

MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
ENGINEERING CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 9:00 A.M., DECEMBER 21, 2006

CALL TO ORDER: Chairman Eastman called the meeting to order at 9:09 a.m.

COMMITTEE MEMBERS PRESENT: Eastman, Lopez, Nguyen, Tabatabaee (left the meeting at 10:11 a.m., St. Paul and Villagracia

COMMITTEE MEMBERS ABSENT: Petropolus

STAFF MEMBERS PRESENT: Allen, Kusch and Leopold

OTHERS PRESENT: Jay Chong, Pu-ki Chong, Sean Duby, WooJae Jang, Cecilio Salazar, Jaime Salazar, Mark Razan, and Sung Jin Yuo

APPROVAL OF MINUTES:

MOTION by Committee Member St. Paul, SECONDED by Committee Member Tabatabaee and CARRIED unanimously by all voting members present to APPROVE the December 7, 2006 minutes.

INTRODUCTIONS - COMMITTEE AND STAFF MEMBERS:

ACTION ITEMS:

Item No. 1

PRJ05-00821 – ZON05-00122. APPLICANT: JAIME C. SALAZAR; PROPERTY OWNER: CECILIO R. SALAZAR.

Acting Associate Planner Kusch presented a request for a major site plan for an addition of a three-bedroom dwelling unit, removal of existing carports and construction of four two-car garages at an existing five-unit apartment complex on property located at 115 N. Pritchard Avenue (west side of Pritchard Avenue, between approximately 190 and 285 feet north of Commonwealth Avenue) (R-3 zone) (Categorically exempt under section 15332 of CEQA Guidelines) (AKU)

Acting Associate Planner Kusch said staff reviewed the proposal and found that it complies with the City's development standards. Chairman Eastman asked if the project has been reviewed for CEQA compliance. Acting Associate Planner Kusch said the project is categorically exempt from CEQA and that a Notice of Exemption will be filed with the County Records Office.

Chairman Eastman said the project is located in close proximity of the airport and asked if it meets all of the criteria as it relates to the Airport Land Use Plan (ALUP)? Acting Associate Planner Kusch said that is correct. Chairman Eastman asked if we have identified that it is

not directly in the flight path as identified by that plan and meets all of the hazardous mitigation requirements in the master plan. Acting Associate Planner Kusch said that is correct.

Committee Member Nguyen stated the Engineering Department has some recommended conditions of approval. He said that there are oak trees along the parkway of Pritchard Avenue that have uplifted the curb, gutter and pavement. He stated the following recommended conditions of approval:

- The applicant shall provide landscape (sod) and irrigation in existing parkway along project frontage. Extend onsite irrigation to provide irrigation for new sod. Irrigation system shall be maintained by private property owner.
- The applicant shall remove and replace uplifted/broken curb and gutter along the project frontage from joint to joint. No sawcutting is allowed.
- The applicant shall cold plan existing pavement and repave with asphalt concrete along the project frontage from the street centerline to the edge of gutter.
- The applicant shall remove unused existing driveway and construct the northerly alley return and sidewalk ramp per City std. 107 and 125.
- The applicant shall underground existing overhead utilities use exclusively for the existing on-site structures. The new structures shall be served onsite by underground utilities.
- Any damages to the public infrastructures (e.g. alley, sidewalk, etc...) during the course of construction shall be repaired/reconstruct to the satisfaction of the City inspector.

Acting Associate Planner Kusch stated the applicant provided a conceptual landscape plan. He said some of the open space areas identified on the plan are currently hardscape painted green. Acting Associate Planner Kusch stated a concern with providing access to the common open space areas. Currently, the open space area at the rear of the property is exclusively utilized by the rear tenant. Staff mentioned that the common open space areas will need to include access for all of the tenants.

Chairman Eastman asked if the rear open space area will include any improvements such as benches, barbecues or something that would attract the general tenants to that space. Acting Associate Planner Kusch said that the plans did not specify such improvements.

