hearing Notice](#)

## **UNFINISHED BUSINESS:**

- A. None

## **NEW BUSINESS:**

- A. None

## **DIRECTOR COMMUNICATIONS:**

- A. Director Communications:

DC-A Upcoming cases scheduled for City Council and Planning Commission. [21-3189](#)

An update of future City Council agenda items for July 23, 2024 and August 13, 2024 for the Planning Commission's information.

An update of future Planning Commission agenda items for August 6, 2024 and August 20, 2024 for the Planning

**Commission's information.**

**Attachments:** [Upcoming City Council Items Memo](#)  
[Upcoming Planning Commission Items Memo](#)

**COMMISSION COMMENTS:**

- A. Planning Commission Remarks:

**WORKSHOP:**

- A. None

**ADJOURNMENT:**

- A. Adjournment

Adjourn to the next Regular Planning Commission Meeting on Tuesday, August 6, 2024 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335

## Action Report

### Planning Commission

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**File #:** 21-3188  
**Agenda #:** CC-A

**Agenda Date:** 7/16/2024  
**Category:** Consent Calendar

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**FROM:**  
Planning

**TITLE:**  
Approval of Minutes

**RECOMMENDATION:**  
Approve the minutes of the Planning Commission Meeting of July 2, 2024.

**DISCUSSION:**  
The Planning Commission will consider approval of the minutes of a Regular Planning Commission meeting of July 2, 2024. The draft minutes are attached to this report for the Planning Commission to review and approval.

**MOTION:**  
Approve staff recommendation.



## City of Fontana Planning Commission Minutes

Cathline Fort, Chair  
Idilio Sanchez, Vice Chair  
Ricardo Quintana, Secretary  
Ralph Thrasher, Commissioner  
Raj Sangha, Commissioner

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<b>Tuesday, July 2, 2024</b>	<b>6:00 P.M.</b>	<b>Grover W. Taylor Council Chambers</b>
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### **CALL TO ORDER/ROLL CALL:**

#### **A. Call to Order/Roll Call:**

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, July 2, 2024. Chair Fort called the meeting to order at 6:03 p.m.

**Present:** Chair Fort, Commissioners Sangha, and Thrasher.

**Absent:** Vice Chair Sanchez and Secretary Quintana

### **INVOCATION/PLEDGE OF ALLEGIANCE:**

#### **A. Invocation/Pledge of Allegiance:**

Following the Invocation by Chaplain Daniel Vasquez, the Pledge of Allegiance was led by Commissioner Sangha.

### **PUBLIC COMMUNICATIONS:**

#### **A. Public Communications:**

None.

**CONSENT CALENDAR:****A. Approval of Minutes:**

Approve the Regular Planning Commission Meeting Minutes of June 18<sup>th</sup>, 2024.

**B. Planning Commission Determination of General Plan Consistency**

Staff recommends that the Planning Commission consider the locations, purpose, and extent of the proposed real property acquisition described herein as required under Government Code Section 65402(c) and adopt Resolution No. PC 2024-035 finding that the proposed acquisition is in conformance with the City's General Plan, making CEQA findings pursuant to the State CEQA Guidelines Section 15061(b)(3) and directing staff to file a Notice of Exemption.

**C. Planning Commission Determination of General Plan Consistency**

Staff recommends that the Planning Commission consider the locations, purpose, and extent of the proposed real property acquisition described herein as required under Government Code Section 65402(c) and adopt Resolution No. PC 2024- 036 finding that the proposed acquisition is in conformance with the City's General Plan, making CEQA findings pursuant to the State CEQA Guidelines Section 15061(b)(3) and directing staff to file a Notice of Exemption.

**ACTION: A Motion was made by Commissioner Thrasher and seconded by Commissioner Sangha and passed by a vote of 3-0 to approve the Consent Calendar.**

**The motion carried by the following vote:**

**Aye:** Chair Fort, Commissioners Sangha, and Thrasher.

**Absent:** Vice Chair Sanchez and Secretary Quintana

**Abstain:** None

**PH- A Master Case No. 23-003, Design Review No. 23-001- A request for site and architectural approval of a 90-unit multi-family development and associated improvements on approximately 2.35-acre site located east of Laurel Avenue and south of Foothill Boulevard, pursuant to a Categorical Exemption in accordance with CEQA Guidelines Section 15332.**

Chair Fort opened Public Hearing.

Principal Planner, DiTanyon Johnson, presented the staff report.

Commissioner Sangha commented on the projects design.

Chair Fort requested clarification on the amount of parking spaces and charging stations that would be included as part of the project.

The applicant, Erica Carvalho, on behalf of the applicant, stated that she read and agreed to the Conditions of Approval and commented on the locations of the charging stations.

No one spoke in favor or opposition of this item.

No written correspondence was received.

The Public Hearing was closed.

### **RECOMMENDATION:**

**Based on the information contained in this staff report and subject to the attached Findings and Conditions of Approval; staff recommends that the Planning Commission adopt Resolution No. PC 2024-037; and,**

- 1. Determine that the project is categorically exempt pursuant to Section No. 15332 (Class No. 32, Infill Development), and Section No. 3.22 (Categorical Exemption) of the Local 2019 Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and,**
- 2. Approve Design Review No. 23-001.**

**ACTION:** Motion was made by Commissioner Sangha and seconded by Commissioner Thrasher and passed by a vote of 3-0 to approve Public Hearing Item "A"; adopt Resolution No. PC 2024-037 and approve Design Review No. 23-001.

**The motion carried by the following vote:**

**AYES:** Chair Fort, Commissioners Sangha, and Thrasher; **NOES:** None; **ABSTAIN:** None. **ABSENT:** Vice Chair Sanchez and Secretary Quintana

**PH-B Master Case No. 22-008: General Plan Amendment (GPA) 22-012, Zoning Code Amendment (ZCA) No. 24-003, and Specific Plan (SP) No. 24-001: amendment to Figure 15.9 (Land Use Category) in Chapter 15 (Land Use, Zoning and Urban Design) of the General Plan to change: approximately 7 acres from Community Commercial (C-C) to Multi-Family Medium to High Density Residential (R-MFMH), approximately 5 acres from Community Commercial (C-C) to Residential Planned Community (R-PC), approximately 38 acres from Residential Planned Community (R-PC) to Multi-Family High Density Residential (R-MFH), approximately 10 acres from Residential Planned Community (R-PC) to Multi Family Residential (R-MF), removal of the Auto Center Overlay designation on approximately 8.5 acres within**

the Walnut Village Specific Plan boundary; Development Code Amendment to revise Sections 30-635, 30-639, and 30-642 of the Zoning and Development Code to remove the Fontana Auto Center Overlay District from approximately 8.5 acres in the Walnut Village Specific Plan boundary; and a Specific Plan to include rescinding the existing Walnut Village Specific Plan and replacing it with the new Specific Plan to establish a new Walnut Village Specific Plan including new planning areas and development standards, pursuant the Program Environmental Impact Report (PEIR) Mitigation, Monitoring and Reporting Program (MMRP) (SCH No. 2023050271) for the new Walnut Village Specific Plan

Chair Fort opened Public Hearing.

Cecily Session-Goins, Associate Planner presented the staff report and answered questions of the commission.

A brief discussion took place regarding the floor area ratio and allowable building height adjacent to existing development.

No one spoke in favor or opposition of this item.

No written correspondence was received.

The Public Hearing was closed.

#### **RECOMMENDATION:**

Based on the information contained in this staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution No. PC 2024 -038, and forward a recommendation to the City Council to:

1. **Certify the Walnut Village Specific Plan Program Environmental Impact Report (FPEIR) (State Clearinghouse No. 2023050271) and adopt a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, and direct staff to file a Notice of Determination; and**
2. **Adopt a Resolution approving General Plan Amendment (GPA) No. 22-012;**
3. **Adopt an Ordinance approving Development Code Amendment (ZCA) No. 24-003; and**
4. **Adopt an Ordinance approving Specific Plan (SP) No. 24-001.**

**ACTION:** Motion was made by Commissioner Thrasher and seconded by Commissioner Sangha and passed by a vote of 3-0 to approve Public Hearing Item "B"; adopt Resolution No. PC 2024-038.

The motion carried by the following vote:

**AYES:** Chair Fort, Commissioners Sangha, and Thrasher; **NOES:** None; **ABSTAIN:** None. **ABSENT:** Vice Chair Sanchez and Secretary Quintana

**DIRECTOR COMMUNICATIONS:**

**A. Director Communications:**

None.

**COMMENTS:**

**A. Public Communication Commission Comments:**

Commissioner Thrasher commented on the project that was approved tonight and wished the public a good night.

Commissioner Sangha echoed previously mentioned comments made by Commissioner Thrasher; thanked staff for their staff reports; commented on his recent attendance at Fourth of July event and closed his comments by thanking the public for the opportunity to serve.

Chair Fort expressed her excitement on the projects that were presented by staff; thanked the individuals in the audience that came out to speak at tonight's meeting and closed her comments by wishing the public a happy and safe 4<sup>th</sup> of July holiday.

**ADJOURNMENT:**

Chair Fort adjourned the meeting at 6:33 p.m. to the next Regular Planning Commission Meeting on Tuesday, July 16<sup>th</sup>, 2024, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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Susana Gallardo  
Specialist to the Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 16<sup>th</sup> DAY OF JULY 2024.**

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Cathline Fort  
Chairperson





# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335

## Action Report

### Planning Commission

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**File #:** 21-3135  
**Agenda #:** PH-A

**Agenda Date:** 7/16/2024  
**Category:** Public Hearing

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**FROM:**

Planning Department

**TITLE:**

Master Case (MCN) No. 20-027R1: Conditional Use Permit (CUP) No. 95-019R4 - A request to modify conditions of approval for an existing Alcoholic Beverage Control (ABC) license to allow the sale of distilled spirits and wine smaller than 375 ml and the sale of beer/malt beverages in single size containers of 40 oz or less for the existing Circle K convenience store located at 16119 Foothill Boulevard, pursuant to CEQA Guidelines Section No. 15301 (Existing Facilities). (Continued from June 18, 2024)

**RECOMMENDATION:**

Based on the information in this staff report, staff recommends that the Planning Commission:

1. Determine that the project is categorically exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 (Categorical Exemption) of the Local 2019 Guidelines for Implementing the CEQA, and direct staff to file a notice of Exemption; and,
2. Deny Conditional Use Permit No. 95-019R4 subject to the attached findings.

**APPLICANT:**

Jagjit Singh  
J & Sandeep, Inc.  
16119 Foothill Boulevard  
Fontana, CA 92336

**LOCATION:**

16119 Foothill Boulevard (APN: 0191-011-06).

**REQUEST:**

Conditional Use Permit (CUP) No. 95-019R4 - A request to modify the existing Conditions of Approval, specifically Condition Nos. 13 through 15, of a previously approved Conditional Use Permit (CUP No. 95-019R3) for the existing Circle K store located at 16119 Foothill Boulevard, and allow the sale of single distilled spirits and wine smaller than 375ml and the sale of beer/malt beverages in single size containers of 40 oz. or less in association with the existing ABC License Type 21 (Off-Sale General).

**PROJECT PLANNER:**

Alexia De La Torre, Assistant Planner

**BACKGROUND INFORMATION:**

This project was originally scheduled for the February 20, 2024, Planning Commission meeting, it was continued to the March 5, 2024, Planning Commission meeting, then continued to the April 16, 2024, Planning Commission meeting, then continued to the June 18, 2024, Planning Commission meeting, and then continued to the July 16, 2024 Planning Commission meeting, all at the request of the applicant.

### **Land Use Table**

<b>Land Use Designation</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Existing Land Use</b>
Site	Walkable Mixed Use - 1 (WMXU-1)	Route 66 Gateway Form Based Code	Commercial Center with various retail/service uses
North	Community Commercial (C-C)	Community Commercial (C-1)	Commercial Center
South	Walkable Mixed Use - 1 (WMXU-1)	Route 66 Gateway Form Based Code	Kinder Care educational center
East	Walkable Mixed Use - 1 (WMXU-1)	Route 66 Gateway Form Based Code	Commercial center with various retail/service uses
West	Walkable Mixed Use - 1 (WMXU-1)	Route 66 Gateway Form Based Code	Commercial center with various retail/service uses

The first Conditional Use Permit for alcoholic beverage sales at this location was approved by the Planning Commission on February 27, 1995, with approval of CUP 95-019 for a Type 20 (Off-Sale Beer and Wine) ABC license for a convenience store. Throughout the years the city received multiple requests that were subsequently approved for the transfer of the ABC licenses to new business owners for the same use on the same site. On April 21, 2020, the Planning Commission approved a request to upgrade the Type 20 (Off-Sale Beer and Wine) ABC license to a Type 21 (Off-Sale General) ABC license. The Type 21 license allows for beer, wine and distilled spirits. This approval incorporated conditions prohibiting the sale of single distilled spirits smaller than 375 ml and the sale of beer/malt beverages in single-size containers of 40 oz or less.

### **PROJECT DESCRIPTION:**

#### **Background**

The Circle K convenience store is located within Census Tract No. 28.03. A map identifying the census tract boundaries is attached (Attachment No. 3).

According to the California Department of Alcoholic Beverage Control (ABC), two (2) off-sale licenses are allowed within Census Tract 28.03 before being considered over-concentrated. Currently, there are four (4) active licenses operating within Census Tract No. 28.03. Consequently, the California Department of Alcoholic Beverage Control (ABC) considers this tract over-concentrated for off-sales licenses. The applicant has an approved ABC license which is part of the four (4) licenses that are mentioned above. The current project proposes the modification of existing Conditions of Approval, specifically Condition Nos. 13 through 15 of previously approved Conditional Use Permit (CUP) No.

95-019R4 which prohibit the sale of sales of single distilled spirits smaller than 375ml and the sale of beer/malt beverages in single size containers of 40 oz. or less.

Findings of Convenience and Necessity:

At the time CUP No. 95-019R3 was approved, a Findings of Convenience and Necessity was not required. It is not required as part of this request as the ABC license is already approved and active.

Building Analysis:

The existing Circle K convenience store is approximately 2,600 square feet within a parcel that is approximately 0.7 adjusted gross acres. The project site was annexed into the City on June 25, 1952, and the existing building was constructed in 1973.

Previously Approved CUP No. 95-019R3:

The Conditions of Approval from CUP No. 95-019R3 (Attachment No. 8) did not allow the sale of smaller packaged alcohol beverages. Historically, the Planning Commission and City staff have approved other similar use permits with these restrictions.

**ANALYSIS:**

The Applicant is requesting that the Planning Commission review and approve a modification to a previously approved Conditional Use Permit - CUP No. 95-019R3 (current case file # CUP No. 95-019R4) - to allow the sale of smaller single sized alcoholic beverages. Specifically, this conditional use permit modification request seeks approval of the modification of Conditions of Approval No. 13, 14, & 15 of CUP No. 95-019 in order to allow the sale of single distilled spirits and wine smaller than 375ml and the sale of beer/malt beverages in single size containers of 40 oz. or less. Conditions Nos. 13 through 15 read as follows:

13. The licensee shall not sell single bottle[s] of wine in less than 750 ml. Containers. Specialty or dessert wines which are only packaged in 375 milliliter bottles shall be permitted.
14. No distilled spirits shall be sold in bottles or containers smaller than 375 milliliters (pint).
15. The sale of beer or malt beverages in single size containers of 40 ounces or less is prohibited.

The project site is within an approximately 5,300 square foot multi-tenant building that has multiple other tenants. The convenience store business suite is approximately 2,600 square feet. The other sites are occupied by various types of retail businesses including an ice cream shop, donut store, barbershop, tattoo shop, medical office, and other similar uses. It should be noted that the existing and approved convenience store is located in close proximity (approximately 192 feet from Circle K) to an existing Kinder Care center which offers educational care for children up to 12 years old. Section 30-492 of the Zoning and Development Code states that new ABC Licenses should be a minimum of 600 feet away from an existing or proposed school, park, religious institution, hospital, youth facility or other similar uses. The current request is to modify an approved set of conditions for an approved convenience store that currently holds a Type 21 ABC License.

The convenience store is open 24 hours a day, seven days a week. According to the floor plan, beer is currently stored in the refrigerated section and distilled spirits are currently stored behind the front counter in the restricted staff area accessible by employees only.

The Police Department noted that between January 1, 2023, through January 1, 2024, there were a

total of twenty-five (25) calls for service for the shopping center which included traffic stops, transient disturbance, burglary, burglary for beer, assault, welfare check, subjects fighting, and other miscellaneous calls. The Circle K business had six (6) specific calls for service out of the 25. The six calls include burglary, burglary for beer, assault, welfare check, and fighting.

The Police Department is not in support of the requested modification to allow the sale of smaller single alcoholic beverages based on concerns related to public health and safety. Typical single serve alcoholic beverages are often offered for sale cold and ready to be consumed. This frequently leads to public intoxication, littering, panhandling, and other disruptive behaviors. Further, by restricting the single sale of alcoholic beverages, minors and transients are discouraged from purchasing, as these are typically priced lower and more affordable. Staff is recommending that the Planning Commission deny the applicant's request based on the findings contained in the attached Planning Commission resolution.

**Environmental:**

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section No. 15301 (Class No. 1, Existing Facilities) of the CEQA Guidelines, and Section No. 3.22 (Categorical Exemption) of the Local 2019 Guidelines for Implementing the California Environmental Quality Act as the project proposal would not result in changes or expansions to the building. Furthermore, none of the exceptions in CEQA Guidelines section 15300.2 apply to this project.

**MOTION:**

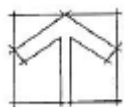
Approve staff's recommendation.

**ATTACHMENTS:**

- Attachment No. 1 - Vicinity Map
- Attachment No. 2 - Floor Plan
- Attachment No. 3 - Census Tract Map No. 28.03
- Attachment No. 4 - Matrix of Off-Sale Establishments
- Attachment No. 5 - Resolution and Findings
- Attachment No. 6 - Police Department Memo
- Attachment No. 7 - Previously Approved PC Report (MCN No. 20-027)
- Attachment No. 8 - Public Hearing Notice of Continuance



Project Site



NORTH

## VICINITY MAP

**DATE:** July 16, 2024

**CASE:** Master Case No. 20-027R1

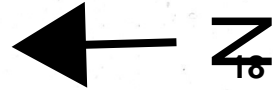
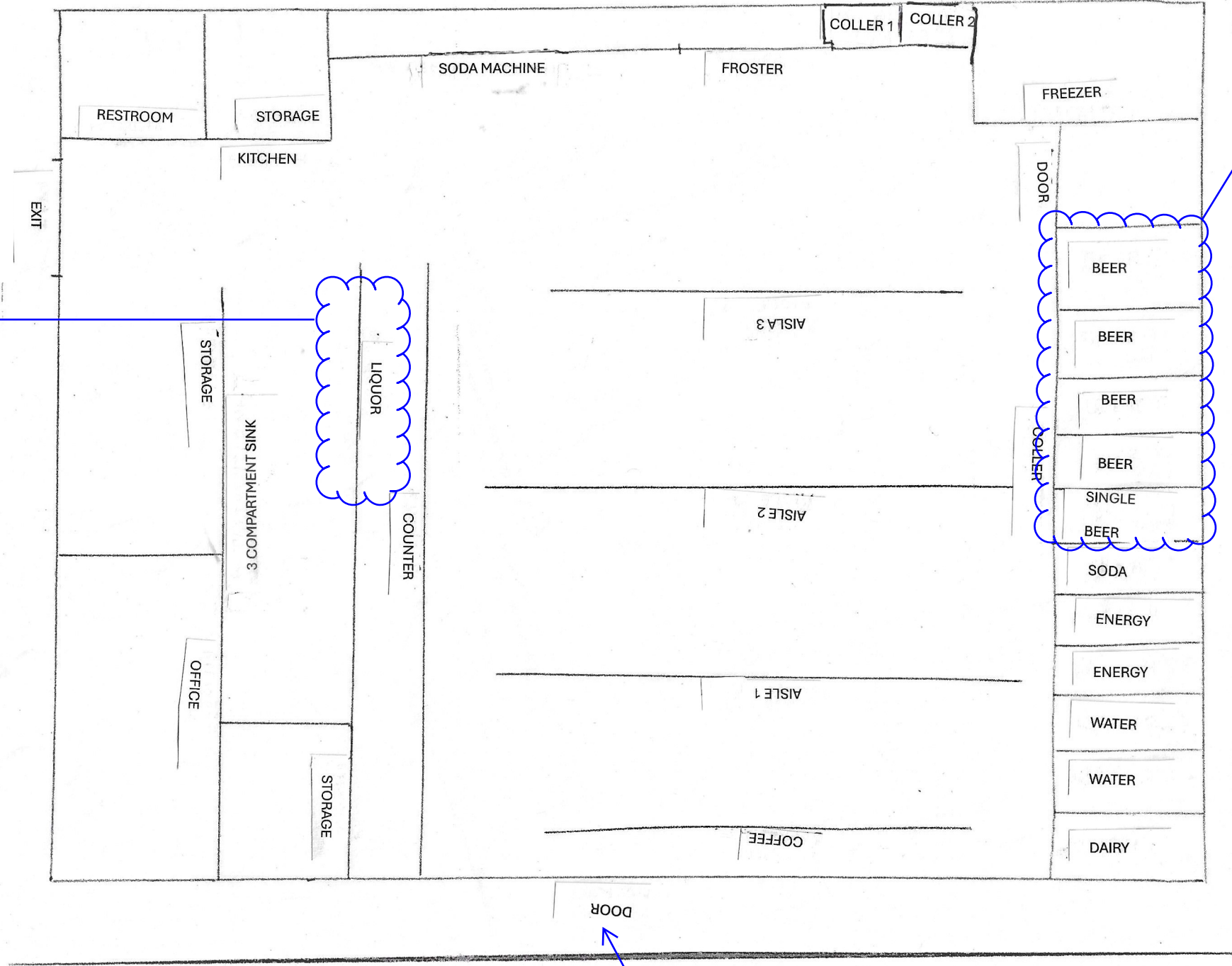
Conditional Use Permit No. 94-019R4

# Attachment No. 2 Floor Plan

Liquor storage along with proposed sales of singles behind the counter only accessible to employees.

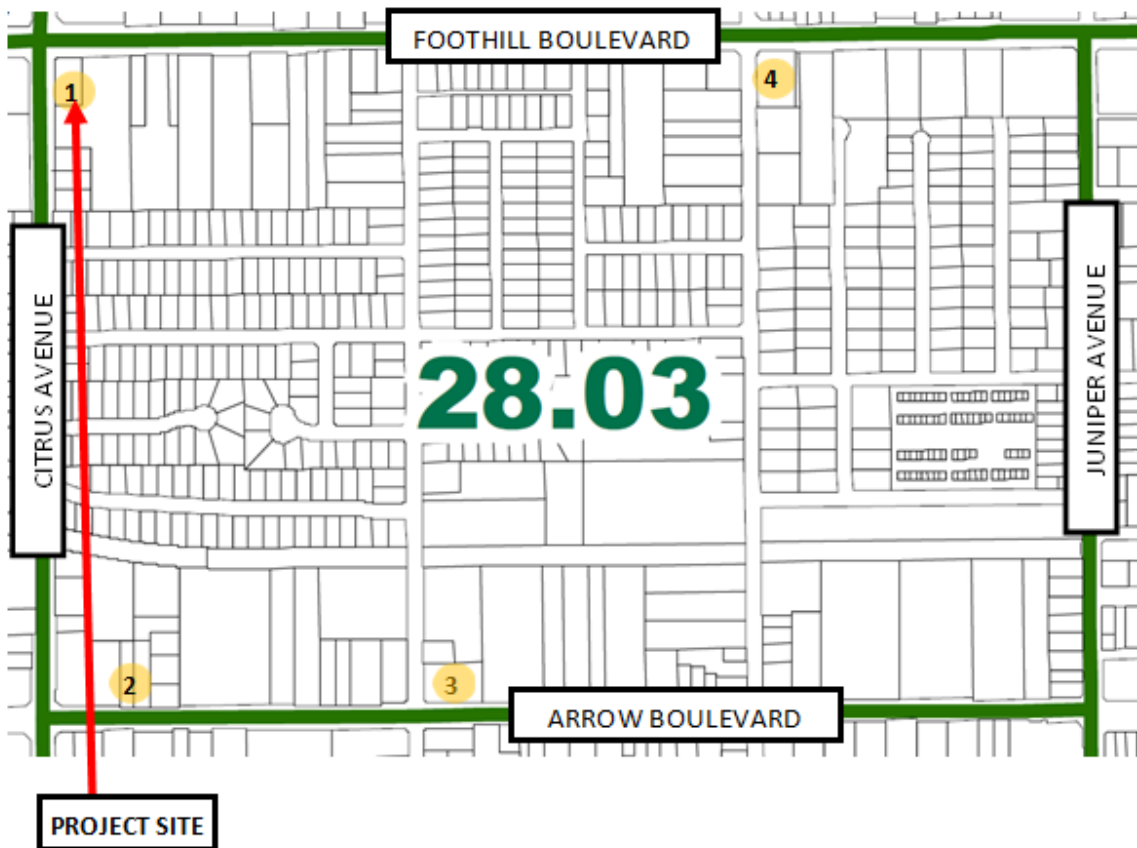
Beer Storage along with proposed single beer storage in refrigerators

Main Entrance/Exit

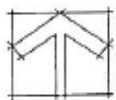


Circle K Convenience Store  
16119 Foothill Boulevard  
Fontana, CA 92336





#	Business Name	Address
1	J & Sandeep (Circle K – Project Site)	16119 Foothill Boulevard
2	Simers Market	16146 Arrow Boulevard
3	Arrow Mini Mart	16312 Arrow Boulevard, Suite A
4	Marelias Market & Liquor	8145 Foothill Boulevard, Suite A



NORTH

**CENSUS TRACT  
28.03**

**DATE:** July 16, 2024

**CASE:** Master Case No. 20-027R1

Conditional Use Permit No. 95-019R4

**ABC Off-Sale Licensed Establishments**

<b>Business Name</b>	<b>Address</b>	<b>License Type</b>	<b>CUP</b>
Arrow Mini Market	16312 Arrow Road, Suite A	21	Yes
J&Sandeep (Circle K)	16119 Foothill Boulevard, Suite A	21	Yes
Simers Market	16146 Arrow Boulevard	20	Yes
Marelias Market & Liquor	8145 Foothill Boulevard, Suite A	21	Yes

**Totals:**      **Current**      **Allowed**  
Off-Sale:      4 Active      2

**CENSUS TRACT  
28.03**

**DATE:** July 16, 2024

**CASE:** Master Case No. 20-027R1

Conditional Use Permit No. 95-019R4



**RESOLUTION NO. PC 2024-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA DENYING CONDITIONAL USE APPLICATION NO. 95-019R4, A REQUEST TO MODIFY THE CONDITIONS OF APPROVAL FOR AN EXISTING CONDITIONAL USE PERMIT TO ALLOW THE SALE OF SINGLE ALCOHOLIC BEVERAGES OF WINE AND DISTILLED SPIRITS LESS THAN 375 MILLILITERS AND THE SALE OF BEER/ MALT BEVERAGES IN SINGLE SIZE CONTAINERS OF 40 OUNCES OR LESS AT THE LOCATION OF 16119 FOOTHILL BOULEVARD (APN: 0191-011-06), PURSUANT TO A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15301.**

**WHEREAS**, Assessor Parcel Number (“APN”) 0191-011-06, (“Project Site”), was incorporated as part of the original City of Fontana in 1952; and

**WHEREAS**, on February 27, 1995, the Fontana Planning Commission (“Planning Commission”) approved an application for CUP No. 95-019 for a Type 20 (Off-Sale Beer and Wine) ABC license for a Circle K convenience store located at 16119 Foothill Boulevard (“Subject Property”); and

**WHEREAS**, on April 21, 2020, the Planning Commission approved an application for Conditional Use Permit No. 95-019R3 for a Type 21 (Off-Sale General) Alcoholic Beverage Control (“ABC”) license for the Circle K convenience store at the Project Site, including specific conditions imposed by the City attached hereto as Attachment No. 7, that included prohibition against the sale of single size alcoholic containers of wine, distilled spirits and beer/malt beverages; and

**WHEREAS**, on May 9, 2023, the City of Fontana (“City”) received an application from Jagjit Singh (“Applicant”), for a Conditional Use Permit (“CUP No. 95-019R4”) to modify the conditions of approval for Conditional Use Permit No. 95-019R3 to allow the sale of single sized alcoholic containers of wine and distilled spirits less than 375 milliliters and the sale of beer/malt beverages in single size containers of 40 ounces or less at the Subject Property; and

**WHEREAS**, the existing 2,600 square foot convenience store that is the subject of this application is within an established shopping center; and

**WHEREAS**, the Project Site has a General Plan Land Use designation of Walkable Mixed-Use Corridor (WMXU-1) and is located within the Form Based Code (FBC) Route 66 Gateway, which allows for alcoholic beverage sales; and

**WHEREAS**, the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section No. 15301 (Class 1, Existing Facilities) and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for

**ATTACHMENT NO. 5**

Implementing the California Environmental Quality Act as the project proposal would not result in changes or expansions to the building. Further none of the exceptions in CEQA Guidelines section 15300.2 apply to this project; and

**WHEREAS**, the City wishes to protect and preserve the quality of life throughout the City through effective land use planning; and

**WHEREAS**, all of the notices required by statute and the Fontana Municipal Code (FMC) have been given as required; and

**WHEREAS**, the owners of property within 660 feet of the Project Site were notified via public hearing notice mailer prior to the public hearing and a notice of the public hearing was published in the local *The Fontana Herald* newspaper on February 9, 2024, and a notice of the public hearing was simultaneously displayed at City Hall and at the Project Site; and

**WHEREAS**, the project was originally scheduled for the February 20, 2024 Planning Commission meeting and was continued to the March 5, 2024 Planning Commission meeting, and at the March 5, 2024 meeting the project was continued to the April 16, 2024 Planning Commission meeting, and at the April 16, 2024 meeting the project was continued to the June 18, 2024, Planning Commission meeting, and at the June 18, 2024 meeting the project was continued to the July 16, 2024 Planning Commission meeting, all at the request of the applicant; and

**WHEREAS**, on July 16, 2024, a duly noticed public hearing on CUP No. 95-019R4 was held by the Planning Commission to consider testimony and evidence presented by the Applicant, City staff, and other interested parties; and

**WHEREAS**, on July 16, 2024, the Planning Commission carefully considered all information, evidence, and testimony presented at its public hearing on for CUP No. 95-019R4; and

**WHEREAS**, all other legal prerequisites to the adoption of this resolution have occurred.

**NOW, THEREFORE**, the Planning Commission RESOLVES as follows:

**Section 1. Recitals:** The above recitals are true, correct and incorporated herein by reference.

**Section 2. CEQA.** The Planning Commission hereby determines that the project is categorically exempt pursuant to Section No. 15301 (Existing Facilities) of the California Environmental Quality Act and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the California Environmental Quality Act (CEQA) as the project proposal would not result in changes or expansions to the building. Further none of the exceptions in CEQA Guidelines section 15300.2 apply to this project. The

Planning Commission further directs Staff to file a Notice of Exemption pursuant to this Finding.

**Section 3. CUP Findings.** The Planning Commission hereby makes the following findings for CUP No. 95-019R4 in accordance with Section 30-169 “Findings for approval of conditional use permits modifications” of the Fontana Zoning and Development Code:

**Finding No. 1**      **That the proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning and Development Code, Municipal Code, General Plan, any applicable Specific Plan or Area Plan, and City regulations/standards.**

Finding of Fact:      The City's Zoning and Development Code requires a Conditional Use Permit for any new or modified ABC licenses. Planning Commission approval of a Conditional Use Permit may include such conditions of approval as are deemed necessary to enable the Planning Commission to make the required findings. The existing off-sale convenience store establishment is located at 16119 Foothill Boulevard on the southeast corner of Foothill Boulevard and Citrus Avenue. The General Plan designation is Walkable Mixed-Use Corridor (WMXU-1) and the property is located within the Form Based Code (FBC) Route 66 Gateway subdistrict which allows for off-sale establishments with the approval of a Conditional Use Permit. This establishment has a conditional use permit to sell alcoholic beverages (Type 21 ABC license, Off-sale General) that was approved on April 21, 2020, by the Planning Commission; this Conditional Use Permit included three conditions (Condition No. 13 through 15) stating that alcoholic beverage containers cannot be sold that are single size, smaller than 375 ml or smaller than 40 ounces. With approval of a Conditional Use Permit by the Planning Commission, the use is consistent with the Zoning and Development Code.

Finding No. 2:      **The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards.**

The Applicant is requesting to modify the ABC conditions of approval from a previously approved project (CUP No. 95-019R3) in order to allow the sale of single alcoholic beverages of wine and distilled spirits less than 375ml and

**ATTACHMENT NO. 5**

beer/malt beverages less than 40 oz. The site is physically suited for the type, density, and intensity of the use. The site was previously approved for a Conditional Use Permit to operate and sell alcoholic beverages with an ABC Type 21 (Off-sale, General) license. There are no modifications to the site or structure. The physical characteristics of the site are sufficient to accommodate the business including access and utilities.

Finding No. 3: **Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located.**

Staff has concerns with the modification and the associated potential for negative impacts on the public health, safety, and welfare as well as concerns with potential injury to persons, property, and improvements. Single serve alcoholic beverages are often offered for sale cold and ready to be consumed. This frequently leads to public intoxication, littering, panhandling, and other disruptive behaviors. By prohibiting the single sale of alcoholic beverages, minors and transients are discouraged from purchasing such as single sale alcoholic beverages are typically priced lower and are more affordable. The requested modification to the standing conditions of approval could be detrimental to the public interest, health and safety or materially injurious to persons or property in the vicinity in which the project is located.

**Section 4. Denial:** Based on the foregoing, the Planning Commission hereby denies Conditional Use Permit No. 95-019R4.

**Section 5. Resolution Regarding Custodian of Record:** The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

**Section 6. Certification.** The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**Section 7. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**Section 8. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

**PASSED, DENY AND ADOPTED** by the Planning Commission of the City of Fontana, California, at a regular meeting held on this **16<sup>th</sup> day of July 2024**.

**City of Fontana,**

\_\_\_\_\_  
Cathline Fort, Chairperson

**ATTEST:**

I, Ricardo Quintana, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on this 16<sup>th</sup> day of July 2024, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Ricardo Quintana, Secretary

**CITY OF FONTANA**  
**POLICE DEPARTMENT**  
Community Outreach & Public Engagement Unit

**MEMORANDUM**

**TO: Alexia De La Torre, Assistant Planner**

**FROM: Heather Howard, Community Policing Technician**

**DATE: January 31, 2024**

**SUBJECT: Police Recommendations for Amendment to Single Sales Condition – Circle K 16119 Foothill Fontana, 92335**

The Police Department has reviewed the request to amend California Department of Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) license, to amend condition of single sales. The police department does not support the amendment to the condition for single sales. All Type 21 (Off- sale General) licenses in the City of Fontana are subject to the same condition for single sales. Licensee may contact me if further clarification is needed.



PLANNING DIVISION

April 22, 2020

City Council

Acquanetta Warren  
Mayor

Jesse Armendarez  
Mayor Pro Tem

John B. Roberts  
Council Member

Jesus "Jesse" Sandoval  
Council Member

Phillip W. Cothran  
Council Member

Gurvinder Singh  
16119 Foothill Boulevard  
Fontana, CA 92335

RE: Master Case No. (MCN) 20-027 / Conditional Use Permit (CUP) No. 95-019R3, a request to amend the existing Conditional Use Permit (CUP No. 95-019) to include a public convenience and necessity document (APN: 0191-011-06).

Dear Mr. Gurvinder Singh,

The above-referenced project was reviewed and **approved** by the Planning Commission of the City of Fontana at the regularly scheduled meeting on April 21, 2020.

Please note that this action is subject to a fifteen (15) calendar day appeal period following the approval hearing to allow for the filing of an appeal with the City Clerk. An appeal automatically stays the Planning Commission decision until the City Council conducts a public hearing and renders a decision on the appeal. After the fifteen (15) day appeal period, the applicant shall remove the Notice of Filing sign(s) from the project site. The applicant may request a refund of the \$300.00 sign deposit; the request shall be in writing. The request shall be submitted to the Planning Division.

Enclosed are the Conditions of Approval on this project per the Fontana City Code. Should you have any questions regarding this approval, please call the project planner, Mai Thao, by phone at (909) 350-6650 or by email at [mthao@fontana.org](mailto:mthao@fontana.org).

Sincerely,

Zai AbuBakar  
Director of Community Development

Enclosures: Conditions of Approval



# Staff Report to the Planning Commission

**PLACEMENT:** Public Hearing

**APPLICATION:** Master Case No. 20-027  
Conditional Use Permit No. 95-019R3

**DATE:** April 21, 2019

**APPLICANT:** Gurvinder Signh  
16119 Foothill Boulevard, Unit A  
Fontana, CA 92335

**LOCATION:** 16119 Foothill Boulevard, Unit A (APN: 0191-011-06)

**REQUEST:** Approve a Conditional Use Permit (CUP) No. 95-019R3 for an existing convenience store (Circle K) to operate with an Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) license.

**PROJECT PLANNER:** Mai Thao, Planning Technician

I. **BACKGROUND INFORMATION:**

A. **Land Use Designation:**

Land Use Designation	General Plan Designation	Zoning Designation	Existing Land Use
Site:	Walkable Mixed Use (WMXU-1)	Form-Based Code (FBC) Route 66 Gateway District	Commercial
North:	Community Commercial (C-C)	Northgate Specific Plan	Commercial-Walgreens
South:	Walkable Mixed Use (WMXU-1)	Form-Based Code (FBC) Route 66 Gateway District	Commercial – Barber Shop, Donut Shop, Raspado Xtreme, KinderCare Learning Center
East:	Walkable Mixed Use (WMXU-1)	Form-Based Code (FBC) Route 66 Gateway District	Commercial - Nail Salon, Pharmacy, Beauty Salon
West:	Walkable Mixed Use (WMXU-1)	Form-Based Code (FBC) Route 66 Gateway District	Commercial – Superior Grocery

B. **Environmental Review Finding:**

This project qualifies for a Categorical Exemption pursuant to Section No. 15301 (Class No. 1, Existing Facilities) of the California Environmental Quality Act (CEQA),



and Section No. 3.22 Existing Facilities of the Local 2019 Guidelines for Implementing the California Environmental Quality Act.

C. Background:

- 1) On June 23, 1952, the City annexed the site from the San Bernardino County.
- 2) On November 27, 1995, the Planning Commission approved a Conditional Use Permit for a change of ownership for an off-site Alcoholic Beverage Control (ABC) Type 20 (Off-sale, Beer and Wine) license.
- 3) On July 26, 1996, the Planning Commission approved a Conditional Use Permit for a transfer of an off-site Alcoholic Beverage Control (ABC) Type 20 (Off-sale, Beer and Wine) license under a change of ownership.
- 4) On November 9, 2007, the Director of Community Development approved a Minor Use Permit (MUP) No. 07-013 for an off-site Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) transfer of license under a change of ownership.
- 5) On November 21, 2019, the previous owner surrendered its Alcoholic Beverage Control (ABC) license to the California Department of Alcoholic Beverage Control.

II. PROJECT DESCRIPTION:

- A. Type of License: Type 21 (Off-sale General) license authorizes the sale of beer, wine, and distilled spirits for consumption off the licensed premises.
- B. Census Tract No.: The site is located within Census Tract No. 28.03 in the City of Fontana. A map identifying the census tract boundaries is attached (Attachment No. 3).
- C. Concentration: According to ABC, two (2) off-sale licenses are allowed within Census Tract No. 28.03 before being considered over-concentrated. Currently, there are three (3) licenses operating within Census Tract No. 28.03. To approve this ABC license request, the Planning Commission is required to make a Finding of Public Convenience and Necessity.
- D. Building Analysis: The existing convenience store is approximately 2,600 square feet within a parcel that is approximately 0.7 adjusted gross acres.

III. ANALYSIS:

The applicant, Mr. Gurvinder Signh, is requesting that the Planning Commission review and approve Conditional Use Permit (CUP) No. 95-019R3 for an existing convenience store to operate with a new California Department of Alcoholic Beverage Control (ABC)

Type 21 (Off-Sale General) license.

