#### MINUTES OF THE REGULAR MEETING OF THE FULLERTON PLANNING COMMISSION

#### **COUNCIL CHAMBERS – CITY HALL**

<u>WEDNESDAY</u> MAY 9, 2007 7:00 P.M.

**CALL TO ORDER:** The meeting was called to order by Vice Chairman Hart at 7:07 p.m.

**PRESENT:** Vice Chairman Hart, Commissioners Bailey, Chaffee, Musante, and

Thompson

**ABSENT:** Chairman Francis, Commissioner Savage

**STAFF PRESENT:** Acting Director of Community Development Rosen, Acting Chief Planner

Eastman, Senior Planner St. Paul, Acting Senior Planner Allen, Senior

Civil Engineer Voronel, and Recording Secretary Pasillas.

FLAG SALUTE: Commissioner Musante

MINUTES: MOTION made by Commissioner Bailey, SECONDED by Commissioner

Musante, and CARRIED unanimously, by voting members present and Vice Chairman Hart abstaining, that the Minutes of the April 25, 2007

meeting be APPROVED as written.

#### **PUBLIC HEARINGS**

#### ITEM NO. 1

PRJ07-00140 - SUB07-00002. APPLICANT: CITY OF FULLERTON FIRE DEPARTMENT; PROPERTY OWNER: CITY OF FULLERTON.

Staff report was presented pertaining to a request to abandon the portion of a 20-foot wide east/west alley within Block 26 of the Fullerton Townsite bounded on the east by Lots 16 and 33 and on the west by Lots 19 and 30, on property located at 312 East Commonwealth Avenue (between Commonwealth and Santa Fe Avenues, approximately 125-225 feet west of Lemon Street) (Categorically exempt under Section 15301 of CEQA Guidelines) (HAL/YVO)

Acting Chief Planner Eastman explained that the City had requested that this item be continued to a date uncertain to consider alternative solutions.

MOTION made by Commissioner Bailey, SECONDED by Commissioner Musante and CARRIED unanimously that said item be CONTINUED to a date uncertain.

#### OTHER ITEMS

RESOLUTION OF INTENTION. PRJ07-00206 - LRP07-00004. APPLICANT: CITY OF FULLERTON.

A request to initiate consideration of an amendment of Title 15.04 and 15.30 of the Fullerton Municipal Code pertaining to the definition and regulations of "Human Services Agency" uses.

Acting Chief Planner Eastman explained the request. There was currently a definition for Human Services Agency, and a Conditional Use Permit (CUP) was required for that use. Staff believed that more clarity was needed, and possibly examples of human service activities, as the definition was very broad. There would not be any change to the land use category, and the Planning Commission's recommendation would go before the City Council for final approval.

Acting Director Rosen stated that this request was at the recommendation of the City Attorney.

The title of <u>RESOLUTION PC-07-10</u> DECLARING its intention to consider amending Chapters 15.04 and 15.30 of the Fullerton Municipal Code pertaining to the definition and regulations of "Human Resources Agency" uses was read and further reading waived. MOTION by Commissioner Musante, SECONDED by Commissioner Chaffee and CARRIED unanimously by voting member present that said Resolution be ADOPTED AS WRITTEN.

# RESOLUTION OF INTENTION. PRJ07-00207 - LRP07-00005. APPLICANT: CITY OF FULLERTON.

A request to initiate consideration of amendment of Title 15.17 of the Fullerton Municipal Code pertaining to regulations related to the City's Preservation (P) zoning requirements.

Acting Chief Planner Eastman stated that the request had come about due to a discussion at the April 25, 2007 Planning Commission meeting. The Commissioners had expressed a desire to further discuss the Floor Area Ratio (FAR) requirements in a Preservation Overlay Zone, and the possibility of either reducing the requirement or eliminating it altogether.

Acting Chief Planner Eastman explained that the Commissioners could either initiate the process themselves, or they could request that the City Council initiate the process.

Commissioner Thompson believed if the Planning Commission worked on modifying the FAR requirements, and then made their recommendation to the City Council, the likelihood was greater that the City Council would accept their recommendation.

Commissioner Bailey stated that due to the City Attorney's advice that he recuse himself from the Brookdale item at the previous meeting, he would abstain from this item tonight, and contact the City Attorney prior to the item coming back to the Commission for discussion.

Vice Chairman Hart asked if there were two choices, and Acting Chief Planner Eastman clarified that there were three choices: initiate the item here, have the City Council initiate the process, or decide it was not an issue and do nothing.

Commissioner Chaffee asked if it would be possible for the City Council to initiate the process and then send the item back to the Planning Commission for their discussion and recommendation. Acting Director Rosen explained that if the Planning Commission requested the City Council initiate the process, the item would come back to the Planning Commission for public hearing and their recommendation.

Vice Chairman Hart believed it was the job of the Planning Commission to make a recommendation to the City Council, and because they had spent time reviewing the item they had more information available.

Commissioner Chaffee stated that the issue came forth out of a feeling of unfairness, where some people in the neighborhood were already at the maximum 50% FAR, and when the Preservation Zone requirements were applied the FAR was reduced. He did not believe the ordinance was easy to read and thought it could be made more user friendly. He would like to see the ordinance encourage people to become part of preservation zone by offering some type of positive incentive, not just consequences for not staying within the guidelines.

Acting Chief Planner Eastman explained that a staff report would be prepared regardless if the Commissioner's choose to ask the City Council to initiate the process or if the Commission initiated the change. This report would outline the concerns expressed by the Planning Commission, but would not have detailed research and background.

Commissioner Musante suggested that the Planning Commission meet with staff and come up with some ideas.

The title of <u>RESOLUTION PC-07-11</u> DECLARING its intention to consider amending Chapter 15.17 of the Fullerton Municipal Code pertaining to regulations related to the City's Preservation ("P") Zoning requirements was read and further reading waived. MOTION by Commissioner Thompson, SECONDED by Commissioner Chaffee and CARRIED unanimously by voting members present and with Commissioner Bailey abstaining, that said Resolution be ADOPTED AS WRITTEN.

#### **COMMISSION STAFF COMMUNICATION**

Commissioner Chaffee presented pictures from his family's trip to New Orleans and their work with Habitat for Humanity.

Acting Director Rosen expressed his appreciation to the Planning Commissioners for their support, and explained that this would be his last meeting as he had accepted a position as Director of Community Development with the City of Buena Park.

#### **REVIEW OF COUNCIL ACTIONS**

Acting Director Rosen gave a brief report on recent City Council meetings.

#### **PUBLIC COMMENTS**

None

## **AGENDA FORECAST**

The next regularly scheduled Planning Commission meeting would be May 23, 2007 at 7:00 p.m.

### **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:37 p.m.	
	Janelle Pasillas
	Secretary