Committee Member Nugyen asked how big the trash enclosure is and if it would accommodate two trash bins. Chairman Eastman said MG Disposal provides one trash bin for the proposed number of units. He indicated that MG Disposal would increase the frequency of the pick up if one bin is not adequate. He asked the applicant if the bin is behind a roll-up door. The applicant said yes and that it was a sectional door to match the appearance of the garage doors.

Chairman Eastman expressed concerns with accessing the trash enclosure. He said he did not know if MG Disposal would accommodate the use of an access code or clicker device. He said that staff would need to verify the policy with MG Disposal. Chairman Eastman was

also concerned with the accessibility and location of the trash enclosure. The trash enclosure is located under the proposed dwelling. There may be a situation with the person above hearing the garage door open regularly. He said that there may be a better mechanism for that and it needs to be addressed. Chairman Eastman said he is in full support of having a garage door in one way or another to help screen the trash enclosure and to eliminate unwanted dumping from adjacent neighbors. He explained there has been some experience in terms of having a trash bin inside an enclosed space that any smells or odors accumulate and is not aired out. He suggested substituting a wrought iron swing gate for the garage door.

Acting Associate Planner Kusch mentioned that the applicant has identified security lighting adjacent to the open parking spaces off the alley. He inquired whether an existing fire hydrant would be able to serve the property and whether the existing units would have to include fire sprinklers. He mentioned that the location of the existing hydrant would not meet the Fire Department's 150 ft. rule. He stated an adjacent neighbor located north of the property came into the Community Development Department to review the plans.

Committee Member Lopez stated he spoke to Elaine Wise, Water Technical Design Specialist, and Julie Kunze, Fire Marshall, and pointed out on the plans where they are requiring an on-site hydrant. He explained that the building will not be required to be sprinklered. Chairman Eastman asked if a condition will need to be added or defer it to the plan check process. Committee Member Tabatabaee said they need to have the hydrant as indicated and that the trash enclosure would have to include fire sprinklers.

Chairman Eastman explained that typically there is a condition that garages be used for parking at all times. He recommended that a condition be added to include "failure to comply with this condition would subject the property owner to citation from Community Preservation".

Acting Associate Planner Kusch asked if a condition pertaining to landscape plans include the provision of the aforementioned amenities in the common open space area. Chairman Eastman said he would like to give the applicant an opportunity to speak in regard to this matter.

Public hearing opened.

Jaime Salazar, applicant, said he would like to add a barbecue to the common open space and make it a nice place where people can gather. He was considering a Mediterranean landscape plant palette, including palm trees. Chairman Eastman said he did not know if palm trees would be the best approach, but could address it through the staff review of the landscape and irrigation plans. He explained there is fairly limited spacing for broad canopy trees, although some could extend over the first floor to the common open space area. Chairman Eastman explained he would be in support of some barbecue space closer out to the sidewalk area where it is readily visible and accessible. A simple built in type of barbecue would be beneficial. He suggested a gas barbeque for maintenance purposes because it is easier to keep clean.

Public hearing closed.

Committee Member St. Paul suggested the addition of benches to the rear open space area. He agreed with Chairman Eastman's comments. Chairman Eastman suggested that the standard landscape condition include amenities to the common open space as discussed and that the plans be reviewed and approved by the Director of Community Development. Committee Member Lopez reiterated a recommended condition stating the location of the fire hydrant shall be within 150 ft. of the building.

Acting Associate Planner Kusch read a condition that "the buildings meet the water service requirements specified by the Fire Department upon review of working drawings of the development." Committee Member Tabatabaee recommended making the condition more specific to include a fire hydrant and to submit plans to the Water Engineering Department. Chairman Eastman stated that "a public fire hydrant be provided in the City right-of-way by the sidewalk to comply with the Fire and Water Engineering Department requirements" be added to Condition No. 2.

Committee Member Nguyen reiterated Engineering's conditions. Chairman Eastman recommended that the following conditions be added:

- Repair and replace sidewalk
- Repair curb and gutter with damage
- Include sod and irrigation in the parkway
- Replace alley return to comply with ADA
- Replace the driveway
- Install utilities underground
- Any damage to the alley during construction will need to be repaired subject to review and approval of the Director of Engineering.