The convenience store is located within Census Tract 28.03. ABC has determined that two (2) Off-sale licenses can operate within this tract before being categorized as over-concentrated. Currently, there are three (3) active licenses in Census Tract 28.03 and the request from the applicant will bring a total of four (4) ABC licenses within Census Tract 28.03. The Planning Commission is required to make a finding of Public Convenience and Necessity in order to approve this ABC License.

The applicant is requesting that the new hours of operation for the convenience store operate twenty-four (24) hours, seven (7) days a week. The project site is located within an existing multi-tenant commercial center which includes a donut shop, barbershop, tattoo shop, and a health center.

Surrendered ABC License:

The previous owner surrendered its ABC license. However, according to the California Department of Alcoholic Beverage Control, the previous owner has not yet transferred its license elsewhere. Based on the California Department of Alcoholic Beverage Control's recommendation, the new owner is required to apply for a new ABC license Type 21 (Off-sale general) on the subject site, which would then categorize it as over-concentrated within the census tract.

California Department of Alcoholic Beverage Control is requiring a finding for a Public Convenience and Necessity (PCN) due to the over concentration as a result of the new Alcoholic Beverage Control license application. Staff has determined that the appropriate course of action is to proceed with an amendment to the original Conditional Use Permit (CUP) No. 95-019 to allow for an update of the previous conditions of approval so that the Conditions are up-to-date and include a public convenience and necessity finding.

Finding of Public Convenience or Necessity (PCN):

Staff believes that a finding of public convenience or necessity can be made with the included conditions, as the proposed use is consistent with the requirements of the City's Zoning and Development Code, specifically Form Based Code (FBC). The convenience store is located within Census Tract 28.03.

Currently, there are three off-sale licenses operating within this census tract, including Simers Market, Arrow Mini Mart, and Alphine Liquor and Market. See Attachment No. 4 for locations of the existing licenses. Two of the three establishments are approved to operate with an ABC Type 21 (Off-sale General) license.

Census Tract No. 28.03 is a centrally located tract, bounded by Foothill Boulevard to the north, Arrow Boulevard to the south, Citrus Avenue to the west, and Juniper Avenue to the east. This application would be considered a "public benefit" and therefore meet the definition of "Public Convenience or Necessity" based on the following findings. The finding of "Public Convenience or Necessity" can be met as consumers would find it convenient to purchase beer, wine, and distilled spirits at a local convenience store as opposed to a large supermarket. The sale of alcohol is important for small convenient

stores as it allows them to maintain a small footing to compete against larger regional chains. The existing convenience store is an established use that previously sold beer, wine, and distilled spirits under the previous owner.

The character of the surrounding uses is a mix of commercial uses that include a twenty-four (24) hour Arco gas station, a twenty-four (24) hour Walgreens, Chase Bank, and large-scale Markets like Cardenas and Superior Grocers. A significant percentage of the general population chooses to enjoy the expediency of a convenience store for purchasing alcohol and other specialty items typically found at a convenience store. The multi-tenant commercial center is well established with other retailers. Consumers who already frequent the commercial center for other services will find convenient to purchase beer, wine, and distilled spirits from an establishment on the same property.


The Police Department has reviewed the application and is recommending approval subject to the conditions of approval. The new application for an ABC Type 21 license will have little or no effect on the operation of the business, as this subject site has been operating with an ABC license that was grandfathered in since 1988.


#### IV. **RECOMMENDATION:**

Based on the information in this staff report, and providing the Planning Commission makes the required findings, staff recommends that the Planning Commission adopt Resolution PC No. 2020\_\_\_\_\_; and,

1. Determine that the project is Categorically Exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 of the Local 2018 Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and,
2. Approve Conditional Use Permit No. 95-019R3 subject to the attached Findings and Conditions of Approval.

Project Planner:

  
Mai Thao  
Planning Technician

  
Orlando Hernandez  
Planning Manager

Approved by:

  
Zai AbuBakar  
Director of Community Development

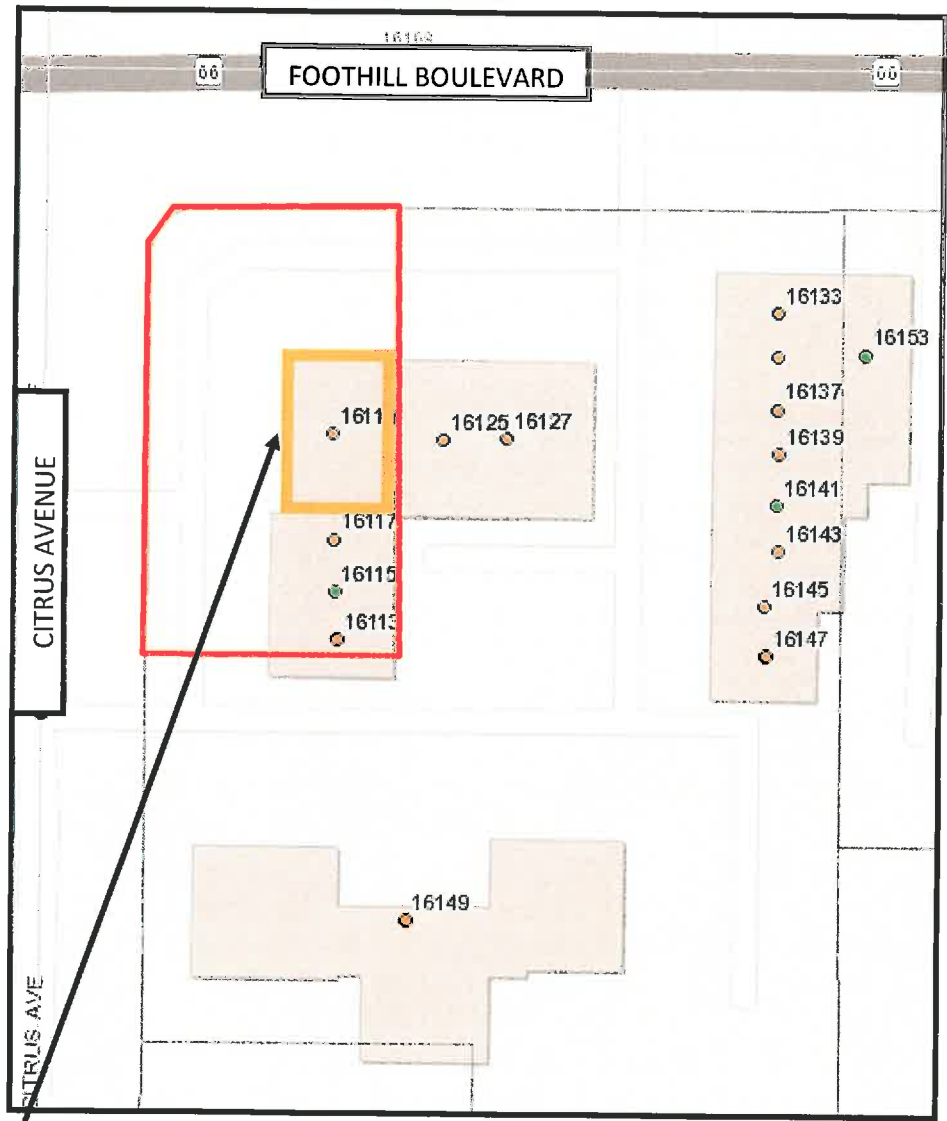
#### **Attachments:**

1. Vicinity Map
2. Floor Plan
3. Census Tract Map No. 28.03
4. Resolution, Findings and Conditions of Approval

5. Notice of Exemption
6. Notice of Public Hearing

**Under a Separate Cover:**

1. 11" x 17" Floor Plans

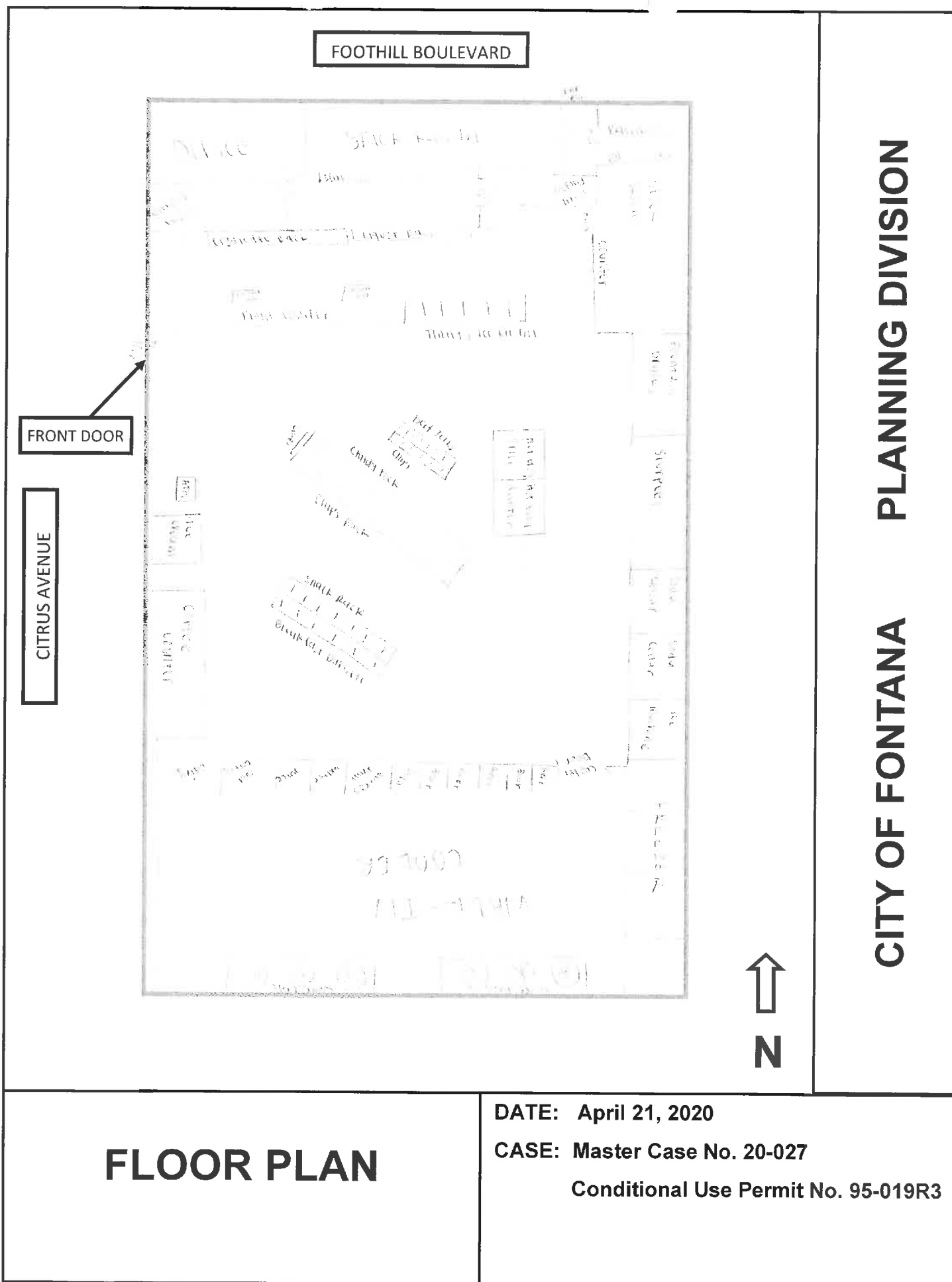


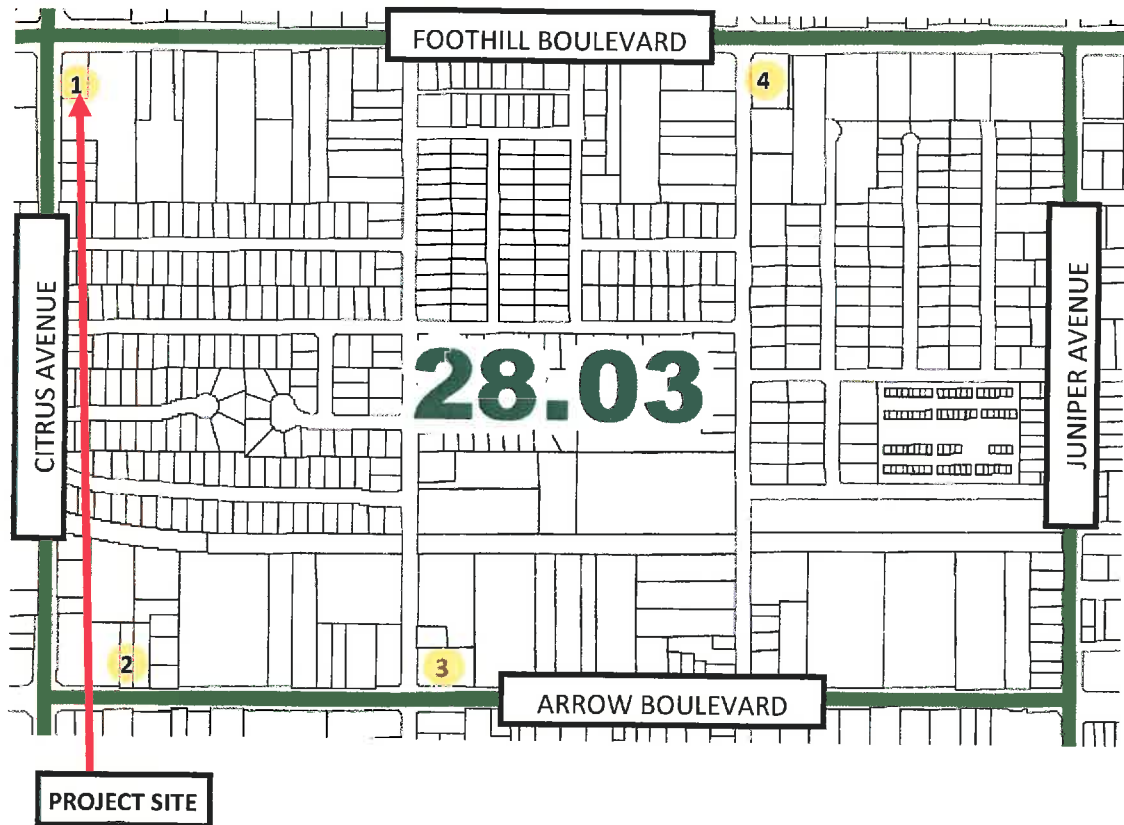
PLANNING DIVISION

CITY OF FONTANA

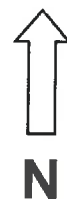
# VICINITY MAP

DATE: April 21, 2020  
CASE: Master Case No. 20-027  
Conditional Use Permit No. 95-019R3





#	Business Name	Address
1	Circle K ( Project Site)	16119 Foothill Boulevard
2	Simers Market	16146 Arrow Boulevard
3	Arrow Mini Mart	16312 Arrow Boulevard Suite A
4	Alpine Liquor and Market	8145 Cypress Avenue



Census Tract No.  
28.03

DATE: April 21, 2020  
CASE: Master Case No. 20-027  
Conditional Use Permit No. 95-01R3

CITY OF FONTANA      PLANNING DIVISION

**RESOLUTION PC NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING THE FINDINGS OF PUBLIC CONVENIENCE AND NECESSITY AND APPROVING CONDITIONAL USE PERMIT (CUP) NO. 95-019R3 TO AMEND AN APPROVED CUP (CUP NO. 95-019) TO ALLOW FOR AN EXISTING CONVENIENCE STORE TO OPERATE WITH A CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE (ABC) TYPE 21 (OFF-SALE GENERAL) LICENSE.**

**WHEREAS**, the City of Fontana received an application on February 19, 2020 to review and approve a Conditional Use Permit (CUP) No. 95-019R3 for an existing convenience store (Circle K) to operate with an Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) license.

**Applicant:** Gurvinder Singh  
16119 Foothill Boulevard, Unit A  
Fontana, CA 92335

**Project Location:** 16119 Foothill Boulevard, Unit A (APN: 0191-011-06)

**Site Area:** 30,000 square feet

**WHEREAS**, the subject site was annexed from San Bernardino County into the City of Fontana in June 23, 1952; and

**WHEREAS**, On November 27, 1995, the Planning Commission approved a Conditional Use Permit for a change of ownership for an off-site Alcoholic Beverage Control (ABC) Type 20 (Off-sale, beer and wine) license; and

**WHEREAS**, On July 26, 1996, the Planning Commission approved a Conditional Use Permit for a transfer of an off-site Alcoholic Beverage Control (ABC) Type 20 (Off-sale, beer and wine) license under a change of ownership; and

**WHEREAS**, On November 9, 2007, the Director of Community Development approved a Minor Use Permit (MUP) No. 07-013 for an off-site Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) license for a change of ownership; and

**WHEREAS**, the City of Fontana wishes to protect and preserve the quality of the life throughout the City, through effective land use and planning; and

**WHEREAS**, Conditions of Approval have been prepared and are attached hereto as **Exhibit "A"** for the Conditional Use Permit (CUP No. 95-019R3) incorporated herein; and

**WHEREAS**, the project is Categorically Exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 Existing Facilities of the Local 2019 Guidelines for Implementing the California Environmental Quality Act.

**WHEREAS**, the owners of property within 660 feet of the proposed project site were notified via public hearing notice mailer prior to the Public Hearing; posted at City Hall and onsite at the project site; and



**WHEREAS**, on April 21, 2020, a duly noticed public hearing on Conditional Use Permit No. 95-019R3, was held by the Planning Commission ("Commission") to consider testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto; and

**WHEREAS**, the Planning Commission carefully considered all information pertaining to the proposed project, including the staff report, findings, and all the information, evidence, and testimony presented at its public hearing April 21, 2020; and

**WHEREAS**, all other legal prerequisites to the adoption of this resolution have occurred.

**NOW, THEREFORE**, the Commission RESOLVES as follows:

**Section 1.** The City of Fontana Planning Commission hereby makes the following findings for CUP No. 95-019R3 in accordance with Section 30-160 "Findings for the approval of Conditional Use Permits" of the Fontana Zoning and Development Code:

**Finding No. 1:**     **That proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning and Development Code, Municipal Code, General Plan, any applicable Specific Plan or Area Plan, and City Regulations/standards.**

**Finding of Fact:**     The request is to amend a previously approved Conditional Use Permit (CUP) No. 95-019R3 to allow an existing convenience store to operate with a new Alcohol Beverage Control (ABC) License Type 21 (Off-Sale General) License.

The convenience store is located at 16119 Foothill Boulevard within the Route 66 Gateway District of the Form Based Code (FBC). The General Plan land use designation for the site is Walkable Mixed Use (WMXU-1). The zoning district and General Plan land use designation both allow for the sale of alcoholic beverages with the approval of a Conditional Use Permit. The subject site location currently has an approved Conditional Use Permit running with the land. The zoning designation and General Plan land use designation would allow for the amendment of the ABC license to allow the convenience store to operate with a Type 21 (Off-Sale General) ABC License. The proposal will comply with all applicable provisions of the Zoning and Development Code, Municipal Code, and General Plan.

**Finding No. 2:**     **The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards.**

Finding of Fact: The establishment is an existing and approved multi-tenant commercial building that meets the City’s performance criteria and development standards. The site is physically suited for the type of use that is existing currently. The establishment is in an area that has a variety of commercial and retail uses. The site is presently not operating with a Type 21 (On-Sale Beer and Wine) ABC License; however the establishment did have an approved Type 21 ABC License in 2019. Amending Conditional Use Permit No. 95-091R3 will not result in any physical constraints.

**Finding No. 3: Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located.**

Finding of Fact: The proposed entitlement has been reviewed by all applicable State, City and County agencies to ensure that it meets all applicable standards. The project has been reviewed and potential adverse effects to health, safety, and general welfare have been mitigated through the conditions of approval as referenced herein regarding the operation of the proposed ABC license amendment. This project qualifies for a categorical exemption pursuant to Section No. 15301 (Class No. 1, Existing Facilities) of the California Environmental Quality Act (CEQA), and Section No. 3.22 Existing Facilities of the 2019 Local Guidelines for Implementing the California Environmental Quality Act.

**Finding No. 4: That the proposed use will meet the finding of “Public Convenience or Necessity”.**

Finding of Fact: The convenience store is located within Census Tract 28.03. Currently, there are three off-sale licenses operating within this census tract, including Simers Market, Arrow Mini Mart, and Alphine Liquor and Market. Two of the three establishments are approved to operate with an ABC Type 21 (Off-sale General) license.

Census Tract No. 28.03 is a centrally located tract, stretching from Foothill Boulevard south to Arrow Boulevard and from Citrus Avenue to Juniper Avenue. This application would be considered a “public benefit” and therefore meet the definition of “Public Convenience or Necessity” based on the following findings. The finding of “Public Convenience or Necessity” can be met as consumers would find it convenient to purchase beer, wine, and distilled spirits at a local convenience store as opposed to a large supermarket. The sale of alcohol is important for small convenient stores as it allows them to maintain a small footing to compete against larger regional chains.

The character of the surrounding uses is a mix of commercial uses that include a twenty-four (24) hour Arco gas station, a twenty-four (24) hour Walgreens, Chase Bank, and large-scale Markets like Cardenas and Superior Grocers. A significant percentage of the general population chooses to enjoy the expediency of a convenience store for purchasing alcohol and other specialty items typically found at a convenience store. The multi-tenant commercial center is well established with other retailers. Consumers who already frequent the commercial center for other services with find convenient to purchase beer, wine, and distilled spirits from an establishment on the same property. The site has been in business since 1988 and has been an established use where alcohol has been purchased.

**Section 2.** Based on the foregoing, the City of Fontana Planning Commission determines that this project is Categorically Exempt pursuant to Section No. 15301, Class No. 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA.

**Section 3.** Based on the foregoing, the City of Fontana Planning Commission hereby approves the findings of Public Convenience and Necessity as indicated in this Resolution and approves Conditional Use Permit (CUP) 95-019R3 for an Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) License at 16119 Foothill Boulevard (APN: 0191-011-06).

**Section 4. Resolution Regarding Custodian of Record:** The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Community Development Department – Planning Division, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

**Section 5.** The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**APPROVED, AND ADOPTED** by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 21<sup>st</sup> day of April 2020.

City of Fontana

\_\_\_\_\_  
Daniel Quiroga, Chairperson

**ATTEST:**

I, Angela Garcia, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 21<sup>st</sup> day of April 2020, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Angela Garcia, Secretary

EXHIBIT "A"



**CITY OF FONTANA**  
**CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. 20-027  
Conditional Use Permit (CUP) No. 95-019R3

**DATE:** April 21, 2020

**LOCATION:** 16119 Foothill Boulevard (APN:0191-011-06)

**PLANNING:**

1. This approval is for Conditional Use Permit (CUP) No. 95-019R3 to amend the existing Conditional Use Permit (CUP) No. 95-019 to allow for an existing convenience store (Circle K) to operate with a California Department of Alcoholic Beverage Control (ABC) Type 21 (Off-Sale General) license as approved by the Planning Commission on April 21, 2020.
2. In the event of any such third-party action or proceeding, the City shall have the right to retain its own separate legal counsel to defend the interests of the City. The applicant shall be responsible for reimbursing the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

3. 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 all of the following have occurred:
  - a. All requirements of the Fontana Municipal Code shall be complied with.

- b. All Conditions of Approval imposed on this project have been fulfilled.
- 4. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections 30-30 and 30-31 of the Municipal Code.
- 5. At any time, the Director of Community Development may bring a status report to the Planning Commission identifying impacts or failure to comply with conditions resulting from the Conditional Use Permit approval. Such status report may contain a police report regarding calls for service at the location. Nothing herein shall modify or limit the City's authority to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public's health, safety, and welfare.
- 6. The approved set of Conditions of Approval shall be posted at all times at a visible location behind the cashier's counter in the facility and shall remain legible at all times.
- 7. In addition to sign identifying the business, no sign shall be placed in or upon the window of any structure utilized for commercial purposes in the upper or lower one third of the total transparent area of any window. Window signage shall be limited to 25 percent of the total window and clear door area. 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 adjacent sidewalk or entrance to the premises.

**POLICE DEPARTMENT:**

- 8. The operation of the business shall not violate any federal, state, or local laws or ordinances, including the rules, regulations and orders of the State Alcoholic Beverage Control Department and all conditions of the City of Fontana's Conditional Use Permit. Failure to comply with these requirements shall constitute grounds for revocation of a conditional use permit.
- 9. All tobacco products shall remain under the control of the management, behind the cashier's counter.
- 10. If licensed premises operates twenty-four (24) hours a day, the business owner/licensee shall keep all beer, wine and distilled spirits within a lockable permanently affixed cooler, lockable permanently affixed display case, or under the control of the management behind the cashier's counter. The coolers and display

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cases shall be locked during the hours of two (2) a.m. to six (6) a.m. daily. Additionally, no alcoholic beverages shall be sold during the hours of two (2) a.m. to six (6) a.m. daily.

11. Employees engaged in the sale or distribution of alcoholic beverages shall be at least 18 years of age. If the business owner, licensee, or management choose to employ a salesperson between the ages of 18 to 20, that salesperson must be under the continuous supervision of at least one salesperson who is 21 years old or older.
12. The sale of malt liquor or fortified wine products with an alcoholic content greater than 17 percent by volume is prohibited.
13. The licensee shall not sell single bottle of wine in less than 750 ml. containers. Specialty or dessert wines which are only packaged in 375 milliliter bottles shall be permitted.
14. No distilled spirits shall be sold in bottles or containers smaller than 375 milliliters (pint).
15. The sale of beer or malt beverages in single size containers of 40 ounces or less is prohibited.
16. The licensed premise shall not sell individual units of beer or wine from the manufacturer's multi-unit packages (three-packs, four-packs, six-packs, etc.).
17. The licensee shall not allocate more than half of the cooler doors for the sale of alcoholic beverages. All designated coolers for alcoholic beverages shall be located furthest away from the entrance doors.
18. The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages are prohibited on or around the licensed premises.
19. Alcoholic beverages shall not be displayed or stored on the public floor area of the business and shall only be stored within a designated storage room.
20. In the event that adult merchandise (books, magazines, videos and CDs) is offered for sale, all such merchandise shall be kept under the control of the management behind the cashier's counter and must be segregated from other reading material and screened from the view of minors.
21. On a regular and reasonable basis litter shall be removed daily from the premises, including adjacent public sidewalks and all parking areas under the control of the business owner/licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.

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22. The business owner/licensee shall comply with the City False Alarm Ordinances.
23. Graffiti abatement by the business owner/licensee shall be immediate and ongoing on the licensed premises, but in no event shall graffiti be allowed unabated on the premises for more than 48 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee shall notify the City within 24 hours (at 909.350-GONE) of any graffiti elsewhere on the property not under the business owner/licensee's control so that it may be abated by the property owner and/or the City's Graffiti Enforcement Team.
24. The management and employees of the licensed premise shall be required to prevent loitering in the parking lot of the site. The management and employees of the licensed premise shall regularly police the area under its control to prevent the loitering of persons about the premises.
25. Sales of alcoholic beverages will be restricted to, and within the confines of, the building portion of the licensed premises.
26. A digital video surveillance system is required at the premise. It is recommended that the video surveillance system is to be an internet-based system and shall be maintained in proper working order at all times. The surveillance video/visual media shall be maintained by the business owner for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours.
27. Signs shall comply with all City of Fontana sign requirements. No more than 25% of the total window area and clear doors shall bear advertising, signs or obstructions of any sort. Window signs or other obstructions 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 applies to all windows and glass doors of this location).
28. The exterior of the premise, including all entrances, walkways, adjacent public sidewalks, alleyways and parking lots under the control of the licensee, shall be illuminated at a minimum of one (1) foot candle of light during all hours of darkness, so that persons standing in those areas at night are identifiable by law enforcement personnel. All luminaries utilized are required to have vandal resistant light fixtures.
29. The exterior of the licensed premises, including adjacent public sidewalks and all parking lots under the control of the licensee, shall be illuminated during the hours of darkness, at all entrances, sidewalks or parking surfaces, at a minimum of one foot candle of light.

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30. A prominent, permanent sign or signs stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted on the front, north and west sides of the building or in the front windows of the business and shall be clearly visible to patrons of the licensee. The size, format, placement, and languages of the sign or signs shall be determined by the Department of Alcoholic Beverage Control. Generally, the signs should be 24 inches in length and 14 inches in width with the print of sufficient size to make them clearly readable.
31. A prominent, permanent sign or signs stating "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THE PREMISES" shall be posted on the front, north and west sides of the building or in the front windows of the business and shall be clearly visible to patrons of the licensee. The size, format, placement and languages of the sign or signs shall be determined by the Department of Alcoholic Beverage Control. Generally, the signs should be 24 inches in length and 14 inches in width with the print of sufficient size to make them clearly readable.
32. No electronic arcade or amusement games are permitted on the licensed premises at any time.
33. In the event security problems occur, the Police Department (Chief of Police) will issue a letter to the owner requesting a meeting to discuss said security problems. If security problems are not resolved by the owner in the timeframe mutually agreed upon in said meeting, at the discretion of the Chief of Police, the business owner/licensee or management, at his or her own expense, shall provide a California licensed, uniformed security guard(s) on the premises, during such hours as requested and directed by the Police Department. All uniformed security guards shall comply with Fontana City Code section 22-62, and shall be registered with the State of California's Bureau of Security and Investigative Services as a security guard prior to employment within the City of Fontana.
34. The licensee shall attend a Licensee Education on Alcohol and Drugs (LEAD) training or a responsible beverage service (RBS) training sponsored by the California Department of Alcoholic Beverage Control within six (6) months, and any employee engaged in the sale/service of alcohol shall attend the LEAD or RBS training within 90 days of employment.
35. The approved set of Conditions of Approval, and the ABC license shall be at a visible location behind the cashier's counter in the facility and shall remain legible at all times.
36. The hours of operation shall be twenty-four (24) hours, seven (7) days a week.

**END OF CONDITIONS**

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APRIL 21, 2020

**NOTICE OF EXEMPTION**

TO: Clerk of the Board of Supervisors  
County of San Bernardino  
385 N. Arrowhead Avenue, 2nd Floor  
San Bernardino, CA 92415-0130

FROM: City of Fontana  
Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335

- 1. Project Title: **Conditional Use Permit No. 95-019R3**
- 2. Project Location - Specific: **16119 Foothill Boulevard**
- 3. (a) Project Location - City: **Fontana, CA 92336**  
(b) Project Location - County: **San Bernardino**
- 4. Description of nature, purpose, and beneficiaries of Project: **A request to review a Conditional Use Permit (CUP) No. 95-019R3 to allow an existing convenience store (Circle K) to operate with an Alcohol Beverage Control (ABC) Type 21 (Off-Sale General) License.**
- 5. Name of Public Agency approving project: **City of Fontana**
- 6. Name of Person or Agency carrying out project: **City of Fontana**
- 7. Exempt status: (Check one)
  - (a) ☐ Ministerial project.
  - (b) ☐ Not a project.
  - (c) ☐ Emergency Project.
  - (d) ☒ Categorical Exemption. State type and class number: Exempt under Section No. 15301, Class No. 1, (Existing Facilities) of the California Environmental Quality Act (CEQA), and Section 3.22 of the Local 2019 Guidelines for Implementing the California Environmental Quality Act (CEQA).
  - (e) ☐ Declared Emergency.
  - (f) ☐ Statutory Exemption. State Code section number: \_\_\_\_\_
  - (g) ☐ Other. Explanation: \_\_\_\_\_
- 8. Reason why project was exempt: This project is for the approval for an existing convenient store (Circle K) to operate with a California Department of Alcoholic Beverage Control (ABC) Type 21 (Off-Sale General) License.
- 9. Contact Person: Mai Thao, Planning Technician Telephone: (909) 350-6650

Date Received for Filing: \_\_\_\_\_

Orlando Hernandez  
Planning Manager

(Clerk Stamp Here)

## NOTICE OF EXEMPTION AND PUBLIC HEARING

SI DESEA INFORMACIÓN EN ESPAÑOL REFERENTE A ESTA NOTIFICACIÓN O PROYECTO, FAVOR DE COMUNICARSE AL (909) 350-6728.

Due to the evolving situation with the COVID-19 Novel Coronavirus and the health recommendations for social distancing from the Center for Disease Control (CDC) **THE CITY OF FONTANA PLANNING COMMISSION MEETING OF APRIL 21, 2020 AT 6:00 PM SHALL BE AVAILABLE TO THE PUBLIC REMOTELY.** The general public is encouraged to watch and participate from the safety of their home while practicing social distancing. The meeting can be viewed: On Local Cable: KFON Channel 3 and Streaming Online: <https://fontanaca.swagit.com/live>. Members of the public can submit comments via e-mail at: [planningdivision@fontana.org](mailto:planningdivision@fontana.org) at any time prior to the closing of the public hearing for each agenda item. Comments received prior to 12:00 p.m. on Wednesday, April 15, 2020 will be provided in advance to the Planning Commissioners. City Staff will be monitoring this e-mail during the meeting and will read the comments into the record at the appropriate time during the meeting. Please submit comments prior to the opening of the public comment period for each agenda item. Public Comments of no more than 3 minutes shall be read into the record. In the subject of your e-mail, please indicate the item number and if it is a public hearing item whether you are in favor or opposition of the project. Comments received after the public comment period is closed shall not become part of the public record of the hearing and shall not be made available to the Planning Commission.

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Should you need special assistance to participate in this meeting, please contact the City Clerk's Department by calling (909) 350-7602. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE PLANNING COMMISSION OF THE CITY OF FONTANA FOR THE FOLLOWING:

### Master Case No. 20-027 and Conditional Use Permit No. 95-019R3

A request to amend an existing Conditional Use Permit (CUP) No. 95-019R3 for an existing convenience store (Circle K) to operate with an Alcoholic Beverage Control (ABC) Type 21 (Off-sale General) license.

**Environmental  
Determination:**

The project is exempt pursuant to Section 15301, Class 1, (Existing Facilities) of the California Environmental Quality Act (CEQA) and Section 3.22 of the 2019 City of Fontana Local Guidelines for Implementing the California Environmental Quality Act.

**Location of  
Property:**

16119 Foothill Boulevard  
(APN: 0191-011-06)

**Date of Hearing:**

April 21, 2020

**Place of Hearing:**

Remotely via Local Cable: KFON  
Channel 3 and Streaming Online:  
<https://fontanaca.swagit.com/live>



**Time of Hearing:** 6:00 P.M.

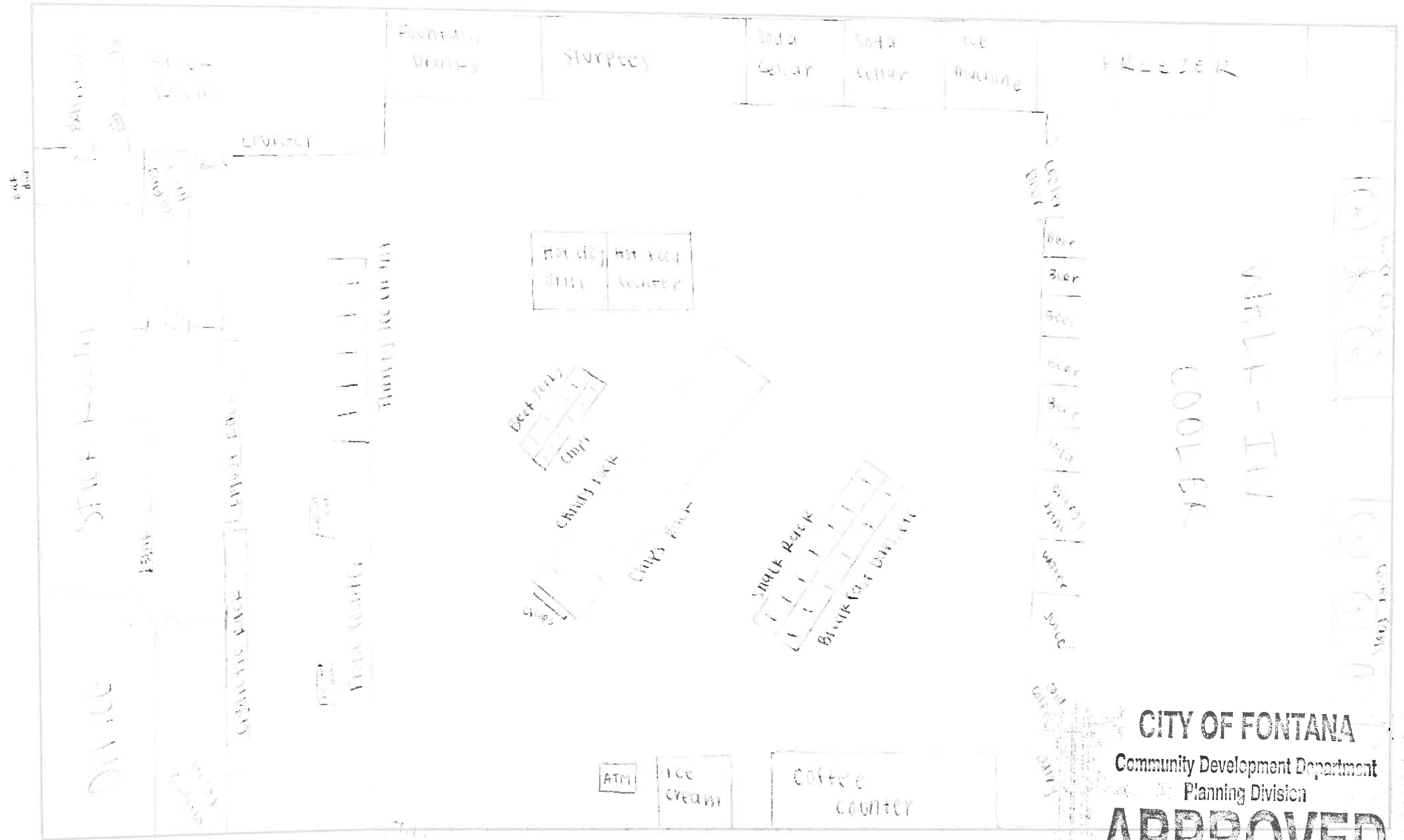
Should you have any questions concerning this project, please contact **Mai Thao, Planning Technician**, at (909) 350-6650 or by e-mail at [mthao@fontana.org](mailto:mthao@fontana.org)

ANY INTERESTED PARTY MAY SEND ANY INFORMATION TO THE EMAIL LISTED ABOVE WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION BY REQUESTING IT FROM THE PROJECT PLANNER.

IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.

Publish: April 10, 2020

FOOTHILL AVENUE



FRONT ENTRY

CITRUS AVENUE

CITY OF FONTANA  
Community Development Department  
Planning Division  
**APPROVED**

MAI THAO  
Project Planner

4-21-20  
Date

MCN 20-027  
CWP NO 95-019  
Case # R3





## NOTICE OF CONTINUANCE OF PUBLIC HEARING

- At the February 20, 2024 meeting, the Fontana Planning Commission opened and continued to the meeting of March 5, 2024, and;
- At the March 5, 2024 meeting, the Fontana Planning Commission opened and continued to the meeting of April 16, 2024, and;
- At the April 16, 2024 meeting, the Fontana Planning Commission opened and continued to the meeting of June 18, 2024, and;
- At the June 18, 2024 meeting, the Fontana Planning Commission opened and continued to the meeting of July 16, 2024 the public hearing regarding the following matter:

### **Master Case (MCN) No. 20-027R1; and Conditional Use Permit (CUP) No. 95-019R4**

The applicant, Jagjit Singh, is requesting that the Planning Commission review and approve Conditional Use Permit No. 95-019R4 for the modification to an existing condition of approval (CUP No. 95-19R3) to allow the sale of singles smaller than 375 milliliters and the sale of beer/malt beverages in single size containers of 40 ounces or less located at 16119 Foothill Boulevard for an existing convenience store, Circle K (APN: 0191-011-06).

**Environmental Determination:**

This project is Categorically Exempt pursuant to Section No. 15301 (Existing Facilities) of the California Environmental Quality Act and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing CEQA.

