

# **City of Fontana**

8353 Sierra Avenue  
Fontana, CA 92335



## **Regular Agenda**

**Resolution PC No. 2021-035**

**Tuesday, September 21, 2021**

**6:00 PM**

**Grover W. Taylor Council Chambers**

## **Planning Commission**

*Cathline Fort, Chair*

*Raj Sangha, Vice Chair*

*Idilio Sanchez, Secretary*

*Matthew Gordon, Commissioner*

*Ralph Thrasher, Commissioner*

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

Welcome to a meeting of the Fontana Planning Commission. A complete agenda packet is located in the binder on the table in the lobby of the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335. To address the Planning 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, the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335 is wheelchair accessible, and a portable microphone is available. 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 in the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335.

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número (909) 350-7602.

**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. Does any member of the public wish to address the Planning Commission regarding any item on the Consent Calendar before the vote is taken?

**A. Approval of Minutes**

Approval of Special City Council Meeting Minutes/Diversity Workshop of July 28, 2021 and the Regular Planning Commission Meeting Minutes of September 7, 2021.

**CC-A Approval of Minutes of July 28, 2021 and September 7, [21-908](#)**

2021.

**Attachments:** [July 28, 2021 - Draft Minutes of Special City Council Meeting/Diversity Workshop Training](#)  
[September 7, 2021 - Draft Minutes of Planning Commission](#)

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

## **PUBLIC HEARINGS:**

To comment on Public Hearing Items, you may submit comments via e-mail at [planningdivision@fontana.org](mailto:planningdivision@fontana.org). 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 (applicant not limited to 5 minutes)
- (e) oral - favor
- (f) oral - opposition
- (g) hearing closed

**PH-A Master Case No. 20-016R1; Tentative Parcel Map No. 20-003R1; Minor Use Permit No. 20-007; Administrative Site Plan No. 21-022; Administrative Site Plan No. 21-023 (Northgate Pads 1 & 2) - A request to approve a Tentative Parcel Map to revise previously approved TPM No. 20203 to now include four (4) separate parcels instead of the originally approved three (3) parcels; a Minor Use Permit for the drive-thru use of the Panda Express restaurant; and, an Administrative Site Plan for site and architectural review of a Panda Express drive-thru restaurant of approximately 2,382 square feet for Pad 2 of the Northgate project; and, an Administrative Site Plan for site and architectural review of a multi-tenant commercial building of approximately 6,690 square feet for Pad 1 of the Northgate project.**

**[21-825](#)**

### **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 PC No. 2021-\_\_\_\_; and,**

1. Find that the previously adopted Initial Study/Mitigated Negative Declaration for Master Case No. 20-016 approved by the City Council on October 27, 2020, has adequately identified the impacts associated with the project. No further review is required pursuant to Section 15162 of the California Environmental Quality Act and Section 6.22 of the 2019 Local Guidelines for Implementing CEQA, and direct staff to file a Notice of Determination; and,

2. Adopt a resolution approving Administrative Site Plan No. 21-022, approving Administrative Site Plan No. 21-023, approving Minor Use Permit No. 20-007, and approving the revision to Tentative Parcel Map No. 20203 (Tentative Parcel Map No. 20-003R1).

**APPLICANT:**

Sierra San Bernardino Partners, LLC, ATTN: Gavin Reid  
31791 Los Rios Street  
San Juan Capistrano, CA 92675

**LOCATION:**

The project site is located at 16826 and 16856 San Bernardino Avenue (0193-251-43, -44).

**PROJECT PLANNER:**

Alexia De La Torre, Assistant Planner

**Attachments:** [Attachment No. 1 - Site Plan](#)

[Attachment No. 2 - Elevations](#)

[Attachment No. 3 - Tentative Parcel Map No. 20203](#)

[Attachment No. 4 - Planning Commission Resolution Findings and Conditions of Approval](#)

[Attachment No. 5 - Notice of Determination](#)

[Attachment No. 6 - Public Hearing Notice](#)

**PH-B Master Case No. 21-029; Tentative Tract Map No. 20382 (TTM No. 21-003) for the consolidation of four (4) existing parcels into one (1) parcel for a condo map; and Design Review Project (DRP) No. 21-009 for the site and architectural review of a proposed 71-unit multi-family condo project along with associated improvements on a 3.76-acre site.**

**[21-899](#)**

**RECOMMENDATION:**

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff

recommends that the Planning Commission adopt Resolution PC No. 2021-\_\_\_\_; and,

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

2. Approve Tentative Tract Map No. 20382 (TTM No. 21-003) and,

3. Approve Design Review Project No. 21-009.

**APPLICANT:**

Daniel Ramirez and Jessica Thelwell  
1 Venture, Suite 130  
Irvine, CA 92618

**LOCATION:**

The project site is located at 13995 Foothill Boulevard, South of Foothill Boulevard and West of Banana Avenue (APNs: 0230-031-10, -11, -12, and -13).

**PROJECT PLANNER:**

Paul Gonzales, Senior Planner

**Attachments:** [Attachment No. 1 - Vicinity Map](#)

[Attachment No. 2 - Site Plan](#)

[Attachment No. 3 - Tentative Parcel Map No. 20382](#)

[Attachment No. 4 - Elevations Pt1](#)

[Attachment No. 5 - Elevations Pt2](#)

[Attachment No. 6 - Elevations Pt3](#)

[Attachment No. 7 - Renderings](#)

[Attachment No. 8 - Planning Commission Resolution Findings and Conditions of Approval](#)

[Attachment No. 9 - Notice of Exemption](#)

[Attachment No. 10 - 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. [21-909](#)

An update of future City Council agenda items for September 28, 2021, October 12, 2021, and October 26, 2021 for the Planning Commission's information.

An update of future Planning Commission agenda items for September 28, 2021, October 5, 2021, October 12, 2021, and October 19, 2021 for the Planning Commission's information.

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

## **COMMISSION COMMENTS:**

- A. Planning Commission Remarks:

## **WORKSHOP:**

- A. None

## **ADJOURNMENT:**

- A. Adjournment

Adjourn to a Joint City Council and Planning Commission Workshop on Tuesday, September 28, 2021 at 5:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California; then to the next Regular Planning Commission Meeting on Tuesday, October 5, 2021 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 #:** 21-908  
**Agenda #:** CC-A

**Agenda Date:** 9/21/2021  
**Category:** Consent Calendar

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**FROM:**  
Planning

**TITLE:**  
Approval of Minutes

**RECOMMENDATION:**

Approve the minutes of the Special City Council Meeting/Diversity Training Workshop of July 28, 2021, and Planning Commission Meeting of September 7, 2021.

**DISCUSSION:**

The Planning Commission will consider approval of the minutes of a Special City Council Meeting/Diversity Training Workshop of July 28, 2021 and minutes of a Regular Planning Commission meeting of September 7, 2021. 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  
Raj Sangha, Vice Chair  
Idilio Sanchez, Secretary  
Matthew Gordon, Commissioner  
Ralph Thrasher, Commissioner

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Wednesday, July 28, 2021

1:30 P.M.

Fontana Center Stage

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**CALL TO ORDER/ROLL CALL:**

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

A Special Meeting of the Planning Commission was held at the Fontana Center Stage, 8463 Sierra Avenue, Fontana, California on Wednesday, July 28, 2021 at 1:30 p.m. with all Commissioners present.

**Present:** Chair Cathline Fort, Vice Chair Raj Sangha, Secretary Idilio Sanchez; Commissioners Matthew Gordon and Ralph Thrasher

**PUBLIC COMMUNICATIONS:**

**A. Public Communications:**

No public communications were received.

**WORKSHOP:**

**A. Diversity, Inclusion, Equity and Biases Training – City Council, Commissions and City Staff Diversity Training.**

Laura Kalty with Liebert Cassidy Whitmore provided the presentation.



**ADJOURNMENT:**

The meeting adjourned at 4:00 p.m. to the next Regular Planning Commission Meeting on Tuesday, August 17, 2021 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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Maria Torres  
Administrative Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 21ST DAY OF SEPTEMBER 2021.**

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Cathline Fort  
Chair



## City of Fontana Planning Commission Minutes

Cathline Fort, Chair  
Raj Sangha, Vice Chair  
Idilio Sanchez, Secretary  
Matthew Gordon, Commissioner  
Ralph Thrasher, Commissioner

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**Tuesday, September 7, 2021      6:00 P.M.      Grover W. Taylor Council Chambers**

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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, September 7, 2021. Chair Fort called the meeting to order at 6:02 p.m.

**Present:** Chair Cathline Fort, Vice Chair Raj Sangha, Commissioner Matthew Gordon

**Absent:** Secretary Idilio Sanchez, Commissioner Ralph Thrasher

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

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

Following the Invocation by Commissioner Gordon, the Pledge of Allegiance was led by Vice Chair Sangha.

### **PUBLIC COMMUNICATIONS:**

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

None.

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

Approve the Regular Planning Commission Meeting Minutes of August 17, 2021.

**ACTION: A Motion was made by Commissioner Gordon, seconded by Vice Chair Sangha, and passed unanimously by a vote of 3-0 to approve the Consent Calendar. The motion carried by the following vote:**

**Aye:** Chairperson Fort, Vice Chair Sangha, and Commissioner Gordon

**Absent:** Secretary Sanchez, Commissioner Thrasher

**PUBLIC HEARINGS:**

**PH- A Master Case No. 21-049; Design Review Project No. 21-020 - A request to construct an approximately 210,355 square foot logistics and distribution facility on approximately 9.7-acres of land.**

Chairperson opened Public Hearing Item A

Alejandro Rico, Assistant Planner presented the staff report.

The commission discussed the property to the east of the proposed project site; the commission discussed access to the project site; and impacts to schools within the area.

The commission further discussed Electric Vehicle (EV) Charging Stations and Solar Panel requirements.

The commission inquired if the project site had adequate queuing for trucks; furthermore, parking requirements were discussed. In addition, the commission ensued a discussion regarding the color scheme of the project.

The applicant, Chad Manista, has read and agreed to the Conditions of Approval. In addition, the applicant discussed the contribution they made by providing over a million dollars in a sewer line from the east property to Catawba Avenue.

The commission further discussed the color scheme with the applicant.

The commission thanked the applicant for the night renderings and for bringing the project to the city.

The following individual spoke in support of the project:

Jacob Kleespies

The public hearing was closed.

**RECOMMENDATION:**

**Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2021-034; and,**

**1. Adopt the Addendum and Mitigation, Monitoring, and Reporting Program, (MMRP) to the SWIP PEIR (SCH NO. 2009091089) and direct staff to file a Notice of Determination; and,**

**2. Approve Design Review No. 21-020**

**ACTION: Motion was made by Commissioner Gordon, seconded by Vice Chair Sangha, and passed unanimously by a vote of 3-0 to adopt this Public Hearing. The motion carried by the following vote:**

**Aye:** Chairperson Fort, Vice Chair Sangha, and Commissioner Gordon

**Absent:** Secretary Sanchez, Commissioner Thrasher

**UNFINISHED BUSINESS:**

A. None

**NEW BUSINESS:**

A. None

**DIRECTOR COMMUNICATIONS:**

A. Director Communications:

No other communications were received.

**COMMISSION COMMENTS:**

A. Public Communication Remarks:

Commissioner Gordon thanked everyone who attended the meeting and stated that he listened to the comments made by the public speaker, who spoke on behalf of his members, and he also mentioned that he read the emails in support of the project. Furthermore, he stated that he agrees that these are high paying jobs that will provide the community members with employment opportunities in a location that makes sense. In addition, he thanked the police officers for their presence and for what they do for the community as a whole; he also asked that community servants and their families be kept in our thoughts and prayers.

Vice Chair Sangha thanked the staff for their staff report, and mentioned that although it was just one project, it was a well design project and at the correct site. He mentioned that this project met all requirements, and therefore it made it easy to make a decision. He thanked everyone watching from home and thanked everyone for the opportunity to serve.

Commissioner Fort echoed the sentiments from the other two commissioners and thanked those who spoke tonight. She further stated that although everyone that spoke tonight was for the project, the commission is appreciative when the members of the public come out to speak and take their time to participate in the process.

#### **WORKSHOP:**

##### **A. None**

#### **ADJOURNMENT:**

By consensus, the meeting adjourned at 6:27 p.m. to a Joint City Council and Planning Commission Workshop on Tuesday, September 14, 2021, at 5:00 p.m. in the Grover W. Taylor Council Chambers; then to the next Regular Planning Commission Meeting on Tuesday, September 21, 2021, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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Maria Torres  
Administrative Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION  
ON THE 21ST DAY OF SEPTEMBER 2021.**

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Cathline Fort  
Chair



# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335

## Action Report

### Planning Commission

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**File #:** 21-825  
**Agenda #:** PH-A

**Agenda Date:** 9/21/2021  
**Category:** Public Hearing

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**FROM:**  
Planning

**TITLE:**  
Tentative Parcel Map No. 20-003R1; Minor Use Permit No. 20-007; Administrative Site Plan No. 21-022; Administrative Site Plan No. 21-023 (Northgate Pads 1 & 2)

**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 PC No. 2021-\_\_\_\_; and,

1. Find that the previously adopted Initial Study/Mitigated Negative Declaration for Master Case No. 20-016 approved by the City Council on October 27, 2020, has adequately identified the impacts associated with the project. No further review is required pursuant to Section 15162 of the California Environmental Quality Act and Section 6.22 of the 2019 Local Guidelines for Implementing CEQA, and direct staff to file a Notice of Determination; and,
2. Adopt a resolution approving Administrative Site Plan No. 21-022, approving Administrative Site Plan No. 21-023, approving Minor Use Permit No. 20-007, and approving the revision to Tentative Parcel Map No. 20203 (Tentative Parcel Map No. 20-003R1).

