



Legislation Details (With Text)

File #: 21-1051 **Version:** 1 **Name:**
Type: Public Hearing **Status:** Agenda Ready
File created: 11/17/2021 **In control:** Planning Commission
On agenda: 12/7/2021 **Final action:**
Title: Master Case No. 21-032; Zone Code Amendment No. 21-001; Development Agreement No. 21-003; Tentative Parcel Map No. 20370 (TPM No. 21-006); Conditional Use Permit No. 21-004; Conditional Use Permit No. 21-005; Conditional Use Permit No. 21-006; Design Review Project No. 21-010; and Design Review Sign No. 21-018 - Review of the proposed development of a new commercial shopping center with an anchor grocery store on an approximately 6.2 adjusted gross acre site located within Planning Area 1 of the Auto Center Overlay.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment No. 1 - Vicinity Map, 2. Attachment No. 2 - Site Plan, 3. Attachment No. 3 - Tentative Parcel Map, 4. Attachment No. 4 - Elevations, 5. Attachment No. 5 - Elevations, 6. Attachment No. 6 - Rendering, 7. Attachment No. 7 - ABC Census Tract 23.pdf, 8. Attachment No. 8 - Planning Commission Resolution, Findings and Conditions of Approval, 9. Attachment No. 9 - Notice of Determination, 10. Attachment No. 10 - Notice of Public Hearing

Date	Ver.	Action By	Action	Result
12/7/2021	1	Planning Commission	approve	Pass

FROM:

Planning

TITLE:

Master Case No. 21-032; Zone Code Amendment No. 21-001; Development Agreement No. 21-003; Tentative Parcel Map No. 20370 (TPM No. 21-006); Conditional Use Permit No. 21-004; Conditional Use Permit No. 21-005; Conditional Use Permit No. 21-006; Design Review Project No. 21-010; and Design Review Sign No. 21-018 - Review of the proposed development of a new commercial shopping center with an anchor grocery store on an approximately 6.2 adjusted gross acre site located within Planning Area 1 of the Auto Center Overlay.

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, forward a recommendation to the City Council to:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program (MMRP) and direct staff to file a Notice of Determination; and,
2. Adopt an ordinance approving Zoning Code Amendment No. 21-001; and,
3. Adopt an ordinance approving Development Agreement No. 21-003; and,
4. Adopt a resolution approving Tentative Parcel Map No. 20370 (TPM No. 21-006), approving Conditional Use Permit No. 21-004, approving Conditional Use Permit No. 21-005, approving

Conditional Use Permit No. 21-006, approving Design Review No. 21-010 and approving Sign Program (DRS No. 21-018).

APPLICANT:

Sage Investco
4340 Von Karman Avenue, Suite 110
Newport Beach, CA 92660

LOCATION:

The project site is located on the northeast corner of South Highland Avenue and Citrus Avenue (APN: 0240-011-38, -41, -03, -05, -42, -06, -35 and -44).

REQUEST:

A request to recommend approval to the City Council for:

1. Zone Change Amendment (ZCA) No. 21-001 - a proposal to amend text and boundaries within the Auto Center Overlay.
2. Development Agreement (AGR) No. 21-003 - a proposal for a developer agreement between the Applicant and the City of Fontana.
3. Tentative Parcel Map (TPM) No. 20370 - a proposal to consolidate eight (8) parcels into one (1) parcel.
4. Conditional Use Permit (CUP) No. 21-004 - a proposal for a Type-21 ABC License to authorize the sale of beer, wine and distilled spirits for consumption off the premises where sold for to the 40,100 square foot anchor grocery store.
5. Conditional Use Permit (CUP) No. 21-005 - a proposal to develop a 2,400 square foot drive-thru establishment for food services.
6. Conditional Use Permit (CUP) No. 21-006 - a proposal to develop a 2,200 square foot coffee shop with drive-thru services.
7. Design Review Project (DRP) No. 21-010 - a proposal for site and architectural review of a commercial shopping center to include a grocery store of approximately 40,100 square feet, a future drive-thru restaurant of approximately 2,400 square feet, a coffee shop with drive-thru services of approximately 2,200 square feet and three (3) additional pads for future retail development totaling approximately 13,640 square feet.
8. Design Review Sign (DRS) No. 21-018 - a proposal to amend the sign program to the Auto Center Overlay within Planning Area 3.

