

MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 10:00 A.M., FEBRUARY 15, 2007

CALL TO ORDER

Chairman Eastman called the meeting to order at 10:10 a.m.

COMMITTEE MEMBERS PRESENT

Eastman, Lopez, Nguyen, St. Paul, Petropulos, Schickling

COMMITTEE MEMBERS ABSENT

Kunze, Tabatabaee

STAFF MEMBERS PRESENT

Kusch, Pasillas

OTHERS PRESENT

John Koos, Omar Tadeo, Salvador Escobedo, Don Nevins, Scott Edwards

APPROVAL OF MINUTES

MOTION by Committee Member St. Paul, SECONDED by Committee Member Eastman and CARRIED unanimously by all voting members present to APPROVE the February 1, 2007 minutes.

ACTION ITEMS

PRJ06-00303 – ZON06-00048. APPLICANT: JOHN KOOS; PROPERTY OWNER: CITY OF FULLERTON.

Acting Associate Planner Kusch presented a request for a minor site application for the construction of a monopole telecommunication antenna measuring 65'-0" tall and designed to have the appearance of a pine tree at a City water reservoir property located at 2470 Pioneer Avenue (south side of Pioneer Avenue, approximately 400 feet east of Gilbert Street) (P-L zone) (Categorically exempt under Section 15332 of CEQA Guidelines) (Continued from October 5, 2006) (AKU).

Acting Associate Planner Kusch explained that the item had been continued by staff in October 2006 because of the need to comply with code. The project was a 65' monopole, disguised as a pine tree, on the southwest portion of the property. Based on the pole height, the code required a 65' setback to the adjacent residential properties. The plans reflect the required setback from the adjacent residential properties. Pioneer Avenue was not considered an arterial street so there was no requirement that the monopole be setback from Pioneer Avenue. The request also included an equipment enclosure at the base of the pole.

At the previous meeting there had been a request to provide additional pine trees to blend in with the artificial monopine. The site plan indicated a setback from the water tank to the equipment enclosure of 25 feet; however, the Water Engineering department had expressed some concerns. The main concern had to do with setting back the live pine trees beyond the equipment enclosure to the proposed monopole. Staff questioned how the live pine trees would be irrigated as there appeared to be no irrigation lines on the property.

During the previous review Acting Associate Planner Kusch had received an email from a neighboring resident to the west of the site. His concerns were with frequency interference, whether the antenna would harm wildlife in the area, whether the pole met height limitations as it related to the airport, general maintenance of the west side of the property (which was designated as an alley serving the residential area) and the need to secure the area to prevent loitering.

Property owners were notified of the current request and no opposition had been received.

Acting Associate Planner Kusch continued by explaining that Water Engineering had expressed a need for an improved security fence along Pioneer Avenue consisting of a seven-foot wrought iron fence powder-coated green. Many of these issues would be addressed in the lease agreement with the City, as well as during plan check.

Dave Schickling discussed the Water Engineering requirements. An automated gate with security card access that would be connected to the City's telemetry system would be required, as would repair of the existing fence.

Senior Planner St. Paul asked about the equipment enclosure and Acting Associate Planner Kusch responded that it would be fenced in.

Dave Schickling stated that the live trees would need to be 25' from the tank. Acting Chief Planner Eastman asked if there was currently irrigation on the site and Dave Schickling stated that there may be a 2" service line, but he was unsure if there was irrigation.

Committee Member Lopez asked if there would be at least a 20' access, and the applicant responded affirmatively. Committee Member Lopez also stated that the Fire Department would require a Knox keypad at both the gate and the equipment enclosure.

Acting Chief Planner Eastman asked if the Fire Department would have enough room to turnaround, and Committee Member Lopez responded there appeared to be enough room. Acting Chief Planner Eastman asked what type of surface the Fire Department would require and Committee Member Lopez stated it would need to be an all weather type of surface from the street entry back to the equipment enclosure.

Public hearing opened.

The applicant, John Koos, explained the project would be a 65' monopine that would be built/engineered to allow possible co-location at a future date. He was willing to work with the Water Engineering department during construction to determine placement of the live pine trees. He had assumed there was existing irrigation, but was willing to add irrigation to the trees if it was needed. He felt it would be best to leave the aesthetic issues out of the land use agreement, and instead put them into the lease.

