

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

**COUNCIL CHAMBERS – CITY HALL**

**WEDNESDAY**

**JUNE 13, 2007**

**7:00 P.M.**

- CALL TO ORDER:** The meeting was called to order by Chairman Francis at 7:00 p.m.
- PRESENT:** Chairman Francis, Vice Chairman Hart, Commissioners Bailey, Musante, Savage and Thompson
- ABSENT:** Commissioner Chaffee
- STAFF PRESENT:** Acting Chief Planner Eastman, Planning Consultant Wolff, Director of Engineering Hoppe, Senior Civil Engineer Voronel, and Recording Secretary Pasillas.
- FLAG SALUTE:** Commissioner Thompson
- MINUTES:** MOTION made by Commissioner Musante, SECONDED by Commissioner Savage, and CARRIED unanimously, by voting members present, that the Minutes of the May 23, 2007 meeting be APPROVED as written.

**PUBLIC HEARINGS**

**ITEM NO. 1**

**PRJ03-00363 – TTM17131. APPLICANT: THE MORGAN GROUP, INCLUDED: PROPERTY OWNER: CHOU FAMILY ENTERPRISES, LLC.**

A request to subdivide a parcel of approximately six acres for condominium purposes, for property located at 1900 Camino Loma (southwest corner of Camino Loma and Rosecrans Avenue). The City Council previously approved a 131-unit senior apartment complex for this site (former Sunny Hills Racquet Club). This application is to allow its construction as a condominium development to provide for individual ownership of units. (Mitigated Negative Declaration certified by City Council on September 19, 2006) (JWO/YVO)

Acting Chief Planner Eastman gave an overview of the project and an aerial photograph of the property and site plans were shown. He continued by providing a brief background on the development project; the development project was approved on September 19, 2007 by the City Council. There approval was for a 131 unit apartment complex for senior's age fifty five years and older. The project was a two and three story design, with a central recreation courtyard, and would include 237 parking spaces (135 covered and garage spaces).

At the time the City Council approved the project they directed the applicant to work with staff and prepare a condominium map, which was before the Commission today. There were no development changes; this request only involved a subdivision of the property for condominium purposes.

Staff recommended approval subject to the three conditions identified in the staff report, which included the City's Engineering Letter.

Vice Chairman Hart asked if the units would need to be modified for condominium use versus apartment use. Acting Chief Planner Eastman responded that changes would not be needed since the Code criteria was the same (i.e. parking, floor plan, and fire requirements). Vice Chairman Hart asked if a fire wall would be required between units, and Acting Chief Planner Eastman responded that he was not aware of that requirement, but it could be a building requirement that would be addressed during plan check.

Commissioner Savage asked if the sewer and plumbing easements would be privately owned or owned by a single owner, and Senior Civil Engineer Voronel responded that all of the sewers on the site would be privately maintained by a Homeowner's Association (HOA).

Commissioner Bailey asked if the project would still offer the same services to the senior's. Acting Chief Planner Eastman responded that the applicant's intent at this point was not to sell condominiums, but the proposed map would allow for an opportunity in future to convert the apartments to condominiums.

Public hearing opened.

Derek Empey, representing the applicant, The Morgan Group, explained that all of their projects were designed to condominium standards because many of their projects do convert eventually. They expected to have their final plans in plan check sometime in July, and agreed with the proposed conditions of approval.

Vice Chairman Hart asked if the intent was to maintain the property as a senior complex, and Mr. Empey responded that the covenant would run with the land and require the property to remain senior housing.

Commissioner Bailey asked if the property would run the same way, house checks for the senior's, common areas, etc., and Mr. Empey responded that the project would be the same whether it was apartments or condominiums.

Commissioner Savage asked what the standard was for senior, and Mr. Empey stated that it was defined by State law and the Municipal Code as fifty five years or older.

Merrijo Hatfield, 713 W. Houston Avenue, asked if any part of the project would be affordable housing, and if so how would it change the project.

Eddie Sheldrake, 2009 Las Lanas, asked what guaranteed that the property would stay senior housing. Acting Chief Planner Eastman explained that a conveyance on property would be recorded with the County.

Public hearing closed.

Acting Chief Planner Eastman stated that regarding affordable housing, this project was a market rate project, and affordable housing was not included in the proposal.