**Location of Property:**

16119 Foothill Boulevard  
(APN: 0191-011-06)

**Date of Hearing:**

July 16, 2024

**Place of Hearing:**

City Hall Council Chambers  
8353 Sierra Avenue  
Fontana, CA 92335

**Time of Hearing:**

6:00 P.M.



Should you have any questions concerning this project, please contact Alexia De La Torre, Assistant Planner, at (909) 350-6568 or by email: [adelatorre@fontanaca.gov](mailto:adelatorre@fontanaca.gov)

ANY INTERESTED PARTY MAY PROVIDE INFORMATION BY LETTER OR EMAIL WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION. PLEASE CONTACT THE PLANNER LISTED ABOVE.

IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.



# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335

## Action Report

### Planning Commission

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**File #:** 21-3148  
**Agenda #:** PH-B

**Agenda Date:** 7/16/2024  
**Category:** Public Hearing

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**FROM:**

Planning Department

**TITLE:**

Master Case No. 21-120-R2, Design Review No. 21-043-R2, - A request to modify previously approved elevations for a 68 unit attached residential condominium project, on an approximately 4.6 acre site located at 6697 Citrus Avenue, pursuant to a previously adopted Mitigated Negative Declaration.

**RECOMMENDATION:**

Based on the information contained in this staff report and attached Exhibits, staff recommends that the Planning Commission adopt Resolution No. PC 2024-\_\_\_\_\_.

1. Find that the project has been reviewed under a previously adopted Mitigated Negative Declaration ("MND") analyzing all potential impacts of the Project, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.), State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), and Section 8.09 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA and that no further analysis is required, and direct staff to file a Notice of Determination, and
2. Approve Design Review No. 21-043-R2

**APPLICANT:**

D.R. Horton  
2280 Wardlow Cir, Ste 100  
Corona, CA 92878

**LOCATION:**

6697 Citrus Avenue (APN: 0240-011-17).

**REQUEST:**

Design Review No. 21-043-R2 - A request to modify the previously approved elevations and minor site plan changes for a 68 unit detached residential condominium project on approximately 4.6 acres.

**PROJECT PLANNER:**

Alejandro Rico, Associate Planner

**BACKGROUND INFORMATION:**

The original approval for this project was for the construction of a 68 unit condominium project on a 4.6 acre site. A General Plan Amendment (GPA No. 21-008) and Zoning Code Amendment (ZCA No.

21-010) were simultaneously approved to support the multi-family project, along with a Tract Map (TTM No. 21-007) to allow the developer to sell each unit individually as condominiums. The original project utilized a craftsman style architecture with amenity areas including paseos.

Land Use Table:

	General Plan	Zoning/Specific Plan	Existing Use
Site:	Multi- Family-Residential (R-MF)	Multiple Family R-3	Vacant
North	General Commercial (C-G)	General Commercial (C-2)	Vacant
South	Single Family (R-SF)	Single Family Residential (R-1)	Single Family Residential
East	Single Family (R-SF)	Single Family Residential (R-1)	Single Family Residential
West	Single Family (R-SF)	Single Family Residential (R-1)	Single Family Residential

**PROJECT DESCRIPTION:**

- A. Site Area: 201,565 square feet (approximately 4.6 acres)
- B. Lot Coverage Maximum: 50%  
Provided: 34%
- C. Building/Unit Analysis: Maximum Allowed: 24 units per acre  
Provided: 14.8 units per acre
- D. Parking Analysis:  
Automobile Spaces Required: 193 spaces  
Automobile Spaces Provided: 193 spaces
- E. Landscaping:  
Minimum Requirement: 15%  
Proposed: 20%

**ANALYSIS:**

The applicant, D.R. Horton, is requesting that the Planning Commission review and approve Design Review No.21-043-R2, which is a request to modify the previously approved elevations, for a 68 unit multi-family residential project on approximately 4.6 acres.

**Design Review No. 21-043-R2:**

The applicant originally proposed a craftsman style of architectural for the 68 unit multi-family residential project, which was approved by the City Council on October 25, 2022 as part of Design Review No. 21-043. As previously mentioned, Design Review No. 21-043-R2 is a request to modify the previously approved architectural elevations from a Craftsman style to a Spanish style. There are



minor changes proposed to the site plans which include changes to the locations of amenity areas and outdoor benches.

Architectural features of the new Spanish style include concrete roof tiles, stucco finish, decorative clay pipes, wrought iron pot shelf, metal window ornaments, black window frames and recessed window details. Also, proposed is a variety of buildings with light color schemes to add variety to the design. Units are proposed with three (3) bedrooms, a kitchen, two (2) car garages, storage space, washer and dryer room and private patio area for each unit with low stucco wall and decorative tile. Some infrastructure improvements along Citrus Avenue are existing with curbs and gutters, and sidewalks. Power lines will be placed underground, and parkway landscaping will be installed.

The amenities will generally remain the same as approved by DRP No. 21-043, including cornhole court gaming areas, a tot lot, dog area, outdoor benches, lawn area and Bar-B-Que area in a centralized location. The applicant is proposing to move the cornhole gaming areas and outdoor benches. Additionally, a paseo is proposed along the exterior of the site within the rear and side setback areas. Two (2) additional open space areas are planned within along the eastern portion of the site with the dog park.

Existing infrastructure improvements along Citrus Avenue include curbs and gutters, and sidewalks. Power lines will be placed underground, and parkway landscaping will be installed.

The Conditions of Approval have mostly stayed the same with Engineering Conditions of Approval using a new set of Conditions that are standard and the Planning Department requiring that the amount of outdoor benches used match the original approval.

#### Grading/Walls

The topography of the Project Site is relatively flat. The existing drainage pattern is from the north to the southwest.

The Project will construct a six-foot-high block wall along the northern property line, with a six-foot-high wrought iron fence proposed along the western property line. A block wall currently exists along the southern and eastern property lines.

#### Site Access/Circulation/Parking:

Vehicular access to and from the site will be provided via Citrus Avenue, connecting the residents to the complex. An entry statement is proposed along Citrus Avenue with dense landscaping and decorative paving. The Project design incorporates safety measures for automobiles and pedestrians in the area. The project site will act as a transitional space between the single-family residential community to the south and commercial areas located along Highland Avenue while providing housing opportunities for residents.

#### **Environmental:**

On October 25, 2022, the City adopted a Mitigated Negative Declaration/Initial Study (MND), approved a Mitigation Monitoring and Reporting Program and approved Design Review No.21-043. Staff has determined that, pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162-15164, the previously approved MND analyzed potential impacts and there will be no new impacts associated with this project. Therefore, no additional analysis is required and a Notice

of Determination should be filed.

**MOTION:**

Approve Staff's recommendation

**ATTACHMENTS:**

1. Vicinity Map
2. Project Plan Set
3. Planning Commission Resolution, Findings, and Conditions of Approval
4. Notice of Determination
5. Public Hearing Notice



## VICINITY MAP

**DATE:** July 16, 2024

**CASE:** Master Case No. 21-120-R2  
Design Review No. 21-043-R2





OUR TEAM

**D.R. HORTON**  
Contact: Megan Whieldon | Project Manager  
2280 Wardlow Circle, Suite 100  
Corona, CA 92880  
951.739.5441 | www.drhorton.com

**WHA.** Architects . Planners . Designers .  
Contact: Jeff Johnson  
680 Newport Center Drive, Suite 300  
Newport Beach, CA 92660  
949.250.0607 | www.WHAinc.com

**CIVIL | Aguilar Consulting, Inc.**  
Contact: Ceazar Aguilar, PE  
231 E. Alessandro Blvd. #6A393  
Riverside, CA 92508  
c: 909-709-4393 | www.aguilarconsultinginc.com

**Landscape Architect | SJA**  
Contact: Jack Norton  
7859 Sitio Coco  
Carlsbad, CA 92009  
949.276.6500 | www.sjainc.com

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Streetview of Building 200A

CITRUS LANE

FONTANA, CA





Streetview of Building 200B

CITRUS LANE

FONTANA, CA





Building 200A Paseo View

CITRUS LANE

FONTANA, CA



HORTON E

R3

DESIGN REVIEW RE-SUBMITTAL

© 2023 WILLIAM HEZMALHALCH ARCHITECTS, INC. dba WHA. | 2023118 | 06-20-24







Building 200B Paseo View

CITRUS LANE

FONTANA, CA



HORTON E

R4

DESIGN REVIEW RE-SUBMITTAL

© 2023 WILLIAM HEZMALHALCH ARCHITECTS, INC. dba WHA. | 2023118 | 06-20-24







Rear Building 200A

CITRUS LANE

FONTANA, CA

R5





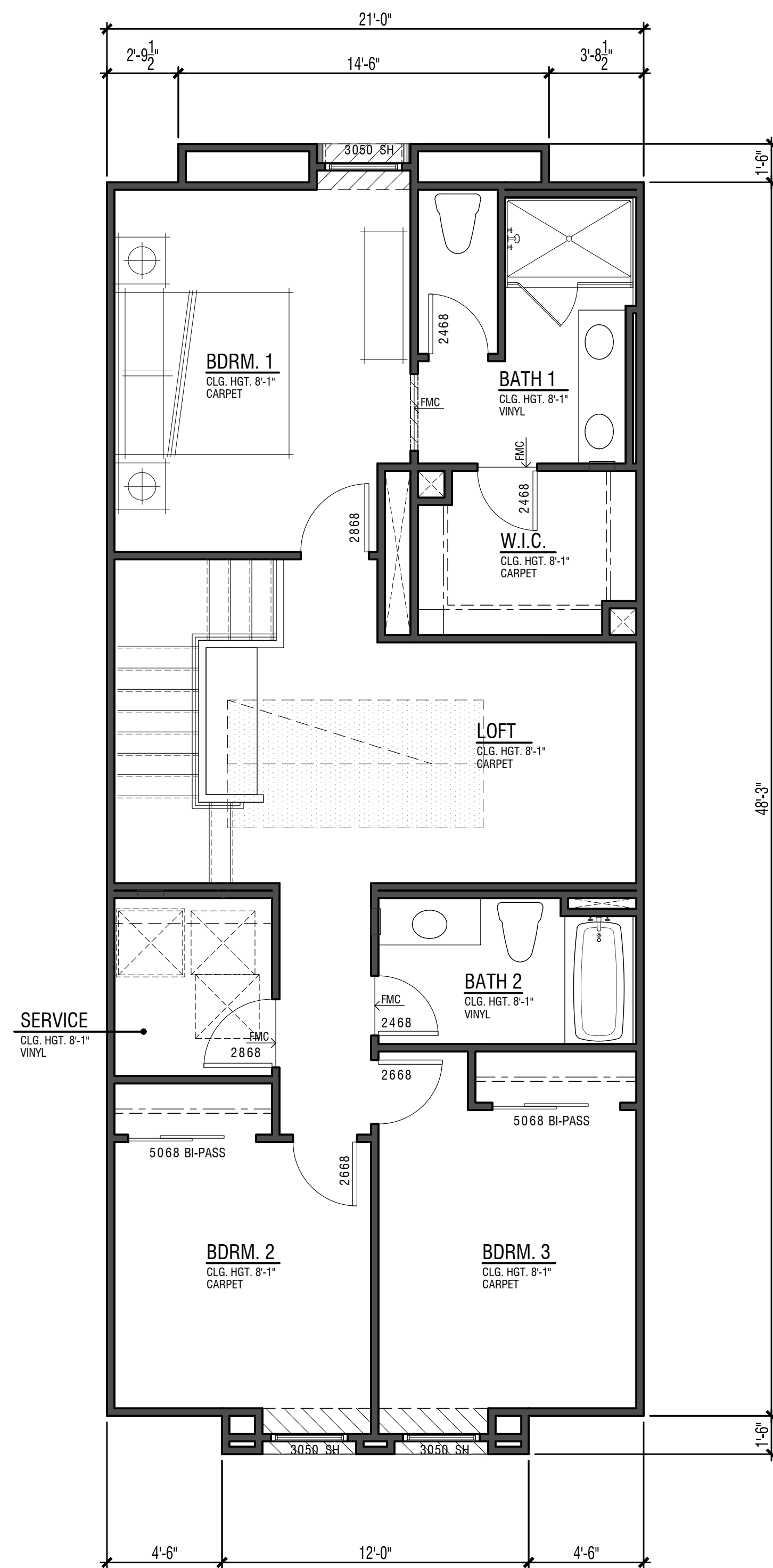
Rear Building 200B

CITRUS LANE

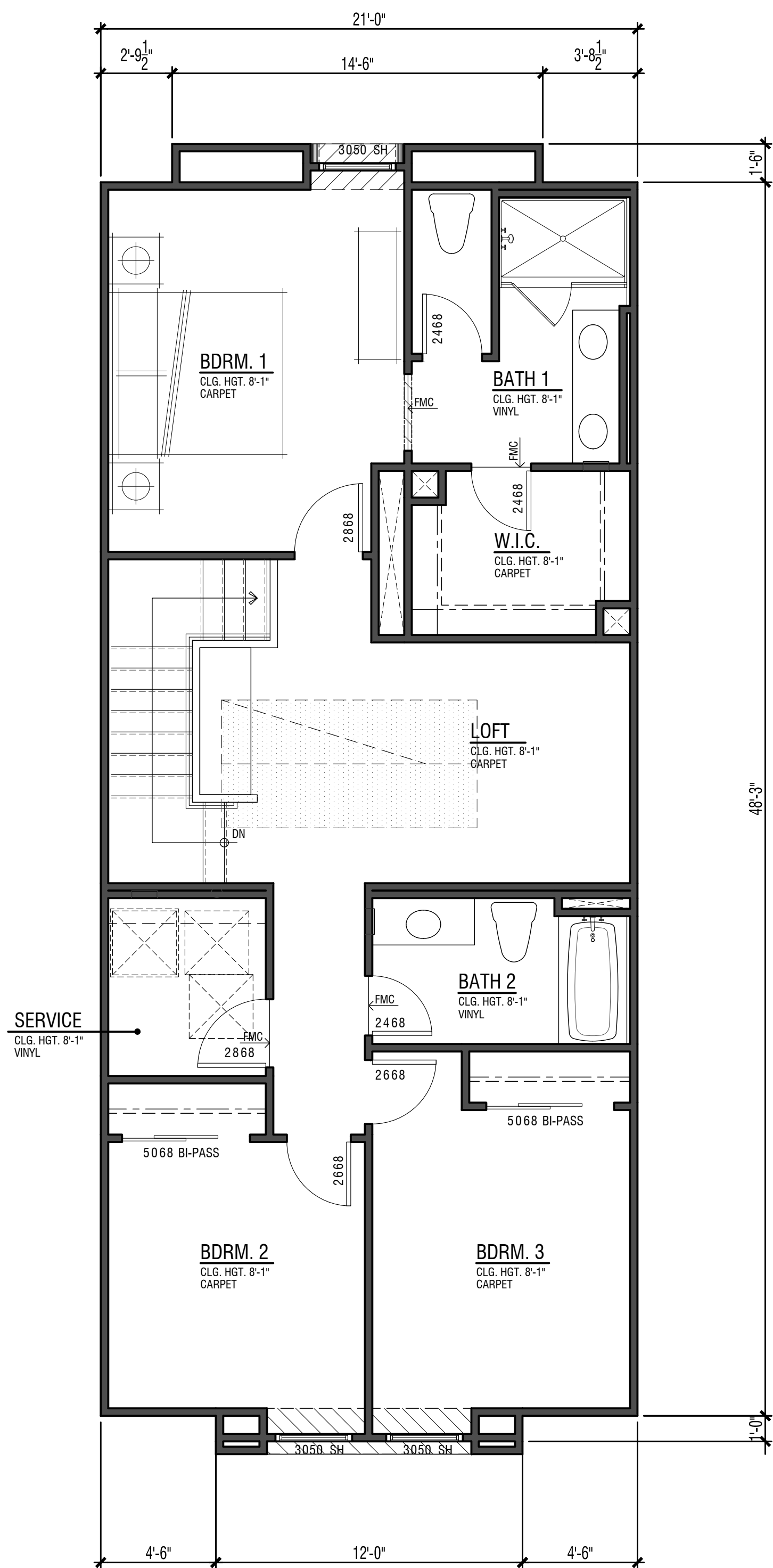
FONTANA, CA

R6

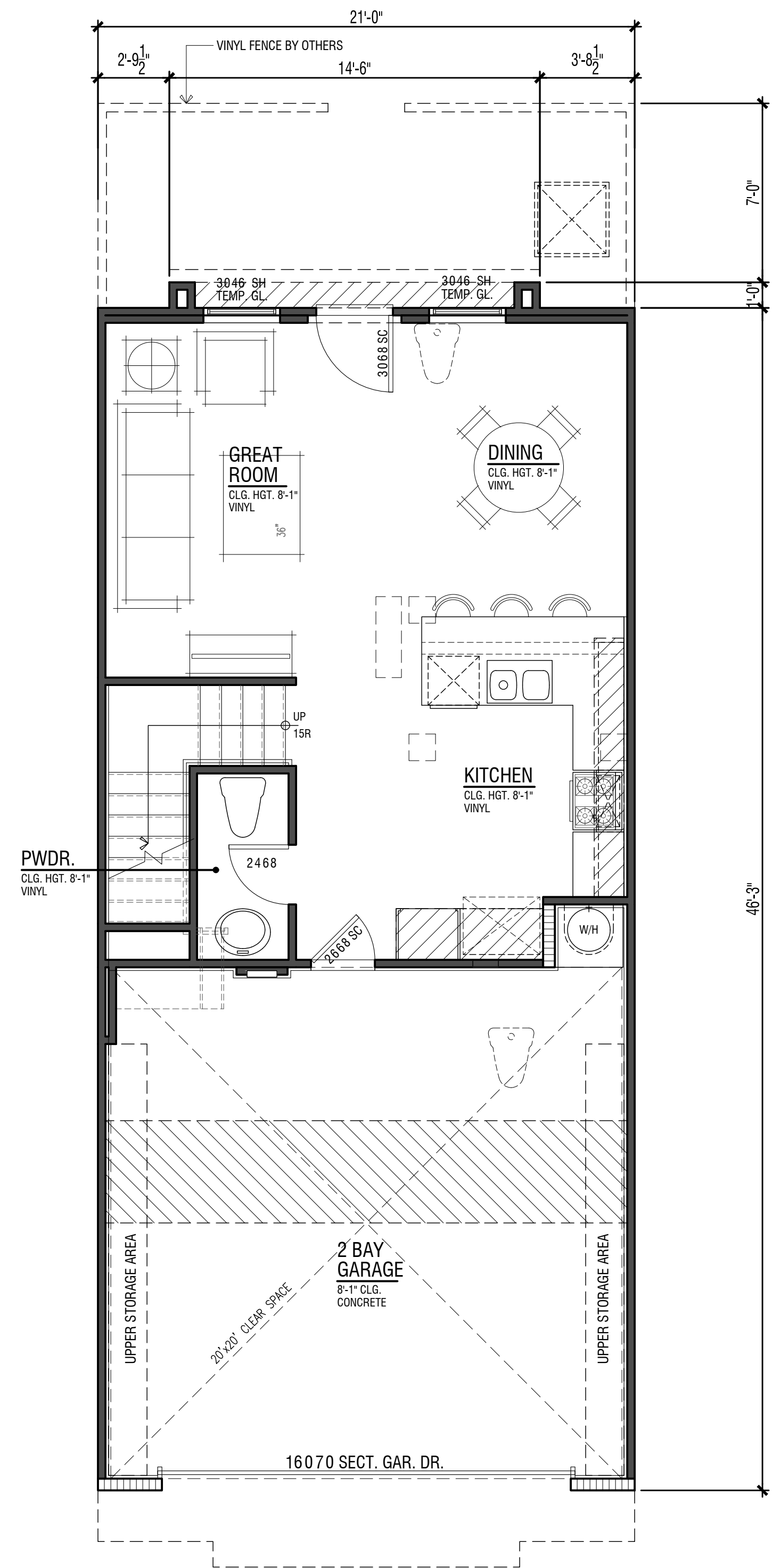




PLAN 1B  
SECOND FLOOR - 966 S.F.



PLAN 1A

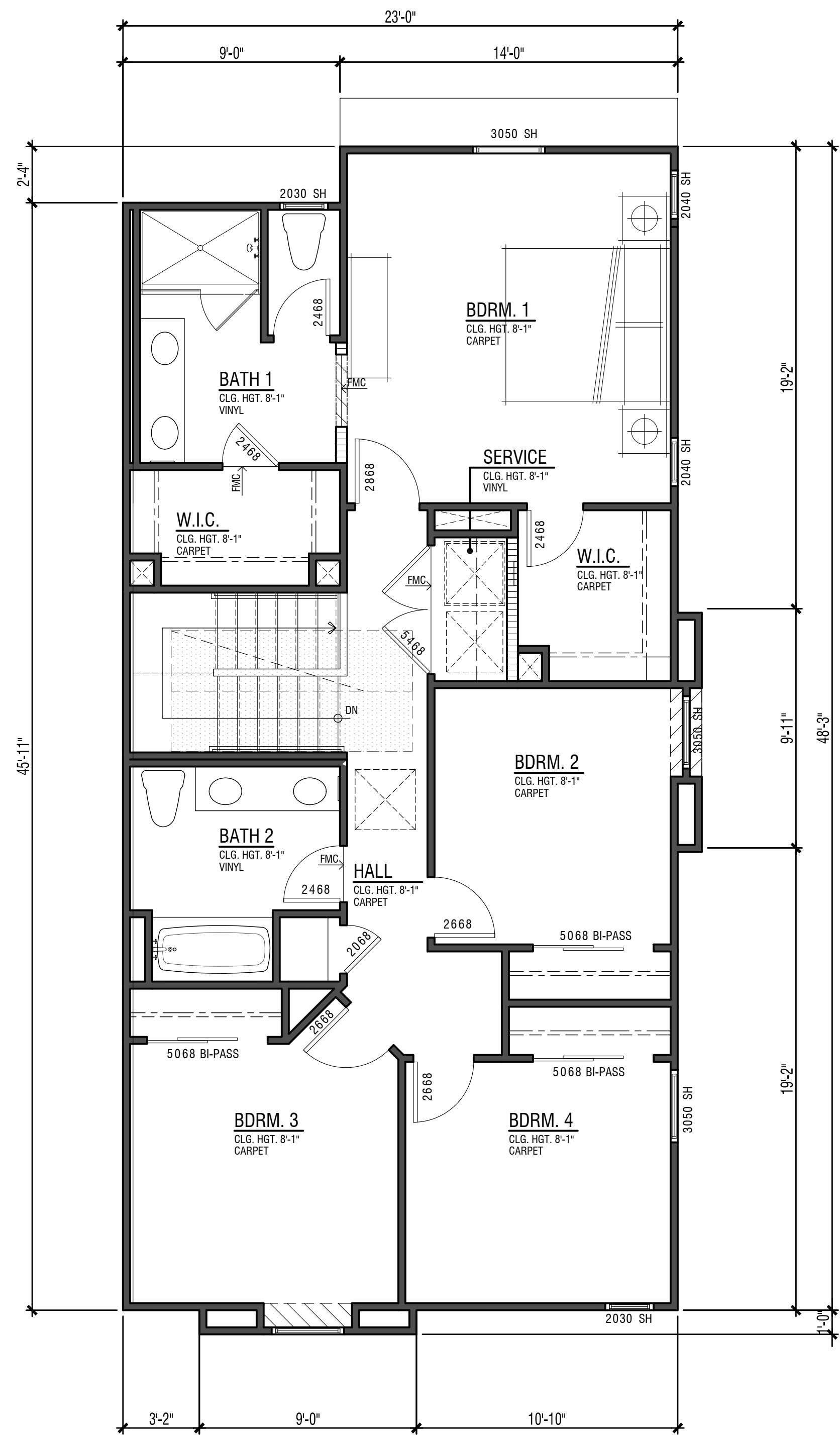


PLAN 1A / 1B  
FIRST FLOOR - 534 S.F.

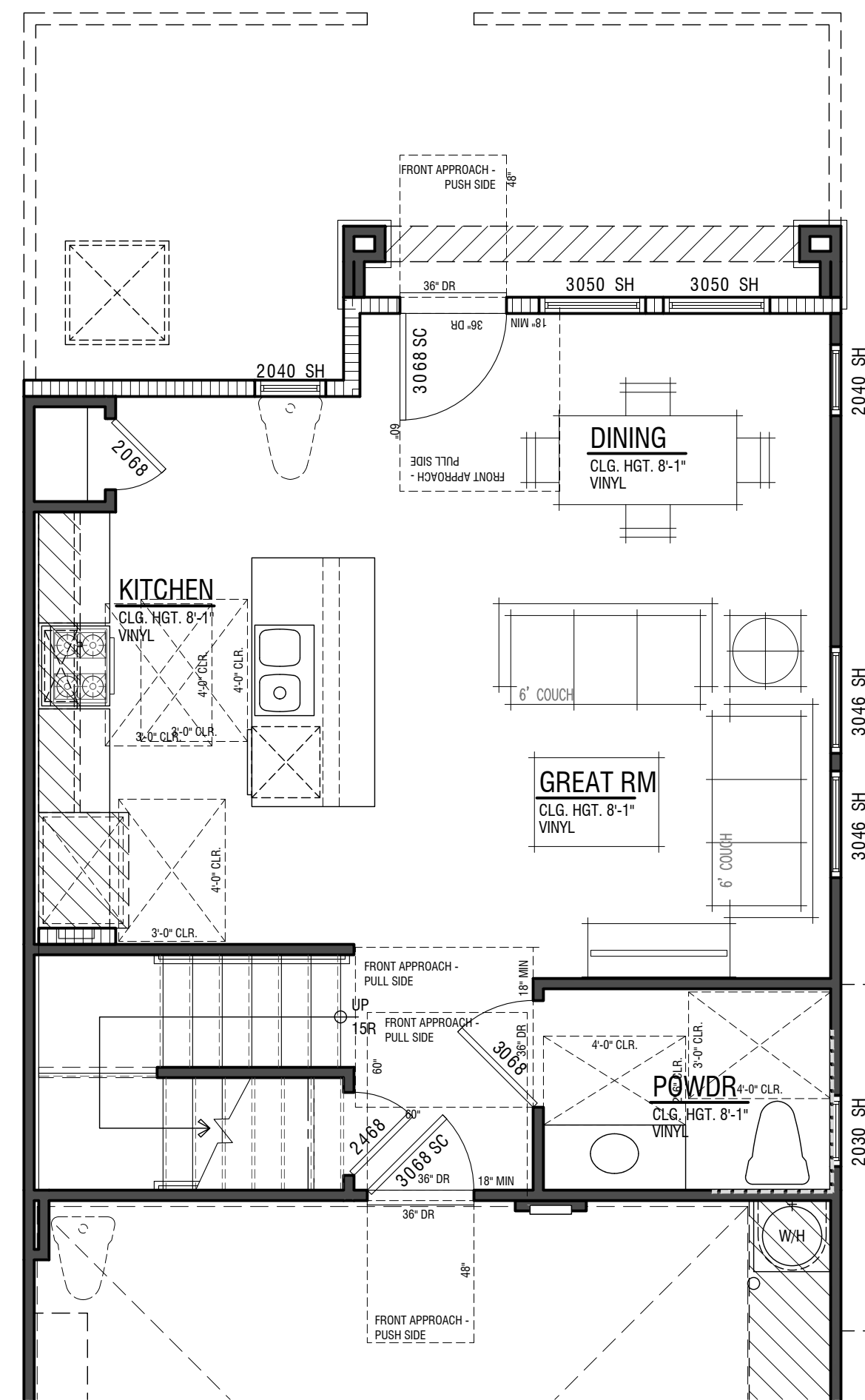
**Plan 1.1500**  
3 Bdrm | 2.5 Bath | Loft  
2- Bay Garage |  
1,500 S.F.  
8' | 8' Plates

DWELLING PLAN SUMMARY - PLAN 1.1500A&B	
ROOM TYPE	QUANTITY
BEDROOM(S)	3
BATH(S)	2.5
FLOOR AREA TABLE	
	PLAN 1.1500A&B
FIRST LEVEL	534 SQ. FT.
SECOND LEVEL	966 SQ. FT.
TOTAL	1500 SQ. FT.
2-BAY GARAGE	437 SQ. FT.
PORCH	166 SQ. FT.

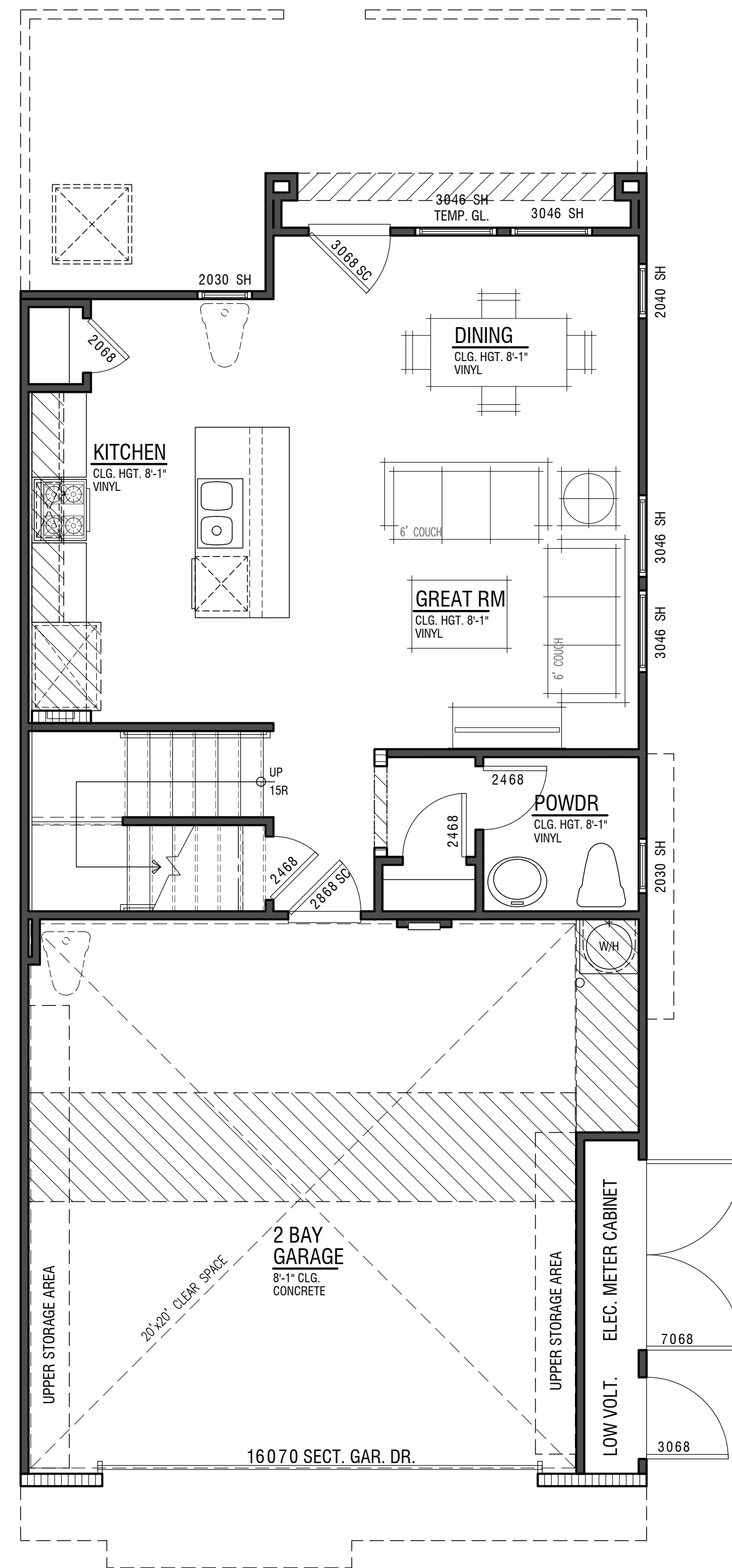
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION



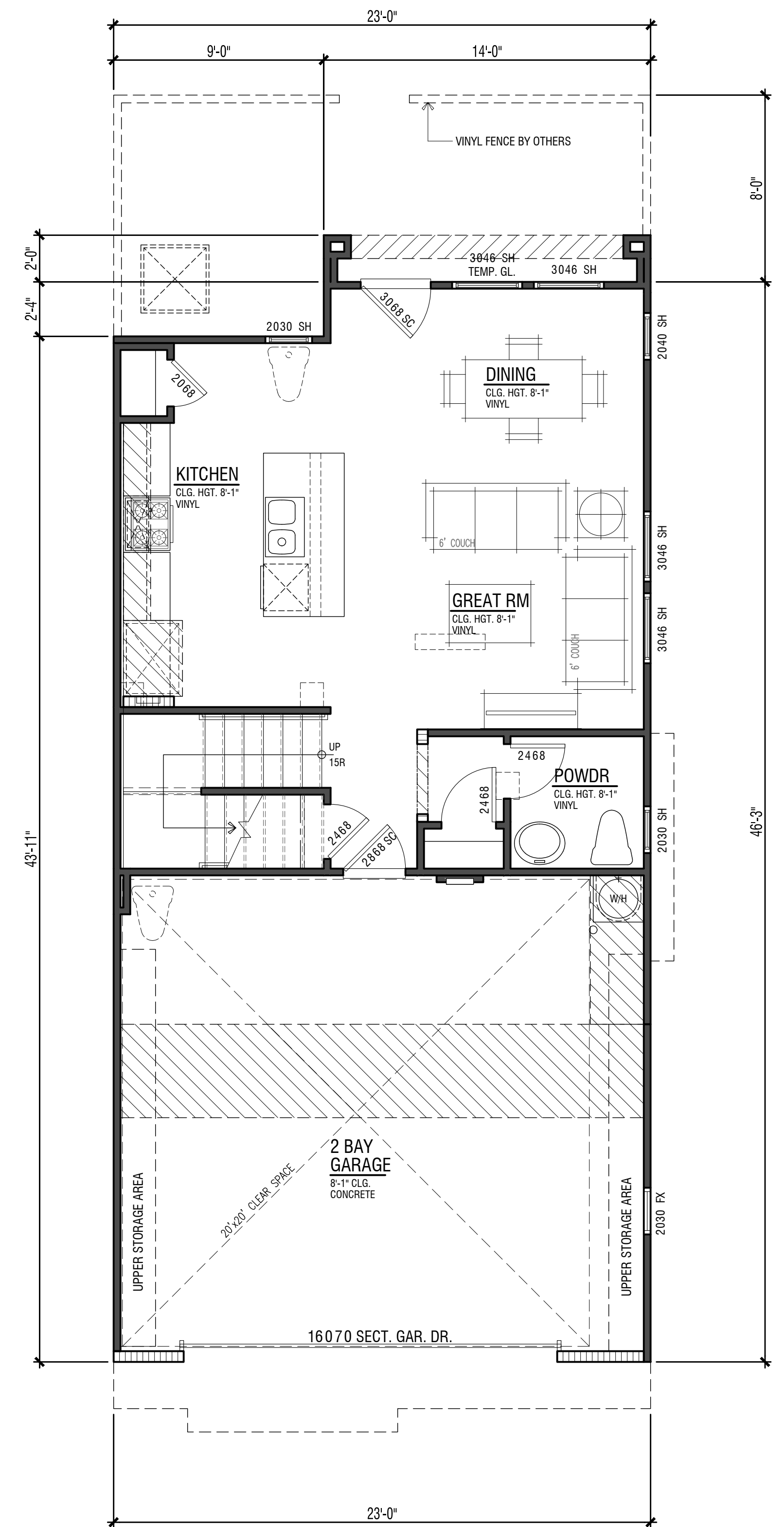
PLAN 2A / 2A-X  
SECOND FLOOR - 1,038 S.F.



POWDER AT  
ACCESSIBLE UNIT



PLAN 2A-X



PLAN 2A

FIRST FLOOR - 564 S.F.