**APPLICANT:**

Sierra San Bernardino Partners, LLC, ATTN: Gavin Reid  
31791 Los Rios Street  
San Juan Capistrano, CA 92675

**LOCATION:**

The project site is located at 16826 and 16856 San Bernardino Avenue (0193-251-43, -44).

**REQUEST:**

A request to approve the following:

1. TPM No. 20-003R1; to revise previously approved TPM No. 20203 to now include four (4) separate parcels instead of the originally approved three (3) parcels; and
2. MUP No. 20-007; for the drive-thru use of the Panda Express restaurant; and
3. ASP No. 21-022; site and architectural review of a Panda Express drive-thru restaurant of approximately 2,382 square feet for Pad 2 of the Northgate project; and
4. ASP No. 21-023; site and architectural review of a multi-tenant commercial building of approximately 6,690 square feet for Pad 1 of the Northgate project.

## PROJECT PLANNER:

Alexia De La Torre, Assistant Planner

### I. BACKGROUND INFORMATION:

- The project site was part of the original City of Fontana incorporation in 1952.
- On September 10, 2019, the City Council adopted the updated Zoning & Development Code that included all of the new Form Based Code (FBC) Standards and Districts.
- On September 15, 2020, the Planning Commission recommended approval for the following; (ZCA No. 20-005) a zone change in text relating to the Sierra Gateway District of the FBC changing the setbacks for drive-thru uses, open space and frontage coverage requirements for commercial shopping centers; TPM No. 20203 to subdivide two (2) lots into three (3); (CUP No. 20-010) a Type 21 ABC License to authorize the sale of beer, wine and distilled spirits for only the Northgate Market; (DRP No. 20-002) for the site and architectural review of a 57,274 square foot commercial shopping center to include a future drive-thru restaurant and two (2) additional pads for future retail and restaurant development.
- On October 27, 2020, the City Council approved the following; (ZCA No. 20-005) a zone change in text relating to the Sierra Gateway District of the FBC changing the setbacks for drive-thru uses, open space and frontage coverage requirements for commercial shopping centers; TPM No. 20203 to subdivide two (2) lots into three (3); (CUP No. 20-010) a Type 21 ABC License to authorize the sale of beer, wine and distilled spirits for only the Northgate Market; (DRP No. 20-002) for the site and architectural review of a 57,274 square foot commercial shopping center to include a future drive-thru restaurant and two (2) additional pads for future retail and restaurant development.

### II. PROJECT DESCRIPTION:

- A. Site Area:  
16826 and 16856 San Bernardino Avenue: Approximately 1.64 acres

B. Parcel Analysis:

<u>Development Standards</u>	<u>Required</u>	<u>Proposed</u>	<u>Meet Standard</u>
Parking	37	85	Yes
Max. Building Height	60 ft. Max.	32'	Yes
Minimum Lot Size	24,000 SF	Pad 1: 29,803 SF Pad 2: 41,490 SF	Yes
Front Setback	10' max or 25' max for drive-thru uses	Pad 1: 10' Pad 2: 25'	Yes
Private Open Space	5% of site, or may vary if the project is 100% commercial (Ordinance No. 1846)	5%	Yes

III. **ANALYSIS:**

**Administrative Site Plan No. 21-022 & Minor Use Permit 20-007, Pad 2:**

The applicant, Gavin Reid, is requesting that the Planning Commission to review and approve an administrative site plan request for the site layout and architecture for a new drive-thru restaurant on Pad No. 2 for a proposed 2,382 square foot Panda Express. Along with a minor use permit request to allow for the drive-thru use as conditioned in Exhibit "D". The site is located within the commercial center of the previously approved Northgate Gonzalez Market. As part of the original conditions of approval for the Northgate Market shopping center, a condition was added requiring all proposed entitlements be reviewed by the Planning Commission for approval. This included entitlements for Pad Nos. 1, 2, & 3 to be reviewed and approved by the Planning Commission. Pad No. 3 is not included in this application but will be presented to the Planning Commission at a later time. All parking standards for the restaurant have been met or exceeded for this project.

As previously mentioned, a Spanish themed architecture was proposed and approved as the prominent theme for the Northgate Market and shopping center. The proposed architecture is consistent with the Form Base Code which the site is located within and is consistent with the goals and policies of the General Plan and applicable provisions of the zoning district. Specifically, the project is consistent with Goal 5.3, Policy 5: (Community Design Element) which states buildings "shall incorporate distinct and varied architectural details through varied rooflines and detailed façade treatments". The proposed Panda Express will also continue the Spanish themed architecture. The applicant has worked diligently with staff to create a design for Panda Express that represents the company's image, while also incorporating Spanish architecture into the design. Spanish tiles and arches were designed into the building to compliment the sit-down restaurant and site. The applicant also worked with staff to incorporate site details that will beautify and enhance the overall aesthetics of the site that include decorative paving along the patio area, decorative lighting, extra landscape, and pedestrian bollard lighting.

**Administrative Site Plan No. 21-023, Pad No. 1:**

The applicant is also requesting that the Planning Commission review and approve an administrative site plan request for the site layout and architecture of a commercial multi-tenant building on Pad No. 1. The proposed multi-tenant building, if approved, would total approximately 6,690 square feet. The parking for Pad No. 1 will meet or exceed the required parking standards for the zoning area.

As mentioned previously, a Spanish style architecture was selected as the prominent theme for the Northgate Gonzalez Market and shopping center. The proposed architecture is consistent with the Form Base Code and Goal 5.3, Policy 5: (Community Design Element) which states buildings "shall incorporate distinct and varied architectural details through varied rooflines and detailed façade treatments". The applicant has worked with staff to incorporate site details that will beautify and enhance the overall aesthetics of the site. Examples include decorative paving along the patio area, decorative lighting, extra landscape, and pedestrian bollard lighting. No future tenant has been proposed at this time for the building.

**Tentative Parcel Map No. 20203 (TPM No. 20-003R1):**

Tentative Parcel Map No. 20203 was previously approved by the City Council on October 27, 2020. The approval was to subdivide two (2) parcels into three (3) parcels for the purpose of developing a commercial shopping center. The total site is approximately 7.04 adjusted gross acres. The applicant



is proposing to modify the original approval and now subdivide the two (2) parcels into four (4) parcels. The lots, as proposed, comply with the City's Municipal Code (Chapter 30). There are two (2) proposed points of access, and one (1) near the southwest corner of the project site on San Bernardino Avenue, and one (1) near the northeast end of the site on Sierra Avenue.

**MOTION:**

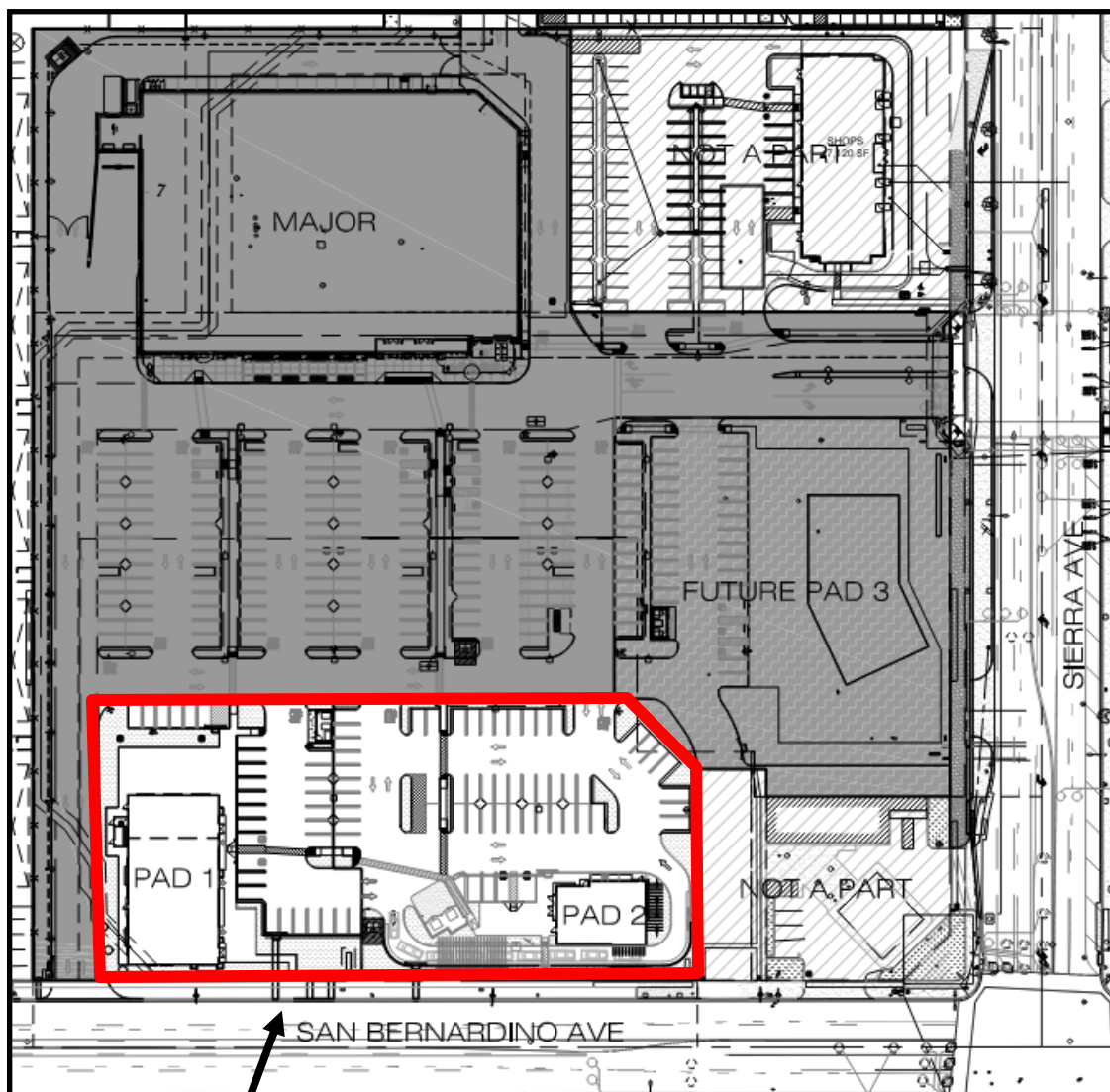
Approve staff recommendation.

**ATTACHMENTS:**

1. Site plan
2. Elevations
3. Tentative Parcel Map No. 20203
4. Resolution and Conditions of Approval
5. Notice of Determination
6. Notice of Public Hearing