PROJECT PLANNER:

Paul Gonzales, Senior Planner

I. BACKGROUND INFORMATION:

Land Use Designations:

	<u>General Plan</u>	<u>Zoning /Overlay</u>	<u>Existing Land Use</u>
Site:	General Commercial (C-G)	General Commercial (C-2) / Planning Area 1 of the Auto Center Overlay	Vacant
North:	Interstate 210 Freeway	Interstate 210 Freeway	Freeway

South:	General Commercial (C-G)	General Commercial (C-2) / Planning Area 3 of the Auto Center Overlay	Existing service station/vacant
East:	General Commercial (C-G)	General Commercial (C-2) / Planning Area 1 of the Auto Center Overlay	Existing auto dealership
West:	General Commercial (C-G)	General Commercial (C-2)	Vacant

II. PROJECT DESCRIPTION:

A. Site Area:

Approximately 6.20 adjusted gross acres

B. FAR Ratio:

Maximum Allowed: 50 percent (maximum coverage)

Provided: 19.7 percent

C. Building/Unit Analysis:

Grocery Store: Approximately 40,100 square feet

Commercial Center: Approximately 13,640 square feet

Total Area: Approximately 53,740 square feet

D. Parking Analysis:

Vehicle Spaces:

Required: 266 spaces

Provided: 268 spaces

E. Landscaping:

Minimum Required: 15 percent

Proposed: 15.9 percent

III. ANALYSIS:

The applicant, Sage Investco, has submitted applications for the proposed development of a new commercial shopping center with an anchor grocery store on an approximately 6.2 adjusted gross acre site located within Planning Area 1 of the Auto Center Overlay. The site has a General Commercial land use designation for both the General Plan Land Use Map and Zoning District Map. The site is located on the northeast corner of Citrus Avenue and South Highland Avenue. The project, as proposed, will require the following approvals: Zoning Code Amendment to amend the Planning Area for the site from Planning Area 1 to Planning Area 3 of the Auto Center Overlay, a Tentative Parcel Map to consolidate eight (8) lots into one (1), a Development Agreement between the City of Fontana and the applicant, one (1) Conditional Use Permit for a Type 21 ABC License for the 40,100 square foot anchor tenant, two (2) Conditional Use Permits for the proposed drive-thru establishments, a Design Review for site and architectural review of the total site, and a Design Review Sign application for a sign program encompassing the project site.

Zoning Code Amendment No. 21-001:

The project site is zoned General Commercial (C-2) within Planning Area 1 of the Auto Center Overlay District. Standards for the Auto Center Overlay are listed in Section 30-636 (Purpose and

Intent) of Division 5 (Auto Center Overlay District) of the Fontana Zoning and Development Code. The Auto Center Overlay District is intended to reserve certain specified properties for certain types of uses within the four planning areas.

The applicant is proposing to amend the Auto Center Overlay from the existing Planning Area 1 (reserved primarily for automobile retail sales, service, and related uses) to Planning Area 3 which permits for additional commercial uses such as drive thru restaurants and other supporting uses. All automobile related uses, including car sales dealerships, will continue to be permitted in Planning Area 3. The applicant is also requesting to amend Section 6403(a) to allow for a grocery store use.

City approval of a Zoning and Development Code Amendment (Amendment) is required for this proposal. Specifically, this will require an amendment to, Figure 1 (Auto Center Overlay District Planning Area Boundaries Map) Section 30-639 of the Fontana Zoning and Development Code. If approved, Figure 1 will be amended to extend the boundary of Planning Area 3 to encompass the project site as shown in Attachment No. 6. Drive thru fast-food restaurants are permitted with a Conditional Use Permit (CUP) application in Planning Area 3 of the Auto Overlay District. Additional proposed commercial retail uses are also permitted in PA3 either by right or with approval of a CUP application.

The General Plan land use designation of General Commercial (C-G) for the site allows for the development of retail, malls, wholesale, auto dealerships and offices that can serve the regional population. Therefore, Planning Area 3 will be consistent with the site.

Development Agreement No. 21-003:

A development agreement has been submitted for consideration by the City. As part of the overall project, staff and the Developer have worked together on an agreement with deal points that will provide for a public benefit for the City and residents.