Chairman Eastman added the following other conditions of approval:

- Access to the trash enclosure shall be reviewed and approved by MG Disposal and the Director of Community Development prior to issuance of building permits.
- All garage spaces shall be used for parking of vehicles at all times. Failure to comply will subject the property owner to citation from Community Preservation.

Chairman Eastman asked the applicant if he had a chance to review the conditions. Mr. Salazar said yes.

MOTION by Committee Member Tabatabaee, SECONDED by Committee Member St. Paul and CARRIED unanimously by all voting members present to APPROVE the project subject to the stated recommended conditions.

Chairman Eastman reviewed the 10-day appeal process.

Item No. 2

PRJ06-00062 – ZON06-00011. APPLICANT: WOOJAE JANG; PROPERTY OWNER: PU-KI CHONG.

Acting Associate Planner Kusch presented a staff report for a request for a major site plan to demolish a nightclub/restaurant building and construct three multi-tenant buildings totaling approximately 14,000 square feet on property located at 2415-2425 East Orangethorpe

Avenue (north side of Orangethorpe Avenue between approximately 165 and 520 feet east of the northeast corner of Orangethorpe Avenue and State College Boulevard) (C-M zone) (Categorically exempt under Section 15332 of CEQA Guidelines)

Acting Associate Planner Kusch mentioned that Staff has been working with the applicant since February. He indicated that the applicant has not identified specific tenants. To allow for a variety of businesses, Staff advised the applicant to apply a parking ratio of 1 space/250 sq. ft. The proposed buildings would require a minimum of 56 spaces. The proposed site plan indicates 58 spaces. Four loading areas have also been included.

Acting Associate Planner Kusch mentioned that the Municipal Code requires standard stalls to measure 9x19 feet and compact stalls to measure 8x16 feet. The Code allows for parking spaces to overhang up to two feet into sidewalks or landscape areas having a minimum depth of 6 feet. Acting Associate Planner Kusch noted that some parking spaces dimensions are less than the Code requirement. Also, parking spaces adjacent to Buildings A and C overhang 2 feet into an adjacent 7-foot sidewalk. However, the building doors swing outward into the sidewalk reducing the sidewalks minimum dimension. Staff recommends recessing the doors to accommodate the parking space overhang.

Acting Associate Planner Kusch stated that the property currently provides vehicular access to a property located adjacent and to the north of the property. Staff recommends that the applicant provide a title report and underlying documentation to verify the status of this access and whether the site plan will need to accommodate a vehicle access easement. Staff received a telephone call from a representative of the adjacent property concerning maintaining the vehicle access. The proposed site plan indicates Building B blocking the access.

Acting Associate Planner Kusch stated there is another concern that the buildings do not indicate tenant access at the rear. Staff is concerned that this would place a limitation on the potential occupancy and the tenant mix of the development. Staff notes that there is a line indicated on the site plan on Building A that should not be there because a zero lot line is proposed on the west side of the property.

Acting Associate Planner Kusch indicated that there are two existing hydrants located on either end of the property's Orangethorpe Avenue street frontage. An additional hydrant is proposed at the front property line toward the center of the property. Staff notes that the property has a depth of 150 feet and believes the hydrant locations would not meet Fire Code requirements.

Acting Chief Planner Eastman provided clarification on a statement made at the beginning of the presentation that staff required parking based on retail standards. He explained that the zone allows for very limited retail activity. The required parking ratio of one space per 250 sq. ft. of F.G.A. is mostly to accommodate office uses. It is more relevant because more office uses are allowed in this zone, versus retail. The retail that is permitted is fairly limited per the Zoning Code. He said the proposed design does not lend itself to industrial activities unless they are light industrial uses such as "mom and pop manufacturing". The users for the proposed buildings would be relatively small, quasi-industrial or office type of facilities and the parking for that would still be based on the office space requirement.