**UNDER SEPARATE COVER:**

1. Full size plans
2. Reduced color plans



Project Site



# Site Plan

DATE: September 21, 2021

CASE: Master Case No. 20-016R1

Administrative Site Plan No. 21-022

Administrative Site Plan No. 21-023

Minor Use Permit No. 20-007

Tentative Parcel Map No. 20-003R1



# Elevations

DATE: September 21, 2021

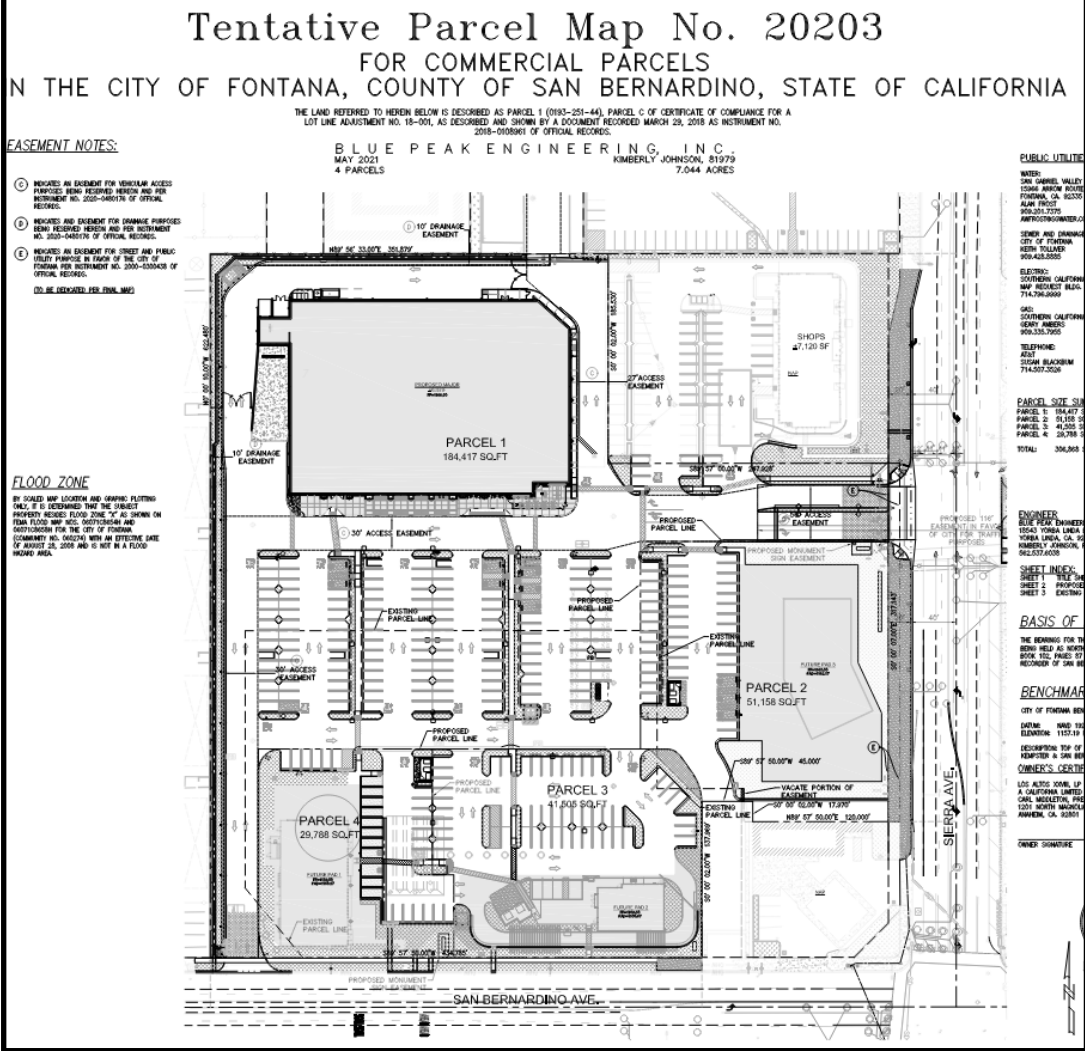
CASE: Master Case No. 20-016R1

Administrative Site Plan No. 21-022

Administrative Site Plan No. 21-023

Minor Use Permit No. 20-007

Tentative Parcel Map No. 20-003R1



CITY OF FONTANA PLANNING DEPARTMENT

**Tentative Parcel Map  
No. 20203**

**DATE:** September 21, 2021

**CASE:** Master Case No. 20-016R1

Administrative Site Plan No. 21-022

Administrative Site Plan No. 21-023

Minor Use Permit No. 20-007

Tentative Parcel Map No. 20-003R1

## RESOLUTION PC NO. 2021-

**A RESOLUTION OF THE PLANNING COMMISSION FINDING THAT THE PREVIOUSLY ADOPTED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR MASTER CASE NO. 20-016 APPROVED BY THE CITY COUNCIL OCTOBER 27, 2020 HAS ADEQUATELY IDENTIFIED THE IMPACTS AND NO FURTHER REVIEW IS REQUIRED AND DIRECT STAFF TO FILE A NOTICE OF DETERMINATION, APPROVING ADMINISTRATIVE SITE PLAN NO. 21-023 FOR PAD NO. 1 FOR A NEW 6,690 SQUARE FOOT MULTI-TENANT BUILDING, APPROVING ADMINISTRATIVE SITE PLAN NO. 21-022 FOR PAD NO. 2 FOR A NEW 2,382 SQUARE FOOT DRIVE THRU RESTAURANT, APPROVING MINOR USE PERMIT NO. 20-007 FOR PAD 2 FOR THE DRIVE-THRU USE , AND APPROVING TENTATIVE PARCEL MAP (TPM) NO. 20203 (TPM 20-003R1) TO REVISE PREVIOUSLY APPROVED TPM NO, 20203 (TPM 20-003) TO NOW INCLUDE FOUR (4) PARCELS INSTEAD OF THE ORIGINALLY APPROVED THREE (3) PARCELS ON A 1.64 ACRE SITE LOCATED AT 16826 AND 16856 SAN BERNARDINO AVENUE (APN: 0193-251-43, -44).**

**WHEREAS**, the City of Fontana received an application on April 29, 2021, for a Tentative Parcel Map revision, Minor Use Permit, Administrative Site plans for the request to revise previously approved Tentative Parcel Map 20203 to now include four (4) parcels, and for the site and architectural review of a new 6,690 square foot multi-tenant building, and a new 2,382 square foot drive-thru restaurant.

**Project Applicant:** Sierra San Bernardino Partners, LLC, ATTN: Gavin Reid  
31791 Los Rios Street  
San Juan Capistrano, CA 92675

**Project Location:** 16826 and 16856 San Bernardino Avenue (APN: 0193-251-43, -44).

**Site Area:** 1.64 adjusted gross acres

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

**WHEREAS**, the proposal is to revise previously approved Tentative Parcel Map No. 20203 to now include four (4) parcels instead of the original three (3) parcels, approve Minor Use Permit No. 20-007 to allow for the drive-thru use on Pad 2, approve Administrative Site Plan No. 21-022 for the site and architectural review of a new 2,382 square foot drive-thru restaurant on Pad No. 2, and approve Administrative Site Plan No. 21-023 for the site and architectural review of a new 6,690 square foot multi-tenant building on Pad No. 1; 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 attached hereto as **Exhibit “A”** for Tentative Parcel map No. 20203 (TPM No. 20-003R1), **Exhibit “B”** for Administrative Site Plan No. 21-022, **Exhibit “C”** for Administrative Site Plan No. 21-023, **Exhibit “D”** for Minor Use Permit 20-007; and

**WHEREAS**, the subject site, approximately 1.64 adjusted gross acres, was part of the original City incorporation in 1952; and

**WHEREAS**, pursuant to the Zoning and Development Code, when multiple entitlements are processed concurrently, if anyone of the entitlements require Planning Commission approval, all entitlements for the project shall be heard by the Planning Commission; and

**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; and a notice of the public hearing was published in the local Fontana Herald newspaper on September 10<sup>th</sup>, 2021, posted at City Hall, and on site at the project site; and

**WHEREAS**, a Notice of Determination has been prepared for this project pursuant Section 15162 (Form-J) of the California Environmental Quality Act and Section 6.22 of the 2019 Local Guidelines for Implementing CEQA; and

**WHEREAS**, on September 21, 2021, a duly noticed public hearing on Administrative Site Plan No. 21-022, Administrative Site Plan No. 21-023, Minor Use Permit No. 20-007, and Tentative Parcel Map No. 20203 (TPM No. 20-003R1) was held by the Planning 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 of the information, evidence, and testimony presented at its public hearing on September 21, 2021; 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 incorporated herein by reference.

**Section 2.** The City of Fontana’s, Planning Commission hereby makes the following findings for Administrative Site Plan No. 21-022 in accordance with Section No. 30-81 “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.**

**Findings of Fact:**    The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code. The General Plan encourages a variety of development including neighborhood service commercial retail centers pursuant to the City of Fontana's General Plan and Zoning and Development Code.

The proposed project is a request for a new 2,382 square foot drive-thru restaurant as part of the previously approved Northgate Market shopping center. In addition to the Northgate Market, there are three (3) remaining pads. This request is for Pad 2 for a proposed Panda Express drive-thru restaurant. This project meets or exceeds the criteria contained in the Administrative Site plan section of the Zoning and Development Code and the requirements of the Form Base Code zoning designation.

**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.**

**Findings of Fact:**    The project as identified and referenced in Finding No. 1 will promote the public health, safety, and welfare of the occupants and the community. The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code.

The applicant has worked diligently with staff to incorporate site details that will beautify and enhance the overall aesthetics of the site and exceed the criteria within the Form Base Code. Examples include excellent Spanish architecture, decorative paving at the patio areas, decorative fencing, and lighting, and porte cochere's. The applicant is also providing 85 parking spaces while the Form Base Code only required 37 parking spaces. The project will promote the public health, safety, and welfare of the occupants and the community.

**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.**

**Findings of Fact:** The proposed project as identified and referenced in Finding No. 1 is consistent with the Zoning and Development Code. The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code.

The project site which is approximately 1.64 acres is physically suited in size and shape to support the development of Pads 1 & 2 of the Northgate Market shopping center. The proposed project is aesthetically and architecturally pleasing and compatible with the neighborhood. The applicant is proposing a Panda Express drive-thru building that represents their corporate branding while also using architectural details to compliment the prominent Spanish architectural style used throughout the shopping center. The applicable building codes, zoning codes, and fire codes and standards will make for a safe, attractive, and well-designed project. As proposed, the project is consistent with the Zoning and Development Code.

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

**Findings of Fact:** The proposed development as referenced in Finding No. 1 will result in appropriate improvements, not only for the project site, but the surrounding area as well. Project features include sidewalks, drainage, grading, and perimeter and privacy walls and fencing to provide a safe and well-designed neighborhood. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety. As referenced in Finding No. 1 through Finding No. 3, above, this project meets and exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

**Section 3.** The City of Fontana's, Planning Commission hereby makes the following findings for Administrative Site Plan No. 21-023 in accordance with Section No. 30-81 "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.**

**Findings of Fact:** The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code. The General Plan encourages a variety of development including neighborhood service commercial retail centers pursuant to the City of Fontana's General Plan and Zoning and Development



Code.

The proposed project is a request for a new 6,690 square foot multi-tenant building as part of the previously approved Northgate Market shopping center. In addition to the Northgate Market, there are three (3) remaining pads. This request is for Pad 1 for a proposed multi-tenant building. This project meets or exceeds the criteria contained in the Administrative Site plan section of the Zoning and Development Code and the requirements of the Form Base Code zoning designation.

**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.**

**Findings of Fact:** The proposed project as identified and referenced in Finding No. 1 will promote the public health, safety, and welfare of the occupants and the community. The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code.

The applicant has worked diligently with staff to incorporate site details that will beautify and enhance the overall aesthetics of the site and exceed the criteria within the Form Base Code. Examples include excellent Spanish architecture, decorative paving at the patio areas, decorative fencing, and lighting, and porte cochere's. The applicant is also providing 85 parking spaces while the Form Base Code only required 37 parking spaces. The project will promote the public health, safety, and welfare of the occupants and the community.

**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.**

**Findings of Fact:** As proposed project as identified and referenced in Finding No. 1 is consistent with the Zoning and Development Code. The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code.

The project site which is approximately 1.64 acres is physically suited in size and shape to support the development of Pads 1 & 2 of the Northgate Market shopping center. The proposed project has been determined to be aesthetically and architecturally pleasing and

compatible with the neighborhood. The applicant used the prominent Spanish architectural style used throughout the shopping center. The applicable building codes, zoning codes, and fire codes and standards will make for a safe, attractive, and well-designed project. As proposed, the project is consistent with the Zoning and Development Code.

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

**Findings of Fact:** The proposed development as identified and referenced in Finding No. 1 will result in appropriate improvements, not only for the project site, but the surrounding area as well. Project features include sidewalks, drainage, grading, and perimeter and privacy walls and fencing to provide a safe and well-designed neighborhood. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety. As referenced in Finding No. 1 through Finding No. 3, above, this warehouse project meets and exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

**Section 4.** The City of Fontana's, Planning Commission hereby makes the following findings for Minor Use Permit No. 20-007 in accordance with Section No. 30-178 "Findings for approval" of the Fontana Zoning and Development Code:

**Finding No. 1: 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.**

**Findings of Fact:** The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code. The proposed project is a request for a new 2,382 square foot drive-thru restaurant as part of the previously approved Northgate Market shopping center. In addition to the Northgate Market, there are three (3) remaining pads. This request is for Pad 2 for a proposed Panda Express drive-thru restaurant. The proposed drive-thru restaurant is an allowed use with the approval of a Minor Use Permit within the Sierra Gateway District of the Form Base Code. The use requires a Minor Use Permit to add conditions that reduce potential traffic conflicts and improve the operation of drive-thru restaurants. The use complies with Zoning and Development Code and complies with

all other applicable provisions of the Zoning and Development Code, Municipal Code, General Plan, and the Form Base Code. The applicant work with staff to design a drive-thru restaurant that functions safely.

**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.**

Findings of Fact:      The proposed project site as identified and referenced in Finding No. 1 is physically suited in its size and shape for this proposed shopping center. The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code. The proposed project is a request for a new 2,382 square foot drive-thru restaurant as part of the previously approved Northgate Market shopping center. The site is physically suited in its size and shape for this type of use and meets all building codes, zoning codes, and fire codes.

**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.**

Findings of Fact:      The proposed project is a request for a new 2,382 square foot drive-thru restaurant as part of the previously approved Northgate Market shopping center. The project site is located North of San Bernardino Avenue and west of Sierra Avenue. The project site has a General Plan land use designation of Walkable Mixed Use (WMXU-1). The project site is located within the Sierra Gateway zoning designation of the Form Base Code.

The applicant worked with staff to design a drive-thru restaurant that would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity. Staff has prepared a set of conditions to ensure that the drive-thru functions safely and conveniently.

**Section 5.** The City of Fontana's, Planning Commission hereby makes the following findings for Tentative Parcel Map No. TPM 20203 (TPM No. 20-003R1) in accordance with Section No. 26-218 (d) "Findings for approval" of the Fontana Zoning and Development Code:

**Finding No. 1:**      **The proposed map is consistent with the City's General Plan and any applicable specific plan.**

**Findings of Fact:** The originally approved Tentative Parcel Map was to subdivide an existing (2) parcels into three (3) parcels. The applicant is now requesting to revise that Tentative Parcel Map to now include four (4) parcels for the construction of the Northgate Market, Pad 1 for the multi-tenant building, Pad 2 for the Panda Express drive-thru restaurant, and for a future tenant on Pad 3. Tentative Parcel Map No. 20203 is consistent with the General Plan Land Use Designation for the project site of Walkable Mixed Use (WMXU-1). The WMXU-1 designation is intended to provide for the creation of areas that allow residents and visitors to walk, bike and take transit to other uses for work, study, shopping, entertainment, recreation, and civic uses within walking distance of public transit stops and neighborhood shopping areas.