## Plan 2.1602

4 Bdrm | 2.5 Bath  
2- Bay Garage |  
1,602 S.F.  
8' | 8' Plates

## Unit Floor Plans

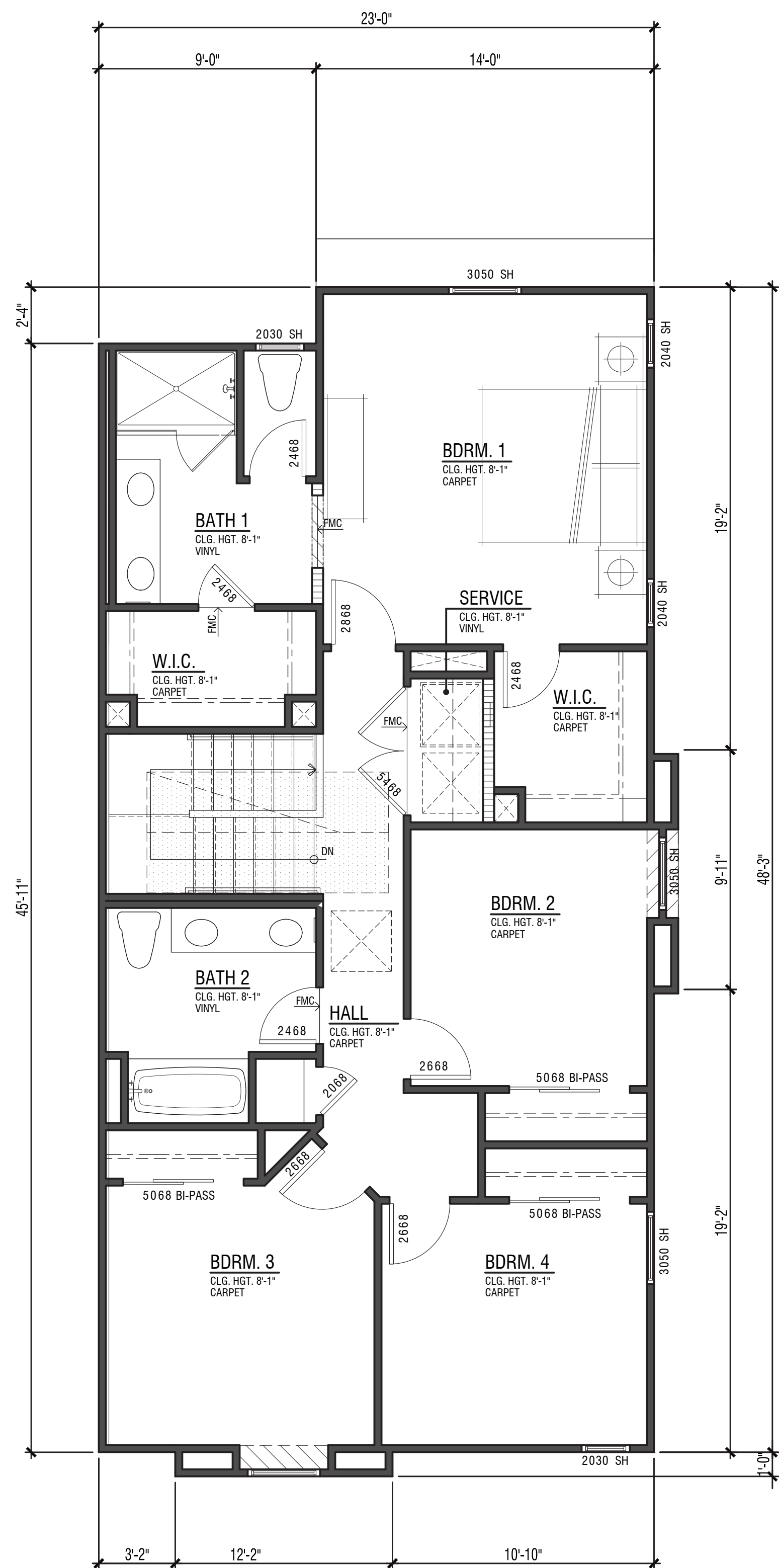
CITRUS LANE

FONTANA, CA

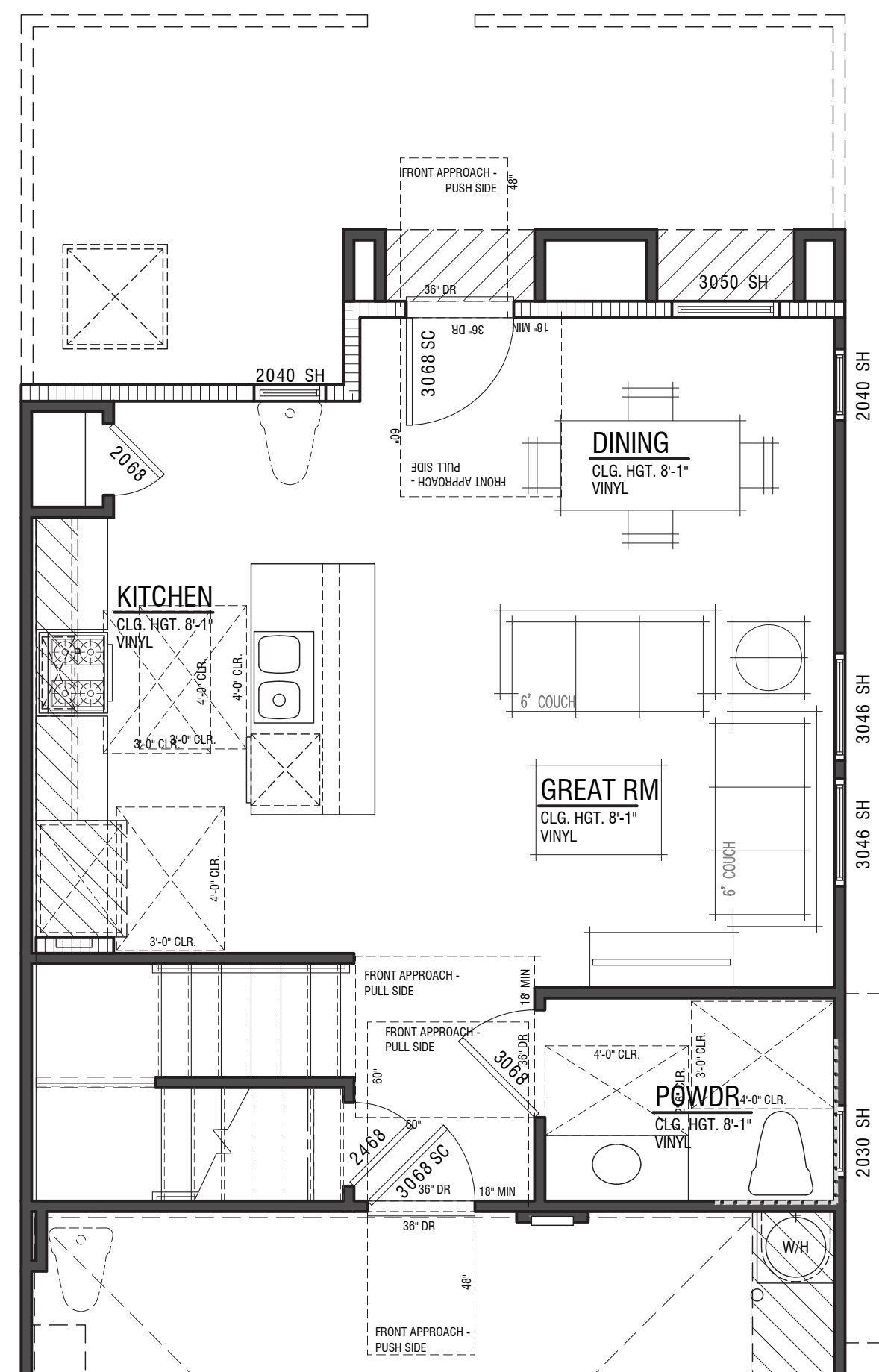
DWELLING PLAN SUMMARY - PLAN 2.1602A	
ROOM TYPE	QUANTITY
BEDROOM(S)	4
BATH(S)	2.5
FLOOR AREA TABLE PLAN 2.1602A	
FIRST LEVEL	564 SQ. FT.
SECOND LEVEL	1038 SQ. FT.
TOTAL	1602 SQ. FT.
2-BAY GARAGE	479 SQ. FT.
2-BAY GARAGE AT METER CABINET	450 SQ. FT.
METER CABINET	29 SQ. FT.
PORCH	201 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

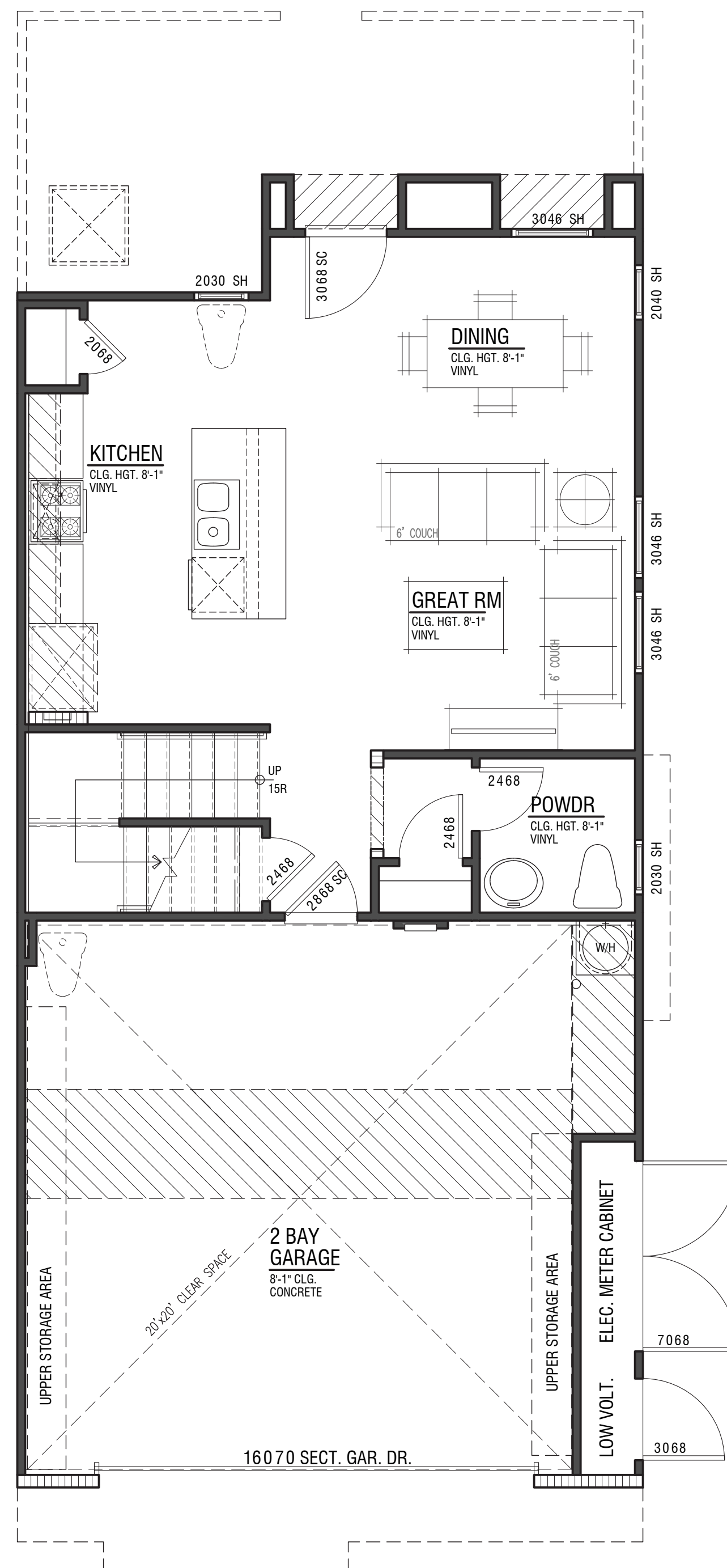




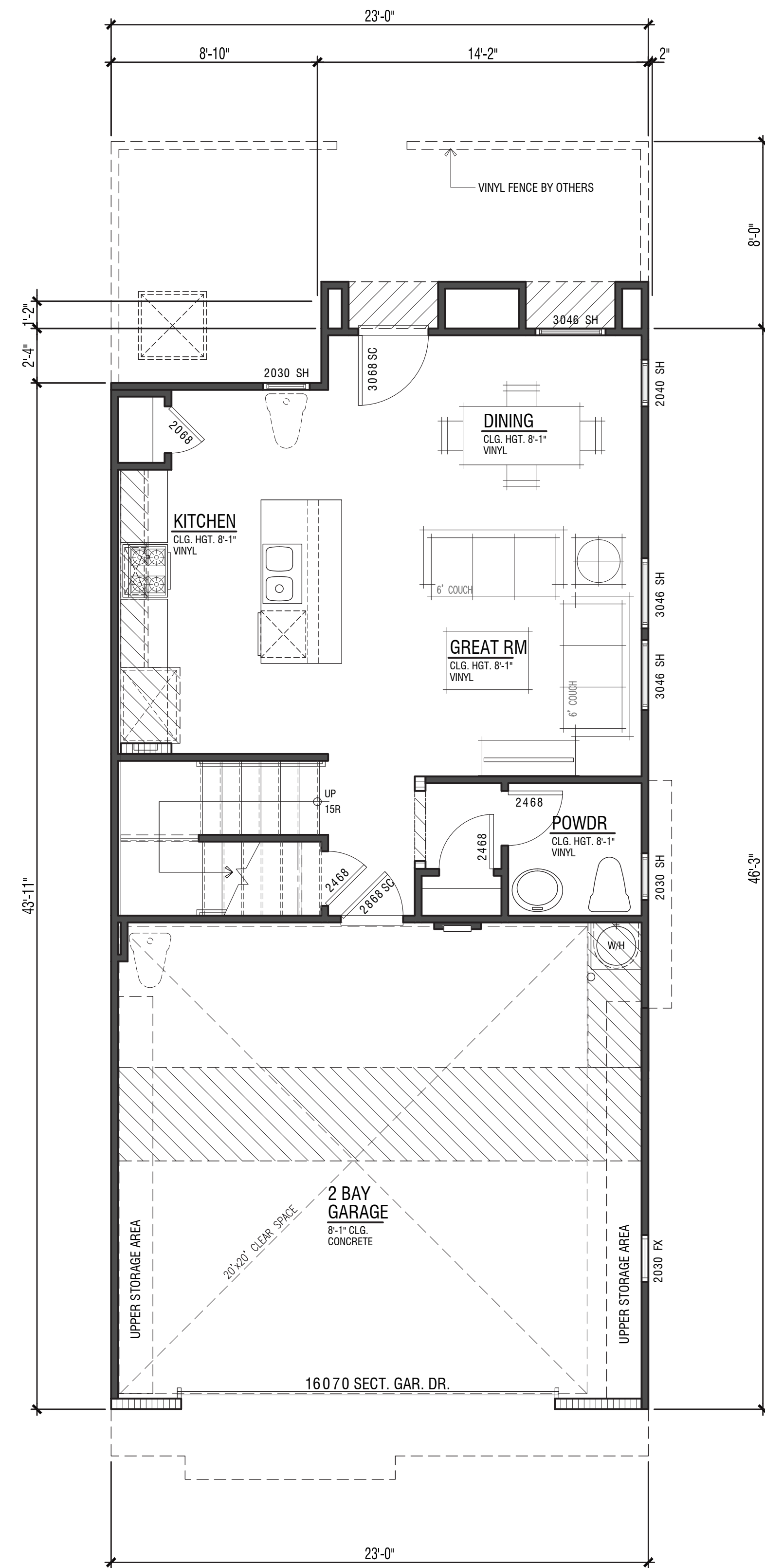
PLAN 2B / 2BX  
SECOND FLOOR - 1,038 S.F.



POWDER AT  
ACCESSIBLE UNIT



PLAN 2BX



PLAN 2B

FIRST FLOOR - 564 S.F.

## Plan 2.1602

4 Bdrm | 2.5 Bath  
2- Bay Garage |  
1,602 S.F.  
8' | 8' Plates

## Unit Floor Plan

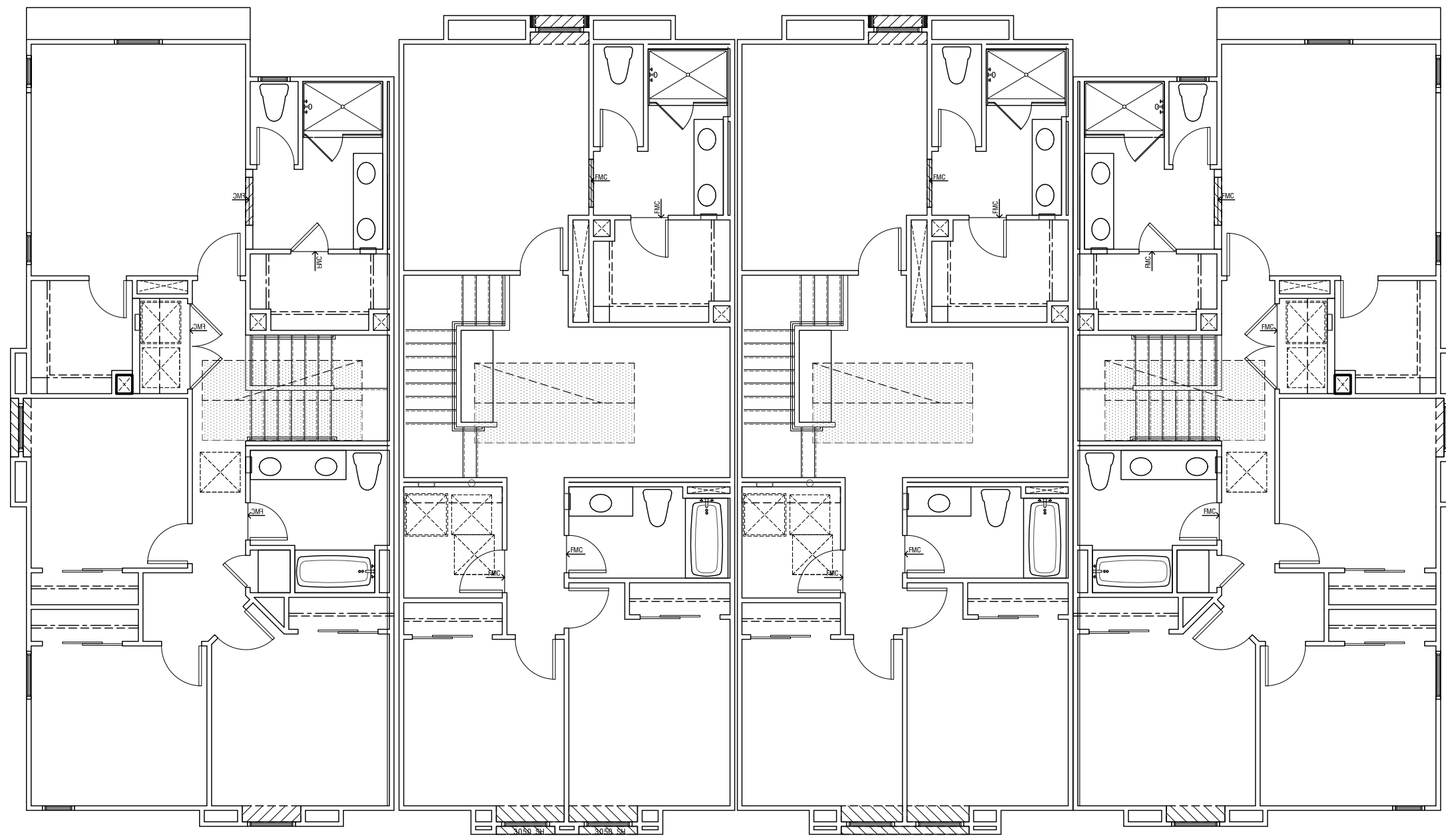
CITRUS LANE

FONTANA, CA

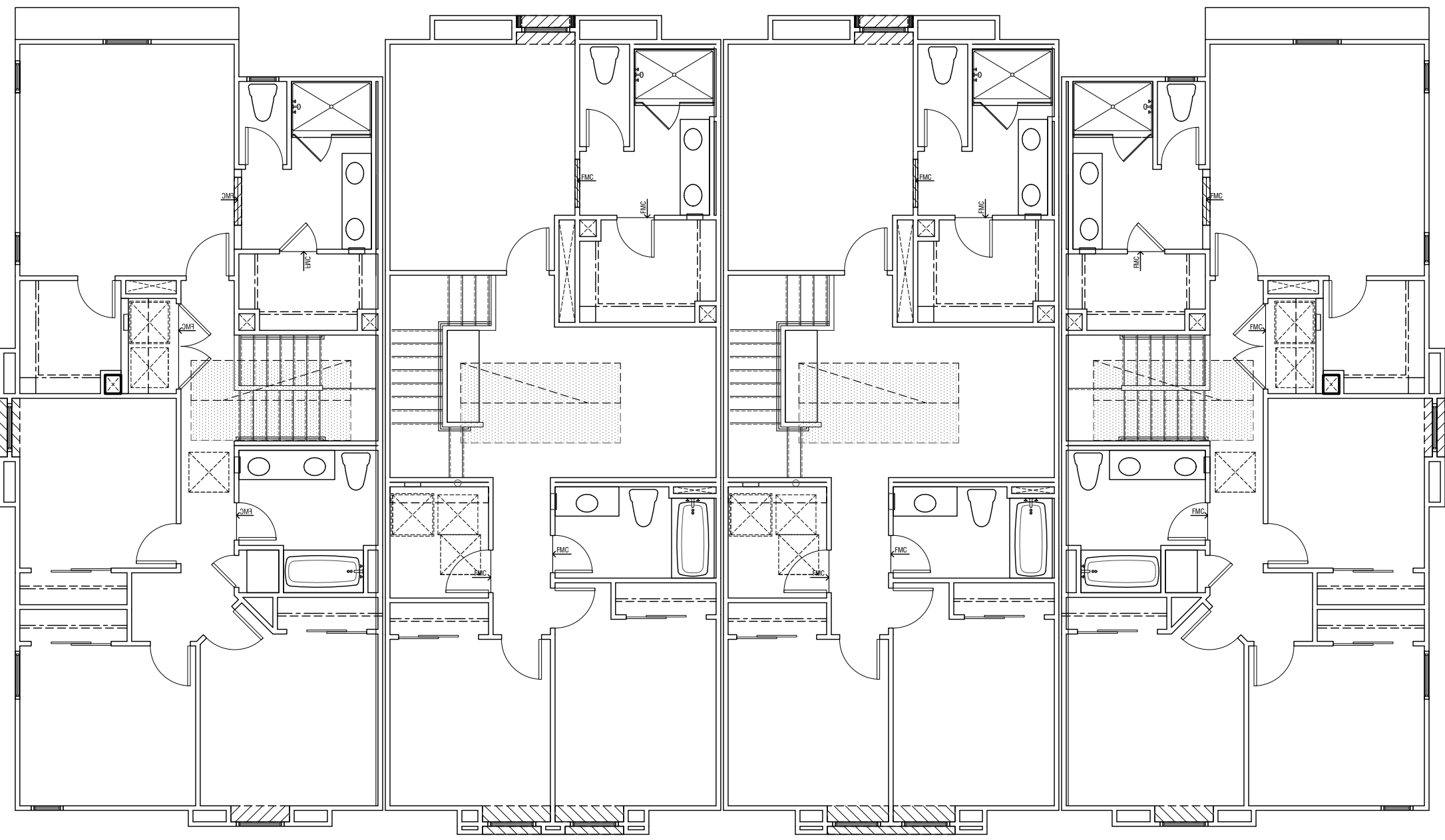
DWELLING PLAN SUMMARY - PLAN 2.1602B	
ROOM TYPE	QUANTITY
BEDROOM(S)	4
BATH(S)	2.5

FLOOR AREA TABLE PLAN 2.1602B	
FIRST LEVEL	564 SQ. FT.
SECOND LEVEL	1038 SQ. FT.
TOTAL	1602 SQ. FT.
2-BAY GARAGE	479 SQ. FT.
2-BAY GARAGE AT METER CABINET	450 SQ. FT.
METER CABINET	29 SQ. FT.
PORCH	192 SQ. FT.

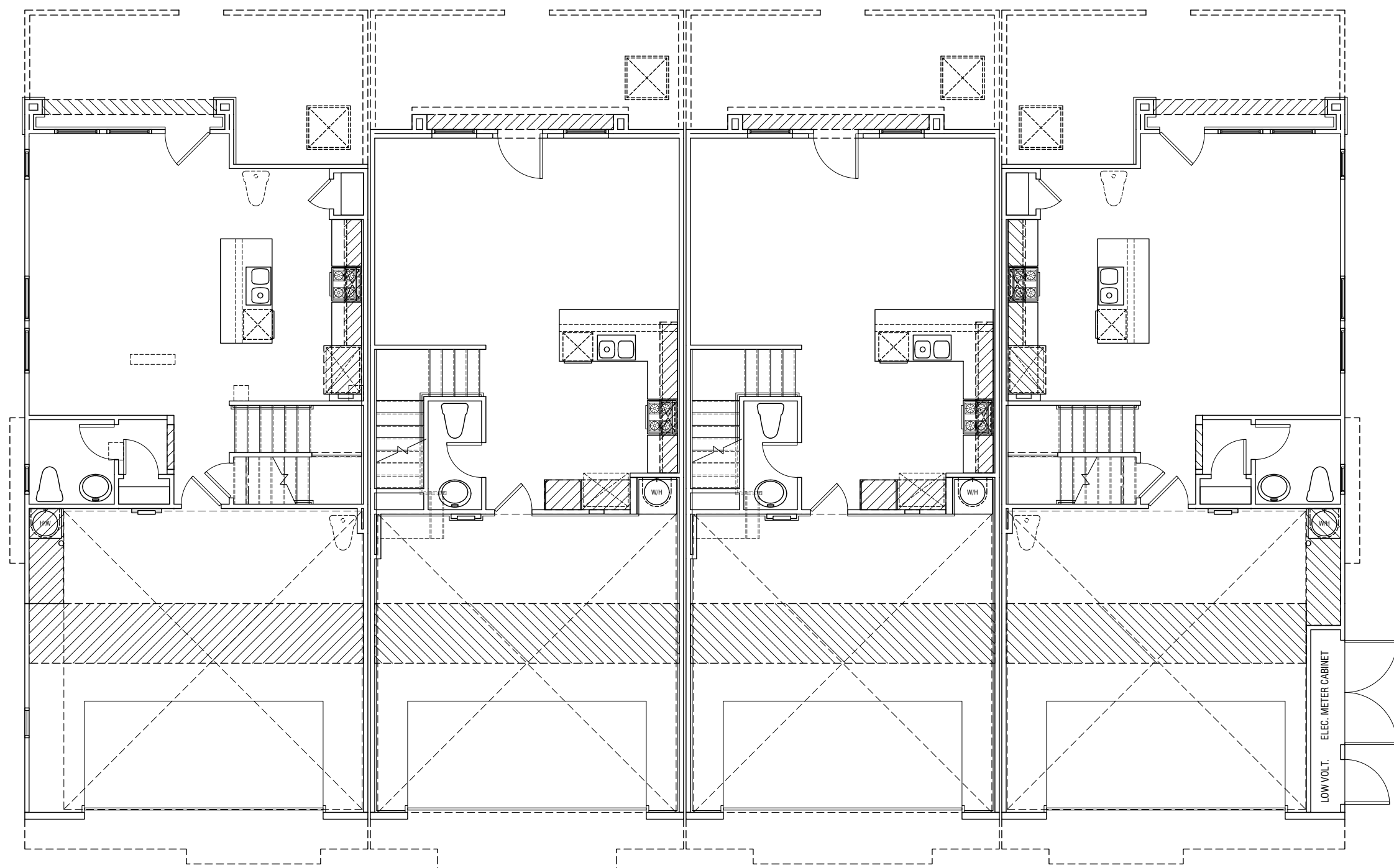
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION



SECOND FLOOR

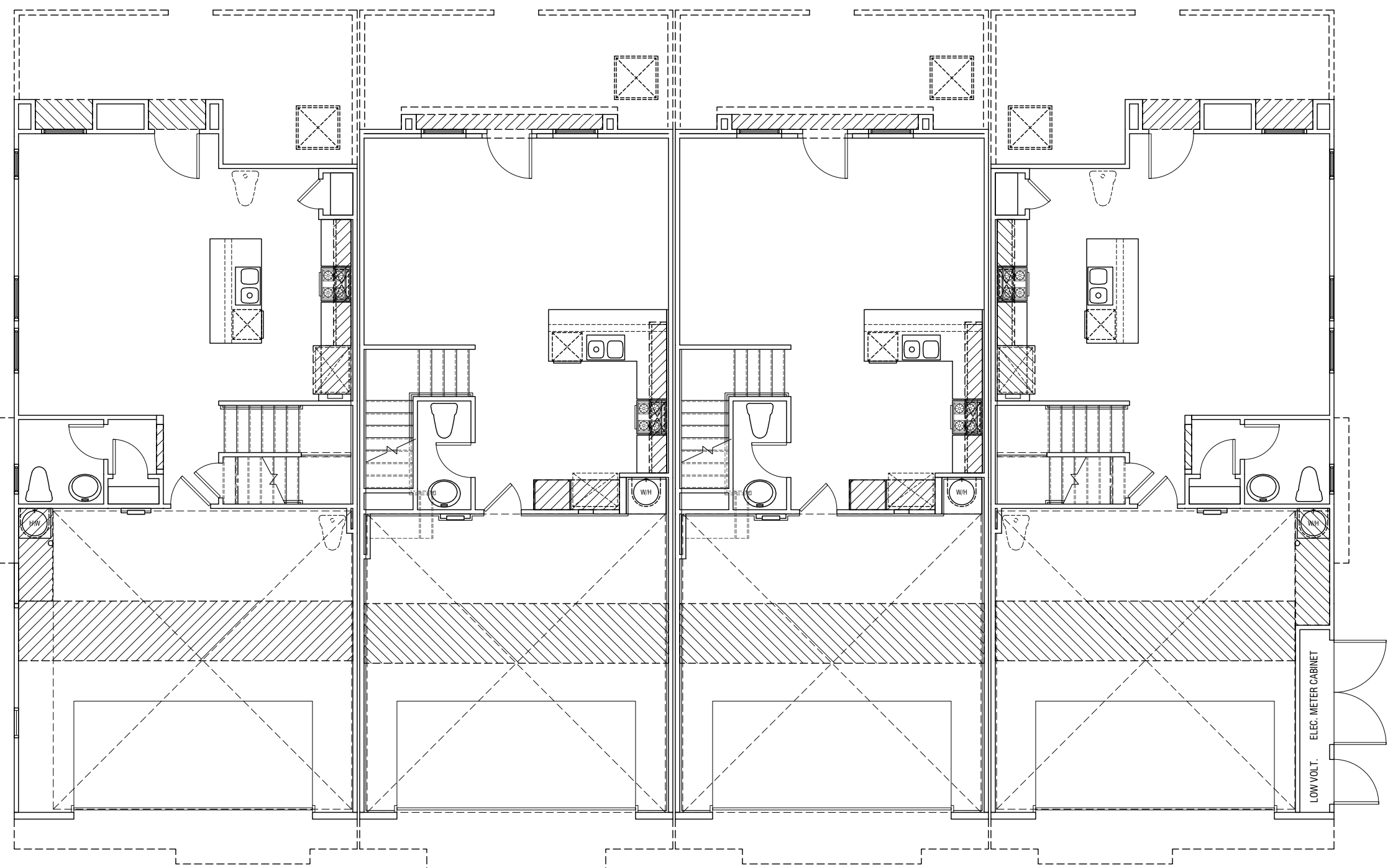


SECOND FLOOR



PLAN 2A (R)    PLAN 1A    PLAN 1A    PLAN 2AX

FIRST FLOOR  
100A



PLAN 2B (R)    PLAN 1A    PLAN 1B    PLAN 2BX

FIRST FLOOR  
100B

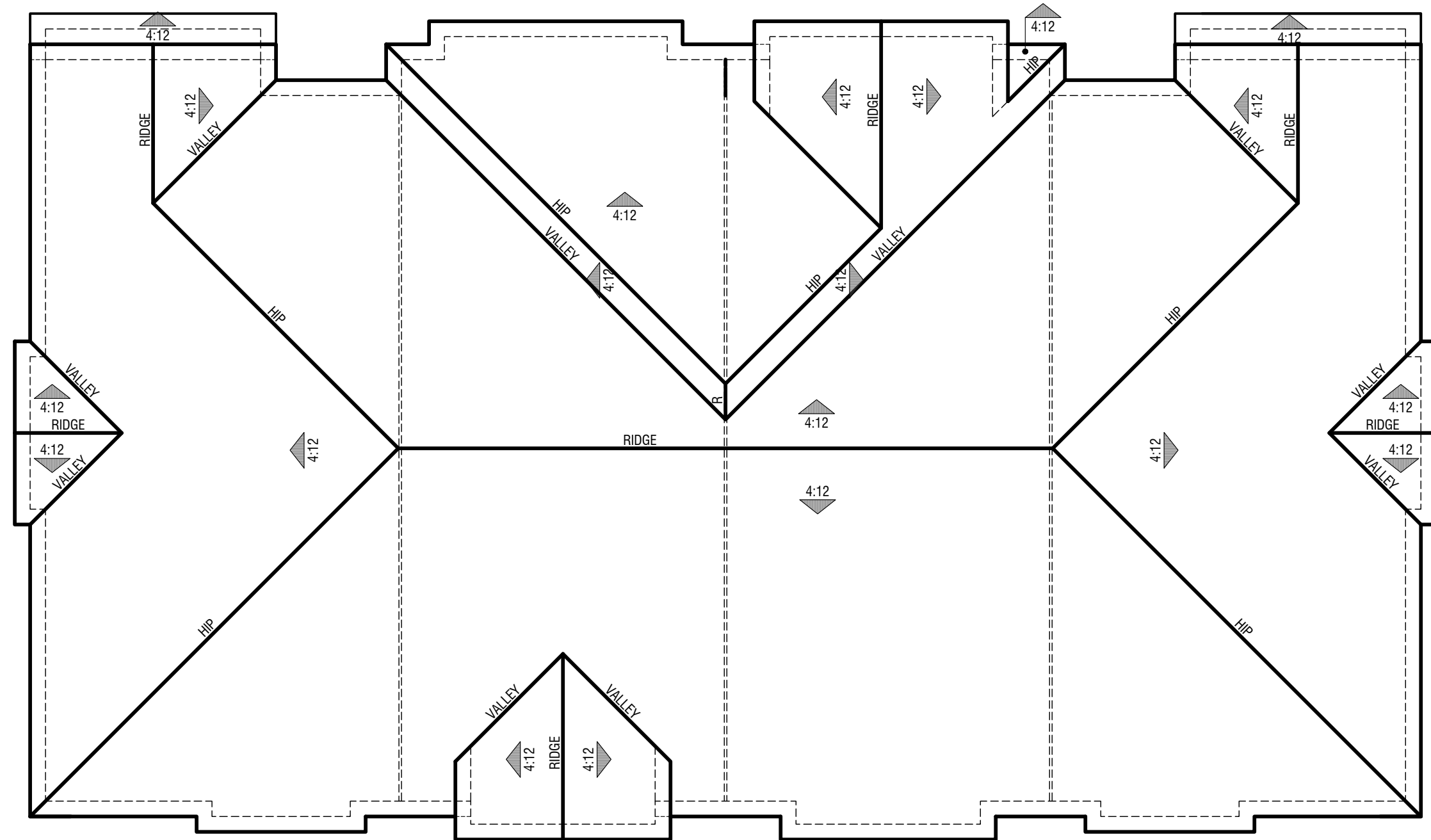
# 4-PLEX | BUILDING 100

## Composite Floor Plans

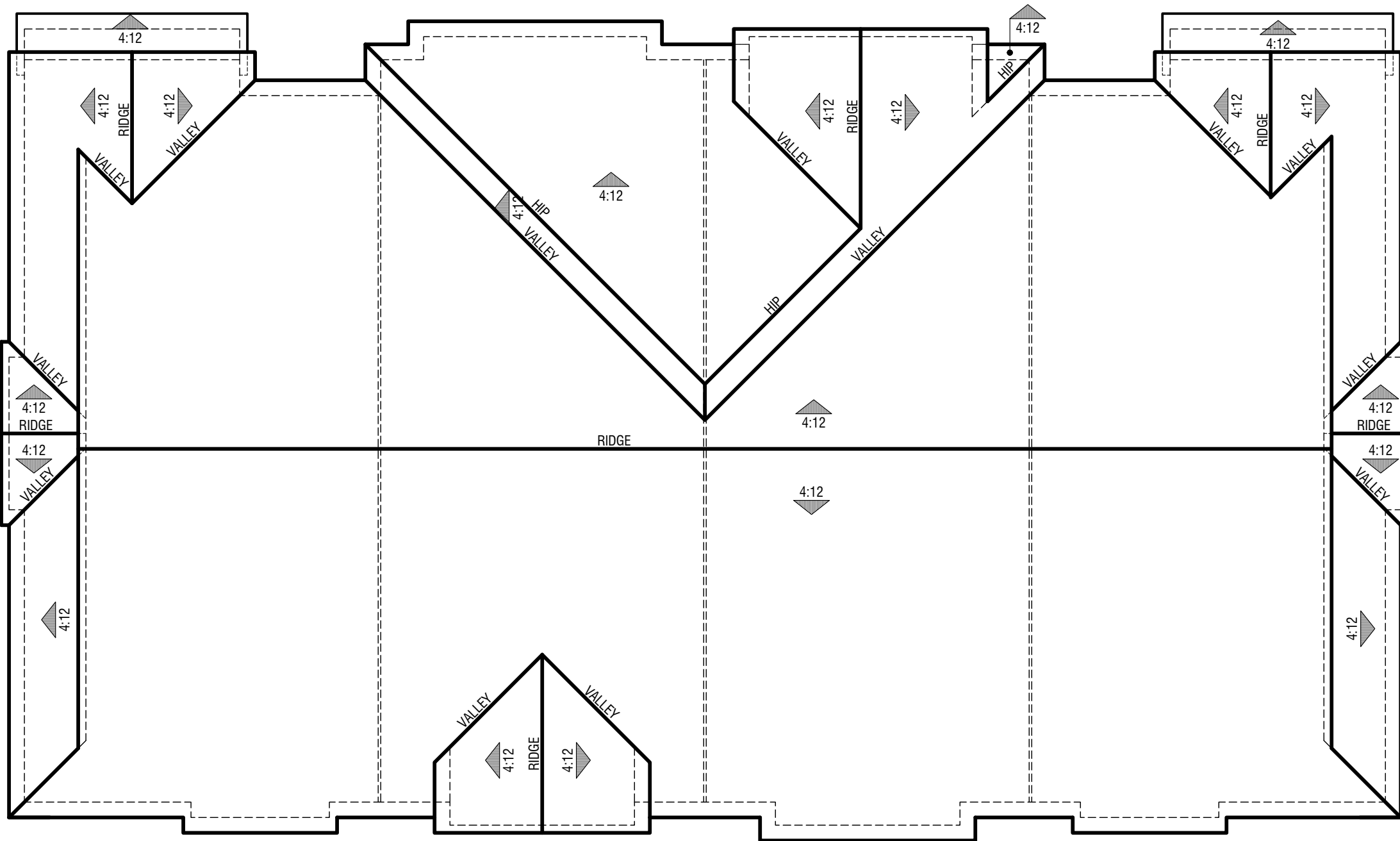
CITRUS LANE

FONTANA, CA

OCCUPANCY: R3/U  
TOWNHOMES PER CRC  
TYPE OF CONSTRUCTION: VB (NON-RATED)  
SPRINKLER SYSTEM: NFPA-13D



**SPANISH COLONIAL - 100A**  
Eave 12" | Rake 12"  
Concrete S-Tile



**SPANISH ECLECTIC - 100B**  
Eave 12" | Rake 6"  
Concrete S-Tile

**4-PLEX | BUILDING 100**  
**Roof Plans**

**CITRUS LANE**  
FONTANA, CA





PLAN 2AX      PLAN 1A      PLAN 1A      PLAN 2A (R)      FRONT



PLAN 2A (R)      PLAN 1A      PLAN 1A      PLAN 2AX      REAR

STYLE ELEMENTS: SPANISH A

- 1. Low Profile 'S' Concrete Tile
- 2. Stucco with 16/20 Finish
- 3. Windows with Divided Lights
- 4. Stucco Wrapped Foam Trim
- 5. Stucco Wrapped Shaped Foam Trim
- 6. Solid Panel Entry Door
- 7. Decorative Clay Pipes
- 8. Recessed Windows
- 9. Coach Lights - Specified by Owner to be Spanish style
- 10. Decorative Cornice Detail at Eaves
- 11. Wrought Iron Pot Shelf at End Units
- 12. Wrought Iron Detail over Stucco Recess at End Units
- 13. Low Stucco Privacy Wall with Decorative Tile
- 14. Wrought Iron Gate to Privacy Patio
- 15. 4x6 Rafter Tails
- 16. Wrought Iron Detail over window at Enhanced Elevations  
(Trim to be removed when detail is applied)

4-PLEX | BUILDING 100A  
Spanish A - Scheme 2

CITRUS LANE  
FONTANA, CA



Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E

2.3.0  
0 4 8 16

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PLAN 2AX LEFT



PLAN 2A (R) RIGHT

STYLE ELEMENTS: SPANISH A

- 1. Low Profile 'S' Concrete Tile
- 2. Stucco with 16/20 Finish
- 3. Windows with Divided Lights
- 4. Stucco Wrapped Foam Trim
- 5. Stucco Wrapped Shaped Foam Trim
- 6. Solid Panel Entry Door
- 7. Decorative Clay Pipes
- 8. Recessed Windows
- 9. Coach Lights - Specified by Owner to be Spanish style
- 10. Decorative Cornice Detail at Eaves
- 11. Wrought Iron Pot Shelf at End Units
- 12. Wrought Iron Detail over Stucco Recess at End Units
- 13. Low Stucco Privacy Wall with Decorative Tile
- 14. Wrought Iron Gate to Privacy Patio
- 15. 4x6 Rafter Tails
- 16. Wrought Iron Detail over window at Enhanced Elevations  
(Trim to be removed when detail is applied)

4-PLEX | BUILDING 100A  
Spanish Colonial - Elevation A

CITRUS LANE  
FONTANA, CA

Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E







PLAN 2BX      PLAN 1B      PLAN 1B      PLAN 2B (R)      FRONT



PLAN 2B (R)      PLAN 1B      PLAN 1B      PLAN 2BX      REAR

**STYLE ELEMENTS: SPANISH B**

- 1. Low Profile 'S' Concrete Tile
- 2. Stucco with 16/20 Finish
- 3. Windows with Divided Lights
- 4. Stucco Wrapped Trim
- 5. Stucco Wrapped Frieze Trim at Gable Ends
- 6. Solid Panel Entry Door
- 7. Decorative Tile
- 8. Recessed windows
- 9. Wrought Iron Pot Shelf at End Units
- 10. Coach Lights
- 11. Stucco o/ Shaped Foam Trim
- 12. Low Stucco Privacy Wall with Decorative Tile
- 13. Wrought Iron Gate to Privacy Patio
- 14. 4x6 Rafter Tails

**4-PLEX | BUILDING 100B**  
**Spanish B - Scheme 1**



Note: Artist's Conception; Colors, Materials And Application May Vary.