Acting Chief Planner Eastman mentioned that perhaps tree wells could be used instead of having diamond landscape tree wells so that the indicated landscape planter is retained. Acting Chief Planner Eastman asked if the parking/landscaping code requirement would be met if the landscape planter were eliminated. Acting Associate Planner Kusch said he was not sure. The concern is not only the quantity of landscaping, but the distribution of the landscaping throughout the parking area.

Acting Associate Planner Kusch added that staff is recommending a condition to submit a sign program for review and approval. He mentioned that two signs appear to be encroaching into the public right-of-way. Acting Chief Planner Eastman said they would require a sign program per code for any multi-tenant facility and existing signs would need to be removed to accommodate what is proposed in terms of building location. The issue of signage would be addressed as a separate proposal.

Committee Member Nguyen had the following conditions recommended from the Engineering Department:

- The applicant shall remove existing curb and gutter, sidewalk, driveways, hardscape, and landscape along the project frontage on Orangethorpe Ave.
- The applicant shall construct new sidewalk, curb and gutter, and driveways along the project frontage. New driveways shall be constructed as the modified alley approach configuration per City std. 121.
- The applicant shall provide street trees, 6'x4' tree wells, and tree grates along the project frontage. Size and type of trees and tree grates shall be as approved by Engineering and Maintenance Departments. Spacing between trees shall be 30 feet maximum.
- The applicant shall extend onsite irrigation to provide new tree wells. Irrigation system shall be maintained by private property owner.
- The applicant shall remove all existing private signs/monuments that are encroaching onto the public R/W. All new private entry signs/monuments shall be designed in such a manner so as not to interfere with safe traffic sight distance.
- The applicant shall underground all overhead utilities, both along the property frontage on Orangethorpe Ave. and onsite. The new structures shall be served onsite by underground utilities.

Acting Associate Planner Kusch said there appear to be new street trees along the Orangethorpe Avenue street frontage. He was not certain if they can be retained based on the location of the driveways. Acting Chief Planner Eastman said there are spacing and dimension requirements from the Landscape Superintendent and Engineering Department. The spacing requirements from utilities will need to be shown on the landscape plans. He explained that some of the healthy trees will need to be relocated or protected in place. Acting Chief Planner Eastman asked if grates or open tree wells would be used. Committee Member Nguyen said a tree well with a 4x6 foot grate on top would be required.

Chairman Eastman said there were concerns in terms of the location of the existing and proposed fire hydrants. He mentioned that there are requirements that the hydrants be located a maximum of 150 ft. from the most remote portion of the buildings. The property is 150 ft. deep. There would be no way to gain access from those hydrants and meet the 150 ft maximum hose pull dimension. Staff would likely require that additional hydrants be placed on site. Committee Member Lopez said if it will be private hydrants, the Fire Department will require the standards for a public hydrant, which is Standard No. 610. He explained the way that the Fire Department rolls out a hose is taken into consideration and does not go over a parking space or planters. Chairman Eastman explained the process and recommended that at least two hydrants be located on site. Committee Member Lopez said there is a concern from the Fire Department that the site has tight parking and maneuvering areas. Chairman Eastman clarified that the required hydrants can be private but must meet public standards. It will require some coordination between the Fire Department and Water Engineering Department during the plan check process.

Acting Associate Planner Kusch stated the recommended conditions.