**Finding No. 2:** **The design or improvements of the proposed subdivision are consistent with the general plan and any applicable specific plan.**

**Findings of Fact:** The proposed Tentative Parcel Map design as identified and referenced in Finding No. 1 is consistent with the General plan. This project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as all of the zoning requirements. Improvements consist of public sewer, public storm drain, streets, gutter, sidewalks, drainage, and grading to provide a safe and well-designed project for the area.

**Finding No. 3:** **The site is physically suitable for the type and density of the development.**

**Findings of Fact:** The proposed project site as identified and referenced in Finding No. 1, is of an adequate size to accommodate the development referenced herein. The existing topography of the site is relatively flat, and development of the site will not require setback variance; therefore, the site is suitable for this type of development. The lot size is consistent with surrounding commercial developments.

**Finding No. 4:** **The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.**

**Findings of Fact:** The design of Tentative Parcel Map No. 20203 is not likely to cause substantial environmental damage or substantially and unavoidable injure fish or wildlife or their habitat. The project will not have a significant effect on the environment with mitigation as a result of project implementation. The previously adopted Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program anticipated this project and adequately identified any potential impacts associated with the project. The previously adopted Initial Study/Mitigated Negative Declaration and the

Mitigation Monitoring and Reporting Program has been prepared and made a part of the environmental documentation and Conditions of Approval for this project.

**Finding No. 5: The design of the subdivision or type of improvements will not cause serious public health problems.**

Findings of Fact: The proposed design of Tentative Parcel Map 20203 as identified and referenced in Finding No. 1 will not cause public health problems. The proposed development complies with the Zoning and Development Code and the General Plan. Improvements include connect to public sewer, connection to public storm drain, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project shall promote the public health, safety, and welfare of the surrounding community.

**Finding No. 6: That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

Findings of Fact: The design of Tentative Parcel Map No. 20203 and public improvements will not conflict with access easements acquired by the public. The proposed lot is accessed from Sierra Avenue and San Bernardino Avenue, which are publicly maintained streets. Currently there are no other public access easements through or within the proposed project site.

**Section 6.** Based on the foregoing, the City of Fontana Planning Commission hereby finds that the previously adopted Initial Study/Mitigated Negative Declaration has adequately identified the impacts associated with the project pursuant to Section 15162 of the California Environmental Quality Act and Section 6.22 of the 2019 Local Guidelines for Implementing CEQA, and directs staff to file a Notice of Determination, approve Tentative Parcel Map No. 20203 (TPM No. 20-003R1), approve Minor Use Permit 20-007, approve Administrative Site Plan No. 21-022, and approve Administrative Site Plan 21-023 subject to the conditions of approval as shown in the attached **Exhibits “A” through “D”** for the construction of both Pads 1 & 2 of the Northgate Market shopping center on property designated as APN:0193-251-43, -44.

**Section 7.** **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– Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

**Section 8.** 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 September 2021.

**City of Fontana**

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Cathline Fort, Chairperson

**ATTEST:**

I, Idilio Sanchez, 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 September, 2021, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Idilio Sanchez, Secretary

**EXHIBIT "A"**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. (MCN) 20-016R1  
Tentative Parcel Map No. 20203  
(TPM No. 20-003R1)

September 21, 2021

**LOCATION:** 16826 and 16856 San Bernardino Avenue (0193-251-43, -44)

**PLANNING DEPARTMENT:**

1. This approval is for Tentative Parcel Map No. 20203 (TPM No. 20-003R1), is a request to revise previously approved TPM No. 20-003 to now subdivide the existing two (2) parcels into four (4) parcels on approximately 7.04 adjusted gross acres, as approved by the Planning Commission on September 21, 2021.
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 (C of O) or other document evidencing the City's final inspection and acceptance of the work.
  - b. All requirements of the Fontana Municipal Code shall be complied with.
  - c. All other Conditions of Approval imposed by this project have been fulfilled.
3. 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 Section No. 30-30 and Section No. 30-31 of the Municipal Code.

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 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.

5. This Tentative Parcel Map No. 20203 shall become null and void two (2) years from the original date of approval on October 27, 2020, 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.
6. 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.
7. The construction contractor shall 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:
- f. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
- g. Temporarily enclose localized and stationary noise sources.
- h. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

#### 8. 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.
9. The applicant/developer shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.

**ENGINEERING DEPARTMENT:**

10. 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.
11. 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.
12. It is the applicant's responsibility to maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.

***PRIOR TO ISSUANCE OF GRADING PERMIT***

13. 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.

***PRIOR TO MAP RECORDATION***

14. A Security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.

*PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS*

15. Record any maps, lot line adjustments, right-of-way dedication or easements required for the development.
16. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.

*PRIOR TO ISSUANCE OF OCCUPANCY*

17. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
18. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.
19. 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).

*PRIOR TO FINAL ACCEPTANCE OF PROJECT*

20. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
21. The applicant shall design and construct the traffic signal, intersection improvements and related signing and striping at the Sierra Avenue project driveway intersection to the satisfaction of the City Engineer.
22. The applicant shall design and construct a right turn pocket for Sierra Avenue in the southbound direction at the proposed project entrance to the satisfaction of the City Engineer.
23. The applicant shall be responsible for the removal and replacement of improvements to the east side of sierra avenue to accommodate the new traffic signal and work with the property owner to obtain a Temporary Construction easement and maintenance easement.

**FONTANA FIRE PREVENTION DISTRICT:**

24. **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.

25. **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 sec 503, SBCFD Standard 503.1
  26. **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 sec 503, SBCFD Standard 503.1
  27. **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 sec. 505, SBCFD Standard 505.1
  28. **Fire Lanes.** The applicant shall submit on a site plan to the Fire Department for review and approval 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. SBCFD Standard 501.
  29. **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 B 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 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 sec 508, SBCFD Standard 508.1
- The Fire Flow for this project shall be: **1500 GPM for a 2-hour duration at 20 psi** residual operating pressure. Fire Flow is based on a **6,870**.sq.ft. structure.
30. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.

31. **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.
32. **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 sec 508, SBCFD Standard 508.1
33. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. SBCFD Standard 903.
34. **Hood and Duct Extinguishing system.** An automatic hood and duct fire extinguishing system is required. A licensed contractor shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code sec. 904.
35. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
36. **Fire Alarm, Manual or Automatic.** A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA 72 and all applicable codes is required. 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 sec. 907, SBCFD Standard 907 FA-E.
37. **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 sec. 907, SBCFD Standard 907 FA-M.
38. **Commercial Addressing.** Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) 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. SBCFD Standard 505.1

39. **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. SBCFD Standard 505.1
40. **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. SBCFD Standard 506
41. **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. SBCFD Standard 503.1.2

**END OF CONDITIONS**

**EXHIBIT “B”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. (MCN) 20-016R1  
Administrative Site Plan No. 21-022

September 21, 2021

**LOCATION:** 16826 and 16856 San Bernardino Avenue (0193-251-43, -44)

**PLANNING DEPARTMENT:**

1. This approval is for Administrative Site Plan No. 21-022, for site and architectural review of a 2,382 square foot drive-thru restaurant, as approved by the Planning Commission on September 21, 2021.
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 (C of O) or other document evidencing the City's final inspection and acceptance of the work.
  - b. All requirements of the Fontana Municipal Code shall be complied with.
  - c. All other Conditions of Approval imposed by this project have been fulfilled.
3. 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 Section No. 30-30 and Section No. 30-31 of the Municipal Code.
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 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.

5. This Administrative Site Plan 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.
6. 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.
7. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
8. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
9. Two (2) short-term bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.



10. 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 the Planning Department.
11. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.
12. The trash enclosure(s) shall be constructed with eight (8) inch wide by three (3) inch high P.C.C. curb for backstop. All trash enclosures shall be provided with a solid decorative cover.
13. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
14. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in a commercial/retail parking facility, except for disabled persons parking, van pool, car pool, or any other designated parking as required by law.
15. The construction contractor shall 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:
  - f. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - g. Temporarily enclose localized and stationary noise sources.

- h. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
- 16. All signs shall be reviewed under a separate Design Review Sign application.
- 17. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of the Planning Department or his/her designee.
- 18. Historic Archaeological Resources
  - d. 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.
  - e. 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.
  - f. 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.
- 19. The applicant/developer shall comply with the mitigation measure identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Report Program as approved by the City Council on September 27, 2020.

20. Site and architectural review for Pad 3 shall go through the Administrative Site Plan (ASP) process. The Planning Commission shall be the review and approval body for the ASP application.

*PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY*

21. The current Development fees must be paid prior to issuance of building/construction permits.
22. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Planning.

**BUILDING & SAFETY:**

23. The applicant shall design the project to show compliance 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
24. 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.
25. 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.
26. 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.
27. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.

28. 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, such as a public street, a 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 a 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.

29. 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.
30. In addition to approval from Building & Safety, the applicant is required to obtain approval from the County of San Bernardino, Department of Public Health.
31. 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***

32. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety 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 DEPARTMENT:**

33. 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.
34. 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.
35. It is the applicant's responsibility to maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.

***PRIOR TO ISSUANCE OF GRADING PERMIT***

36. 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.

*PRIOR TO MAP RECORDATION*

37. A Security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.

*PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS*

38. Record any maps, lot line adjustments, right-of-way dedication or easements required for the development.
39. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.

*PRIOR TO ISSUANCE OF OCCUPANCY*

40. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
41. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.
42. 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).

*PRIOR TO FINAL ACCEPTANCE OF PROJECT*

43. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
44. The applicant shall design and construct the traffic signal, intersection improvements and related signing and striping at the Sierra Avenue project driveway intersection to the satisfaction of the City Engineer.
45. The applicant shall design and construct a right turn pocket for Sierra Avenue in the southbound direction at the proposed project entrance to the satisfaction of the City Engineer.

46. The applicant shall be responsible for the removal and replacement of improvements to the east side of sierra avenue to accommodate the new traffic signal and work with the property owner to obtain a Temporary Construction easement and maintenance easement.

**FONTANA FIRE PREVENTION DISTRICT:**

47. **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.
48. **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 sec 503, SBCFD Standard 503.1
49. **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 sec 503, SBCFD Standard 503.1
50. **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 sec. 505, SBCFD Standard 505.1
51. **Fire Lanes.** The applicant shall submit on a site plan to the Fire Department for review and approval 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. SBCFD Standard 501.
52. **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 B 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 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 sec 508, SBCFD Standard 508.1

The Fire Flow for this project shall be: **\_1500\_ GPM for a 2-hour duration at 20 psi** residual operating pressure. Fire Flow is based on a **\_6,870\_.sq.ft.** structure.

53. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
54. **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.
55. **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 sec 508, SBCFD Standard 508.1
56. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. SBCFD Standard 903.
57. **Hood and Duct Extinguishing system.** An automatic hood and duct fire extinguishing system is required. A licensed contractor shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code sec. 904.
58. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
59. **Fire Alarm, Manual or Automatic.** A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA 72 and all applicable codes is required. 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 sec. 907, SBCFD Standard 907 FA-E.
60. **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 sec. 907, SBCFD Standard 907 FA-M.



61. **Commercial Addressing.** Commercial and industrial 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. SBCFD Standard 505.1
62. **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. SBCFD Standard 505.1
63. **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. SBCFD Standard 506
64. **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. SBCFD Standard 503.1.2

**END OF CONDITIONS**

**EXHIBIT “C”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. (MCN) 20-016R1  
Administrative Site Plan No. 21-023

September 21, 2021

**LOCATION:** 16826 and 16856 San Bernardino Avenue (0193-251-43, -44)

**PLANNING DEPARTMENT:**

1. This approval is for Administrative Site Plan No. 21-023, for site and architectural review of a 6,690 square foot multi-tenant building, as approved by the Planning Commission on September 21, 2021.
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 (C of O) or other document evidencing the City's final inspection and acceptance of the work.
  - b. All requirements of the Fontana Municipal Code shall be complied with.
  - c. All other Conditions of Approval imposed by this project have been fulfilled.
3. 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 Section No. 30-30 and Section No. 30-31 of the Municipal Code.
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 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.

5. This Administrative Site Plan 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.
6. 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.
7. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of the Planning Department. The Director of the Planning Department may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
8. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.

9. Two (2) short-term bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.
10. 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 the Planning Department.
11. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.
12. The trash enclosure(s) shall be constructed with eight (8) inch wide by three (3) inch high P.C.C. curb for backstop. All trash enclosures shall be provided with a solid decorative cover.
13. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
14. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in a commercial/retail parking facility, except for disabled persons parking, van pool, car pool, or any other designated parking as required by law.
15. The construction contractor shall 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:

- f. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - g. Temporarily enclose localized and stationary noise sources.
  - h. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
- 16. All signs shall be reviewed under a separate Design Review Sign application.
- 17. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of the Planning Department or his/her designee.
- 18. 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.

19. The applicant/developer shall comply with the mitigation measure identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Report Program as approved by the City Council on September 27, 2020.
20. Site and architectural review for Pad 3 shall go through the Administrative Site Plan (ASP) process. The Planning Commission shall be the review and approval body for the ASP application.

*PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY*

21. The current Development fees must be paid prior to issuance of building/construction permits.
22. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Planning.

**BUILDING & SAFETY:**

23. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
  - I. California Building Code
  - J. California Residential Code
  - K. California Electrical Code
  - L. California Mechanical Code
  - M. California Plumbing Code
  - N. California Energy Code
  - O. California Fire Code
  - P. California Green Building Standards Code
24. 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.
25. 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.
26. 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.

27. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
28. The applicant shall comply with the following grading requirements:
- J. 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.
  - K. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
  - L. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
  - M. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
  - N. No water course or natural drainage shall be obstructed.
  - O. 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.
  - P. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
  - Q. 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.
  - R. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
    - 5. 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
    - 6. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
    - 7. All proposed drainage structures; and

8. Any proposed and/or required walls or fencing.
29. 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.
30. In addition to approval from Building & Safety, the applicant is required to obtain approval from the County of San Bernardino, Department of Public Health.
31. 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*

32. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
  - D. Precise grading plans shall be approved
  - E. Rough grading completed
  - F. Compaction certification
  - F. Pad elevation certification
  - G. Rough grade inspection signed off by a City Building Inspector

**ENGINEERING DEPARTMENT:**

33. 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.
34. 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.
35. It is the applicant's responsibility to maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.



*PRIOR TO ISSUANCE OF GRADING PERMIT*

36. 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.

*PRIOR TO MAP RECORDATION*

37. A Security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.

*PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS*

38. Record any maps, lot line adjustments, right-of-way dedication or easements required for the development.
39. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.

*PRIOR TO ISSUANCE OF OCCUPANCY*

40. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
41. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.
42. 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).

*PRIOR TO FINAL ACCEPTANCE OF PROJECT*

43. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.

44. The applicant shall design and construct the traffic signal, intersection improvements and related signing and striping at the Sierra Avenue project driveway intersection to the satisfaction of the City Engineer.
45. The applicant shall design and construct a right turn pocket for Sierra Avenue in the southbound direction at the proposed project entrance to the satisfaction of the City Engineer.
46. The applicant shall be responsible for the removal and replacement of improvements to the east side of sierra avenue to accommodate the new traffic signal and work with the property owner to obtain a Temporary Construction easement and maintenance easement.

**FONTANA FIRE PREVENTION DISTRICT:**

47. **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.
48. **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 sec 503, SBCFD Standard 503.1
49. **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 sec 503, SBCFD Standard 503.1
50. **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 sec. 505, SBCFD Standard 505.1
51. **Fire Lanes.** The applicant shall submit on a site plan to the Fire Department for review and approval 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. SBCFD Standard 501.

52. **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 B 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 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 sec 508, SBCFD Standard 508.1

The Fire Flow for this project shall be: **\_1500\_ GPM for a 2-hour duration at 20 psi** residual operating pressure. Fire Flow is based on a **\_6,870\_**sq.ft. structure.

53. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
54. **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.
55. **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 sec 508, SBCFD Standard 508.1
56. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. SBCFD Standard 903.
57. **Hood and Duct Extinguishing system.** An automatic hood and duct fire extinguishing system is required. A licensed contractor shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code sec. 904.
58. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
59. **Fire Alarm, Manual or Automatic.** A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA 72 and all applicable codes is required. 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 sec. 907, SBCFD Standard 907 FA-E.

60. **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 sec. 907, SBCFD Standard 907 FA-M.
61. **Commercial Addressing.** Commercial and industrial 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. SBCFD Standard 505.1
62. **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. SBCFD Standard 505.1
63. **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. SBCFD Standard 506
64. **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. SBCFD Standard 503.1.2

## END OF CONDITIONS



**EXHIBIT “D”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. (MCN) 20-016R1  
Minor Use Permit No. 20-007

September 21, 2021

**LOCATION:** 16826 and 16856 San Bernardino Avenue (0193-251-43, -44)

**PLANNING DEPARTMENT:**

1. This approval is for Minor Use Permit No. 21-007, to allow the proposed 2,382 square foot drive-thru restaurant to operate a drive-thru, as approved by the Planning Commission on September 21, 2021.
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 (C of O) or other document evidencing the City's final inspection and acceptance of the work.
  - b. All requirements of the Fontana Municipal Code shall be complied with.
  - c. All other Conditions of Approval imposed by this project have been fulfilled.
3. 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 Section No. 30-30 and Section No. 30-31 of the Municipal Code.
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 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.

5. This Minor Use Permit 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.
6. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.
7. Operation of the drive-thru shall not result in stacking of vehicles on the public streets at any time.
8. Operation of the drive-thru shall not result in stacking of vehicles in such a manner that would result in obstruction to any access aisle of parking spaces for other tenants in the retail center, or the main drive aisles for the retail center.
9. The landlord shall stipulate in the lease for the tenant using the drive-thru land that should conflicts occur between vehicles parking and/or circulating in the parking areas and vehicles queuing for the drive-thru, staff of the drive-thru operation shall provide traffic control, take orders ahead of the menu boards, and/or utilize all require methods to eliminate those conflicts. Prior to implementation of any

measures, the landlord or drive-thru tenant shall submit to the City for review and approval, a traffic operations plan outlining the measures to be taken.

10. Staff of the drive-thru operation shall direct vehicles, take orders ahead of the menu boards, or utilize other methods to ensure there are no conflicts between cars parking and queuing for the drive-thru.
11. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of the Planning Department or his/her designee.

*PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY*

**POLICE DEPARTMENT:**

12. Incorporate an anti-graffiti coating to all proposed block walls to discourage graffiti.
13. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
14. Adhere to the Standard Building Security Specifications of the Fontana Police Department.

**END OF CONDITIONS**



## 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. 20-016R1, Tentative Parcel Map No. 20203 (TPM No. 20-003R1, Minor Use Permit No. 20-007, Administrative Site Plan No. 21-022, and Administrative Site Plan No. 20-023, for the Northgate Market Pads 1 & 2

**State Clearinghouse Number:** 2009091089

**Name of Person or Agency carrying out project:** Alexia De La Torre – Planning Technician, City of Fontana (Lead Agency) 8353 Sierra Avenue, Fontana, CA 92335.

**Project Location:** 16826 & 16852 San Bernardino Avenue (APN: 0193-251-43, -44)

**Project Description:** The request is to approve a revision to previously approved Tentative Parcel Map No. 20203 (TPM No. 20-003) to subdivide two (2) parcels into four (4) new lots, approve Minor Use Permit No. 007 for a drive-thru use on Pad No. 2, and Administrative Site Plan No. 21-022 for site and architectural review of Pad No. 2 for a 2,382 square foot drive-thru restaurant, and Administrative Site Plan No. 21-023 for site and architectural review of Pad No. 1 for a new 6,690 square foot multi-tenant building.

**Project Proponent & Address:** Gavin Reid,-Sierra San Bernardino Partners, LLC, 31791 Los Rios Street, San Juan Capistrano, CA 92675

**Contact Name & Phone:** Gavin Reid – (949) 800-8341

This is to certify that on September 21<sup>st</sup>, 2021, 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. An Initial Study/Mitigated Negative Declaration was previously prepared and approved and fully analyzed the effects of the project. The Initial Study/Mitigated Negative Declaration thoroughly analyzed and discussed all potential environmental impacts. None of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent EIR or MND have occurred. Additionally, this action does not include any additional impacts beyond those impacts already disclosed in the previous Initial Study/Mitigated Negative Declaration and no further environmental review is required.
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 Addenda are specified as follows:

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

\_\_\_\_\_  
Paul Gonzales  
Senior Planner

Date Received for Filing



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. 20-016R1, Administrative Site Plan No. 21-022, Administrative Site Plan No. 21-023, Minor Use Permit No. 20-007, and Tentative Parcel Map No. 20203 (TPM No. 20-003.R1):** Site and architectural review of Pads 1 & 2 of the Northgate Market shopping center. The request includes a 2,382 square foot drive-thru and a 6,690 square foot multi-tenant building.

**Environmental  
Determination:**

An initial Study (IS) and Mitigated Negative Declaration (MND) were previously prepared for the project and were certified by the City Council on October 27, 2020. The Initial Study (IS) and Mitigated Negative Declaration serves as the environmental document for this project pursuant to Section No. 15162 (Form-J) of the California Environmental Quality Act (CEQA). No new additional impacts beyond what was anticipated in the EIR mentioned above were identified and an addendum was prepared for the project.

**Location of  
Property:**

16826 & 16856 San Bernardino Avenue  
(Accessor Parcel Number [APN]: 0193-251-43, -44)

**Date of Hearing:**

September 21, 2021

**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, Planning Technician, at (909) 350-6568 or by email at adelatorre@fontana.org.

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 #:** 21-899  
**Agenda #:** PH-B

**Agenda Date:** 9/21/2021  
**Category:** Public Hearing

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**FROM:**  
Planning

**TITLE:**

Master Case No. 21-029, Tentative Tract Map No. 20382 (TTM No. 21-003) for the consolidation of four (4) existing parcels into one (1) parcel for a condo map and Design Review Project (DRP) No. 21-009 for the site and architectural review of a proposed 71-unit multi-family condo project along with associated improvements on a 3.76-acre site.

**RECOMMENDATION:**

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2021-\_\_\_\_; and,

1. Determine that the project is categorically exempt pursuant to Section No. 15332 (Class No. 32, Infill Development), and Section No. 3.22 of the 2019 Local Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and,
2. Approve Tentative Tract Map No. 20382 (TTM No. 21-003) and,
3. Approve Design Review Project No. 21-009.

**APPLICANT:**

Daniel Ramirez and Jessica Thelwell  
1 Venture, Suite 130  
Irvine, CA 92618

**LOCATION:**

The project site is located at 13995 Foothill Boulevard, South of Foothill Boulevard and West of Banana Avenue (APNs: 0230-031-10, -11, -12, and -13).

**REQUEST:**

The applicant is requesting the Planning Commission review and approve Tentative Tract Map No. 20382 (TTM No. 21-003) for the consolidation of four (4) existing parcels into one (1) parcel for a condo map and Design Review Project (DRP) No. 21-009 for the site and architectural review of a proposed 71-unit multi-family condo project along with associated improvements on a 3.76-acre site.

**PROJECT PLANNER:**

Paul Gonzales, Senior Planner

**I. BACKGROUND INFORMATION:**

**Land Use Designation:**

	<b><u>General Plan</u></b>	<b><u>Zoning/Overlay</u></b>	<b><u>Existing Land Use</u></b>
Site:	Walkable Mixed-Use Corridors & Downtown (WMXU-1)	Form Based Code (FBC) Route 66 Gateway District	Vacant Buildings/Units
North:	Residential Planned Community	West End Specific Plan/ Low Medium 2 (LM2)	Existing Homes
South:	Walkable Mixed-Use Corridors & Downtown (WMXU-1)/County of San Bernardino	Form Based Code (FBC) Route 66 Gateway District/ County of San Bernardino	Mobile Home Park (Sierra Vista Estate) County of San Bernardino
East:	Walkable Mixed-Use Corridors & Downtown (WMXU-1)	Form Based Code (FBC) Route 66 Gateway District	Non-conforming Residential/Commercial Business (Unoccupied)
West:	Walkable Mixed-Use Corridors & Downtown (WMXU-1)	Form Based Code (FBC) Route 66 Gateway District	Single Family Homes/ Mobile Home Park (Sierra Vista Estate)

**Environmental Review Finding:**

The project site is comprised of four (4) vacant parcels surrounded by development. The site is approximately 3.76 acres and all streets, schools, water, and fire protection have already been developed and are provided in the general area. Therefore, it has been determined that the project qualifies for a categorical exemption pursuant to Section No. 15332, Class 32, (Infill Development) of the California Environmental Quality Act (CEQA), and Section No. 3.22 of the 2019 Local Guidelines for Implementing the California Environmental Quality Act.

**I. PROJECT DESCRIPTION:**

**A. Site Area:** Approximately 3.76 adjusted gross acres

**B. Lot Development Standards:**

**Building Setbacks:**

Front: 0-10 foot maximum  
Provided: 8 feet

Rear: 5 feet minimum  
Provided: 13 feet

Side (Interior): 0 feet  
Provided: 16 feet. All of the proposed buildings meet all required setbacks.

**Building Height:**

Maximum: Route 66 Gateway: 3 stories/40 feet  
Provided: 3 stores (36' 4" feet)

**C. Density Analysis:**

**Density:**

Range: Route 66 Gateway: 18-39 DU/Acre  
Proposed: 18.9 DU/acre

**D. Parking Analysis:**

**Vehicle Spaces:**

Required: 1 space per unit (1-bedroom)  
1.5 spaces per unit (2+ bedrooms)  
Provided: 166 Spaces

**II. ANALYSIS:**

The applicants, Daniel Ramirez and Jessica Thelwell, are requesting that the Planning Commission review and approve the proposed site and architectural review for a proposed 71-unit multi-family condo project. The project is located south of Foothill Boulevard and west of Banana Avenue on a partially vacant 3.76-acre site comprised of four (4) parcels that would be consolidated into one (1) parcel as part of Tentative Tract Map No. 20382 (TTM No. 21-003). In addition to the construction of the buildings, there are associated site improvements that includes landscaping, lighting, and offsite improvements. The applicants have provided multiple recreational amenities such as a BBQ area, picnic tables, trellis with fence, two exercise stations, and fire pits.

The project is located in the Route 66 Gateway Districts of the Form Based Code which permits multi-family projects of this density. The General Plan Map Designation is Walkable Mixed-Use Downtown and Corridors (WMXU-1), which is consistent with the existing zoning.

Tentative Tract Map No. 20382 (TTM No. 21-003):

The project site consists of four (4) parcels totaling approximately 3.76 adjusted gross acres. The applicants have filed Tentative Tract Map No. 20382 and are proposing to combine the four (4) parcels into one (1) lot for the purpose of developing the proposed 71-unit multi-family condo project and condo map. The associated street improvements along Foothill Boulevard will be constructed as part of the project. Two access points to the development are proposed on Foothill Boulevard.

Design Review Project No. 21-009:

The design review is for site and architectural review of a proposed 71 unit multi-family condo project located south of Foothill Boulevard and west of Banana Avenue.