Acting Chief Planner Eastman commented that some of the requirements being put on this project have to do with the location and need for security to ensure the safety of the water supply. He stated there would need to be a landscape plan prior to permits being issued, and that would address irrigation and tree placement.

Senior Planner St. Paul questioned what size tree would be planted, and Acting Chief Planner Eastman responded that trees were usually specified by box size and a minimum 48" box size

appeared appropriate for this use. Acting Associate Planner Kusch clarified that the trees would not provide an immediate screen, but would need time to grow.

The applicant questioned the requirement for wrought iron fencing, and asked if it would be required if this project was on private property. Acting Chief Planner Eastman explained that because this site required certain security measures, and chain link could be easily cut, wrought iron was more appropriate. He added, if this was a private provider of public domestic water the security issue would be the same.

Acting Associate Planner Kusch asked if a 58,000 pound load from a fire truck would undermine the structural integrity of the tank. Committee Member Lopez stated that a structural engineer would design a mix to withstand that load without any interference with the existing structure. Acting Chief Planner Eastman asked if the water tank were ever empty, and Dave Schickling responded that usually had an eight foot high flex, but the tank was emptied every three years to clean. Acting Chief Planner Eastman commented that the water pressure would push out and the tank would not be impacted by the weight of a fire truck unless it was empty.

Acting Chief Planner Eastman stated that the main concerns appeared to be the Knox box, all weather road, security gate, landscape and irrigation plan, minimum 20' access dimension, 48" box minimum pine tree

Senior Planner St. Paul asked if there would be a condition to replace the existing dead landscaping, and Acting Associate Planner Kusch responded that there would be a requirement to submit a landscape plan and a one year maintenance deposit.

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

Chairman Eastman explained the 10-day appeal process.

PRJ06-00502 – ZON06-00087. APPLICANT AND PROPERTY OWNER: IRENE TORRES.

Acting Chief Planner Eastman explained that Acting Associate Planner Kusch would be sitting in as a committee member since Senior Planner St. Paul was the assigned planner for this project.

Senior Planner St. Paul presented a request for a 20% reduction in the rear yard setback from 15'-0" to 12'-0" to facilitate a 792-square-foot family and dining room expansion for property located at 212 Ventura Place (east side of Ventura Place, approximately 140 feet south of the centerline of Walnut Avenue (R-1-6 zone) (Categorically exempt under Section 15301 of CEQA Guidelines).

Senior Planner St. Paul stated that the public had been noticed and only one neighbor responded. The neighbor to the rear of this property expressed concern with the encroachment, but stated they were renters and indicated they would have the property owner respond, which did not happen.

Acting Chief Planner Eastman asked what concerns were expressed by the SRC when the project was previously reviewed. Senior Planner St. Paul responded that it had not been reviewed, other than for the continuation request due to incorrect dimensions and ratios.

Senior Planner St. Paul explained that the applicant intended to keep the existing one car garage, there would be no expansion to the side yard, just the addition to the rear. Acting Chief Planner Eastman asked if the applicant would maintain the side yard parking and meet the open space requirements, and Senior Planner St. Paul responded affirmatively.

Acting Associate Planner Kusch commented that, in looking at an aerial photograph, the neighbor's property to the rear had a tree to provide some screening for the proposed addition.

Public hearing opened.

The applicant's representative, Salvador Escobedo, explained that they were unable to expand the house towards the front because there was a bedroom. They did not want to go out to the side because they currently had outdoor living space located there that they enjoyed using. They had chosen the backyard because it was rarely used. The reason the proposed floor reflects two bathrooms located back-to-back was that an existing bathroom in the house would be removed, and it simplified the plumbing by placing the two bathrooms back-to-back.

Acting Chief Planner Eastman asked if, with the removal of one bathroom and the addition of another, there would be an increase in occupancy. The applicant responded that there would be no change in occupancy; they just wanted a larger den and family room.

Committee Member Lopez asked if there would be any opening into the garage, and the applicant responded negatively.

Acting Associate Planner Kusch asked the applicant if they had tried to meet the setback requirements, and the architect, Omar Tadeo, responded that they had looked at meeting the setback requirement but it created a long, narrow room.