HORTON E

**CITRUS LANE**

FONTANA, CA

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PLAN 2BX LEFT



PLAN 2B (R) RIGHT

- STYLE ELEMENTS: SPANISH B**
- 1. Low Profile 'S' Concrete Tile
  - 2. Stucco with 16/20 Finish
  - 3. Windows with Divided Lights
  - 4. Stucco Wrapped Trim
  - 5. Stucco Wrapped Frieze Trim at Gable Ends
  - 6. Solid Panel Entry Door
  - 7. Decorative Tile
  - 8. Recessed windows
  - 9. Wrought Iron Pot Shelf at End Units
  - 10. Coach Lights
  - 11. Stucco o/ Shaped Foam Trim
  - 12. Low Stucco Privacy Wall with Decorative Tile
  - 13. Wrought Iron Gate to Privacy Patio
  - 14. 4x6 Rafter Tails

4-PLEX | BUILDING 100B  
Spanish Eclectic - Elevation B



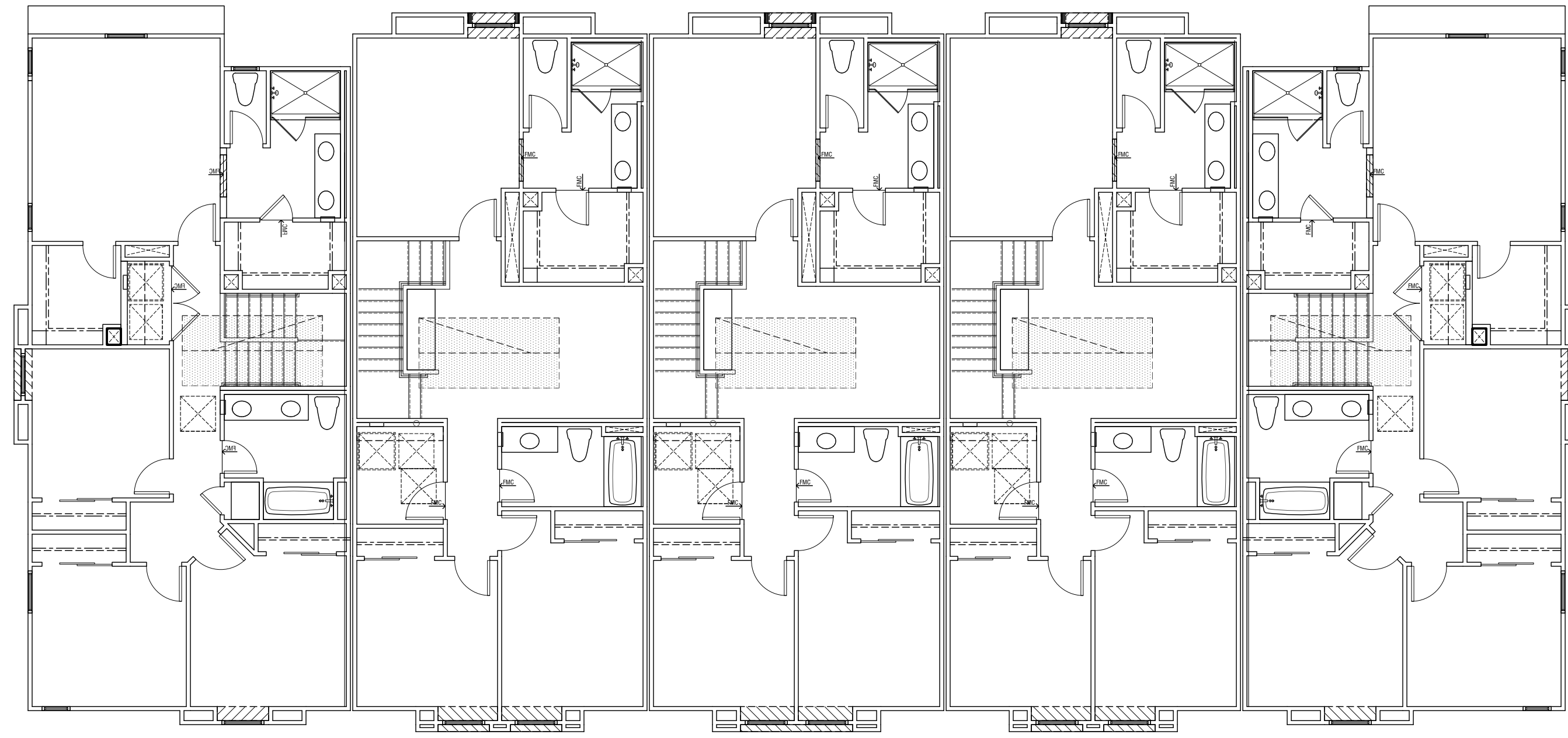
Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E

CITRUS LANE  
FONTANA, CA

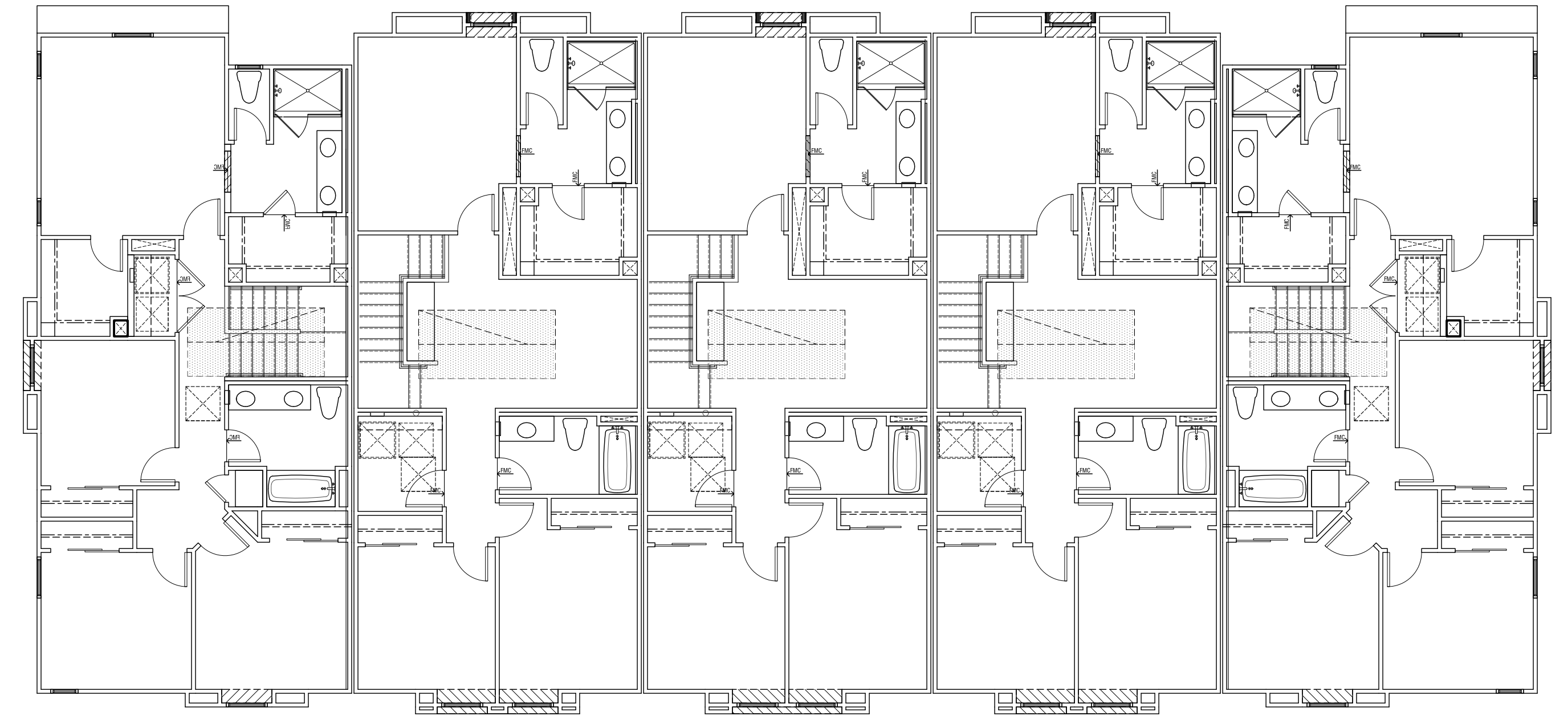
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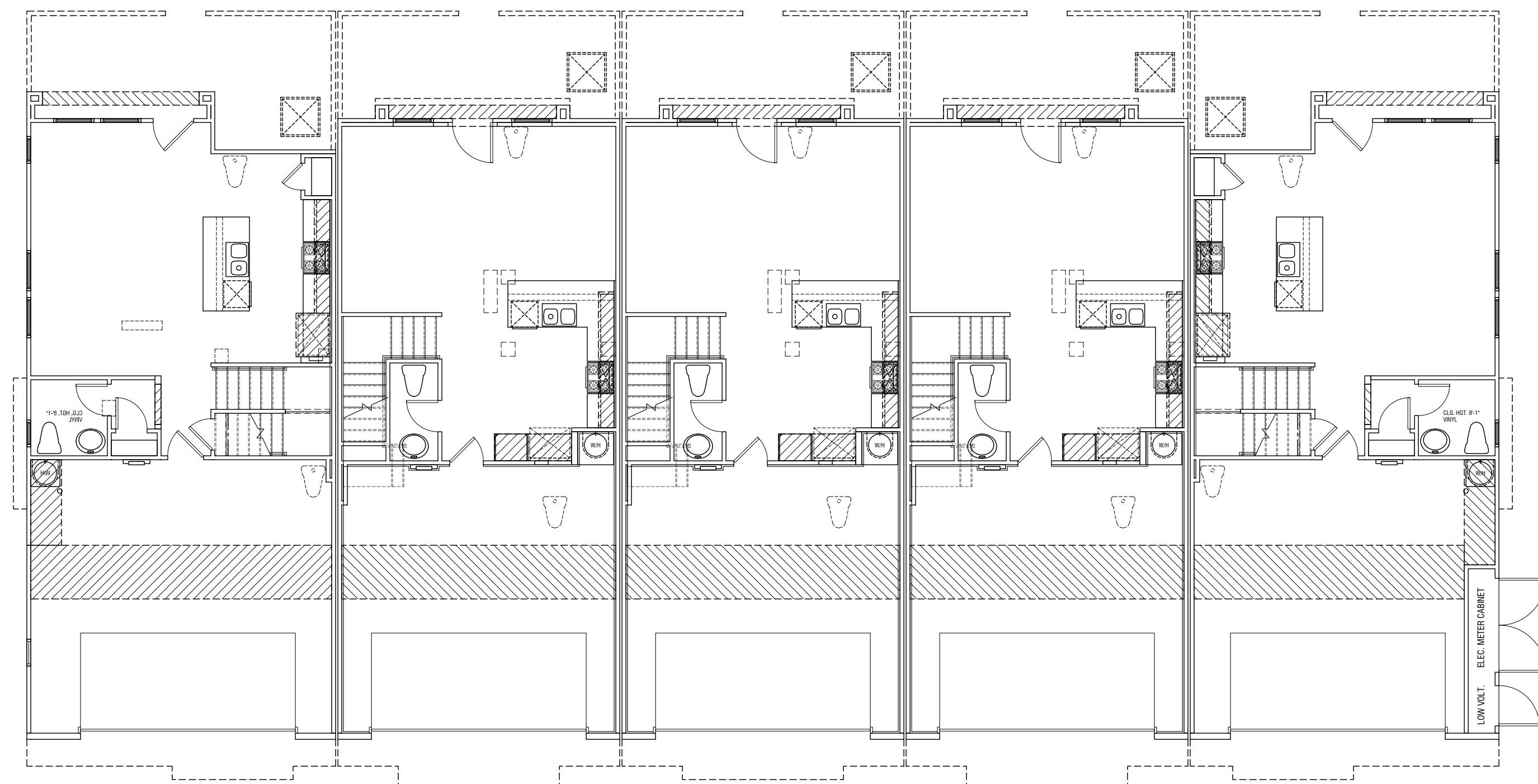




SECOND FLOOR

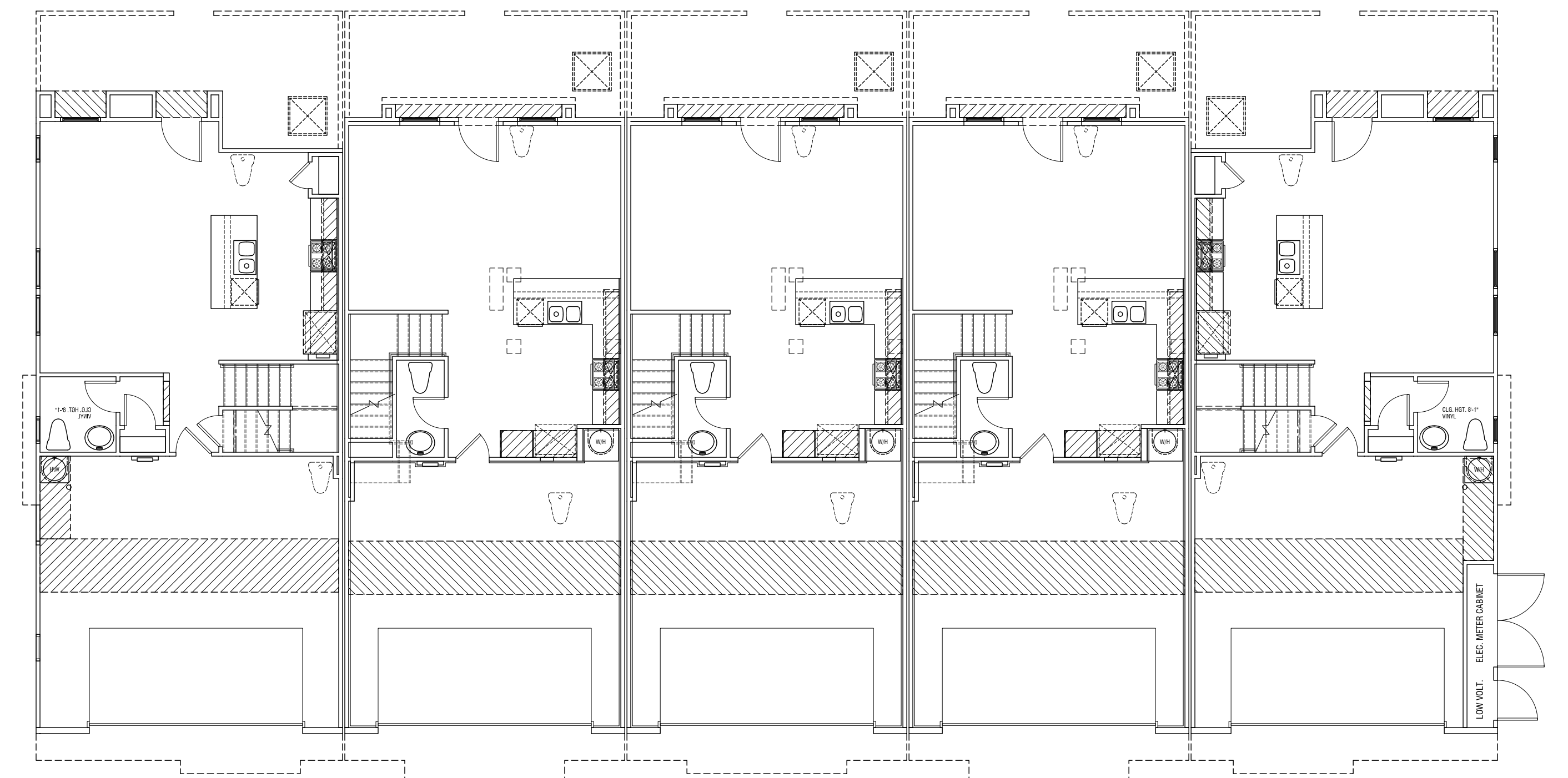


SECOND FLOOR



PLAN 2A (R) PLAN 1A PLAN 1A PLAN 1A PLAN 2AX

FIRST FLOOR  
200A

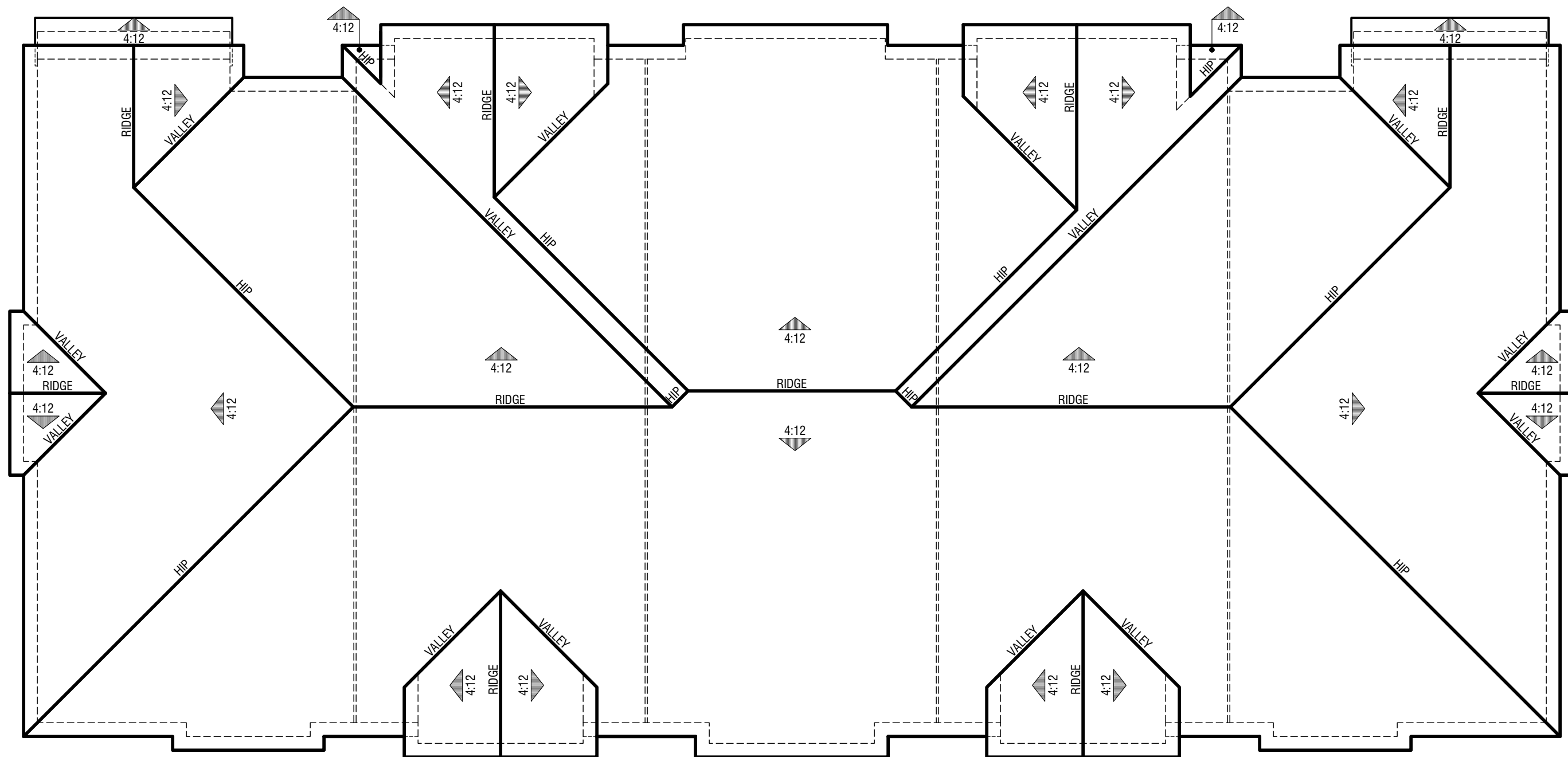


PLAN 2B (R) PLAN 1A PLAN 1B PLAN 1B PLAN 2BX

FIRST FLOOR  
200B

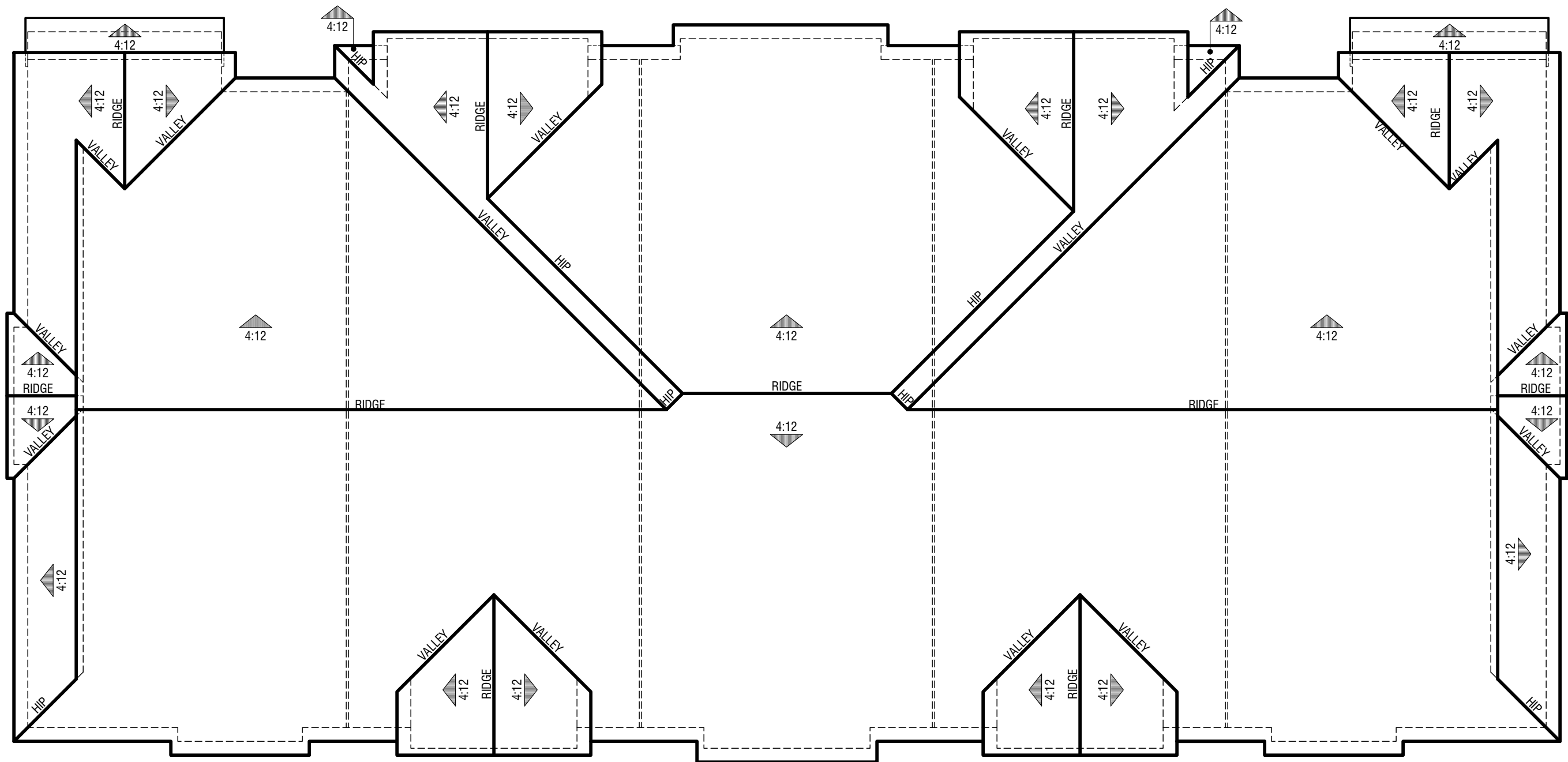
## 5-PLEX | BUILDING 200 Composite Floor Plans

OCCUPANCY: R3/U  
TOWNHOMES PER CRC  
TYPE OF CONSTRUCTION: VB (NON-RATED)  
SPRINKLER SYSTEM: NFPA-13D



**SPANISH COLONIAL - 200A**

Eave 12" | Rake 12"  
Concrete S-Tile



**SPANISH ECLECTIC - 200B**

Eave 12" | Rake 6"  
Concrete S-Tile

**5-PLEX | BUILDING 200**  
**Roof Plans**

**CITRUS LANE**  
FONTANA, CA





PLAN 2AX

PLAN 1A

PLAN 1A

PLAN 1A

PLAN 2A (R)

FRONT



PLAN 2A (R)

PLAN 1A

PLAN 1A

PLAN 1A

PLAN 2AX

REAR

**STYLE ELEMENTS: SPANISH A**

1. Low Profile 'S' Concrete Tile
2. Stucco with 16/20 Finish
3. Windows with Divided Lights
4. Stucco Wrapped Foam Trim
5. Stucco Wrapped Shaped Foam Trim
6. Solid Panel Entry Door
7. Decorative Clay Pipes
8. Recessed Windows
9. Coach Lights - Specified by Owner to be Spanish style
10. Decorative Cornice Detail at Eaves
11. Wrought Iron Pot Shelf at End Units
12. Wrought Iron Detail over Stucco Recess at End Units
13. Low Stucco Privacy Wall with Decorative Tile
14. Wrought Iron Gate to Privacy Patio
15. 4x6 Rafter Tails
16. Wrought Iron Detail over window at Enhanced Elevations  
(Trim to be removed when detail is applied)

## 5-PLEX | BUILDING 200A

### Spanish A - Scheme 1

CITRUS LANE

FONTANA, CA





PLAN 2AX

LEFT



PLAN 2A (R)

RIGHT

STYLE ELEMENTS: SPANISH A

- 1. Low Profile 'S' Concrete Tile
- 2. Stucco with 16/20 Finish
- 3. Windows with Divided Lights
- 4. Stucco Wrapped Foam Trim
- 5. Stucco Wrapped Shaped Foam Trim
- 6. Solid Panel Entry Door
- 7. Decorative Clay Pipes
- 8. Recessed Windows
- 9. Coach Lights - Specified by Owner to be Spanish style
- 10. Decorative Cornice Detail at Eaves
- 11. Wrought Iron Pot Shelf at End Units
- 12. Wrought Iron Detail over Stucco Recess at End Units
- 13. Low Stucco Privacy Wall with Decorative Tile
- 14. Wrought Iron Gate to Privacy Patio
- 15. 4x6 Rafter Tails
- 16. Wrought Iron Detail over window at Enhanced Elevations  
(Trim to be removed when detail is applied)

5-PLEX | BUILDING 200A  
Spanish A

CITRUS LANE

FONTANA, CA



Note: Artist's Conception; Colors, Materials And Application May Vary.

HORTON E

3.3.0  
0 4 8 16

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**PLAN 2BX      PLAN 1B      PLAN 1B      PLAN 1B      PLAN 2B (R)      FRONT**



**PLAN 2B (R)      PLAN 1B      PLAN 1B      PLAN 1B      PLAN 2BX      REAR**

**STYLE ELEMENTS: SPANISH B**

1. Low Profile 'S' Concrete Tile
2. Stucco with 16/20 Finish
3. Windows with Divided Lights
4. Stucco Wrapped Trim
5. Stucco Wrapped Frieze Trim at Gable Ends
6. Solid Panel Entry Door
7. Decorative Tile
8. Recessed windows
9. Wrought Iron Pot Shelf at End Units
10. Coach Lights
11. Stucco o/ Shaped Foam Trim
12. Low Stucco Privacy Wall with Decorative Tile
13. Wrought Iron Gate to Privacy Patio
14. 4x6 Rafter Tails

**5-PLEX | BUILDING 200B**  
**Spanish B - Scheme 2**

**CITRUS LANE**

FONTANA, CA



Note: Artist's Conception; Colors, Materials And Application May Vary.

HORTON E

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0 4 8 16

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PLAN 2BX LEFT



PLAN 2B (R) RIGHT

- STYLE ELEMENTS: SPANISH B**
- 1. Low Profile 'S' Concrete Tile
  - 2. Stucco with 16/20 Finish
  - 3. Windows with Divided Lights
  - 4. Stucco Wrapped Trim
  - 5. Stucco Wrapped Frieze Trim at Gable Ends
  - 6. Solid Panel Entry Door
  - 7. Decorative Tile
  - 8. Recessed windows
  - 9. Wrought Iron Pot Shelf at End Units
  - 10. Coach Lights
  - 11. Stucco o/ Shaped Foam Trim
  - 12. Low Stucco Privacy Wall with Decorative Tile
  - 13. Wrought Iron Gate to Privacy Patio
  - 14. 4x6 Rafter Tails

5-PLEX | BUILDING 200B  
Spanish B

CITRUS LANE  
FONTANA, CA



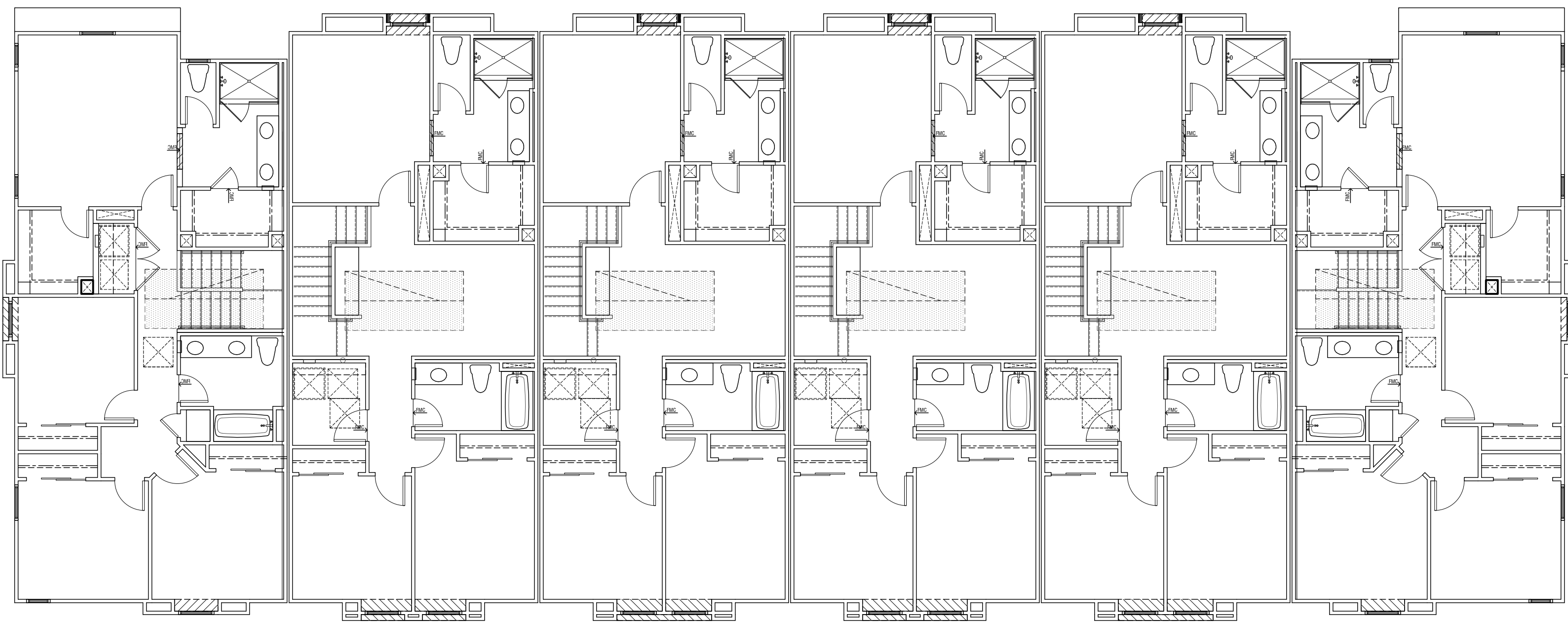
Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E

3.3.1  
0 4 8 16

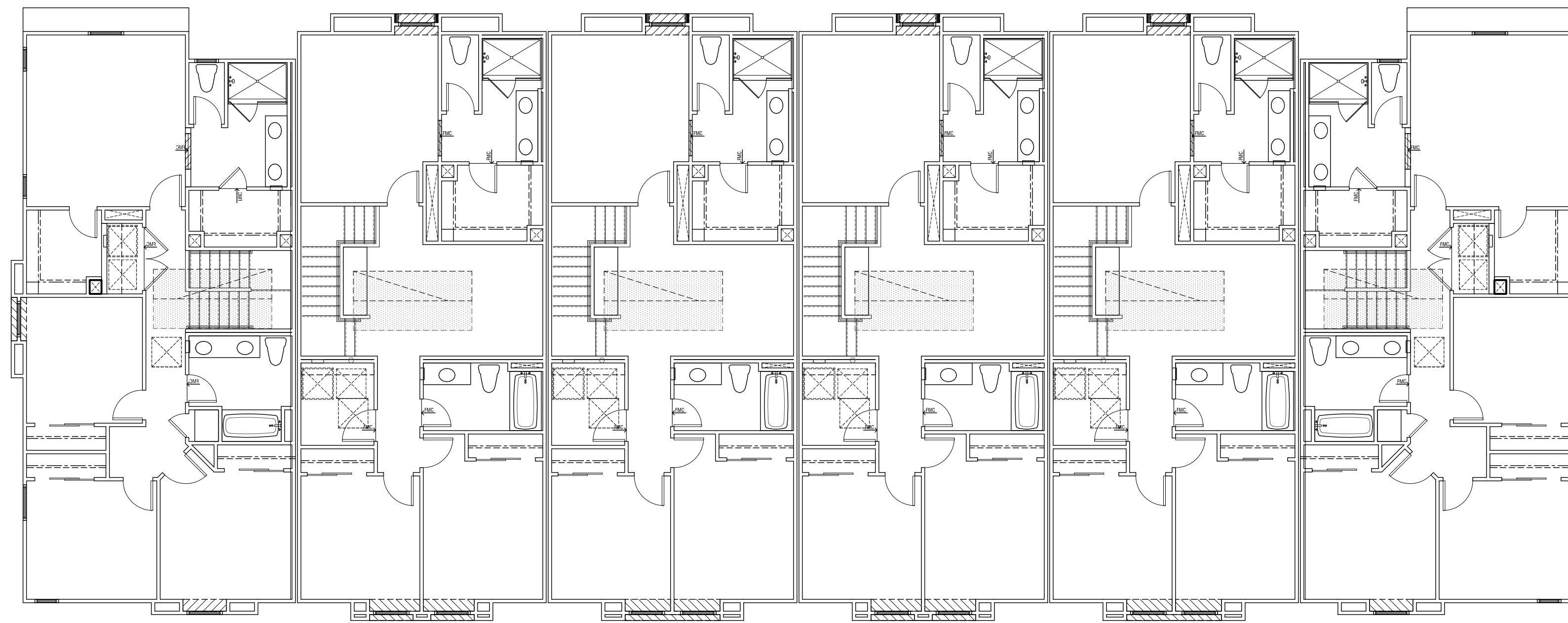
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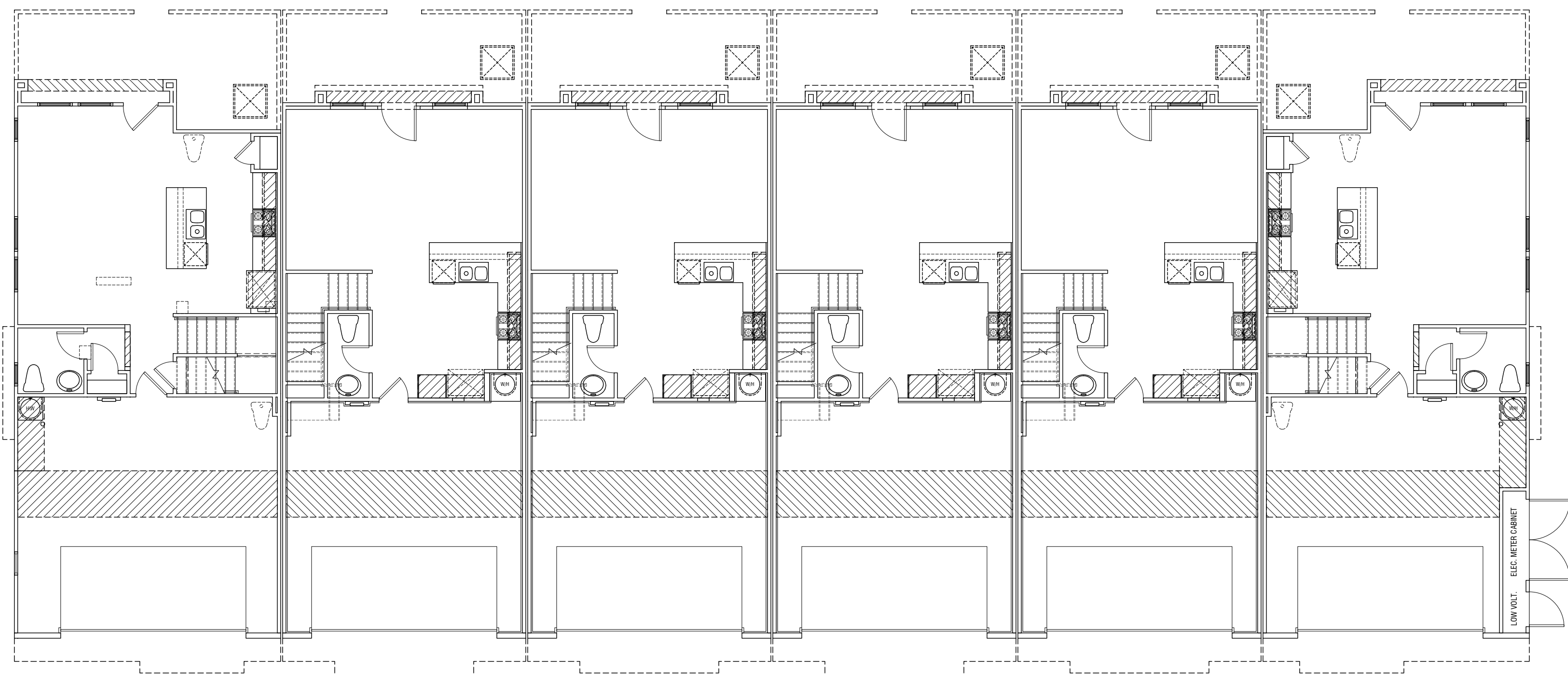