Commissioner Savage asked if a non-senior could buy a unit and rent to a senior. Acting Chief Planner Eastman stated that proposed condition three required a deed restriction for senior housing, and additional restrictions could be imposed through CC&Rs. The City would require the project to be in compliance with State law.

Commissioner Musante asked if part of the project were sold to another group, would they take on the same restrictions. Acting Chief Planner Eastman responded that the covenant would be on the property, and a new owner(s) would have to adhere to any restrictions.

The title of RESOLUTION PC-07-04 APPROVING a Resolution of the Planning Commission of the City of Fullerton approving a Tentative Tract Map for condominium purposes for a previously approved 131-unit senior housing development on property located at 1900 Camino Loma was read and further reading waived. MOTION by Commissioner Thompson, SECONDED by Vice Chairman Hart and CARRIED unanimously by voting members present, that said Resolution be ADOPTED AS WRITTEN.

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

Planning Consultant Wolff left the meeting.

## **ITEM NO. 2**

### **FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.**

To consider the Five-Year Capital Improvement Program (Fiscal Years 2007-2008 – 2011-2012) and its consistency with the General Plan.

Acting Chief Planner Eastman explained that the Planning Commission was obligated by State Law to determine conformance of the Capital Improvement Program (CIP) with the General Plan.

Director of Engineering Hoppe gave an overview and slide presentation of the Five-Year Capital Improvement Program (CIP) for 2007-08 – 2011-12 report that had been provided to the Commissioners, and discussed the status of various City projects.

Commissioner Bailey asked what “reconstruction” meant, and Director Hoppe responded it included removal of failed portions of pavement, grinding, overlaying with new asphalt, restriping, and curb, gutter, and adjacent sidewalk replacement if needed, including sidewalk access ramps.

Commissioner Musante asked if there was any new design involved, and Director Hoppe responded that it was strictly remove and replace.

Commissioner Musante stated that many ideas had been discussed as the recent General Plan meetings and he thought some of the ideas should be taken into consideration when discussing the budget. Director Hoppe explained that although there may be many good ideas, there was a limited revenue source.

Chairman Francis left the room at 7:22 p.m.

Chairman Francis returned to the room at 7:24 p.m.

Commissioner Thompson asked the purpose of describing a set area as a “Civic Center”. Acting Chief Planner Eastman responded that what was outlined on the displayed slide was strictly for reference and would be fine tuned during the research process. There was no defined area for the Civic Center Master Planning Area.

Public hearing opened.

Dietrich Buss, 1518 Camino Del Sol, wanted to know what was being done with the slope that had slid on Euclid.

Public hearing closed.

Director Hoppe explained the City's position on the Euclid slope. When the hillside slid in 2004, material from the neighboring properties slid onto the City's property (horse trail and street). The City removed the material from the street, and at the request of the property owners, the material was placed on the horse trail for use by the owners when they made repairs to their slopes. The City has been advised by legal counsel that if the City touches the property to begin restoration of the slope, they will have a long-term responsibility to maintain the slope. The City Council has directed staff not to make any repairs. There are fifteen to twenty homeowners involved, and in 2005 the rough estimate for the repair was \$2.5 million. A notice was sent to the property owners last month, and the Mayor and Mayor Pro-Tem have met with the owners to try and come up with a solution. Due to the extent of the repair and the cost it was unlikely that a permanent repair would be completed in the near future.

A MOTION was made by Commissioner Musante, SECONDED by Commissioner Thompson and CARRIED unanimously by voting members present to consider the Five-Year Capital Improvement Program (Fiscal Years 2007-2008 – 2011-2012) consistent with the General Plan.

### **OTHER ITEMS**

None

### **COMMISSION STAFF COMMUNICATION**

Acting Chief Planner Eastman discussed staffing levels and explained that the proposed budget included the addition of a Senior Planner position. Council was to adopt the budget in the following week.

### **REVIEW OF COUNCIL ACTIONS**

Acting Chief Planner Eastman gave a brief report on recent City Council meetings.

### **PUBLIC COMMENTS**

None

### **AGENDA FORECAST**

The next regularly scheduled Planning Commission meeting would be June 27, 2007 at 7:00 p.m.

### **ADJOURNMENT**

There being no further business the meeting was adjourned at 8:31 p.m.