Tentative Parcel Map No. 20370:

Tentative Parcel Map No. 20370 is a request to consolidate eight (8) parcels into one (1) parcel totaling approximately 6.20 adjusted gross acres for the purpose of developing a commercial shopping center. The lot, as proposed, will comply with all standards of the City's Municipal Code including Chapter 26 (Subdivisions) and Chapter 30 (Zoning and Development Code). Three (3) proposed points of access are proposed along South Highland Avenue.

Conditional Use Permit No. 21-004:

The applicant has submitted an application for a Type 21 (Off-Sale General) ABC license for the proposed 40,100 square foot anchor grocery store. The ABC License authorizes the sale of beer, wine and distilled spirits for consumption of alcohol off the licensed premises where sold.

Census Tract No: The subject site is located within Census Tract No. 23.01 and is bounded by Sierra Avenue to the east, Miller Avenue to the south, Citrus Avenue to the west and the 210 Freeway to the north. This area encompasses approximately 2.5 square miles of area. If approved, the proposed market within the Citrus Crossroads center will be the only off sales full service grocery store within the immediate vicinity of the project site. Therefore, staff supports the approval of the Conditional Use Permit to sell alcohol for offsite consumption. The appropriate findings were made (Attachment No. 7).

Conditional Use Permit No. 21-005 and -006:

Drive-thru establishments are a conditionally permitted use within Planning Area 3 of the Auto Center

Overlay. As proposed, the development will have two (2) drive-thru restaurants: one (1) for a fast-food restaurant and a second for a proposed coffee shop with drive-thru services. The drive-thru services have been reviewed and meet the development standards as required in the Zoning and Development Code for parking, drive-thru stacking, driveway width, and all other standards as required by the Zoning and Development Code. Given the proximity to the freeway and well designed site layout, the drive-thrus, if approved, will function correctly.

Design Review No. 21-010:

As previously mentioned the applicant is proposing a commercial shopping center called the “Citrus Crossroads” shopping center. If approved, the shopping center would have a total building square footage of approximately 53,354 square feet. The applicant has worked diligently with staff to incorporate site details that will beautify and enhance the overall aesthetics of the site. Some of the features include a modern architectural theme for the center, patios and drive entries, porte cochere’s for the drive thru restaurants, a unique and well-designed water feature that will enhance the corner statement of Citrus Avenue and South Highland Avenue, additional landscaping, building lighting and signage that would give the sense of place and act as a landmark for the prominent corner. The signage, as presented, is conceptual in nature and will require a Design Review Sign application for each building or suite.

The modern architecture theme selected for the shopping center is appropriate for the area and is consistent with surrounding uses, the design guidelines in the Development Code and more specifically the Auto Center Overlay. In addition, the proposed project is consistent with the goals and policies of the General Plan and applicable provisions of the zoning district, including Goal 5.3, Policy 5: (Community Design Element) stating that buildings “shall incorporate distinct and varied architectural details through varied rooflines, and detailed façade treatments”. Design characteristics include decorative cornices, wall sconces, veneer, stucco wall surface and decorative awnings.

Design Review Sign No. 21-018:

The applicant has proposed an amendment to the sign provision listed in the Overlay District under Section 644(3)a to permit the additional sign types listed under separate cover to identify the project and businesses with the center. The proposed signs were designed to be compatible with a shopping center. The applicant has proposed one (1) freeway pylon sign, two (2) multi-tenant monument signs, one enhanced (1) corner statement which includes water features, and on-site directional signage. The signs are of a modern architectural theme that will enhance the overall contemporary look of the shopping center.

Environmental:

Pursuant to Section 15070 of the California Environmental Quality Act (CEQA) Guidelines and Section 6.04 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA, an Initial Study (IS) has been prepared for this project pursuant to the California Environmental Quality Act (CEQA). Based on the information in the IS, no significant impact is anticipated as a result of project implementation, with mitigation incorporated, and a Mitigated Negative Declaration has been prepared for the Planning Commission’s consideration.

MOTION:

Approve staff’s recommendation

ATTACHMENTS:

1. Vicinity Map
2. Site Plan
3. Tentative Parcel Map
4. Elevations
5. Elevations
6. Renderings
7. ABC Census Tract 23.01
8. Planning Commission Resolution, Findings and Conditions of Approval
9. Notice of Public Hearing
10. Notice of Determination

UNDER SEPARATE COVER:

1. Reduced color plans
2. Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
3. Development Agreement
4. Auto Center Overlay Amendments
5. Proposed Sign Criteria for Planning Area 3