SECOND FLOOR

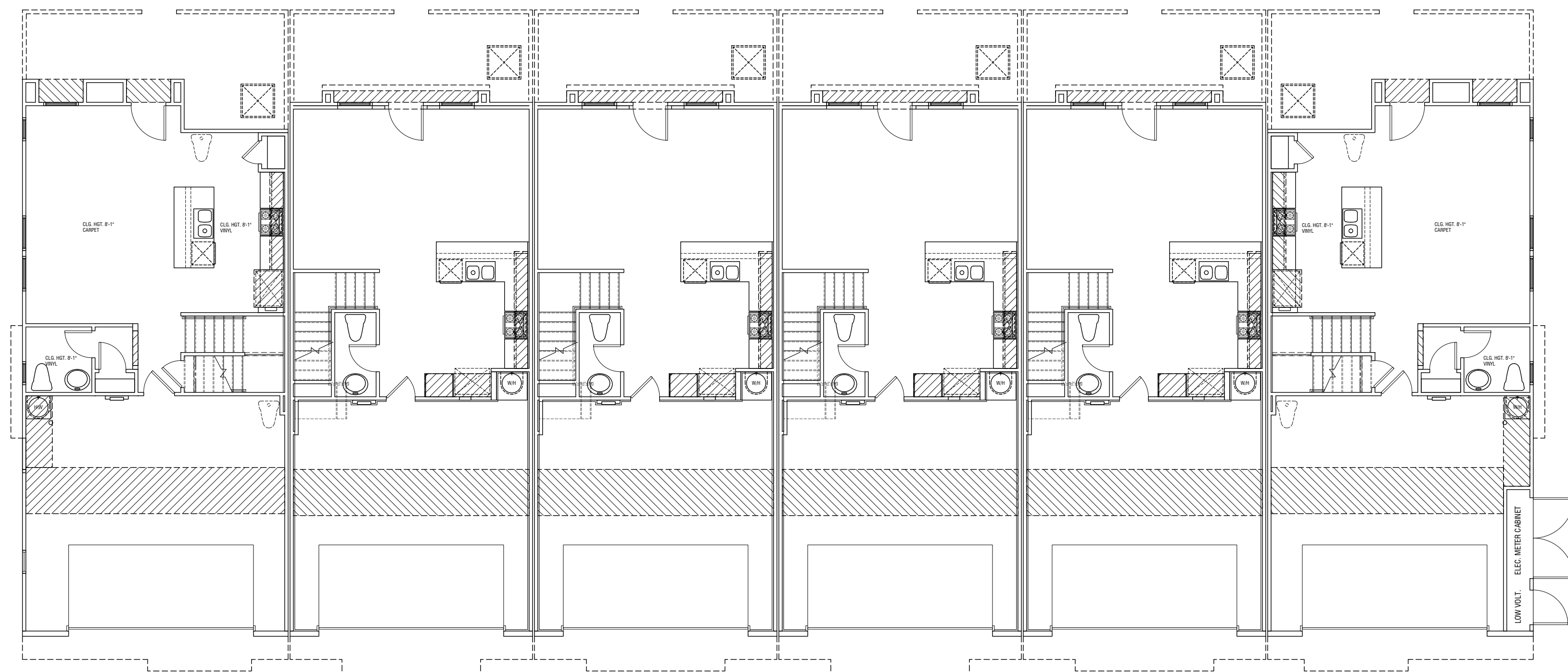


SECOND FLOOR



PLAN 2A (R)    PLAN 1A    PLAN 1A    PLAN 1A    PLAN 1A    PLAN 2AX

FIRST FLOOR  
300A



PLAN 2B (R)    PLAN 1A    PLAN 1B    PLAN 1A    PLAN 1B    PLAN 2BX

FIRST FLOOR  
300B

# 6-PLEX | BUILDING 300 Composite Floor Plans

OCCUPANCY: R3/U  
TOWNHOMES PER CRC  
TYPE OF CONSTRUCTION: VB (NON-RATED)  
SPRINKLER SYSTEM: NFPA-13D



HORTON E

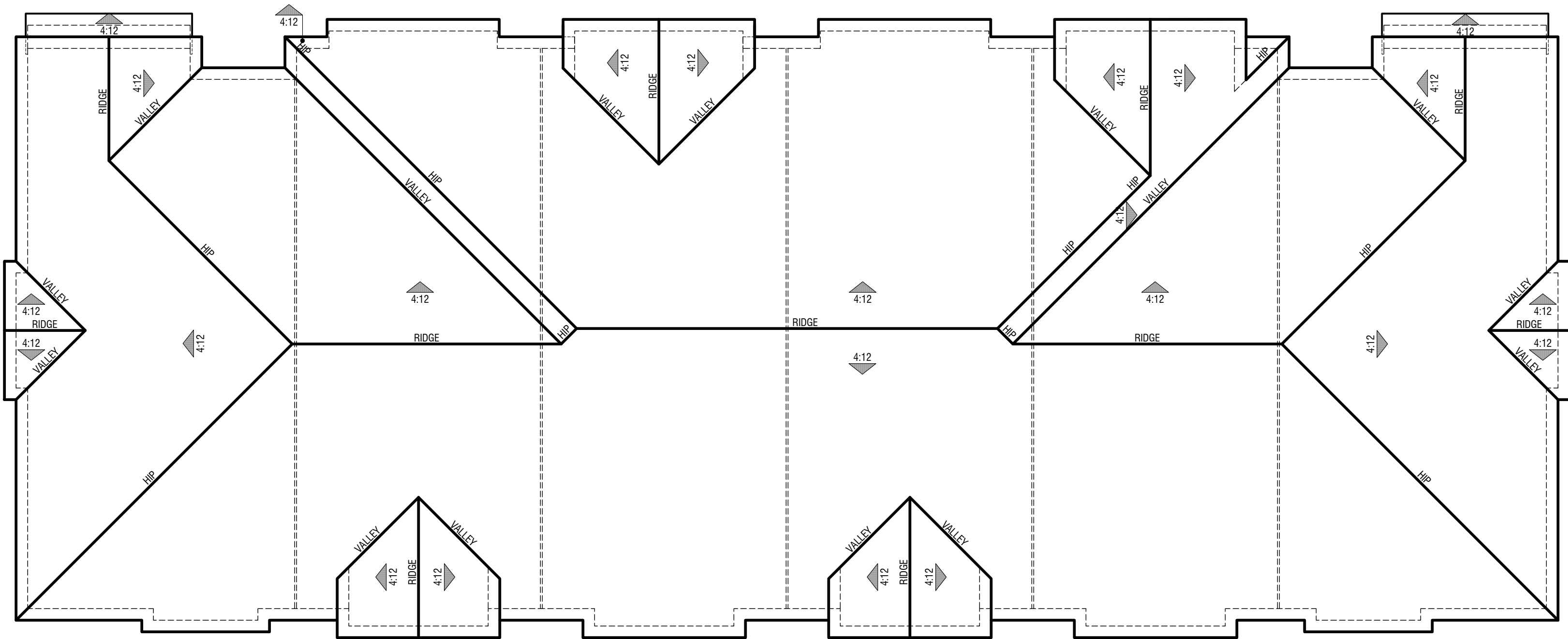
CITRUS LANE  
FONTANA, CA

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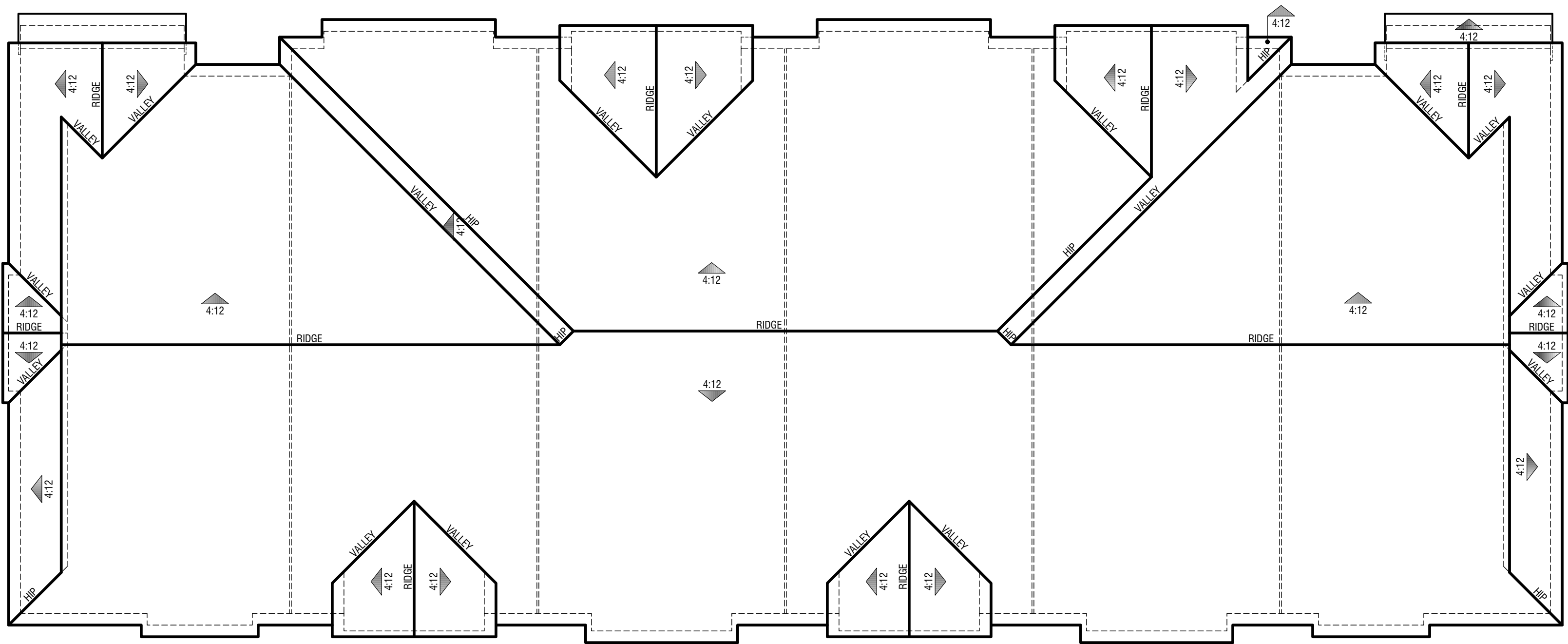


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**SPANISH COLONIAL - 300A**

Eave 12" | Rake 12"  
Concrete S-Tile



**SPANISH ECLECTIC - 300B**

Eave 12" | Rake 6"  
Concrete S-Tile

**6-PLEX | BUILDING 300**  
**Roof Plans**

**CITRUS LANE**

FONTANA, CA





PLAN 2AX      PLAN 1A      PLAN 1A      PLAN 1A      PLAN 1A      PLAN 2A (R)      FRONT



PLAN 2A (R)      PLAN 1A      PLAN 1A      PLAN 1A      PLAN 1A      PLAN 2AX      REAR

**STYLE ELEMENTS: SPANISH A**

- 1. Low Profile 'S' Concrete Tile
- 2. Stucco with 16/20 Finish
- 3. Windows with Divided Lights
- 4. Stucco Wrapped Foam Trim
- 5. Stucco Wrapped Shaped Foam Trim
- 6. Solid Panel Entry Door
- 7. Decorative Clay Pipes
- 8. Recessed Windows
- 9. Coach Lights - Specified by Owner to be Spanish style
- 10. Decorative Cornice Detail at Eaves
- 11. Wrought Iron Pot Shelf at End Units
- 12. Wrought Iron Detail over Stucco Recess at End Units
- 13. Low Stucco Privacy Wall with Decorative Tile
- 14. Wrought Iron Gate to Privacy Patio
- 15. 4x6 Rafter Tails
- 16. Wrought Iron Detail over window at Enhanced Elevations  
(Trim to be removed when detail is applied)

Note: Artist's Conception; Colors, Materials And Application May Vary.

HORTON E

**6-PLEX | BUILDING 300A**  
**Spanish A - Scheme 1**

**CITRUS LANE**

FONTANA, CA

4.3.0

0 4 8 16

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ARCHITECTS . PLANNERS . DESIGNERS

**WHA**

ORANGE COUNTY . LOS ANGELES . BAY AREA . SACRAMENTO





PLAN 2AX LEFT



PLAN 2A (R) RIGHT

STYLE ELEMENTS: SPANISH A

- 1. Low Profile 'S' Concrete Tile
- 2. Stucco with 16/20 Finish
- 3. Windows with Divided Lights
- 4. Stucco Wrapped Foam Trim
- 5. Stucco Wrapped Shaped Foam Trim
- 6. Solid Panel Entry Door
- 7. Decorative Clay Pipes
- 8. Recessed Windows
- 9. Coach Lights - Specified by Owner to be Spanish style
- 10. Decorative Cornice Detail at Eaves
- 11. Wrought Iron Pot Shelf at End Units
- 12. Wrought Iron Detail over Stucco Recess at End Units
- 13. Low Stucco Privacy Wall with Decorative Tile
- 14. Wrought Iron Gate to Privacy Patio
- 15. 4x6 Rafter Tails
- 16. Wrought Iron Detail over window at Enhanced Elevations  
(Trim to be removed when detail is applied)

6-PLEX | BUILDING 300A  
Spanish Colonial - Elevation A

CITRUS LANE  
FONTANA, CA

Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E



4.3.0  
0 4 8 16

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PLAN 2BX      PLAN 1B      PLAN 1A      PLAN 1B      PLAN 1A      PLAN 2B (R)      FRONT



PLAN 2B (R)      PLAN 1A      PLAN 1B      PLAN 1A      PLAN 1B      PLAN 2BX      REAR

- STYLE ELEMENTS: SPANISH B**
- 1. Low Profile 'S' Concrete Tile
  - 2. Stucco with 16/20 Finish
  - 3. Windows with Divided Lights
  - 4. Stucco Wrapped Trim
  - 5. Stucco Wrapped Frieze Trim at Gable Ends
  - 6. Solid Panel Entry Door
  - 7. Decorative Tile
  - 8. Recessed windows
  - 9. Wrought Iron Pot Shelf at End Units
  - 10. Coach Lights
  - 11. Stucco o/ Shaped Foam Trim
  - 12. Low Stucco Privacy Wall with Decorative Tile
  - 13. Wrought Iron Gate to Privacy Patio
  - 14. 4x6 Rafter Tails

6-PLEX | BUILDING 300B  
Spanish B - Scheme 2



Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E

CITRUS LANE  
FONTANA, CA

4.3.1  
0 4 8 16  
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PLAN 2BX LEFT



PLAN 2B (R) RIGHT

- STYLE ELEMENTS: SPANISH B**
- 1. Low Profile 'S' Concrete Tile
  - 2. Stucco with 16/20 Finish
  - 3. Windows with Divided Lights
  - 4. Stucco Wrapped Trim
  - 5. Stucco Wrapped Frieze Trim at Gable Ends
  - 6. Solid Panel Entry Door
  - 7. Decorative Tile
  - 8. Recessed windows
  - 9. Wrought Iron Pot Shelf at End Units
  - 10. Coach Lights
  - 11. Stucco o/ Shaped Foam Trim
  - 12. Low Stucco Privacy Wall with Decorative Tile
  - 13. Wrought Iron Gate to Privacy Patio
  - 14. 4x6 Rafter Tails

6-PLEX | BUILDING 300B  
Spanish Eclectic - Elevation B



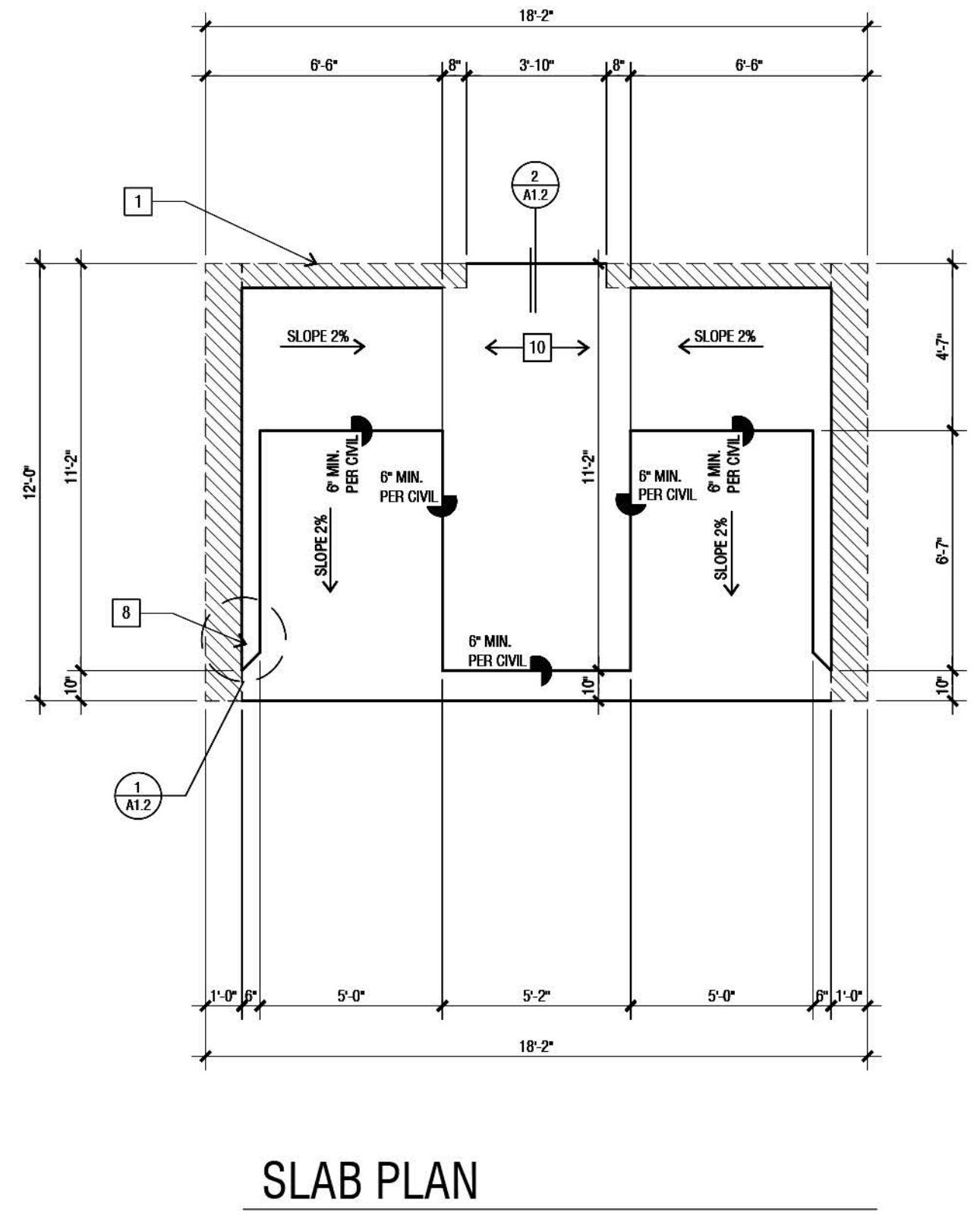
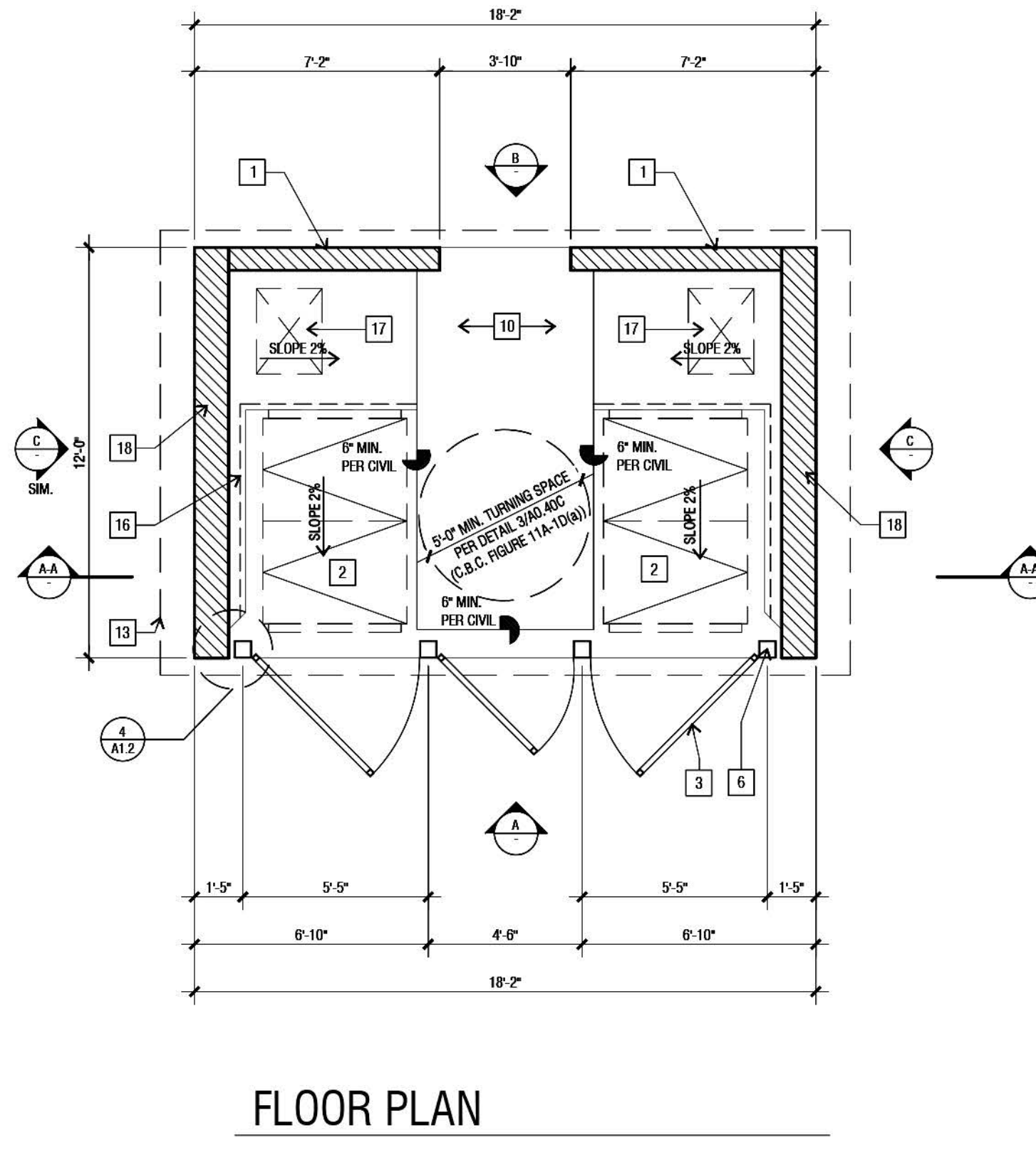
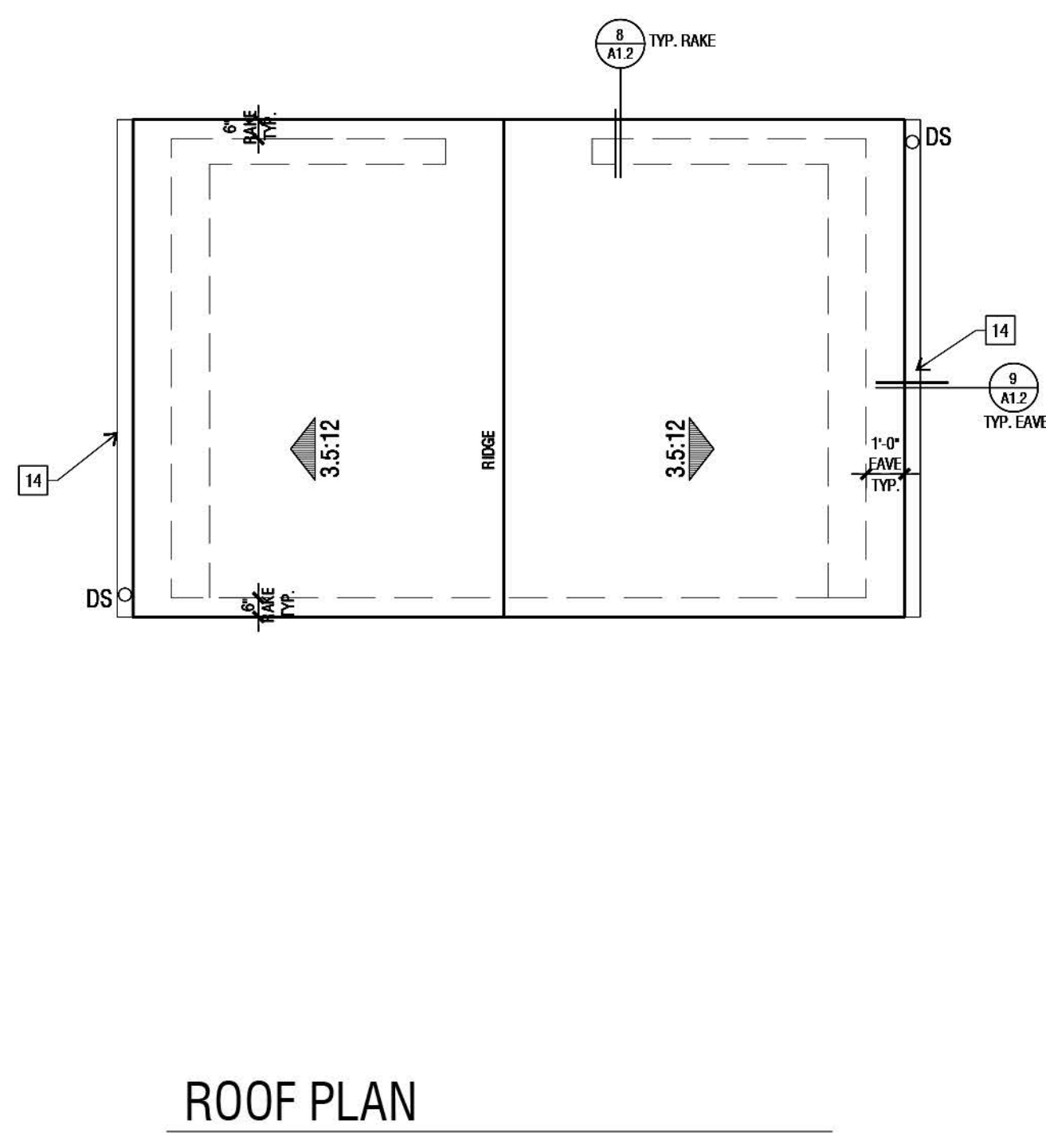
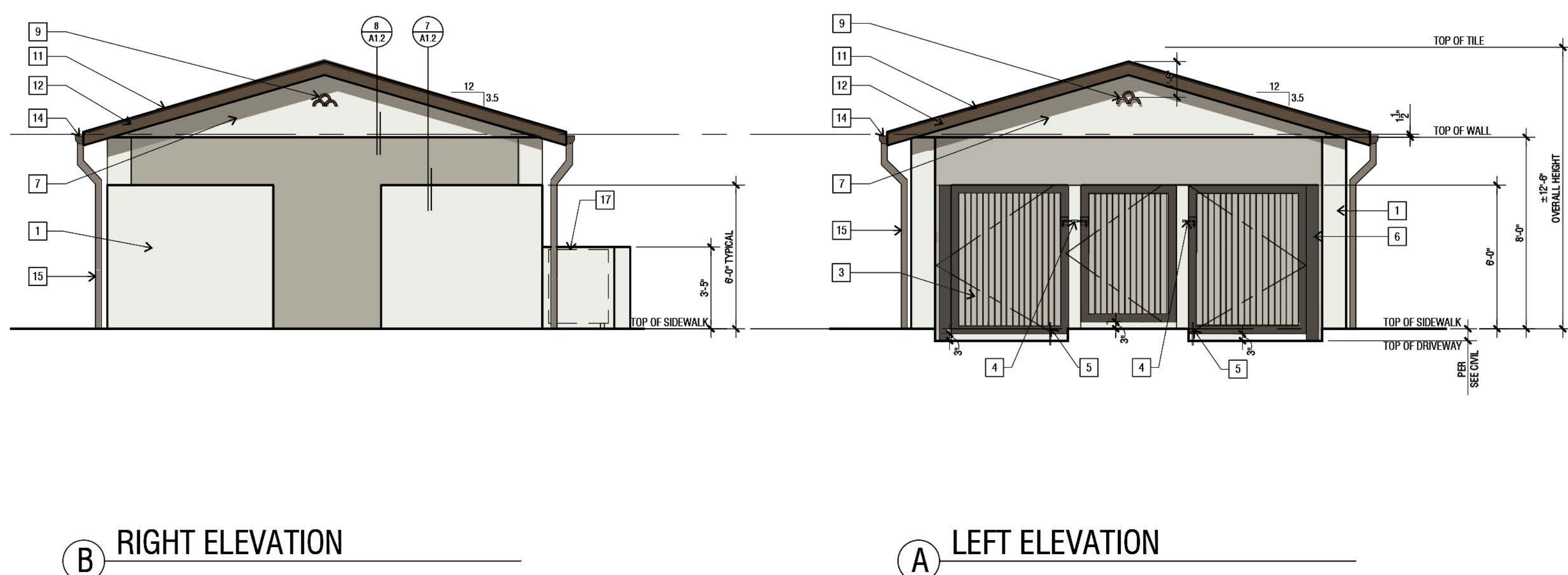
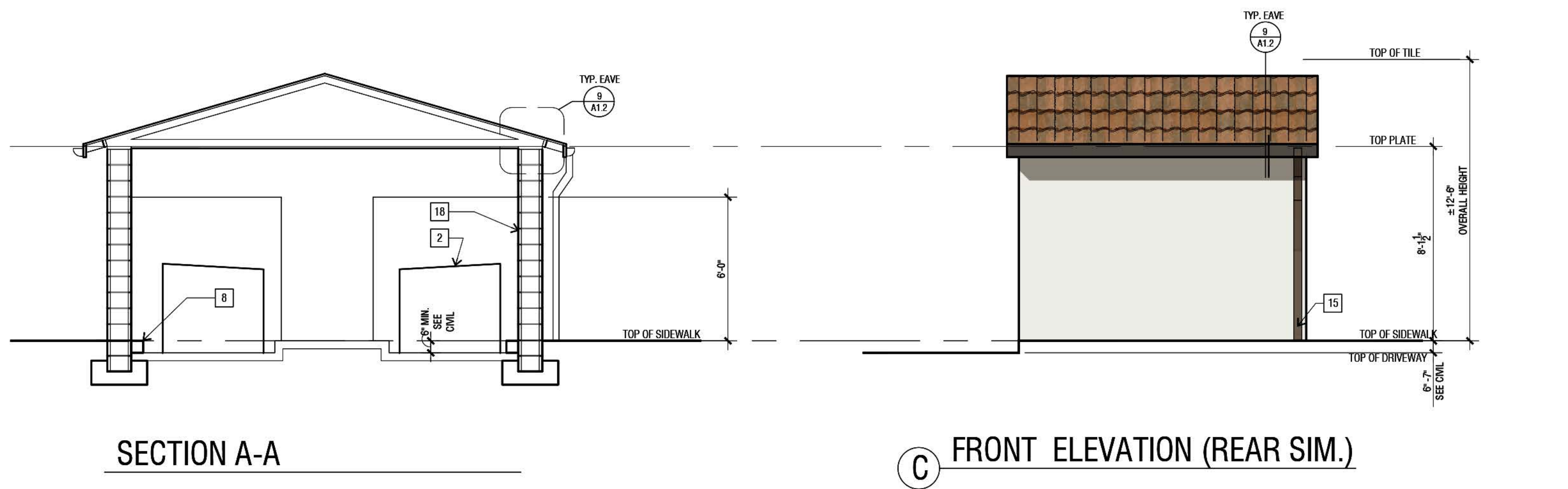
Note: Artist's Conception; Colors, Materials And Application May Vary.  
HORTON E

CITRUS LANE  
FONTANA, CA

4.3.1  
0 4 8 16  
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WHA

WILLIAM HEZMALHALCH ARCHITECTS, INC.

CITRUS LANE TRASH ENCLOSURE

Fontana, California  
D.R. HORTON  
October 16, 2023 | 2023118  
PAGE 1 OF 1

Exterior Color & Materials

SCHEME 11

Material	Color	Manufacturer
Roofing:		
Low Profile Concrete Tile	72645 Sunrise Sand Ref: 1.6 Em: 93 A SR: 22	Eagle
Gutters & Downspouts (factory finish)	Beaver Brown	Custom-Bilt Metals
Stucco Over 8" CMU Wall (lightface finish)	11.8 A 653 (Similar to Sherwin Williams SW 7055 Pure White)	Omega
Trim Color (applied to):		
Fascia	SW 6083 Sable	Sherwin Williams
Metal Gate	SW 7020 Black Fox	Sherwin Williams
Decorative Foam Accent	SW 7705 Wheat Penny	Sherwin Williams

NOTE: Verify WHA if any variation occurs between these  
elevation and the construction documents prior to purchase.  
Contact: Jennifer Sandoz (951) 255-3807.

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REVISIONS:

Number	Date	Description
1	6/20/24	Values updated per city comments. Color designer updated.

- TRASH ENCLOSURE KEYNOTES
- 1

STUCCO OVER 8" CMU WALL, HEIGHT PER ELEVATIONS
- 2

3 CUBIC YARD BIN 41.5" X 72"
- 3

72" TALL 16 GA. RIBBED METAL GATE - PAINT TO MATCH ADJACENT BUILDING
- 4

SLIDE BOLT - REFER TO DETAIL 5/A1.2
- 5

CANE BOLT - REFER TO DETAIL 5/A1.2
- 6

8" SQUARE 3/16" THICK STEEL JAMB TUBE, REFER TO DETAIL 3/A1.2
- 7

STUCCO EXTERIOR FINISH
- 8

8"X8" CONCRETE CURB, REFER TO DETAIL 6/A1.2
- 9

DECORATIVE FOAM ACCENT
- 10

LEVEL CONCRETE
- 11

CONCRETE'S TILE TO MATCH ADJACENT BUILDINGS
- 12

DSB FASCIA
- 13

LINE OF ROOF ABOVE, SEE ELEVATIONS
- 14

METAL GUTTER, PAINT TO MATCH ADJACENT MATERIAL
- 15

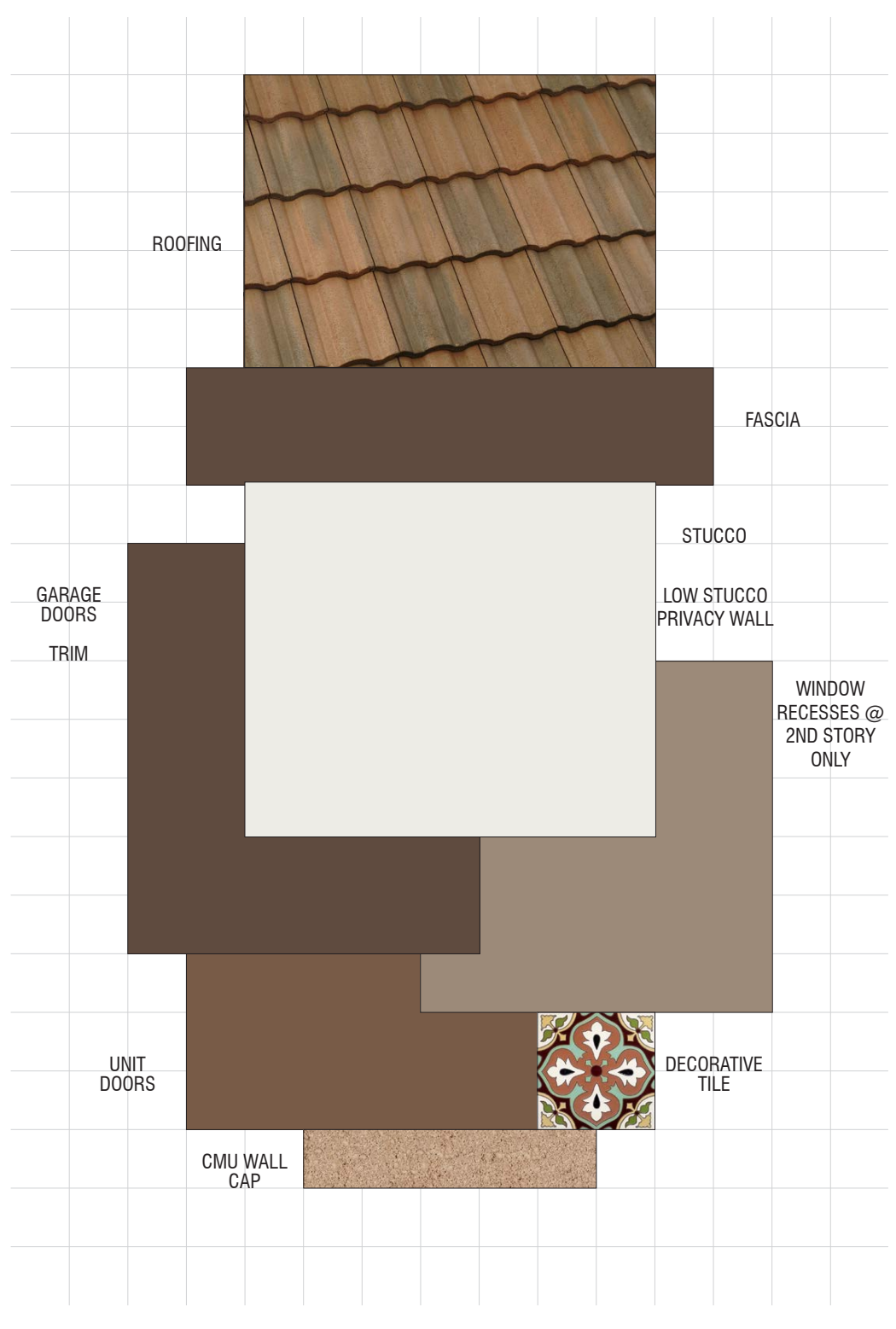
METAL DOWNSPOUT, PAINT TO MATCH ADJACENT MATERIAL
- 16

8"X8" BUMPER ON CMU, TYP. REFER TO DETAIL 6/A1.2
- 17

ORGANIC WASTE BIN
- 18

STUCCO OVER 12" CMU WALL, HEIGHT PER ELEVATIONS





**CITRUS LANE**  
Fontana, California  
D.R. HORTON  
June 18, 2024 | 2023118

**SCHEME 1**  
All Elevations  
Spanish A & B

**WHA.**  
WILLIAM HEZMALHALCH ARCHITECTS, INC.

### CITRUS LANE

Fontana, California  
D.R. HORTON  
October 17, 2023 | 2023118  
PAGE 1 OF 12

#### Exterior Color & Materials

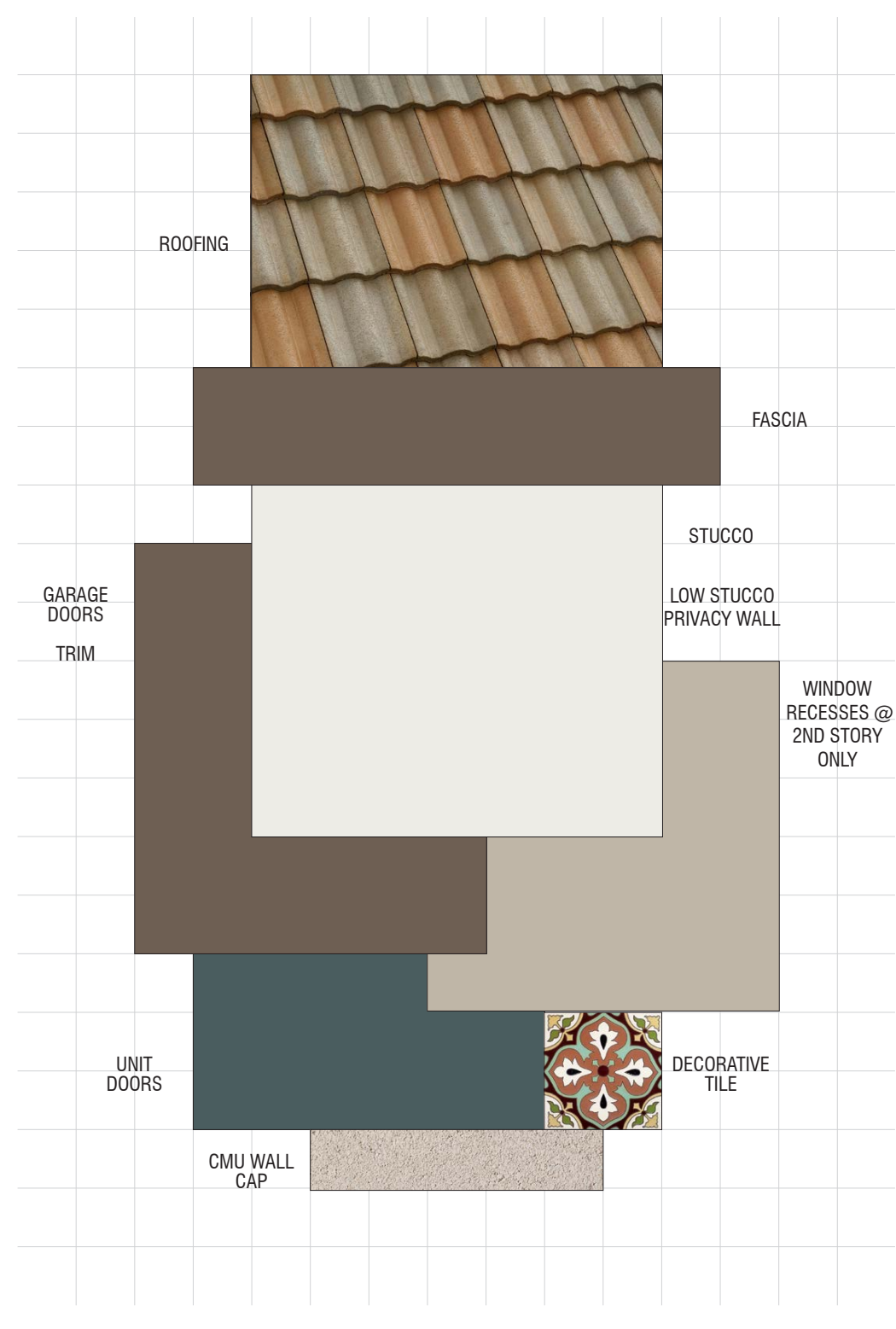
SCHEME 1 (RHS Library Scheme 3A) 'APPLIES TO A & B' SPANISH ELEVATIONS

Material	Color	Manufacturer
<b>Roofing:</b> Low Profile Concrete Tile	2545 Sunrise Blend Ref.: 16 Ent.: 82 A.SRI: 22	Eagle
<b>*Vinyl Windows (factory finish)</b>	Espresso	Green World
<b>Gutters &amp; Downspouts (factory finish)</b>	Brown Brown	Custom-Bit Metals
<b>*CMU Wall Cap @ Low Stucco Privacy Wall (factory finish)</b>	Sand Precision	Angelus
<b>*Mortar @ CMU Wall Cap (factory finish)</b>	823 Spec Mix Mortar	Angelus
<b>Stucco Color (lightface finish)</b> Stucco Low Stucco Privacy Wall	1/8 A 653 (Similar to Sherwin Williams SW 7005 Pure White)	Omega
<b>Trim Color #1 (applied to):</b> Fascia Garage Doors Pot Shelves Trim Utility Doors	SW 6083 Sable	Sherwin Williams
<b>Trim Color #2 (applied to):</b> Window Recesses @ 2nd Story Only	SW 7509 Trawers Tape	Sherwin Williams
<b>*Accent Color (applied to):</b> Unit Doors	SW 6089 Grounded	Sherwin Williams
<b>Prefab Pipes @ Gables</b>	SW 7705 Wheat Penny	Sherwin Williams
<b>*Decorative Metal</b>	SW 7020 Black Fox	Sherwin Williams
<b>*6" X 6" Decorative Ceramic Tile</b>	S82028	California Pottery and Tile Works
<b>*6" X 6" Solid Ceramic Tile</b>	CP23	California Pottery and Tile Works
<b>*Small @ Ceramic Tile</b>	Match Stucco Color	Custom Building Products

NOTES: Verify 100% if any material occurs between these schemes and the construction documents prior to purchase. Contact Supplier (Supplier ID# 220-0007).