The project has been designed to be compatible with the surrounding uses while also providing a

development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood. The surrounding neighborhood is comprised of a mix of uses including, single family, multi family, and commercial uses. The applicants have proposed a courtyard style development that will incorporate the proposed modern contemporary architectural style for the project. Each building will incorporate architectural elements such as varying color schemes, varying roof lines, wood accents, pop-outs, decorative lighting, and decorative trims which vary with the buildings. Associated improvements such as landscaping, parking, and paving would also be a part of this project.

The WMXU-1 land use designation category is described by the General Plan as a land use category that is intended “to provide for the creation of areas that allow residents and visitors to walk, bike, and take transit to other uses for work, study, shopping, entertainment, recreation, and civic activities, and to provide compact residential development within walking distance of planned public transit stops and neighborhood shopping areas.” The proposal meets the following goals of the General Plan: Communities and Neighborhoods Element Goal No. 4 seeks to continue to promote the establishment of traditional and master-planned neighborhoods that continue to thrive and attract families (page 16.19 of the FGP).

Community and Neighborhoods Element Goal No. 6 “the safe, attractive, and lively central part of the city has new infill development and infrastructure and public realm improvements” (page 16.20 FGP).

The project site is physically suitable in size and shape to support the development of the proposed project. Access will be provided for the development through Foothill Boulevard. The applicable building codes, zoning codes, and fire codes and standards, will make for a safe, attractive, and well-designed project. As proposed, the project is consistent with the standards of the Zoning and Development Code and the Form Based Code.

**MOTION:**

Approve staff recommendation

**ATTACHMENTS:**

1. Vicinity Map
2. Site Plan
3. Tentative Parcel Map 20382 (TTM No. 21-003)
4. Elevations
5. Elevations
6. Elevations
7. Renderings
8. Planning Commission Resolution, Findings and Conditions of Approval
9. Notice of Exemption
10. Notice of Public Hearing

**UNDER SEPARATE COVER:**

1. 11” X 17” size plans





## VICINITY MAP

**DATE:** September 21, 2021

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 21-003



## Site Plan

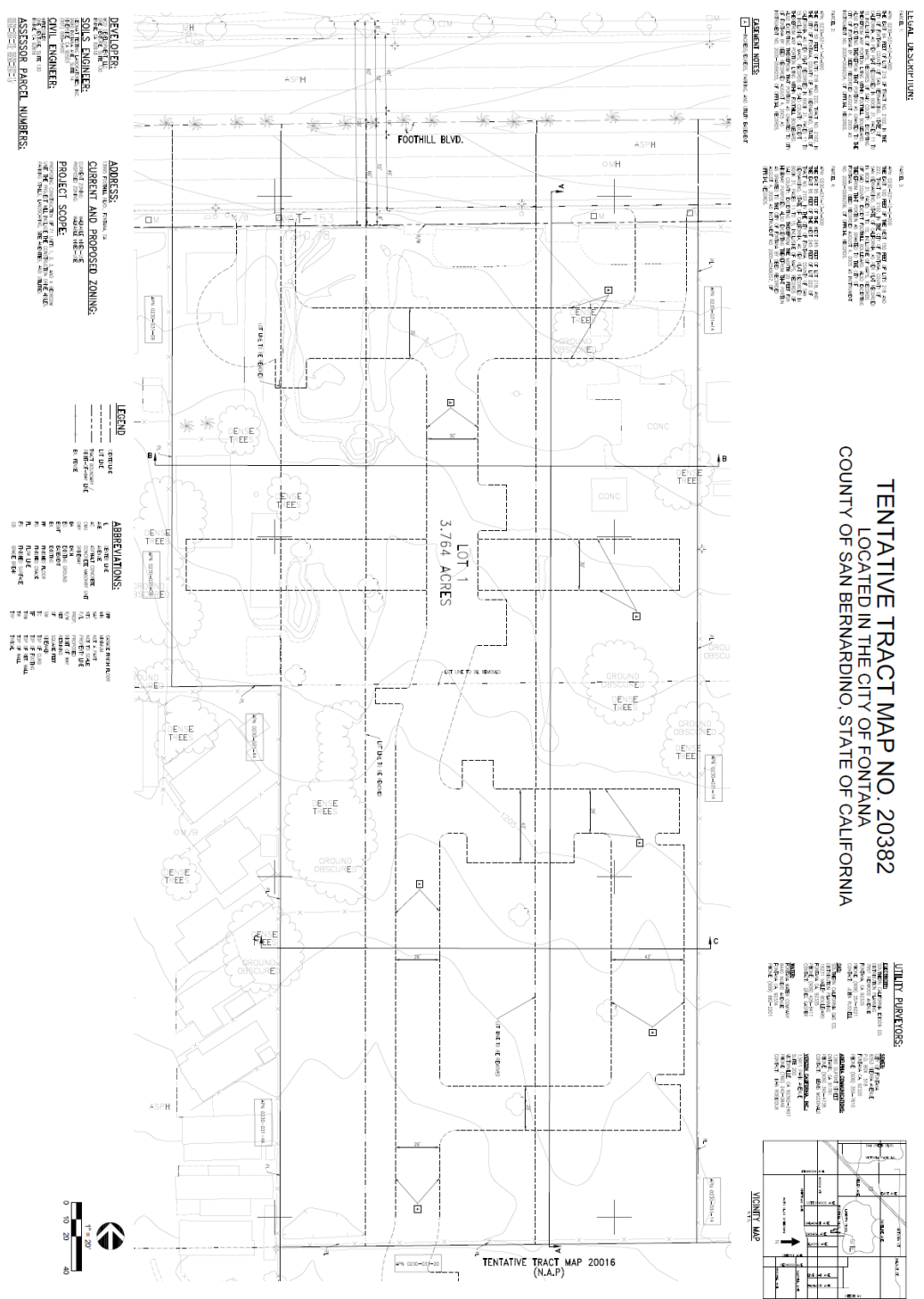
**DATE:** September 21, 2021

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 20382  
(TTM 21-003)



# CITY OF FONTANA PLANNING DEPT.

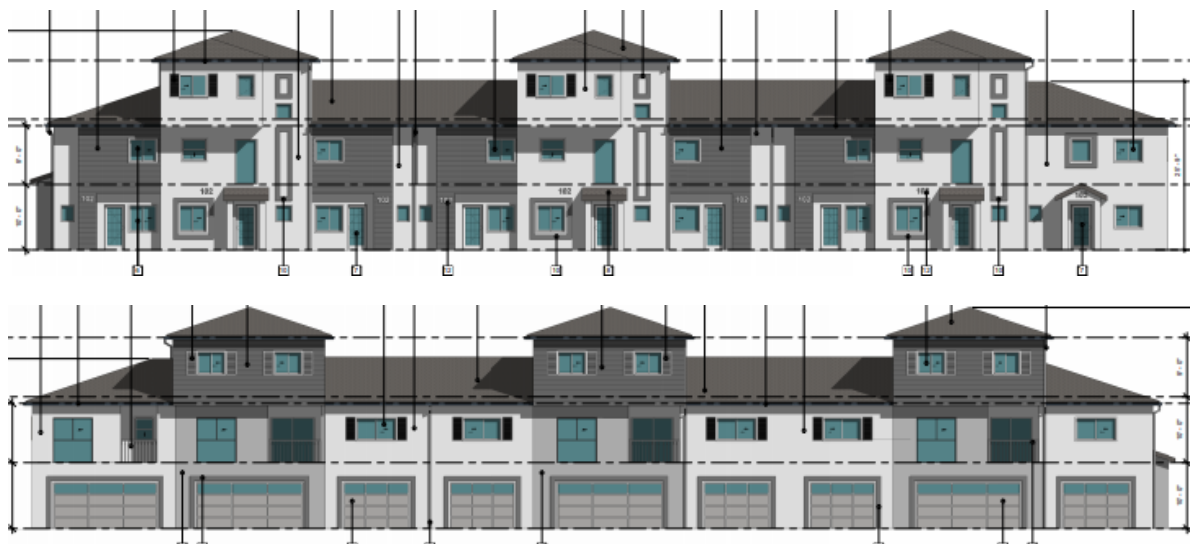
## TENTATIVE TRACT MAP NO. 20382 LOCATED IN THE CITY OF FONTANA COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA



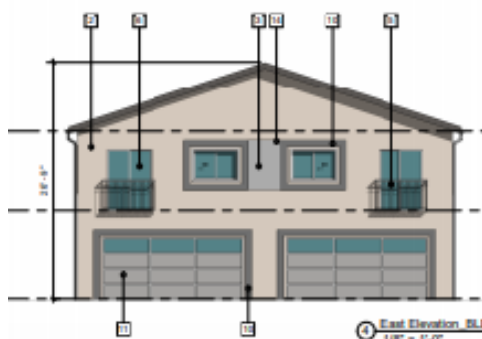
# Tentative Tract Map

**DATE:** September 21, 2021

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 20382  
(TTM 21-003)



Building 10 Elevations

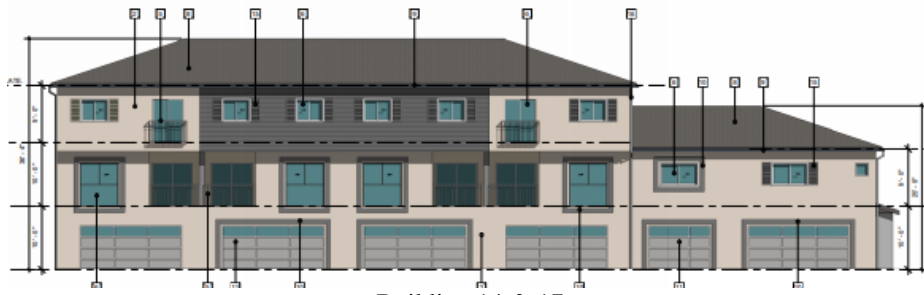
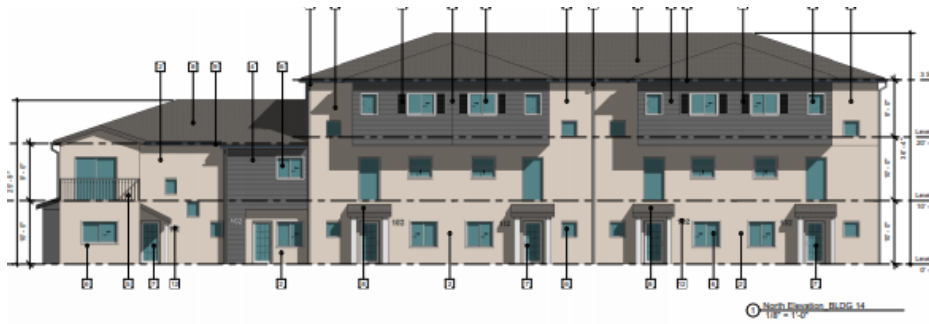


Building 12 Elevations

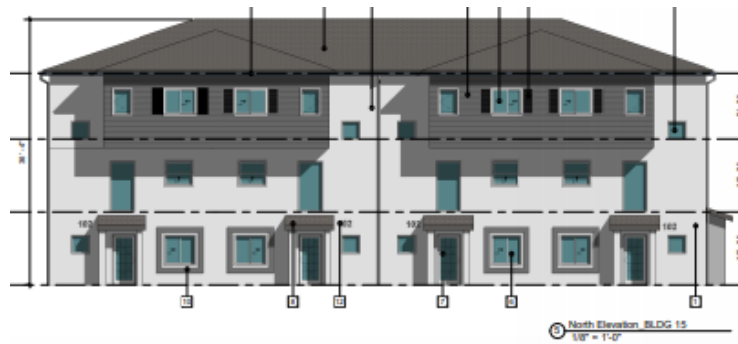
## ELEVATIONS

**DATE:** September 21, 2021

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 20382  
(TTM 21-003)



Building 14 & 17



Building 11, 15, & 16

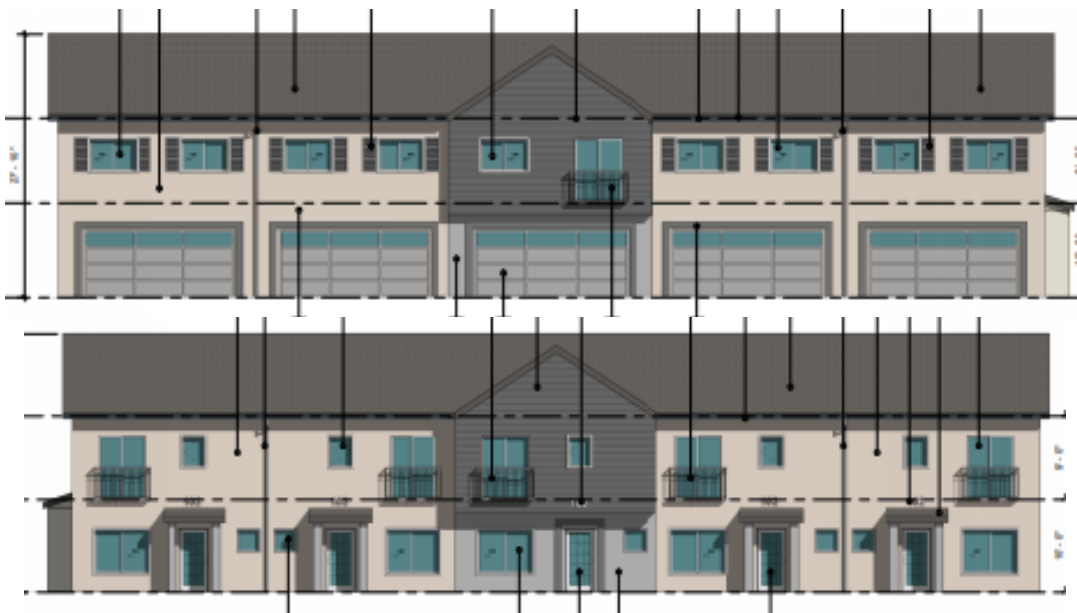
## ELEVATIONS

**DATE:** September 21, 2021

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 20382  
(TTM 21-003)



Building 18 & 22



Building 19 & 23

## ELEVATIONS

**DATE:** September 21, 2021

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 20382  
(TTM 21-003)



## Renderings

**CASE:** Master Case No. 21-029  
Design Review Project No. 21-009  
Tentative Tract Map No. 20382  
(TTM 21-003)



**RESOLUTION PC NO. 2021-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING TENTATIVE TRACT MAP NO. 20382 (TTM NO. 21-005) TO CONSOLIDATE FOUR (4) EXISTING PARCELS INTO ONE PARCEL OF APPROXIMATELY 3.76 ACRES AND DESIGN REVIEW NO. 21-009 FOR THE SITE AND ARCHITECTURAL REVIEW OF A 71-UNIT MULTI-FAMILY CONDO PROJECT LOCATED SOUTH OF FOOTHILL BOULEVARD AND WEST OF BANANA AVENUE (APNS: 0230-031-10, -11, -12, AND -13)**

**WHEREAS**, the City of Fontana received an application on March 15, 2021, for the site and architecture review of 71-unit multi-family condo project on a 3.76 acre project site (APNs: 0230-031-10, -11, -12, and -13).