Acting Chief Planner Eastman expressed his concerns with the project. He explained that setback adjustments were granted when existing constraints prevented someone from meeting code. He did not feel there was strong justification in this case, particularly when placing a high activity use in the rear yard. He believed that through design they could accommodate the 15' setback requirement. He also felt the proposed layout was unique for a two bedroom house, particularly with the bathrooms, and this caused him some concerns regarding the amount of activity that would take place in the new room. In addition, he had concerns with the proposed encroachment being the full width of the existing residence, and the resident on the lot behind the project had expressed concerns.

Committee Member Petropulos asked if the addition would be a meeting place for some type of club based on the bathroom layout, and the applicant responded negatively, it was just for his family's use.

Acting Chief Planner Eastman did not believe there was justification to allow for the decrease in rear yard setback, and felt it was important to design to fit the code, rather than change the code to fit what was designed, particularly when a redesign to code was possible.

Acting Associate Planner Kusch was concerned with setting a precedent for allowing other neighbors to do the same, and he also did not see justification or site constraints to support the reduction.

MOTION by Committee Member Eastman, SECONDED by Committee Member Kusch and CARRIED unanimously by all voting members present to DENY the project.

Chairman Eastman explained the 10-day appeal process.

PRJ07-00046 – ZON07-00007. APPLICANT AND PROPERTY OWNER: SCOTT EDWARDS.

Acting Associate Planner Kusch presented a request for a minor site plan application for a 20% reduction to the rear yard setback, from 15 feet to 12 feet, to accommodate a 384-square-foot bonus room, on property located at 2324 East Brookdale Place (approximately 300 feet south of Nutwood Avenue and 400 feet west of State College Boulevard) (R-1-7.2 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (AKU).

Acting Associate Planner Kusch added that the project did meet open space requirements. He also displayed an aerial view of the neighborhood that showed an adjacent property had a similar structure within the rear yard setback.

Acting Chief Planner Eastman asked if this project was noticed and if any comments had been received and Acting Associate Planner Kusch responded that the project was noticed and no comments had been received.

Acting Chief Planner Eastman asked if there was a slope difference between the subject property and the property to the rear and Acting Associate Planner Kusch responded that there did not appear to be a difference.

Acting Associate Planner Kusch pointed out that the addition would be approximately half the width of the house, therefore the portion encroaching into the setback would not be the full length of the house.

Public hearing opened.

The architect, Don Nevins, displayed a photo board with pictures of the subject property and the property to the rear. There were existing trees blocking the view and additional shrubs would be planted as part of the project. He explained that they had looked at adding a 10' room, but did not feel it would be enough space to accommodate the grand piano they intended to place in the room. Mr. Nevins added that the addition would have the same roof pitch and style as the existing structure, and the house had a deep backyard which could accommodate the proposed structure.

Acting Chief Planner Eastman asked the applicant if he spoke with his neighbors regarding the project, and the applicant responded that he spoke with several, and they were supportive.

Acting Chief Planner Eastman stated that he believed there was justification for this encroachment. There had been no concern expressed by any neighbors, there had been some precedent set with the neighbor's encroachment, based on the configuration of the adjacent lots to the rear, the project preserves open space in the backyard, and this was only a partial encroachment. He was concerned with the double doors that faced the back of the property and would like to minimize the impact relative to noise and activity facing the rear.

Senior Planner St. Paul also was concerned with the door opening to the rear and thought it made more sense to place the door on the side facing the outdoor living area.

Committee Member Petropulos asked what type of doors they would be and the applicant stated French doors.

Committee Member Lopez asked if the applicant had spoken to the neighbor to the rear and the applicant responded negatively.

Acting Chief Planner Eastman stated that the neighbor that would be most impacted would be the neighbor to the side which already had an existing structure in their rear yard setback. He believed there was adequate justification to approve this request.

There was discussion among the Committee as to whether the rear doors should be changed to windows, or eliminated all together, to reduce noise impacts. The Committee felt that the adjacent neighbor homes were far enough away that the three foot adjustment would not make a significant difference.

MOTION by Committee Member St. Paul, SECONDED by Committee Member Petropulos and CARRIED unanimously by all voting members present to APPROVE the project with conditions as stated, and an additional condition that existing landscaping remain and be maintained, and all standard conditions be included.

Chairman Eastman explained the 10-day appeal process.

OTHER MATTERS

None.

PUBLIC COMMENTS

None.

Adjourned at 11:35 a.m. as Staff Review Committee.

BY: _____
Janelle Pasillas, Secretary