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Number	Date	Description
1	11/07/23	Omega Stucco finishes and utility doors added.
2	3/20/24	Stucco color #2 added to Spanish Colonial schemes per city. Color designer updated.
3	4/23/24	Stucco revisions per city comments.
4	4/24/24	Stucco revisions per city comments.
5	5/23/24	Scheme 4 reviewed. Stucco revisions per city submitted.
6	5/23/24	Scheme 4 reviewed. Stucco revisions per city submitted.
7	6/20/24	Scheme 4 reviewed. Trim color #2 added to schemes 1 and 2. CMU cap added per city comments.
8	6/18/24	Scheme 4 reviewed. Trim color #2 added to schemes 1 and 2. CMU cap added per city comments.



**CITRUS LANE**  
Fontana, California  
D.R. HORTON  
June 18, 2024 | 2023118

**SCHEME 2**  
All Elevations  
Spanish A & B

**WHA.**  
WILLIAM HEZMALHALCH ARCHITECTS, INC.

### CITRUS LANE

Fontana, California  
D.R. HORTON  
October 17, 2023 | 2023118  
PAGE 2 OF 12

#### Exterior Color & Materials

SCHEME 2 (RHS Library Scheme 4B) 'APPLIES TO A & B' SPANISH ELEVATIONS

Material	Color	Manufacturer
<b>Roofing:</b> Low Profile Concrete Tile	2580 Los Padres Blend Ref.: 24 Ent.: 91 A.SRI: 25	Eagle
<b>Gutters &amp; Downspouts (factory finish)</b>	Woodbridge	Custom-Bit Metals
<b>*CMU Wall Cap @ Low Stucco Privacy Wall (factory finish)</b>	Natural Gray Precision	Angelus
<b>*Mortar @ CMU Wall Cap (factory finish)</b>	448 Spec Mix Mortar	Angelus
<b>Stucco Color (lightface finish)</b> Stucco Low Stucco Privacy Wall	1/8 A 653 (Similar to Sherwin Williams SW 7005 Pure White)	Omega
<b>Trim Color #1 (applied to):</b> Fascia Garage Doors Pot Shelves Trim Utility Doors	SW 7515 Homestead Brown	Sherwin Williams
<b>Trim Color #2 (applied to):</b> Window Recesses @ 2nd Story Only	SW 7021 Analytical Gray	Sherwin Williams
<b>*Accent Color (applied to):</b> Unit Doors	SW 6223 SRI Water	Sherwin Williams
<b>Prefab Pipes @ Gables</b>	SW 7705 Wheat Penny	Sherwin Williams
<b>*Decorative Metal</b>	SW 7020 Black Fox	Sherwin Williams
<b>*6" X 6" Decorative Ceramic Tile</b>	S82028	California Pottery and Tile Works
<b>*6" X 6" Solid Ceramic Tile</b>	CP23	California Pottery and Tile Works
<b>*Small @ Ceramic Tile</b>	Match Stucco Color	Custom Building Products

NOTES: Verify 100% if any material occurs between these schemes and the construction documents prior to purchase. Contact Supplier (Supplier ID# 220-0007).

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Number	Date	Description
1	11/07/23	Omega Stucco finishes and utility doors added.
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4	4/24/24	Stucco revisions per city comments.
5	5/23/24	Scheme 4 reviewed. Stucco revisions per city submitted.
6	5/18/24	Schemes made applicable to all elevations per client.
7	6/20/24	Scheme 4 reviewed. Trim color #1 added to schemes 1 and 2. CMU cap added per city comments.

# COLOR & MATERIALS | Color Schemes

## CITRUS LANE

FONTANA, CA

5.1.0

DESIGN REVIEW RE-SUBMITTAL

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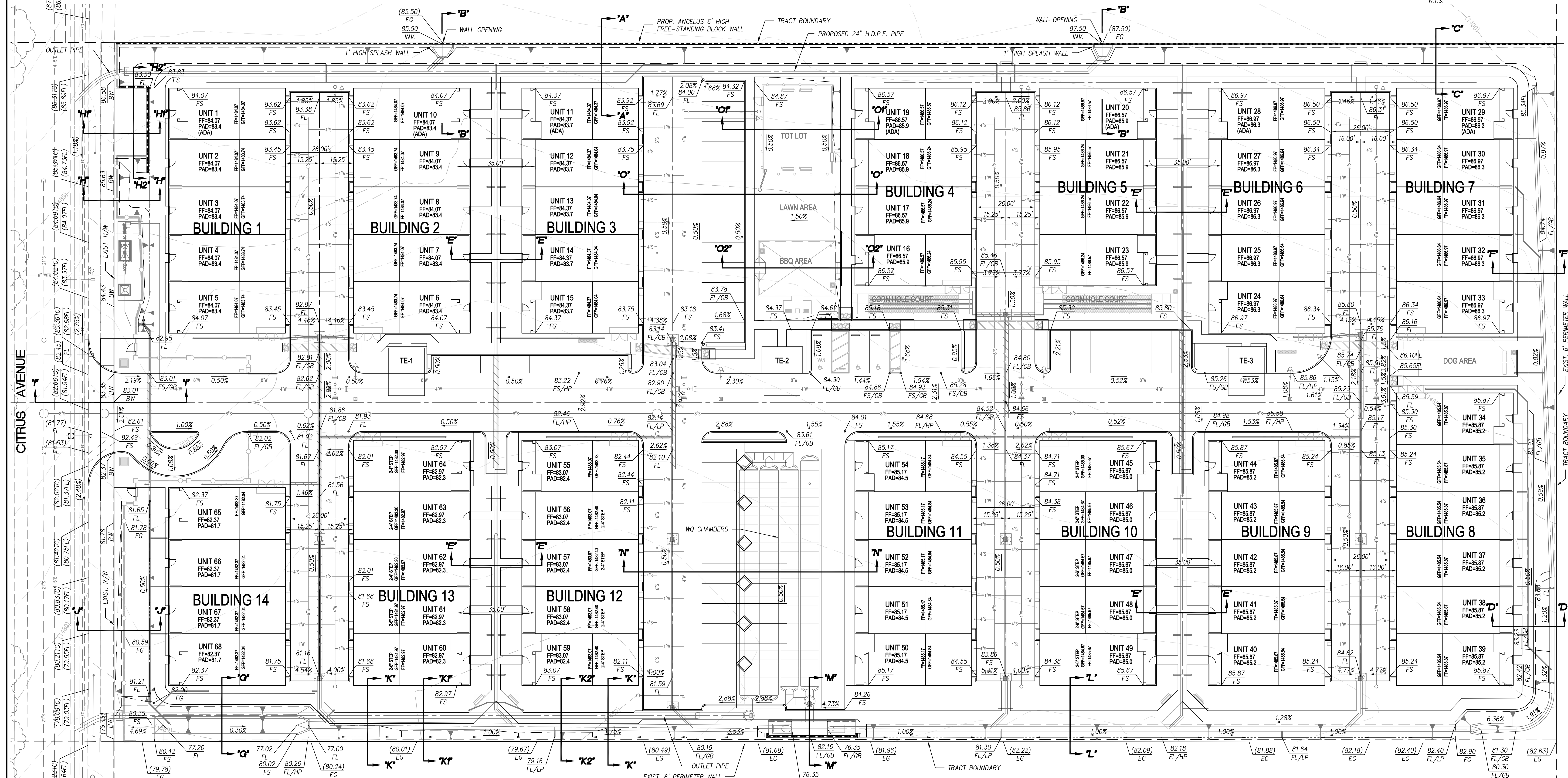
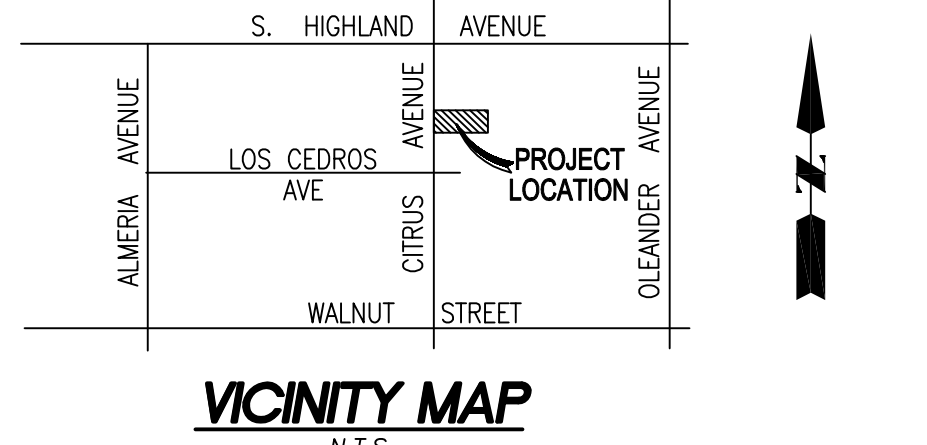


HORTON E





CITY OF FONTANA, CALIFORNIA  
CITRUS LANE - TRACT NO. 20521  
CONCEPTUAL GRADING PLAN



**LEGAL DESCRIPTION:**

LOT 14, OF TRACT 1909, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27, PAGE 70 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THAT PORTION THEREOF AS CONVEYED TO THE CITY OF FONTANA BY DEED RECORDED FEBRUARY 12, 2004 AS INSTRUMENT NO. 2004-0105424 OFFICIAL RECORDS.

**ASSESSOR'S PARCEL NO.**

0240-011-17

**OWNER/DEVELOPER:**

D.R. HORTON, AMERICA'S BUILDER  
SOUTH COAST/INLAND EMPIRE DIVISION  
2280 WARDLOW CIRCLE, SUITE 100  
CORONA, CALIFORNIA 92880  
(951) 272-9000

**ENGINEER:**

AQUILAR CONSULTING INC.  
231 E. ALESSANDRO BLVD. #6A393  
RIVERSIDE, CA 92508  
PH: (909) 709-4393

**LEGEND**

- BLOCK WALL
- RETAINING WALL
- TUBULAR STEEL FENCE
- SEWER MAIN
- SEWER LATERAL
- SEWER MANHOLE
- DIRECTION OF FLOW
- CLEANOUT
- STORM DRAIN
- FIRE WATER
- WATER MAIN
- WATER METER

**LEGEND**

- END CAP
- AIR AND VACUUM RELEASE ASSEMBLY
- FLANGED GATE VALVE & VALVE BOX
- FxH ADAPTER
- FxR REDUCER
- FLUSHOUT ASSEMBLY
- FIRE HYDRANT ASSEMBLY
- BLUE REFLECTIVE MARKER
- EXISTING SEWER
- EXISTING ELECTRIC
- EXISTING FIBER OPTIC

**ABBREVIATIONS**

- BW - BACK OF WALK
- EG - EXISTING GRADE
- EP - EDGE OF PAVEMENT
- FF - FINISH FLOOR
- FS - FINISH GRADE
- FL - FLOW LINE
- FS - FINISH SURFACE
- GB - GRADE BREAK
- HP - HIGH POINT
- INV - INVERT OF PIPE

**ABBREVIATIONS**

- LP - LOW POINT
- PAD - PAD GRADE
- SC - SOUTHERN CALIFORNIA EDISON
- SD - STORM DRAIN
- TC - TOP OF CURB
- TE - TRASH ENCLOSURE
- TF - TOP OF FOOTING
- TG - TOP OF GRADE
- TW - TOP OF WALL

**SHEET INDEX**

SHEET 1 CONCEPTUAL GRADING PLAN  
SHEET 2 SECTIONS AND DETAIL

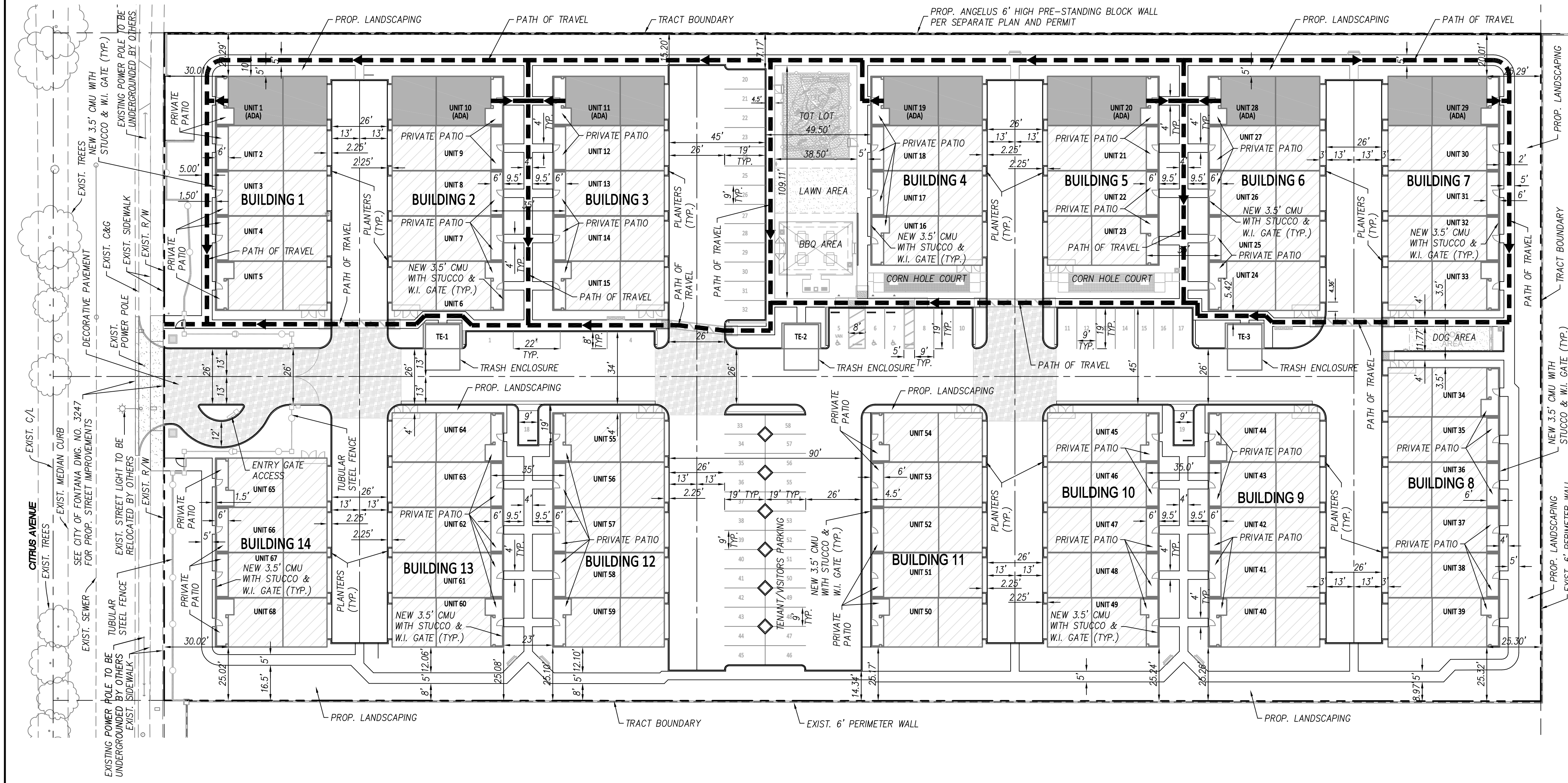
SHEET 1 OF 2

**ACI**  
AQUILAR CONSULTING INC.  
231 E. ALESSANDRO BLVD. #6A393  
RIVERSIDE, CA 92508  
PH: (909) 709-4393









APN: 0240-011-17

ZONING: R-3  
OCCUPANCY: GROUP R-2/U  
CONSTRUCTION: TYPE V-B  
FIRE SPRINKLERS: REQUIRED

PROJECT DESCRIPTION: PROPOSED 68 UNIT CONDOMINIUM COMPLEX ON CITRUS AVE.

BLDG DATA:

GROSS LOT AREA: 201,565 SF (4.63 AC) (100%)  
BUILDING FOOTPRINT: 68,450 SF  
NET LOCAL AREA: 133,115 SQ. FT.  
LANDSCAPE AREA: 40,618 SQ. FT. (20%)  
HARDSCAPE AREA: 92,497 SQ. FT. (46%)

LOT COVERAGE: 34%

PARKING REQUIRED:

TENANT PARKING: 68 UNITS x 2.5 = 170 SPACES  
GUEST PARKING: 68 UNITS / 3 = 23 SPACES  
TOTAL: 193 SPACES

PARKING PROVIDED:

2-CAR GARAGE: 68 x 2 = 136 SPACES  
STANDARD PARKING: 55 SPACES  
PARALLEL SPACES: 4 SPACES (10% MAX)  
TOTAL: 193 SPACES (INCLUDING 3 HANDICAP SPACES)

OPEN SPACE:

COMMON: 65,627 SF PROVIDED  
USEABLE: 77,853 SF PROVIDED

OWNER:

D.R. HORTON, AMERICA'S BUILDER  
SOUTH COAST / INLAND EMPIRE DIVISION  
2280 WARDLOW CIRCLE, SUITE 100  
CORONA, CA 92680  
(951) 272-9000

CONTACT:

PROJECT ADDRESS: 6897 CITRUS AVENUE  
FONTANA, CA 92336

ARCHITECT:

WHA INC.  
680 NEWPORT CENTER DRIVE, SUITE 300  
NEWPORT BEACH, CA 92660  
JEFF JOHNSON PH: (949) 250-0607

CONTACT:

CIVIL:

AGUILAR CONSULTING INC.  
231 E. ALESSANDRO BLVD. #6A393  
RIVERSIDE, CA 92508  
CEZAR V. AGUILAR  
PH: (909) 709-4393

CONTACT:

LANDSCAPE:

SJA INC.  
7859 SITIO COCO  
CARLSBAD, CA 92009  
JACK NORTON  
PH: (949) 276-6500

CONTACT:

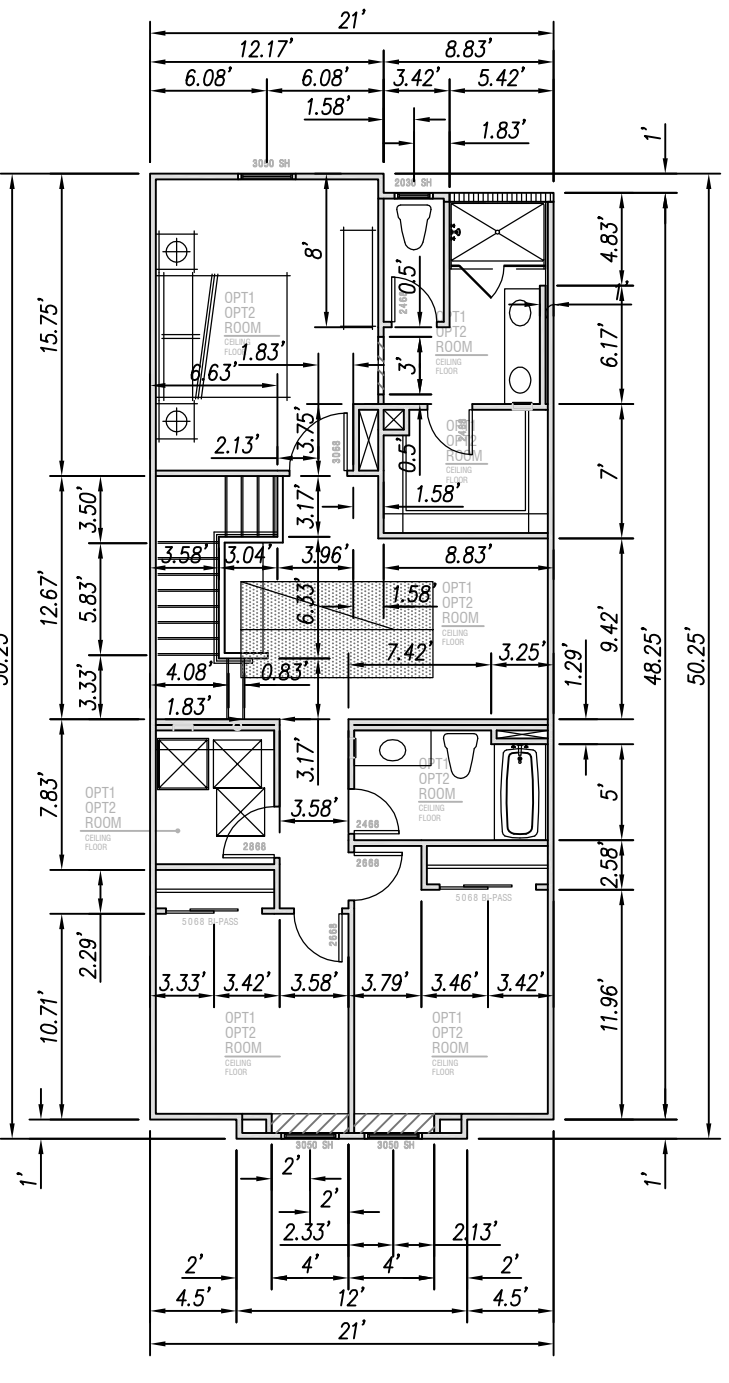
PHOTOMETRIC:

LAND DEVELOPMENT DESIGN COMPANY, LLC  
2313 E. PHILADELPHIA STREET, SUITE F  
ONTARIO, CA 91761  
KEVIN J. RICHER  
PH: (909) 930-1466

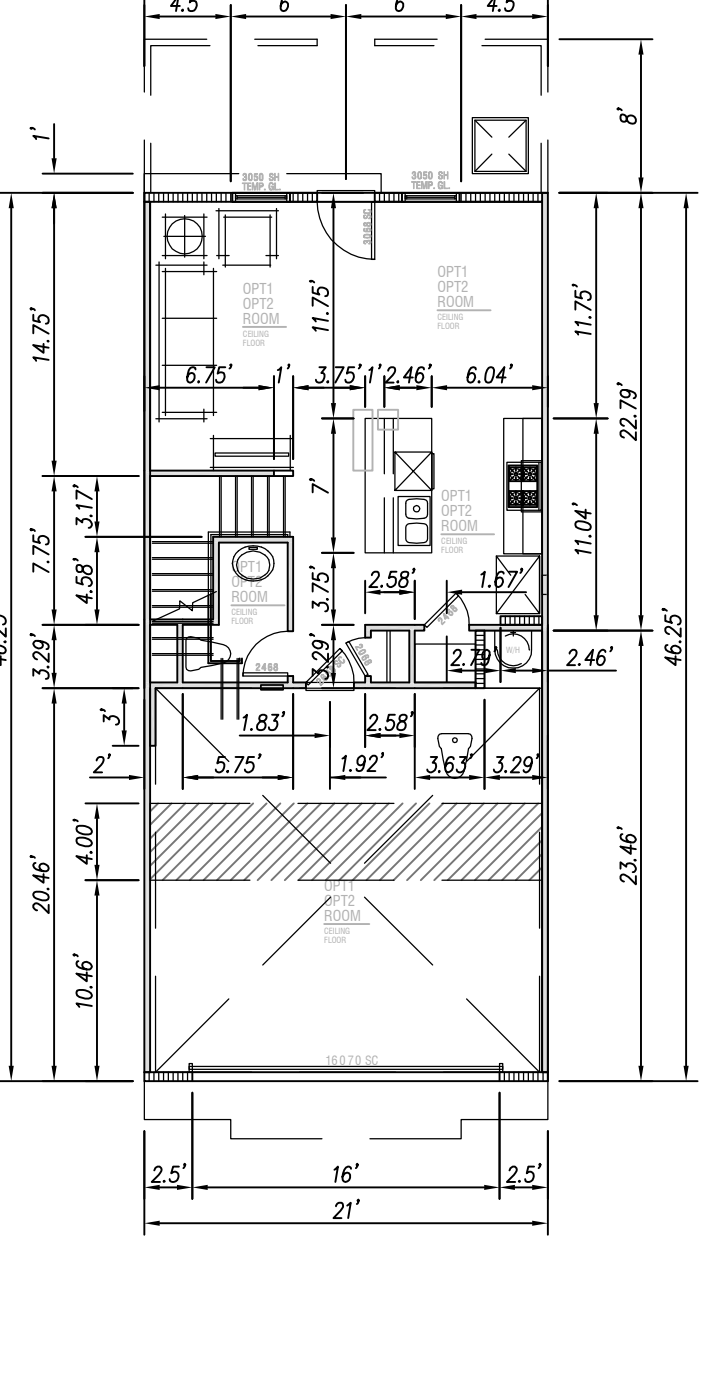
CONTACT:

UNIT PLAN 2B-X  
PARTIAL LOWER LEVEL FLOOR PLAN  
AT METER CABINET  
SCALE: 1"=10'

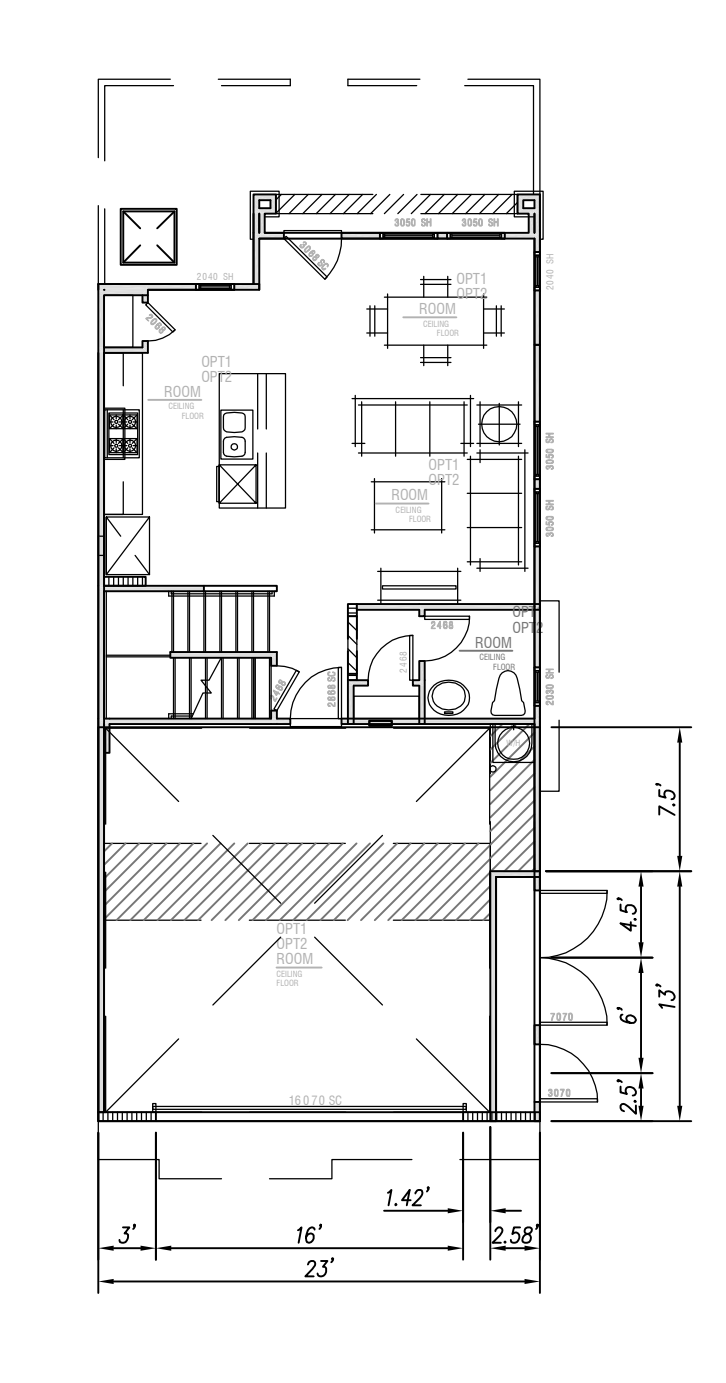
UNIT PLAN 2B ACCESSIBLE UNIT  
PARTIAL FIRST FLOOR PLAN  
SCALE: 1"=10'



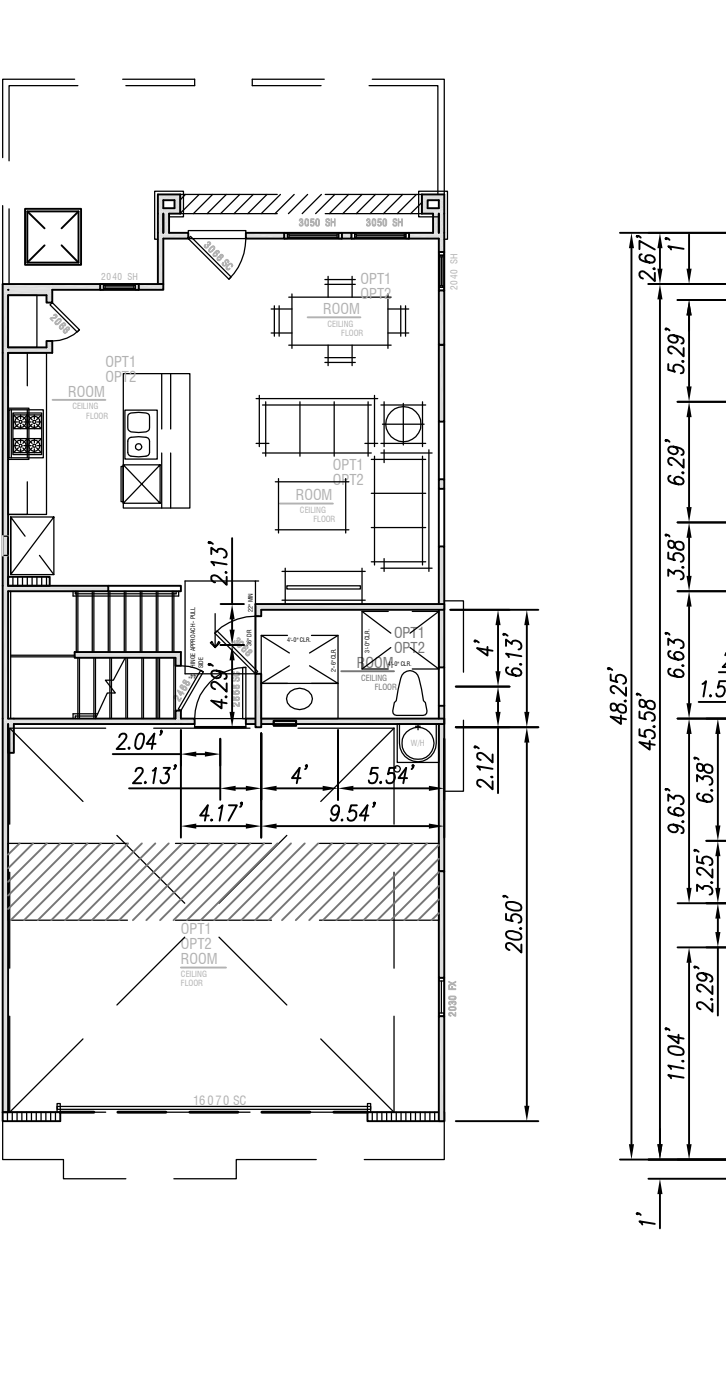
UNIT PLAN 1A & 1B  
SECOND LEVEL FLOOR PLAN  
SCALE: 1"=10'



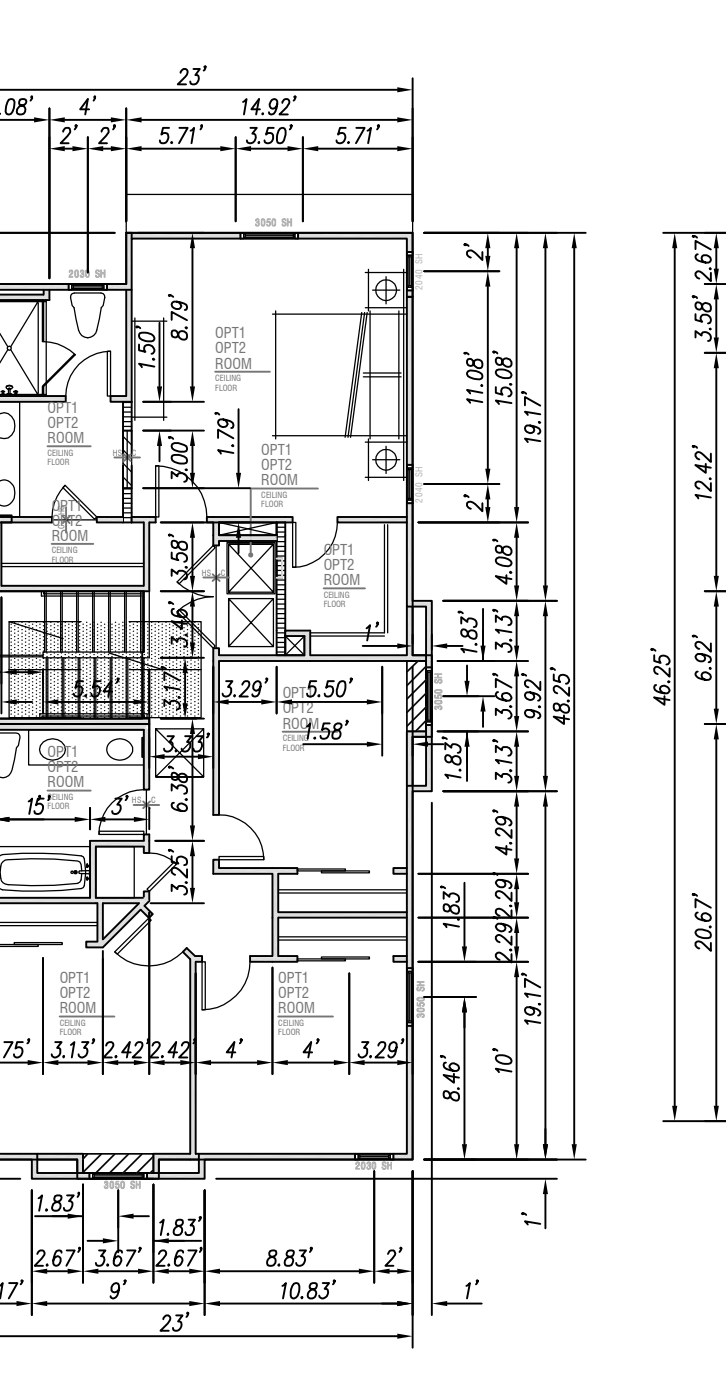
UNIT PLAN 1A & 1B  
FIRST LEVEL FLOOR PLAN  
SCALE: 1"=10'



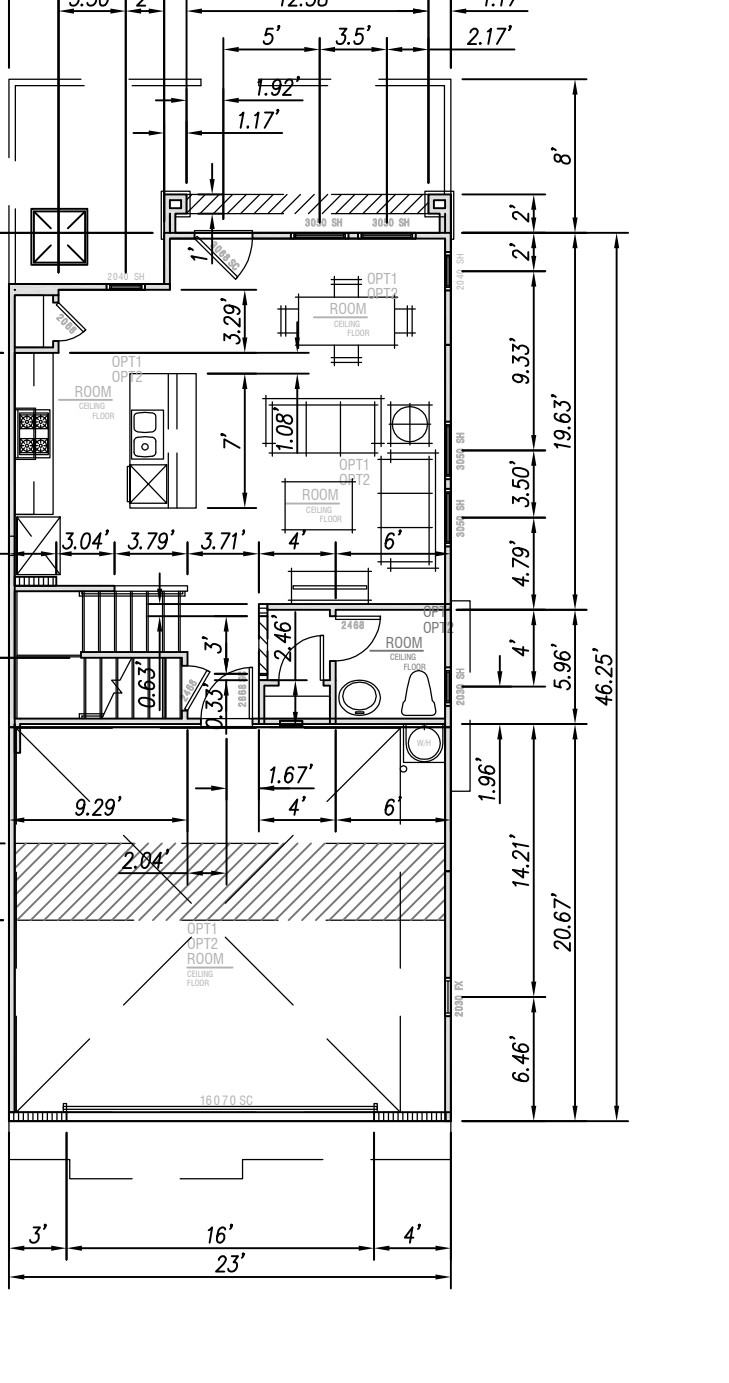
UNIT PLAN 2A-X  
PARTIAL LOWER LEVEL FLOOR PLAN  
AT METER CABINET  
SCALE: 1"=10'



UNIT PLAN 2A ACCESSIBLE UNIT  
PARTIAL FIRST FLOOR PLAN  
SCALE: 1"=10'