**Project Applicant:** Daniel Ramirez and Jessica Thelwell  
1 Venture, Suite 130  
Irvine, CA 92618

**Project Location:** South of Foothill Boulevard and west of Banana Avenue  
(APNs: 0230-031-10, -11, -12, and -13).

**Site Area:** 3.76 adjusted gross acres

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

**WHEREAS**, the proposal is to combine four (4) existing parcels into one (1) parcel for the architecture and design review of a 71-unit multi-family development; 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 attached hereto as **Exhibit “A”** for Tentative Tract Map No. 20382 (TTM No. 21-005) and as **Exhibit “B”** for Design Review Permit No. (DRP) No. 21-009; and

**WHEREAS**, the project qualifies for a categorical exemption pursuant to Section No. 15332, Class 32, (Infill Development) of the California Environmental Quality Act (CEQA), and Section No. 3.22 of the 2019 Local Guidelines for Implementing the California Environmental Quality Act.

**WHEREAS**, the subject site includes four (4) parcels totaling, approximately 3.76 adjusted gross acres, and was part of the original incorporation from San Bernardino County in 1952; and

**WHEREAS**, pursuant to the Fontana Zoning and Development Code, the approval of five (5) residential units or more require the approval of a Design Review by the Planning Commission; and

**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; and a notice of the public hearing was published in the local *Fontana Herald* newspaper on September 10, 2021, posted at City Hall, and onsite at the project site; and

**WHEREAS**, on September 21, 2021, a duly noticed public hearing on Tentative Tract Map No. 20382 (TTM No. 21-005) and Design Review Permit (DRP) No. 21-009 was held by the Planning 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 of the information, evidence, and testimony presented at its public hearing on September 21, 2021; 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 incorporated herein by reference.

**Section 2.** The City of Fontana's Planning Commission hereby makes the following findings for Tentative Tract Map No. 20382 (TTM No. 21-003) in accordance with Section No. 26-218(d) "Processing of application," of the Fontana Subdivision Code:

**Finding No. 1:**        **The proposed tract map is consistent with the City's General Plan and any applicable specific plan.**

Findings of Fact:     Tentative Tract Map No. 20382 (TTM No. 21-003) is a consolidation of four (4) existing parcels into one (1) parcel. TTM No. 20382 is consistent with the General Plan Land Use Designation for the project site, which is Walkable Mixed-Use Downtown and Corridors (WMXU-1). The WMXU-1 land use designation category is described by the General Plan as a land use category that is intended "to provide for the creation of areas that allow residents and visitors to walk, bike, and take transit to other uses for work, study, shopping, entertainment, recreation, and civic activities, and to provide compact residential development within walking distance of planned public transit stops and neighborhood shopping areas." The development of this high-density housing project will continue to

support the intent of the WMXU-1 land use designation. The Tentative Tract Map will consolidate four (4) existing parcels (APNs: 0230-031-10, -11, -12, and -13) into one (1) parcel of 3.76 acres, for the construction of a 71-unit multi-family condo project, which is a permitted land use in the General Plan.

**Finding No. 2: The design and improvements of the proposed Tentative Tract Map is consistent with the General Plan.**

Findings of Fact: The design of Tentative Tract Map No. 20382 to consolidate four (4) parcels into one (1) parcel of 3.76 acres to accommodate the proposed development is consistent with the General Plan. The proposed development conforms to the requirements of the Land Use, Zoning, and Urban Design and Community Mobility and Circulation Elements of the City of Fontana General Plan, Subdivisions (Chapter No. 26) Chapter of the City of Fontana Municipal Code, and the Form Based Code (FBC) zoning designation standards. The project includes all on-site and off-site improvements including connection to public sewer, public storm drain, streets, gutter, sidewalks, drainage, and grading to provide a safe and well-designed project for the area.

**Finding No. 3: The site is physically suitable for the type and density of development proposed.**

Findings of Fact: The project site of approximately 3.76 adjusted gross acres, is of an adequate size to accommodate the proposed multi-family development. As mentioned in Findings Nos. 1 and 2 above the development meets all development standards and is conditioned to meet all applicable codes, therefore, the site is suitable for this type of development. The lot size and scale of the project is suitable for Foothill Boulevard which is classified as a Major Highway per the Hierarchy of Streets Plan.

**Finding No. 4: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.**

Findings of Fact: The design of Tentative Tract Map No. 20382 is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. The project will not have a significant effect on the environment as a result of the project's implementation. The project is categorically exempt from CEQA Class 32 infill development as the project site is not located in potentially sensitive habitat the project site is highly disturbed and contains no heritage or specimen trees. The project site is located within the city's development infill boundary and it is currently



surrounded by existing development. All services such as fire, police, sewer, water, and electricity are available to the project site.

**Finding No. 5: The design of the subdivision or type of improvements will not cause serious public health problems.**

Findings of Fact: The design of Tentative Tract Map No. 20382 will not cause public health problems. The proposed development complies with the Zoning and Development Code and the General Plan. Improvements include connection to public sewer, connection to public storm drain, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project shall promote the public health, safety, and welfare of the surrounding community.

**Finding No. 6: That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The planning commission may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to easements previously acquired by the public.**

Findings of Fact: The design of Tentative Tract Map No. 20382 and public improvements will not conflict with access easements acquired by the public. The proposed lot is accessed from Foothill Boulevard, which is a publicly maintained street. Currently there are no other public access easements through or within the proposed project site. The subject property is not located within the Fire Hazard Overlay Zone; thus, the project is not subject to the requirements of the Fire Hazard Overlay Zone.

**Section 3.** The City of Fontana's, Planning Commission hereby makes the following findings for Design Review Permit No. 21-009 in accordance with Section No. 30-120 "Findings for approval" of the Fontana Zoning and Development Code:

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

Findings of Fact: The proposal for the construction of 71-unit multi-family condo project is consistent with the General Plan designation for the project site which is Walkable Mixed-Use Downtown and Corridors (WMXU-1). The WMXU-1 land use designation category is described by the General Plan as a land use category that is intended "to provide for the creation of areas that allow residents and visitors to walk, bike, and take transit to other uses for work, study, shopping, entertainment, recreation, and civic activities, and to provide compact residential development within walking distance of planned public transit stops

and neighborhood shopping areas.” The General Plan sets the framework for the City of Fontana is a document that provides the overall policies for development within the community and does not specifically regulate development standards.

The proposal meets the following goals of the General Plan:

Land Use Element Goal 2, of the 2018 City of Fontana General Plan (FGP) “Fontana development patterns support a high quality of life and economic prosperity” (page 15.34 FGP).

Land Use Element Goal 7, “public and private development meets high design standards” (page 15.40 FGP).

Community and Neighborhoods Element Goal 6 “the safe, attractive, and lively central part of the city has new infill development and infrastructure and public realm improvements” (page 16.20 FGP).

Communities and Neighborhoods Element Goal 4 seeks to continue to promote the establishment of traditional and master-planned neighborhoods that continue to thrive and attract families (page 16.19 of the FGP).

The proposed project is located in the Route 66 Gateway of the Form Based Code (FBC) zoning designation. The Route 66 Gateway district is an area that seeks to create a lively and walkable land use mix of residential and commercial uses. New development should preserve and exemplify the character of the existing neighborhood. The proposed 71-unit multi-family development will meet all zoning and development standards set forth in the Fontana Municipal Code as noted in the Staff Report and the findings below and, therefore, is consistent with the General Plan. The project site is not located in 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.**

Findings of Fact: The proposed development as referenced in Finding No. 1 complies with the City of Fontana Zoning and Development Code. Improvements including streets, sidewalks, drainage, and grading, will provide a safe and well-designed project. Additionally, the proposed development meets all setback, height, landscaping, design, architecture, parking, access and safety requirements.

The site improvements have been reviewed by the Fire, Building and Safety, Engineering and Police Departments. During the project review process, changes were made to the plans to ensure that the project is a well-designed project including providing for 30 foot wide drive aisles as required by the Fire Department for buildings that are 3 stories or higher and providing for two points of access. Street lighting and on-site lighting has 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.**

Findings of Fact: The proposal as referenced in Finding No. 1 has been designed to enhance and compliment the surrounding neighborhood. The architectural theme for the project is described as Modern Contemporary. The proposed development will incorporate elements of the Modern Contemporary architectural style. The result is a high-quality architectural design appropriate and desirable for the surrounding neighborhood. The proposed development will enhance the character of the surrounding neighborhood through appropriate attention to aesthetics and design.

Architectural relief utilized for the proposed buildings consists of decorative window treatments, decorative lighting, varied roof lines, architectural “pop-outs,” and other features appropriate to the style. The use of a variety of colors and decorative shutters of a contrasting color will further add architectural diversity to each building. The proposed project enhances the surrounding neighborhood by developing four lots and incorporating architectural style that complements the surrounding homes. All buildings are designed with tile roofing material coordinated to match the color scheme of each elevation. Additionally, all garage doors will incorporate windows and the landscaping will utilize plants to complement the architecture of the building and the development as a whole.

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

Findings of Fact: The proposed development as referenced in Findings No. 1-3 above complies with the City of Fontana Zoning and Development Code. Improvements including streets, sidewalks, drainage, and grading, will provide a safe and well-designed neighborhood.

As mentioned in Finding No. 2 above the 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 has been included to provide ample visibility at night. Landscaping has been incorporated to create an attractive atmosphere along adjacent parcels.

**Section 4.** The Planning Commission hereby determines that the project is Categorically Exempt pursuant to Section No. 15332, Class No. 32 (in-Fill Development), and Section No. 3.22 of the Local 2019 Guidelines for Implementing the California Environmental Quality Act.

**Section 5.** Based on the foregoing, the City of Fontana Planning Commission hereby approves Tentative Tract Map No. 20382 (TTM No. 21-005) and Design Review Project No. 21-009 subject to the findings listed above and the conditions of approval which are attached hereto as **Exhibits “A and B”** respectively.

**Section 6.** 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 No. 21081.6.

**Section 7.** 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 September 2021.

**City of Fontana**

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Cathline Fort, Chairperson

**ATTEST:**

I, Idilio Sanchez, 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 September 2021, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Idilio Sanchez, Secretary

**EXHIBIT "A"**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. (MCN) 21-029 **DATE:** September 21, 2021  
Tentative Tract Map No. 20382 (TTM No. 21-003)

**LOCATION:** South of Foothill Boulevard and west of Banana Avenue (APNs: 0230-031-10, -11, -12, and -13)

**PLANNING DEPARTMENT:**

1. Tentative Tract Map No. 20382 (TTM No. 21-003) is a request to consolidate four (4) parcels (APNs: 0230-031-10, -11, -12, and -13) into one (1) parcel approximately 3.76 adjusted gross acres in size, as approved by the Planning Commission on September 21, 2021, and as shown in Attachment No. 2 in the accompanying staff report.
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 requirements of the Fontana City's Municipal Code shall be complied with.
  - b. All Conditions of Approval imposed on this project have been fulfilled.
3. The applicant shall defend, indemnify, and hold harmless the City of Fontana or its agents, officers, and employees from any claim, action or proceeding against the City of Fontana or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission and/or City Council concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. 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. 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 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.

4. Tentative Tract Map No. 20382 (TTM No. 21-005) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development, and the Subdivision Map Act.
5. The applicant/developer shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Community Development. A note to this effect shall be placed on the map prior to recordation of the final map.
6. 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 and grading plans prior to issuance of any building or grading permits.
7. Tentative Tract Map No. 20382 (TTM No. 21-005) 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.

8. 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 Section No. 30-30 and Section No. 30-31 of the Municipal Code.