1. Plans shall be revised to recess the building doors for "Building A" and "Building C" to accommodate the adjacent 2 ft. parking space overhang into the sidewalk. The adjacent sidewalk shall have a clear dimension and meet the applicable building code requirements.
2. Required parking spaces may overhang 2 ft. over landscaped areas and walkways provided that the total depth of the landscaped area or walkway is a minimum of 6 ft. The site plan shall be revised and submitted for review and approval by the Community Development Director which meets this code requirement. Diamond tree wells may serve to meet this requirement.
3. Compact parking stalls shall be labeled "compact only", loading areas shall be striped and labeled.
4. Prior to the issuance of building permits, the applicant shall submit for review by the Director of Community Development, a title report, and an underlying documentation indicating all of the easements on the property.
5. Building plans shall show details of exterior lighting. All lighting shall be arranged to prevent direct rays from entering adjacent properties. Site shall be adequately lit as required by the Director of Community Development.
6. A detailed landscape and irrigation plan shall be prepared by a licensed landscape architect, such plans will be designed in accordance with the landscape and irrigation design requirements of the City and will be submitted for approval by the Community Development Department Director prior to issuance of building permits with implementation prior to occupancy of the project, landscape plans shall account for the location of utility equipment such as water or electrical meters or water backflow prevention devices. The proposed electrical transformer shall be screened from view, with landscaping and remain accessible. The required open space area shall remain clear of such equipment. A one-year maintenance bond in the amount of equal to 50 percent of the combined cost of the landscape materials and irrigation system, but not

less than \$500 will be posted as a pre-requisite to the final approval of the development and occupancy of use.

7. A six-inch high concrete curb will be provided between all landscaping and vehicular paved areas.
8. Final building plans will be required to include details for screening all exterior mounted machinery and machinery components.
9. The applicant shall submit a sign program for review and approval by the Director of Community Development prior to issuance of signed permits.
10. Prior to the issuance of any building permits a detailed grading and drainage plan will be submitted for review and approval by the Director of Community Development and the Director of Engineering.
11. Prior to building permit issuance the applicant shall submit to the City for approval a water quality management plan specifically identifying best management practices for the project that will control predictable pollutant ground. The WQMD shall identify a minimum of routine measures specified in the county-wide NPDES Drainage Area management plan as applicable to the project including the assigning of long-term responsibilities.
12. Prior to the issuance of a certificate of occupancy or a final building permit, all utilities leading to the site including electricity, telephone and cable television will be installed underground.
13. All turning radius shall meet the minimum Fire Department requirements of the 20 ft. inside measurement and the 48 ft. outside measurement.
14. Approved signage and marking shall be provided and approved by the Fire Department for all the emergency access roadways.
15. The applicant shall provide a reliable water source within 150 ft. of the most remote spot of all structures subject to Fire Department approval.
16. Corrections generated from the plan check process shall be incorporated as conditions of approval and the Water Engineering Department has provided three conditions.
17. The applicant shall submit bonds, permits and fees, the applicant shall abandon all substandard services per City Standard 646.
18. The applicant shall upgrade all existing water meters. New water meters shall be installed as required per City standards. The applicant shall submit civil engineer calculations to determine size and service requirements. The applicant shall submit landscape water usage demand.
19. The applicant shall install and test and approve reduced pressure backflow prevention devices at each meter in irrigations per City Standard 604.

Acting Chief Planner Eastman explained there were other construction detail conditions discussed, that would need to be addressed prior to issuance of building permits.

Committee Member St. Paul pointed to an area on the plans that should be looked at. The block wall on the plans should be verified because the new proposed "Building C" is going to abut that.

Acting Associate Planner Kusch stated that the architect could discuss the building elevations to address any questions by the Committee.

Public hearing opened.

Sungjun Yoo, architect, said they have been working on this project for one year. He said there are some code issues according to the recommended conditions and they will follow them. If necessary, they will apply to a CUP for any potential tenants. In addition, they will provide the requested title report to determine any easements on the property. He stated records from the County Recorders office do not indicate an access easement to the adjacent property. He explained that the property owner's son will provide further explanation.

Jay Chong, property owner, explained his main intention to build is that they want to "freshen up" the appearance of the property and make it safer. He said they will follow the recommendations. Mr. Chong explained they reviewed the property's deed and all documents held at the County Recorders office and there is nothing stated about access to the adjacent property. He explained there are no agreements involved between the property owner and the neighbors and there was only a personal arrangement made to allow for easy access onto the adjacent property.