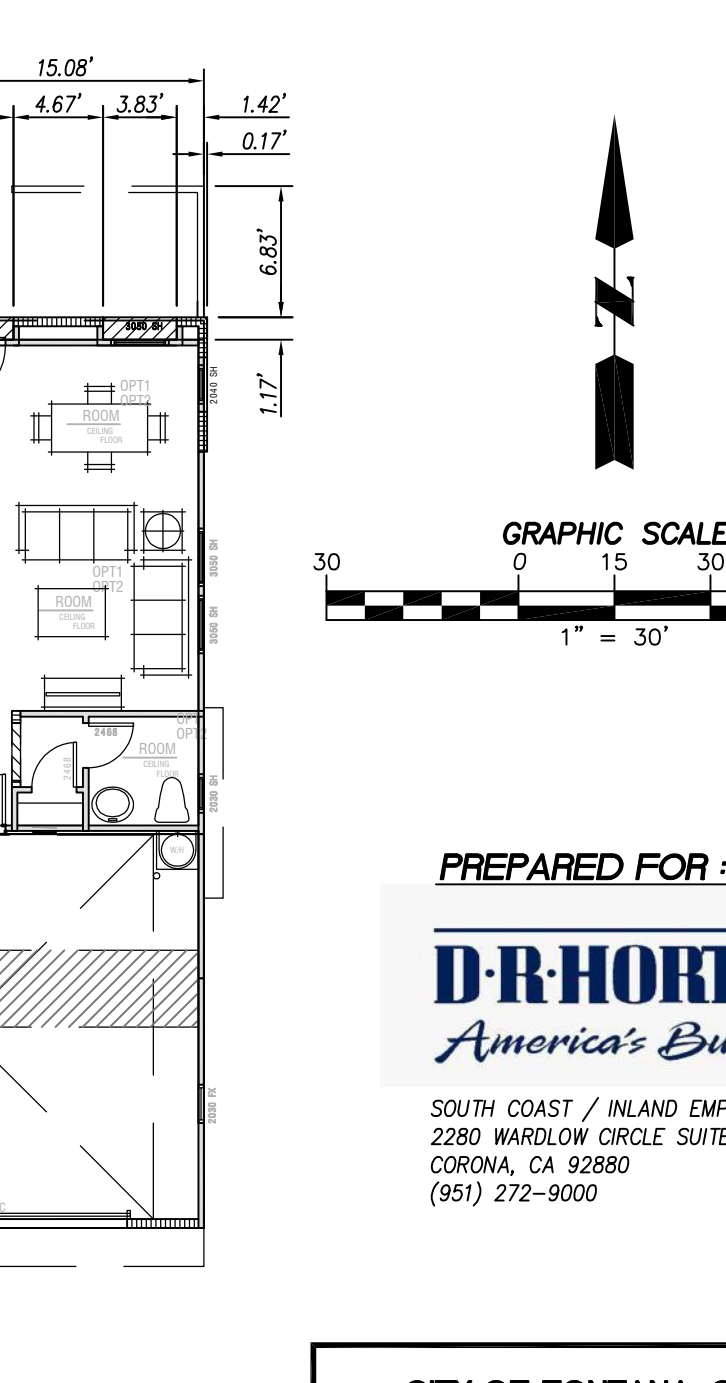
UNIT PLAN 2A  
SECOND LEVEL FLOOR PLAN  
SCALE: 1"=10'



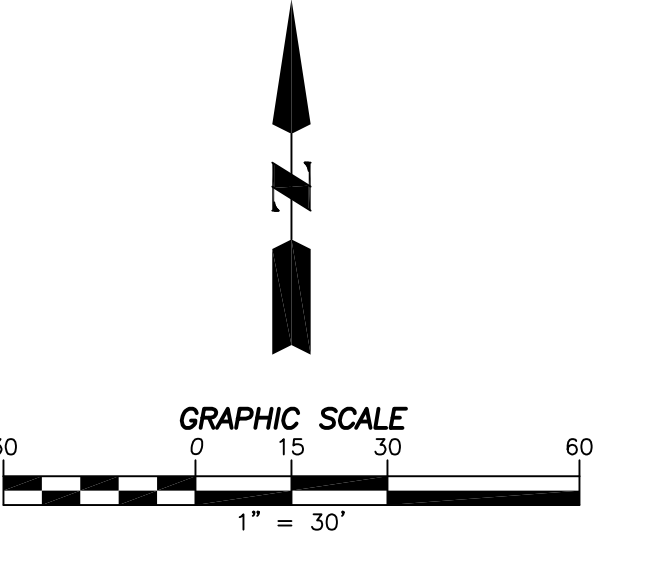
UNIT PLAN 2A  
FIRST LEVEL FLOOR PLAN  
SCALE: 1"=10'



UNIT PLAN 2B  
SECOND LEVEL FLOOR PLAN  
SCALE: 1"=10'



UNIT PLAN 2B  
FIRST LEVEL FLOOR PLAN  
SCALE: 1"=10'

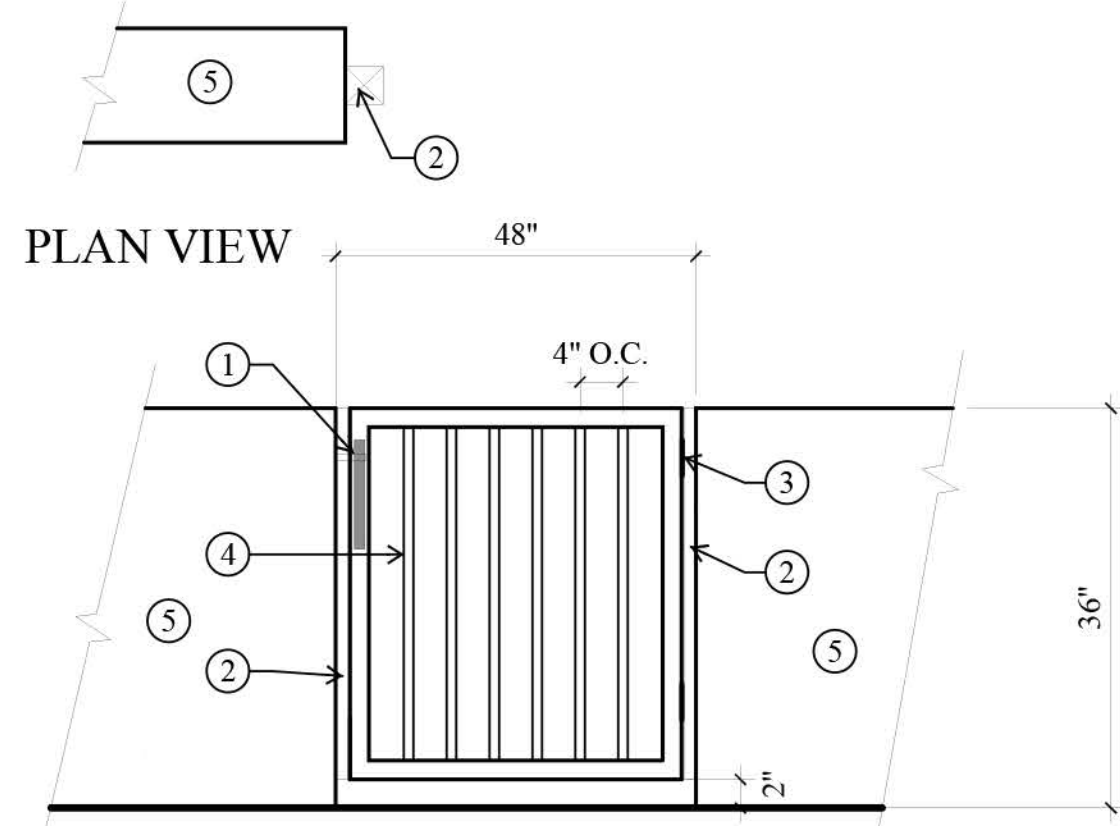


PREPARED FOR:  
**D.R. HORTON**  
America's Builder  
SOUTH COAST / INLAND EMPIRE DIVISION  
2280 WARDLOW CIRCLE SUITE 100  
CORONA, CA 92680  
(951) 272-9000

CITY OF FONTANA, CALIFORNIA  
CITRUS LANE - TRACT NO. 20521  
SITE PLAN

**ACI**  
AGUILAR CONSULTING INC.  
231 E. ALESSANDRO BLVD. #6A393  
RIVERSIDE, CA 92508  
PH: (909) 709-4393



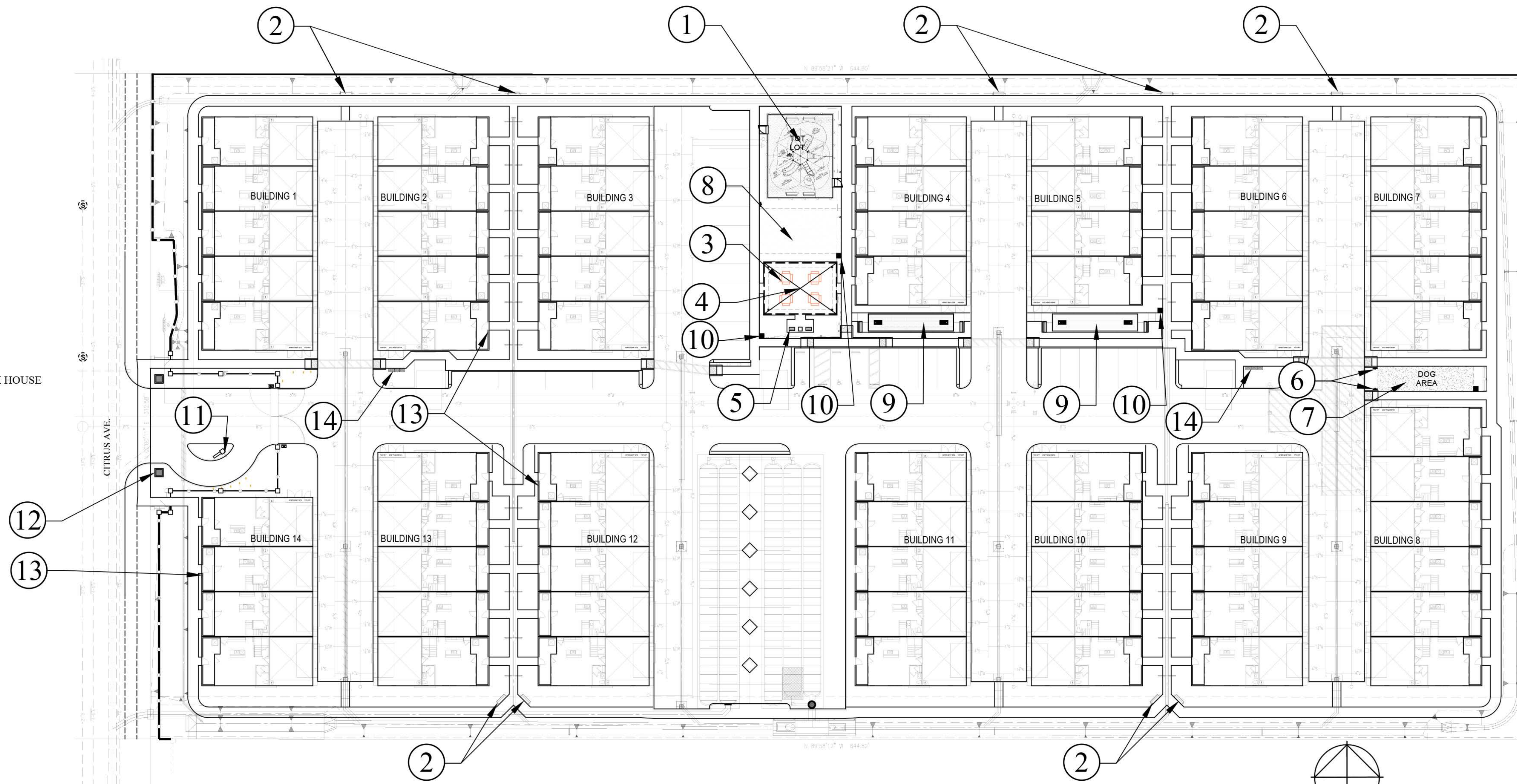


LEGEND

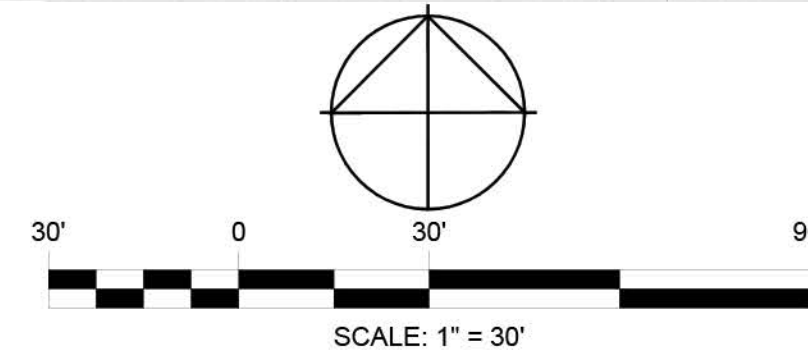
- ① LATCH (INSIDE OF GATE)
- ② 2" SQ STEEL POST SECURED WITH LAG BOLTS MOUNTED TO WALL W/ 3-1/2" LAG BOLTS & LEAD SHIELDS- SEE PLAN VIEW
- ③ (2) HINGES - HEAVY DUTY
- ④ 1" SQ. STEEL PILINGS
- ⑤ ADJACENT CMU WALL W/ STUCCO FINISH, COLOR TO MATCH HOUSE

- NOTES:
- ALL IRON SHALL BE FORGED W/ HAMMERED FINISH COLOR: FLAT BLACK.
  - GATE TO BE SELF-CLOSING

⑬ PATIO WALL & GATE

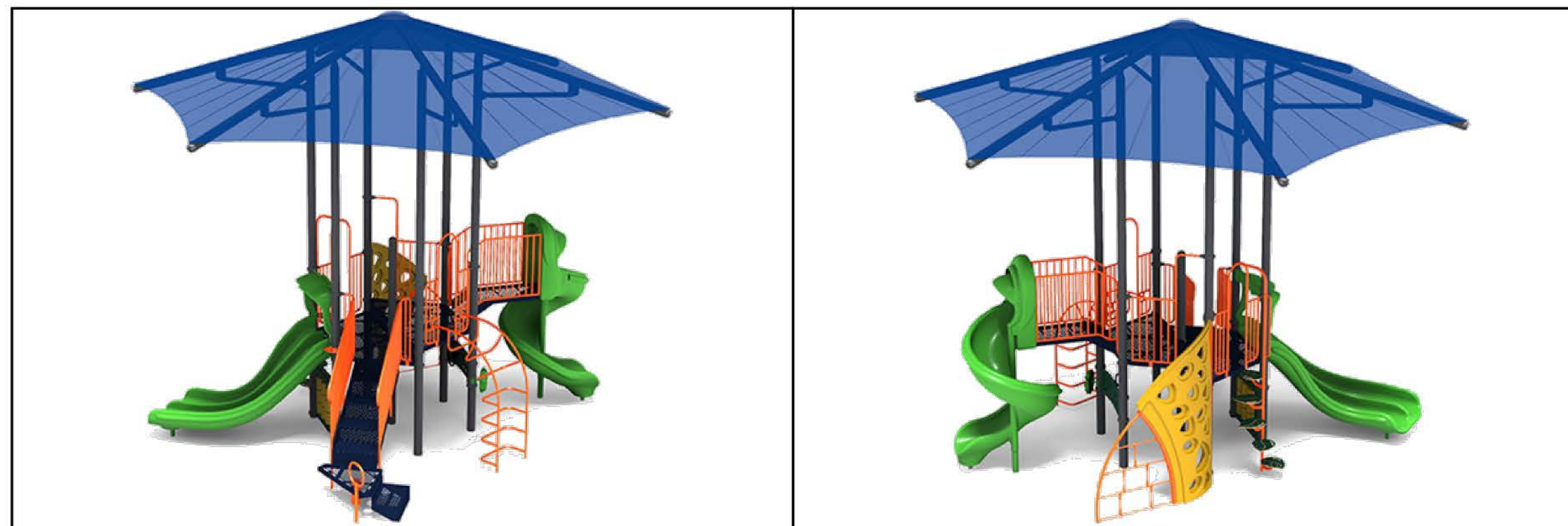


SITE PLAN - AMENITIES



AMENITIES LEGEND

- 1. TOT LOT PLAYGROUND
- 2. BENCH
- 3. CAFE TABLE
- 4. STEEL OVERHEAD
- 5. BBQ AREA (BUILT-IN W/COUNTER TOP)
- 6. PET STATION
- 7. PET AREA
- 8. OPEN LAWN
- 9. CORN HOLE COURT
- 10. TRASH RECEPTACLE
- 11. ENTRY GATE ACCESS
- 12. ENTRY PILASTER
- 13. PATIO WALL & GATE
- 14. MAILBOX LOCATIONS



① TOT LOT PLAYGROUND AREA



② BENCH

③ CAFE TABLE



④ STEEL OVERHEAD



⑤ BBQ AREA



⑥ PET STATION



⑦ PET AREA



⑧ OPEN LAWN AREA



⑨ CORN HOLE COURT



⑩ TRASH RECEPTACLE



⑪ ENTRY GATE ACCESS



⑫ ENTRY PILASTER

AMENITIES PLAN  
TR. 20521 CITRUS LANE  
6697 CITRUS AVE.  
FONTANA, CA 92336





PLANTING LEGEND					
BOTANICAL NAME	COMMON NAME	SIZE / KC	HEIGHT/ WIDTH	WUCOLS	
<b>TREES</b>					
MAGNOLIA GRANDIFLORA 'ST. MARY'	ST. MARY SOUTHERN MAGNOLIA	24" BOX / EVERGREEN	20-25' / 15-20'	M - 0.4	
CERCIS OCCIDENTALIS CITRUS SPP.	WESTERN REDBUD BEARS LIME & LEMONS	24" BOX / DECIDUOUS	10-20' / 10-20'	L - 0.3	
LAURUS 'SARATOGA' CITRUS SPP.	SARATOGA LAUREL BEAR LIME & LEMONS	24" BOX / EVERGREEN	20-25' / 15-20'	M - 0.4	
LAGERSTROMIA INDICA 'NATCHEZ'	NATCHEZ CRAPE MYRTLE	24" BOX / DECIDUOUS	20' / 20'	M - 0.4	
MELALEUCA QUINQUENERVIA	PAPER BARK TEA TREE	24" BOX / EVERGREEN	25-40' / 15-30'	M - 0.4	
JUNIPERUS VIRGINIANA 'IDYLL WILD' CITRUS SPP.	IDYLL WILD RED CEDAR & BEARS LIME & LEMONS	24" BOX / EVERGREEN	10-20' / 5-10'	M - 0.4	
<b>NOTE:</b> TREES REQUIRED (1) 24" BOX / 400 SF - 100 TREES. TREES PROVIDED: 135					

# PRELIMINARY LANDSCAPE PLAN

## TR. 20521 CITRUS LANE

L-2 June 19, 2024



**RESOLUTION NO. PC 2024-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING, PURSUANT TO AN ADOPTED MITIGATED NEGATIVE DECLARATION, DESIGN REVIEW NO 21-043-R2 TO MODIFY THE ELEVATIONS FOR A PREVIOUSLY APPROVED DEVELOPMENT FOR A 68 UNIT DETACHED RESIDENTIAL CONDOMINIUM PROJECT ON APPROXIMATELY 4.6 GROSS ACRES AT 6697 CITRUS AVENUE, ASSESSOR PARCEL NUMBER 0240-011-17, AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION**

**WHEREAS**, 6697 Citrus Avenue, more specifically, Assessor Parcel Number (“APN”) 0240-011-17 (“Project Site”), was annexed from San Bernardino County and incorporated into the City of Fontana on September 22, 1981; and

**WHEREAS**, on October 25, 2022, the City of Fontana (“City”) approved an application from PRL Enterprises for a General Plan Amendment (GPA No. 21-008), Zoning Code Amendment (ZCA No. 21-010), Tentative Tract Map (TTM No. 21-007) and Design Review (DR. No. 21-043) for the construction of a 68 unit condominium development at the Project Site; and

**WHEREAS**, on January 4, 2024, the City received an application from D.R. Horton (“Applicant”) for Design Review No. 21-043-R2, a request for approval to modify the architectural elevations for a 68 unit attached multi-family condominium development (“Project”) at the Project Site; and

**WHEREAS**, the Project Site is located within the Multi-Family Residential (R-MF) General Plan Land Use designation and is also located within the Multiple Housing District (R-3), which allows for such projects; and

**WHEREAS**, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.) (“CEQA”), a Mitigated Negative Declaration (“MND”) analyzing all potential impacts of the Project was prepared for the City’s consideration as lead agency under State CEQA Guidelines section 15063, circulated for public comment, and presented to the City of Fontana Planning Commission (“Planning Commission”); and

**WHEREAS**, on October 25, 2022, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) (“CEQA”), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City Council approved DRP No. 21-043 and adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) with Resolution PC Number 2022-129.

**WHEREAS**, the modified Conditions of Approval are attached hereto as **Exhibit “A”** for Design Review (DRP) No. 21-043-R2 and incorporated herein; and



**WHEREAS**, the City wishes to protect and preserve the quality of the life throughout the City through effective land use and planning; and

**WHEREAS**, all notices required by statute and the Fontana Municipal Code have been given as required; and

**WHEREAS**, the owners of property within 660 feet were notified via public hearing notice mailer prior to the public hearing; and

**WHEREAS**, a notice of the public hearing was published in the Fontana *Herald* newspaper on July 5, 2024 and simultaneously displayed at City Hall and at the Project Site; and

**WHEREAS**, on July 16, 2024, a duly noticed public hearing on Design Review No.21-043-R2, was held by the Planning Commission to consider testimony and evidence presented by the Applicant, City Staff, and other interested parties; and

**WHEREAS**, on July 16, 2024, the Planning Commission carefully considered all information, evidence, and testimony presented at its public hearing on Design Review No.21-043-R2; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE**, the Planning Commission RESOLVES as follows:

**Section 1.** Recitals. The above recitals are true, correct and incorporated herein by reference.

**Section 2.** CEQA. The Planning Commission hereby determines that pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.) (“CEQA”), a Mitigated Negative Declaration (“MND”) analyzing all potential impacts of the Project was prepared and adopted on October 25, 2022 with the approval of the DRP No. 21-043 and staff has determined that, pursuant to Public Resources Code section 21166 and CEQA Guidelines sections 15162-15164, none of the criteria requiring a subsequent environmental document have been met and that further environmental analysis is not required, and directs Staff to file a Notice of Determination.

**Section 3.** Design Review Findings. The Planning Commission hereby makes the following findings for Design Review No. 21-043-R2 in accordance with Section 30-140 “Findings for approval” of the Fontana Zoning and Development Code.

**Finding No. 1.**      **The proposal is consistent with the General Plan, Zoning and Development Code, and any applicable Specific Plan.**

Finding of Fact:      The Project is a request for modifications to a previously approved architectural application. The Applicant is requesting to modify the elevations for the development of 68 unit attached multi-family



residential condominium development, which is consistent with the Multi-Family Residential (R-MF) General Plan designation for the Project Site. The R-MF land use category is described by the General Plan as a land use category that includes multi-family developments, from duplexes and townhouses to condos and rental apartments, at densities up to 24 du per acre with required amenities.

The Project is located within the R-3 zoning district. The 68 unit condominium development will meet all zoning and development standards set for in the Fontana Municipal Code, including the required density range. The 68-units are within fourteen (14) two-story buildings on a 4.6 acre site, which calculates to an average density of 14.8 units per acre. This density is within the twelve (12) to twenty-four (24) units per acre range required by the R-3 zoning district. The Project is not within a specific plan.

**Finding No. 2.      The proposal meets or exceeds the criteria contained in this chapter and will result in an appropriate, safe and desirable development promoting the public health, safety, and welfare of the community.**

Finding of Fact:      The development and all improvements including sidewalks, landscaping, lighting, drainage and grading, complies with all requirements in the Fontana Municipal Code and all building, zoning, and fire codes to provide a safe and well-designed Project. Additionally, the development meets all setbacks, height, landscaping, design, architecture, parking, access, and safety requirements.

The site improvements have been reviewed by the City of Fontana Fire, Building and Safety, and Engineering Departments. During the Project review process, changes were made to the plans to ensure that the Project is well designed. Street lighting and on-site lighting have been included to provide ample visibility at night. Landscaping has been incorporated to create an attractive atmosphere along adjacent parcels.

**Finding No. 3.      The proposal, in its design and appearance, is aesthetically and architecturally pleasing resulting in a safe, well-designed facility while enhancing the character of the surrounding neighborhood.**

Finding of Fact:      The Project is designed to enhance and complement the surrounding neighborhood. The request modifies the architectural theme for the Project from Craftsman to Spanish style. The result is a high-quality architectural design appropriate and desirable for the surrounding



neighborhood. The development enhances the character of the surrounding neighborhood through the aesthetics and design.

Architectural relief utilized for the buildings consists of concrete roof tiles, stucco finish, decorative clay pipes, wrought iron pot shelf, iron metal window ornaments, dark window framing and recessed window details. Additionally, landscaping utilizes plants to complement the architecture of the buildings and the development. The Project has been reviewed by the Engineering, Building and Safety, and Fire Departments for safety and changes were made to the plans to ensure that the Project is well designed.

**Finding No. 4. The site improvements are appropriate and will result in a safe, well-designed facility.**

Finding of Fact: The development complies with the City of Fontana Zoning and Development Code. Improvements including sidewalks, drainage, and grading will provide a safe and well-designed neighborhood.

The Project Site improvements have been reviewed by the Fire, Building and Safety, and Engineering Departments. During the Project review process, changes were made to the plans to ensure that the Project is a well-designed project. Street lighting and on-site lighting have been included to provide ample visibility at night. Landscaping has been incorporated to create an attractive atmosphere along adjacent parcels.

**Section 4.** Approval. Based upon the foregoing, the Planning Commission approves Design Review No. 21-043-R2, subject to the modified Conditions of Approval attached hereto as **Exhibit “A”** and incorporated herein by this reference.

**Section 5.** Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA. 92335. This information is provided in compliance with Public Resources Code Section 21081.6.

**Section 6.** Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**Section 7.** Effective Date. This Resolution shall become effective immediately upon its adoption.

**Section 8.** Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.



**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 16<sup>th</sup> day of July, 2024.

**City of Fontana**

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Cathline Fort, Chairperson

**ATTEST:**

I, Ricardo Quintana, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on this 16th day of July, 2024, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Ricardo Quintana, Secretary



## EXHIBIT A



### CITY OF FONTANA CONDITIONS OF APPROVAL

**PROJECT:** Master Case No. 21-120-R2  
Design Review Project No. 21-043-R2

**DATE:** July 16, 2024

**LOCATION:** The project site is located near the corner of Highland Avenue and Citrus Avenue at 6697 Citrus Avenue (APN: 0240-011-17) on approximately 4.6 acres.

#### **PLANNING DEPARTMENT:**

1. This approval is to amend the previously approved entitlement for a 68-unit residential project. The modification includes changes to the architecture and amenity areas as approved by the Planning Commission on November , 2024. The previous Conditions of Approval for Design Review No. 21-046 are hereby repealed and substituted for the conditions herein.
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.
3. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.



4. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

In the event of any such third-party action or proceeding, the City shall have the right to retain legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

5. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections No. 30-23 of the Municipal Code.
6. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval. Changes made without approval as stated herein, will



prevent the occupancy of the structure until corrections are approved in writing by all appropriate staff.

7. The Director of Planning, or his/her designee, shall have the authority for minor architectural changes focusing on items such as window treatments, color combinations, façade treatments, and architectural relief. Questions on the interpretation of this provision or changes not clearly within the scope of this provision shall be submitted to the Planning Commission for consideration under a Revision to the Design Review.
8. Any foam treatment used for architecture treatments and/or projections located on the first floor (under 14 feet) shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of Planning.
9. If solar panel systems are installed on the roof of any residential structure, the installation shall be on top or above the approved roof tile. If a solar panel system is flush-mounted to the roof, matching roof tiles shall be replaced immediately upon removal of the solar panels.
10. The developer shall provide clustered and/or individual mail box(es) for the delivery of mail to future residents of the development in a convenient location and is well-lit. The mail box shall not block the line of sight. The mail boxes shall be made of durable material and shall be installed in a manner that is resistant to vandalism and meets the requirements of the Post Office. The developer is responsible for contacting the Post Office for the type and location of the mail boxes within their development. Any replacements of the mail boxes subsequent to the original installation shall be the responsibility of the developer, each individual homeowner and/or the homeowners association, and the Post Office.
11. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00am to 6:00pm on weekdays, 8:00am to 5:00pm on Saturdays, and no construction on Sundays and Holidays.
12. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign from the project site. The applicant may request a refund of the \$300 sign deposit. The request shall be submitted to the Planning Department.
13. Historic Archaeological Resources
  - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist



and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

- B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
- C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

14. The construction contractor will use the following source controls at all times:

- A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(7) of the Municipal Code.
- B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
- D. Have only necessary equipment onsite.
- E. Use manually adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
  - 1. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - 2. Temporarily enclose localized and stationary noise sources.



15. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
16. The occupants of this facility shall comply with applicable provisions of local, state and federal laws and regulations with respect to noise, vibration, smoke, odors, fire and explosive hazards, including, but not limited to the City's adopted Hazardous Materials Management Plan and Industrial Wastewater/Discharge requirements.
17. All future monument signs shall be reviewed under a separate Design Review Sign application.
18. All built in gas barbeques shall be installed with safety locks to the satisfaction of the Director of Planning.
19. The current Development fees must be paid prior to issuance of building/construction permits.
20. Graffiti and unauthorized markings on any wall, sign, or structure must be removed within twenty-four (24) hours.
21. All landscaping must be adequately maintained at all times.
22. All masonry block walls shall be a minimum of six (6) ft. tall with a prefabricated cap when fronting the public right of way.
23. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
24. All unit garage doors shall include vertical or horizontal windows.
25. Adequate visual screening shall be provided adjacent to the interior lots of the project site and shall be provided by the developer. Screening shall be provided by a combination of trees, block wall or screening methods to the satisfaction of the Director of Planning.
26. The number of outdoor benches shall match the same amount as approved for DRP21-43.

*Prior To Building Permit Issuance*

27. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building or grading plans prior to issuance of any building or grading permits.



28. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
29. The applicant shall post the most recent City of Fontana General Plan map, size 24-inches by 36-inches, in all offices selling new homes in the subdivision, whether on-site or remote. The project site/tract boundary shall be clearly delineated on the General Plan map. Additionally, a 24-inch by 36-inch map showing the school district boundaries (for all districts in the City) shall be displayed. The General Plan information and school district boundaries may be included on the same map. The maps shall be clearly and prominently displayed and be visible to all persons entering the sales office.
30. The applicant and/or property owner shall file a petition with the Fontana City Council requesting police enforcement of the California Vehicle Code and the Fontana Municipal Code on the private streets of the development while the development is under a single ownership, or prior to Certificate of Occupancy of any dwelling unit.
31. If a digital video surveillance system is available at the premise, it is recommended to be an internet-based system and shall be maintained in proper working order at all times. The surveillance video/visual media shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours.
32. A locator map or directory should be posted at the site entrances. The directory should be located on the site so as to be easily and quickly identified and free from visual obstruction. The directory should be illuminated from dusk until dawn. The directory should have vandal resistant glazing to minimize criminal damage and the structure should be weather resistant.
33. Adhere to the city light standard of one foot candle minimum of light for all entrances, exits, pedestrian walkways, parking lots and activity areas. Reflect all light fixtures on the site plan. The type of illumination shall be either florescent, metal halide or white L.E.D.'s., and the luminaries shall be vandal resistant. All luminaries shall remain lit from dusk until dawn. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
34. The applicant/developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program as approved by the City Council on October 25, 2022.

**BUILDING AND SAFETY DIVISION:**



35. Shall comply with the latest adopted edition of the following codes as applicable:
  - A. California Building Code
  - B. California Residential Code
  - C. California Electrical Code
  - D. California Mechanical Code
  - E. California Plumbing Code
  - F. California Energy Code
  - G. California Fire Code
  - H. California Green Building Standards Code
36. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
37. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
38. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.
39. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
40. The applicant shall comply with the following grading requirements:
  - A. Grading plans shall be submitted to, and approved by Building & Safety. The grading plans shall indicate all site improvements, and shall indicate complete drainage paths of all drainage water run-offs.
  - B. All drainage water shall drain via approved methods, to an approved location – public street, public drainage system, etc.
  - C. Drainage water shall not cross over a public sidewalk. Drainage water may however cross under a sidewalk if an approved drainage structure is used.
  - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
  - E. No water course or natural drainage shall be obstructed.
  - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
  - G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete



swale to slag or dirt swale) unless otherwise approved by the Building Official.

- H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to, and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

- I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
  2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
  3. All proposed drainage structures; and
  4. Any proposed and/or required walls or fencing.

41. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

***PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS***

42. The following items shall be completed and/or submitted to Building & Safety – as applicable – prior to the issuance of building permits for this project:
- A. Precise grading plans shall be approved
  - B. Rough grading completed
  - C. Compaction certification
  - D. Pad elevation certification
  - E. Rough grade inspection signed off by a City Building Inspector

**ENGINEERING:**

43. All Conditions of Approval issued to the project no. MCN22-000120-R2 shall apply.
44. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
45. The project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line



shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.

46. The Applicant shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
47. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

*PRIOR TO ISSUANCE OF GRADING PERMIT*

48. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.
49. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

*PRIOR TO MAP RECORDATION*

50. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.

*PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS*

51. The Applicant shall record all map's, easements, reciprocal access agreement as required for the development.
52. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

*PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY*

53. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
54. Slurry seal roads effected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing



striping/pavement markings that conflicts with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.

55. The Applicant/Engineer shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
56. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
57. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
58. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
59. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
60. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practices transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

**SAN BERNARDINO COUNTY FIRE DEPARTMENT:**

61. *Jurisdiction.* The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
62. *Fire Access Road Width.* Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by



the Fire Department. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.

63. *Turnaround.* An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.
64. *Street Signs.* Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.
65. *Fire Lanes.* The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.
66. *Water System Commercial.* Prior to map recordation, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.

The Fire Flow for this project shall be: 1500 GPM for a two hour duration at 20 psi residual operating pressure. Fire Flow is based on a 13,500 Square Foot structure.

67. *Hydrant Marking.* Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
68. *Water System Certification.* The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.



69. *Combustible Protection.* Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.
70. *Fire Sprinkler-NFPA #13R.* An automatic fire sprinkler system complying with NFPA 13R and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans with hydraulic calculations and manufacturer specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-3
71. *Fire Alarm, Waterflow Monitoring.* A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.
72. *Fire Extinguishers.* Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.
73. *Commercial Addressing.* Commercial, industrial, and multi-family developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (8) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1
74. *Illuminated Site Diagram.* The applicant shall submit for review and approval a site diagram plan to the Fire Department. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant. California Fire Code Chapter 5 & SBCoFD Standard B-1
75. *Key Box.* An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4
76. *Security Gates.* In commercial, industrial, and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3



77. *Secondary Access.* The development shall have a minimum of two points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1
78. *Spark Arrestor.* An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with Fire Department requirements. California Fire Code Chapter 6.

**END OF CONDITIONS OF APPROVAL**



## **NOTICE OF DETERMINATION**

**TO:** X County Clerk, County of  
San Bernardino  
  
\_\_\_\_ Office of Planning and Research

**FROM:** City of Fontana  
Planning Department  
8353 Sierra Avenue  
Fontana, CA 92335

**SUBJECT:** Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.

**Project Title:** Master Case No. 21-120-R2, Design Review (DRP) No. 21-043-R2

**State Clearinghouse Number:** N/A

**Name of Person or Agency carrying out project:** Alejandro Rico – Associate Planner. City of Fontana (Lead Agency) 8353 Sierra Avenue, Fontana, CA 92335.

**Project Location:** The project site is located near the corner or Highland Avenue and Citrus at 6697 Citrus Avenue (APN: 0240-011-17)

**Project Description:** Master Case No. 21-120-R2, Design Review No. 21-043-R2 - A request to modify previously approved architectural elevations for a 68-unit multi-family condominium project on a vacant lot totaling approximately 4.6 acres.

**Project Proponent & Address:** D.R. Horton – 2280 Wardlow Cir, Ste 100, Corona, CA 92878.

**Contact Name & Phone:** Megan Whieldon, 951-739-5485

This is to certify that on July 16, 2024, the Planning Commission of the City of Fontana approved the above-described project along with the previously adopted Initial Study/Mitigated Negative Declaration, and made the following determinations:

1. The project \_\_\_\_ will X will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
3. Mitigation measures X were \_\_\_\_ were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations \_\_\_\_ was X was not adopted for this project.
5. Findings \_\_\_\_ were X were not made pursuant to the provisions of CEQA.
6. The location and custodian of the documents which comprise the record of proceedings for the Addendum are specified as follows:

**Custodian:** City of Fontana, Planning Department  
**Location:** 8353 Sierra Avenue, Fontana, CA 92335

\_\_\_\_\_  
Rina Leung  
Senior Planner





FONTANA  
CALIFORNIA

## NOTICE OF PUBLIC HEARING

*SI DESEA INFORMACION EN ESPAÑOL REFERENTE A ESTA NOTIFICACION O PROYECTO, FAVOR DE COMUNICARSE AL (909) 350-6728.*

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Should you need special assistance to participate in this meeting, please contact the City Clerk's Department by calling (909) 350-7602. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE PLANNING COMMISSION OF THE CITY OF FONTANA FOR THE FOLLOWING:

### **Master Case (MCN) No. 21-120-R2, Design Review (DRP) No. 21-043-R2**

A request to modify the previously approved elevations for a 68-unit detached residential condominium project.

**Environmental  
Determination:**

On October 25, 2022 the City adopted an Initial Study/Mitigated Negative Declaration (IS/MND) for the previously approved project. Based on CEQA Sections 15162 through 15164, staff has determined that there will be no new impacts associated with this project, and that no previously reviewed impact areas have changed.

**Location of  
Property:**

6697 Citrus  
Avenue (APN:  
0240-011-17)

**Date of  
Hearing:**

July 16, 2024

**Place of Hearing:**

City Hall Council Chambers  
8353 Sierra Avenue  
Fontana, CA 92335

**Time of Hearing:**

6:00 P.M.



Should you have any questions concerning this project, please contact **Alejandro Rico, Associate Planner**, at (909) 350-6658 or by [arico@fontanaca.gov](mailto:arico@fontanaca.gov)





ANY INTERESTED PARTY MAY PROVIDE INFORMATION BY LETTER OR EMAIL WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION. PLEASE CONTACT THE PLANNER LISTED ABOVE.

IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.

Publish date: July 5, 2024





# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335

## Action Report

### Planning Commission

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**File #:** 21-3189  
**Agenda #:** DC-A

**Agenda Date:** 7/16/2024  
**Category:** Director Comments

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Director's Communications: Upcoming City Council and Planning Commission memos.





# MEMORANDUM

TO: Planning Commission

FROM: Patty Nevins, Director of Planning *ben of*

RE: Agenda for Upcoming City Council Items

DATE: July 16, 2024

The items listed below are for agenda forecast purposes and are subject to change.

<u>CITY COUNCIL JULY 23, 2024</u>	<u>PLANNER</u>	<u>PLACEMENT</u>
1. 2 <sup>nd</sup> Reading – Adoption of Ordinance No. 1954 MCN#24-044; MCA#24-003 Code Development Citywide	Salvador Quintanilla	Consent Calendar
2. MCN#22-008; GPA#22-012; SPA#24-001 ZCA#24-003 Walnut Village New Specific Plan	Cecily Session-Goins	Public Hearing

<u>CITY COUNCIL AUGUST 13, 2024</u>	<u>PLANNER</u>	<u>PLACEMENT</u>
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***Meeting has been Cancelled.***





**MEMORANDUM**

**TO:** Planning Commission  
**FROM:** Patty Nevins, Director of Planning *for PJ*  
**RE:** Agenda for Upcoming Planning Commission Items  
**DATE:** July 16, 2024

The items listed below are for agenda forecast purposes and are subject to change.

<u>PLANNING COMMISSION AUGUST 6, 2024</u>	<u>PLANNER</u>	<u>PLACEMENT</u>
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*No items listed as of the date of this memo.*

<u>PLANNING COMMISSION AUGUST 20, 2024</u>	<u>PLANNER</u>	<u>PLACEMENT</u>
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|--|----------------------|----------------|
| 1. MCN #22-011-R2; CUP #24-017A<br>Type 21 ABC License<br>SW Corner of Sierra Avenue and Baseline Avenue     | Cecily Session-Goins | Public Hearing |
| 2. MCN #23-012; ASP #23-005; CUP #23-001; VAR #24-001<br>Two New Auto Shop Buildings<br>15086 Foothill Blvd. | Alexia Barberena     | Public Hearing |