**ENGINEERING DEPARTMENT:**

**PRIOR TO MAP RECORDATION**

9. A Security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.

**END OF CONDITIONS**



**EXHIBIT “B”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. (MCN) 21-029                      **DATE:** September 21, 2021  
Design Review Project (DRP) No. 21-009

**LOCATION:** South of Foothill Boulevard and west of Banana Avenue (APNs: 0230-031-10, -11, -12, and -13)

**PLANNING DEPARTMENT:**

1. This approval is for Design Review Project No. 21-009 to approve the design and architecture review of a proposed 71-unit multi-family condo project on a 3.76-acre project site, as approved by the Planning Commission on September 21, 2021.
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. 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.

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 No. 30-23 of the Municipal Code.
5. 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 Community Development 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.
6. All signs shall be reviewed under a separate Design Review Sign application. This includes, but is not limited to, building signs, monument signs, pylon signs, etc.
7. All temporary signs (banners, wind flags, etc.) shall not be placed on the property unless the proper permits are obtained.
8. This Design Review Permit 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.
9. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
10. Color combinations and color schemes for commercial buildings approved under a Design Review Permit application shall not be modified or changed without prior approval from the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Community Development. The Director of Community Development shall have the authority to

refer minor hue color changes to the Planning Commission for consideration under a revision to the original application if deemed necessary. Appeals shall follow provisions of the Municipal Code.

11. 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 ½ inch thick, or as determined by the Director of Community Development.
12. The applicant shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Community Development and his/her designee.
13. 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.
14. 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.

15. 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.
    3. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

#### **PRIOR TO ISSUANCE OF GRADING PERMIT**

16. 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.
17. A pre-annexation agreement for sewer shall be required prior issuance of a grading permit.

#### **PRIOR TO THE ISSUANCE OF BUILDING PERMIT**

18. Sewer, utility, and drainage easements for the project site and for the county parcel (APN 0230-031-20) adjacent to the south property line of the project, shall record prior to the issuance of building permits.

19. Installation and certification of the sewer line station and sewer lines on the county parcel (APN 0230-031-20) adjacent to the south property line of the project shall be completed prior to the issuance of building permits.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

20. Development fees and Planning Division final inspection fee must be paid prior to Certificate of Occupancy.
21. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Community Development.

**ENGINEERING DEPARTMENT:**

22. 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.
23. 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.
24. It is the Applicant's responsibility to maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.

**PRIOR TO ISSUANCE OF GRADING PERMIT**

25. The applicant shall submit the approval letter for final WQMP from the County of San Bernardino which includes this project's boundary as part of the County's approval and obtain approval from the City.
26. Applicant shall submit an approved sewer plan within the unincorporated County portion from the County of San Bernardino and is required to obtain an approval from the City within the City's jurisdiction.
27. Applicant shall submit approved drainage study and drainage plans from the County of San Bernardino including this project's boundary and obtain approval from the City.

**PRIOR TO ISSUANCE OF BUILDING PERMITS**

28. Applicant shall complete the construction of sewer infrastructure within the County of San Bernardino to support the project area. Applicant is required to submit a

statement from the County of San Bernardino stating completion of sewer construction within the County's jurisdiction.

**PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS**

29. Record any maps, right-of-way dedications or easements required for the development.
30. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed in triplicate on City-provided forms.

**PRIOR TO FINAL ACCEPTANCE OF PROJECT**

31. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
32. 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).
33. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
34. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.
35. Applicant shall submit the completion of drainage infrastructure as approved by the County and the City within the County's jurisdiction.

**BUILDING & SAFETY:**

36. The applicant shall design the project to show compliance 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
37. The applicant shall install an automatic fire suppression systems shall be installed in all new construction per Article II, Chapter 11 of the Code of the City of Fontana.

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.

38. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any demolition permit.
39. 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.
40. 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.
41. The applicant shall verify that all lot lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
42. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
43. 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, such as a public street, a 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 a 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.

- I. 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.
  - J. 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.
44. The applicant is required to obtain permits for the removal and/or demolition of structures.
45. 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**

46. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety 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. Ped Elevation certification
  - E. Rough grade inspection signed off by a City Building Inspector
47. Please be aware that a Construction Waste Management Plan (CWMP) will be required at time of plan check submittal. For more information regarding waste diversion, please contact Burrtec Waste at (909) 889-0911.
48. For more information related to Building & Safety, please visit our web page at <https://www.fontana.org/136/Building-Safety>.

#### **FONTANA FIRE PREVENTION DISTRICT: NEED TO VERIFY WITH CONDITIONS FROM FIRE**

49. 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.

50. 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 sec 503, SBCFD Standard 503.1
51. 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 sec 503, SBCFD Standard 503.
52. 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 sec. 505, SBCFD Standard 505.1
53. Fire Lanes. The applicant shall submit on a site plan to the Fire Department for review and approval 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. SBCFD Standard 501.
54. Water System Residential. 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 B 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 shall be provided. All fire hydrants shall be spaced no more than six hundred (600) feet as measured along vehicular travel-ways. California Fire Code sec 508, SBCFD Standard 508.1
55. The Fire Flow for this project shall be: 1500 GPM for a 2-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 2040 sq.ft. structure. And V-B construction type.
56. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
57. 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 job-site.

58. 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 sec 508, SBCFD Standard 508.1
59. Combustible Native Vegetation. Combustible native vegetation shall be removed as follows: Where the average slope of the site is less than 15%, combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. Where the average slope of the site is 15% or greater, combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less.
60. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. SBCFD Standard 903.
61. 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. SBCFD Standard 903 R-MF
62. 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 sec. 907, SBCFD Standard 907 FA-M.
63. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
64. Residential Addressing. The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half (½) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. California Fire Code sec. 505, SBCFD Standard 505.1

65. 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. SBCFD Standard 505.1
66. 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. SBCFD Standard 506
67. 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. SBCFD Standard 503.1.2
68. Secondary Access. The development shall have a minimum of \_2\_ points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCFD Standard 503.1
69. 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 Building Code sec. 2082.

## END OF CONDITIONS

## 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 Department  
8353 Sierra Avenue  
Fontana, CA 92335

1. Project Title: **Foothill Multi-Family MCN 21-029, DRP 21-009, TTM No. 20382 (TTM No. 21-003)**
2. Project Location - Specific: **The project site consists of four parcels that are a total of 3.76 acres bound by Foothill Blvd. to the north, Calabash Ave. to the west, Banana Ave. to the east APNs: (0230-031-10, -11, -12, and -13).**
3. (a) Project Location - City: **Fontana, CA 92335**  
(b) Project Location - County: **San Bernardino**
4. Description of nature, purpose, and beneficiaries of Project: **Design Review Permit No. 21-009 is for the proposed architecture and design review of a 71 multi-family condo project with associated improvements on four parcels that will be consolidated into one parcel as part of TTM No. 20382**
4. Name of Public Agency approving project: **City of Fontana**
5. Name of Person or Agency carrying out project: **City of Fontana**
6. Exempt status: (Check one)
  - (a) \_\_\_\_\_ Ministerial project.
  - (b) \_\_\_\_\_ Not a project.
  - (c) \_\_\_\_\_ Emergency Project.
  - (d) ☒ **Categorical Exemption. State type and class number: Exempt pursuant to Section No. 15332 Class 32 (In-Fill Development) and Section 3.22 of the 2019 Local Guidelines for implementing CEQA**
  - (e) \_\_\_\_\_ Declared Emergency.
  - (f) \_\_\_\_\_ Statutory Exemption. State Code section number: \_\_\_\_\_
  - (g) \_\_\_\_\_ Other. Explanation: \_\_\_\_\_
7. Reason why project was exempt: **The project is for the site and architecture review of 71-unit multi-family development. The project site is currently four lots surrounded by development within the City's designated infill boundary. The project site is on five (5) gross acres or less (3.76 acres), and streets, schools, water, and fire protection have already been developed and are provided in the general area. Therefore, it has been determined that the project qualifies for a categorical exemption.**
8. Contact Person: **Paul Gonzales, Senior Planner** Telephone: **(909) 350-6658**

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

\_\_\_\_\_  
DiTanyon Johnson  
Principal Planner

(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.*

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. 21-029, Design Review Permit No. 21-009, Tentative Tract Map No. 21-005**

Design Review No. 21-009 is for a proposed 71 unit multi-family development along with associated improvements located at Foothill Blvd. and west of Banana Avenue that will encompass 4 parcels existing parcels APNs: (0230-031-10, -11, -12, and -13) that will be merged into one parcel through Tentative Parcel Map No. 21-005.

### **Environmental Determination:**

This project has been determined to be Exempt pursuant to Section No. 15332 Class 32 (In-Fill Development) of the California Environmental Quality Act (CEQA) and Section No. 3.22 of the 2019 Local Guidelines for Implementing the California Environmental Quality Act.

### **Location of Property:**

South of Foothill Blvd. and west of Banana Ave. (APNs: 0230-031-10, -11, -12, and -13).

### **Date of Hearing:**

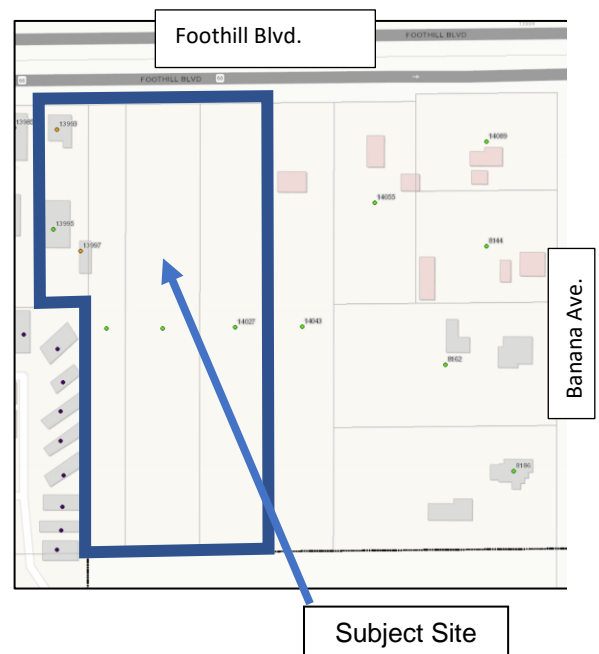
September 21, 2021

### **Place of Hearing:**

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

### **Time of Hearing:**

6:00 pm





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 AT THE PLANNING DIVISION, CITY HALL. 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: September 10, 2021



# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335

## Action Report

### Planning Commission

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**File #:** 21-909  
**Agenda #:** DC-A

**Agenda Date:** 9/21/2021  
**Category:** Director Comments

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



## **MEMORANDUM**

**TO:** Planning Commission

**FROM:** Phillip Burum, Deputy City Manager *CB*

**RE:** Agenda for Upcoming City Council Items

**DATE:** September 21, 2021

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

### **JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP SEPTEMBER 28, 2021**

	<b><u>PLANNER</u></b>	<b><u>PLACEMENT</u></b>
1. SB2 Grant (Downtown) Update	Alejandro Rico	Joint Workshop starts at 5:00 pm

### **CITY COUNCIL SEPTEMBER 28, 2021**

	<b><u>PLANNER</u></b>	<b><u>PLACEMENT</u></b>
1. Planning Month Proclamation	DiTanyon Johnson	Special Presentations
2. Appeal No. 21-003 (MCN#21-034; DRP#21-003) Warehouse Building of approx. 92,433 sq. ft. 15894 Valley Blvd.	Paul Gonzales	Public Hearing

### **JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP OCTOBER 12, 2021**

	<b><u>PLANNER</u></b>	<b><u>PLACEMENT</u></b>
1. Commission Charters	Phillip Burum	Joint Workshop starts at 5:00 p.m.
2. I-15 Logistics Center Monument Sign	DiTanyon Johnson	Workshop





Agenda for Upcoming City Council Items  
Page 2 of 2

<u>CITY COUNCIL OCTOBER 12, 2021</u>	<u>PLANNER</u>	<u>PLACEMENT</u>
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*No items listed for this meeting, as of the date of this memo.*

<u>CITY COUNCIL OCTOBER 26, 2021</u>	<u>PLANNER</u>	<u>PLACEMENT</u>
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*No items listed for this meeting, as of the date of this memo.*



## **MEMORANDUM**

**TO:** Planning Commission

**FROM:** Phillip Burum, Deputy City Manager *PB*

**RE:** Future Planning Commission Agenda Items

**DATE:** September 21, 2021

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

### **JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP SEPTEMBER 28, 2021**

#### **PLANNER**

#### **PLACEMENT**

1. SB2 Grant (Downtown) Update	Alejandro Rico	Joint Workshop starts at 5:00 pm
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### **PLANNING COMMISSION OCTOBER 5, 2021**

#### **PLANNER**

#### **PLACEMENT**

1. MCN#18-025R1; DRP#18-007R1 Amendments to Senior Housing - 78 Units 15186 Foothill Blvd.	Cecily Session-Goins	Public Hearing
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### **JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP OCTOBER 12, 2021**

#### **PLANNER**

#### **PLACEMENT**

1. Commission Charters	Phillip Burum	Joint Workshop starts at 5:00 p.m.
2. I-15 Logistics Center Monument Sign	DiTanyon Johnson	Workshop



Agenda for Upcoming Planning Commission Items  
Page 2 of 2

<b><u>PLANNING COMMISSION OCTOBER 19, 2021</u></b>	<b><u>PLANNER</u></b>	<b><u>PLACEMENT</u></b>
1. MCN#21-041; LLA#21-006 DRP#21-015 64,694 sq. ft. Industrial Warehouse Building 11252 Calabash Ave.	George Velarde	Public Hearing
2. MCN#20-082; SPA#21-003 SWIP Specific Plan Amendment Clean Up Citywide	Rina Leung	Public Hearing