Sean Duby, adjacent property owner, supports the project and believes it will improve the community. He stated he does not have any issues with the access. He is currently developing a building on the adjacent property. He has known for some time that the access would eventually be removed. He said the accessibility has really helped his business. He requested that the property owner allow 6 months to use the access until a project on Mr. Duby's property gets completed.

Public hearing closed.

Acting Chief Planner Eastman said that as far as the timeframe goes, the access issue is a civil issue between the property owners and thinks that 6 months is accommodating. He anticipates that from the City's standpoint, the construction time frame will be appropriate.

Acting Chief Planner Eastman said the area does require title reports on a regular basis. He explained that the building official had some concerns, before he excused himself to another meeting. He expressed some concerns in terms of access issues. Planning staff has some concerns in terms of code issues, which have been made conditions of approval. Acting Chief Planner Eastman stated that staff is not against the development of the project. He believed it would be an improvement for the City. He indicated that staff's biggest concern is that the development is flexible and can accommodate uses to avoid a "dead" center. He said there was a condition that should be included in terms of screening mechanical equipment. It is a code requirement stating "all mechanical equipment shall be screened."

He said that Acting Associate Planner Kusch did identify that a 2 ft. parking space overhang is allowed, but clarified that the 2 ft. overhang is not allowed into the required street setback. Acting Chief Planner Eastman said he is in support of the project subject to the conditions that Acting Associate Planner Kusch provided and some of the comments that were provided by the other departments.

Acting Chief Planner Eastman said there were some design questions. He indicated that there were roll up doors on the side of Building B, located at the rear of the property. He questioned the functionality of the tenant space adjacent to the roll up doors. He stated he is not in objection to roll up doors since they do not face the street. His concern was how the site is designed with ramps to allow for loading/unloading, and the sidewalk should include ramps to accommodate the loading and unloading areas. He stated he has concerns related to handicapped parking. He said typically when there is a tenant improvement there is usually directly accessible handicapped parking and it may be beneficial for the applicant to look at using handicapped parking at the end of the building and use the sidewalk as part of the required path of travel. The architect said it was all a preliminary conceptual design and the layout will be changed to meet the code. Acting Chief Planner Eastman explained that his preference would be to have roll-up doors on the side. Any required exit doors could be accommodated by locating them on the sides of the building. He stated there is some flexibility through minor adjustments that can be addressed in the permit process, but for the most part, these are coordination issues not a re-design. He explained the process of the SRC in reviewing projects.

Acting Chief Planner Eastman asked if the applicant had any concerns with the conditions that have been expressed. The architect said not right now and that he understood them. Acting Chief Planner Eastman said that the Engineering Department added some conditions. He indicated that those conditions be consolidated under one condition.

Committee Member St. Paul stated that Acting Associate Planner Kusch had indicated earlier about the possibility of installing diamond tree wells. However, the landscape calculation was not done at this point and time, and it should probably be stated more thoroughly here as a condition. Additionally, landscape areas containing on-site fire hydrants may not count toward the required landscape area. Committee Member Lopez provided clarification stating that the hydrants can be on landscaped area, but they need to remain accessible.

Acting Chief Planner Eastman explained that the applicant must meet the landscape requirement of 25 sq. ft. of landscaping per parking space or eight percent of parking lot, whichever is greater. Any additional conditions would be added during the plan check review process.

Acting Chief Planner Eastman added that if the project should be approved, that the applicant look at the occupancy type based on exiting. This will allow more flexibility in terms of the type of tenants while not restricting themselves based on building code requirements. He said that they should meet with a City plan check engineer to identify what can be done because it would be a shame to build this project and not allow the maximum flexibility in terms of tenants.

MOTION by Committee Member St. Paul, SECONDED by Committee Member Lopez and CARRIED unanimously by all voting members present to APPROVE the project with the

conditions that have been discussed and added. (with Committee Member Tabatabaee absent)

Acting Chief Planner Eastman explained the 10-day appeal process.

ADJOURNED AT 10:47 AM AS STAFF REVIEW COMMITTEE:

BY: _____
Ruth Leopold, Clerical Support