MINUTES OF THE REGULAR MEETING OF THE FULLERTON PLANNING COMMISSION COUNCIL CHAMBERS – CITY HALL

WEDNESDAY JULY 11, 2007 7:00 P.M.

CALL TO ORDER: The meeting was called to order by Chairman Francis at 7:02 p.m.

PRESENT: Chairman Francis, Vice Chairman Hart, Commissioners Bailey,

Chaffee, Musante, Savage and Thompson

ABSENT: None

STAFF PRESENT: Acting Chief Planner Eastman, Senior Planner St. Paul, Acting Senior

Planner Allen, Acting Associate Planner Kusch, and Secretary Pasillas

Assistant City Attorney Elizabeth Feffer

FLAG SALUTE: Vice Chairman Hart

MINUTES: Approval of the Minutes of the June 27, 2007 meeting was continued

until the next meeting.

PUBLIC HEARINGS

ITEM NO. 1

PRJ07-00191 - ZON07-00038. APPLICANT: JEANETTE ABNEY; PROPERTY OWNERS: FRED DENNY AND DENGO INVESTMENT. INC.

A request for a Conditional Use Permit to operate a drug and alcohol treatment/counseling center on property located at 104 North Raymond Avenue (east side of Raymond Avenue at the corner of Raymond and Commonwealth Avenue) (C-2 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (BSP) (Continued from June 27, 2007).

Acting Chief Planner Eastman gave a brief background on the request and explained that the applicant had withdrawn the request.

ITEM NO. 2

PRJ07-00159 - ZON07-00029. APPLICANT: BRANDON YUNG; PROPERTY OWNER: STEVEN R. HEMSTREET.

A request for a Conditional Use Permit to construct a detached two-story structure consisting of a garage, bedroom, recreation room, bathroom and balcony on property located at 1800 Gregory Avenue (south side of Gregory Avenue at the intersection of Adlena Drive) (R-1-7.2 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (AKU).

Acting Associate Planner Kusch gave a brief overview of the project. A map was shown and the surrounding area was described. A Conditional Use Permit (CUP) was required for a detached

two-story structure in the R-1 Zone to allow for a review of any impacts on the privacy of adjacent property owners, the architectural compatibility with the neighborhood, and to notify the owners of nearby properties. The proposed site plan and elevations were displayed and explained. Staff recommended approval of the CUP subject to the recommended conditions. The exterior would be similar to the existing residence, and Acting Associate Planner Kusch explained that Code required a screen wall when a deck or balcony was adjacent to a minimum setback, and in this case staff recommended a condition to meet this requirement which would require a six-foot screen wall.

Commissioner Savage asked about condition one, requiring the deed restriction to prohibit conversion to a separate dwelling unit, and how the City ensured that the condition was met. Acting Associate Planner Kusch responded that typically it was on a complaint basis, and Community Preservation would respond and investigate any complaints. Acting Chief Planner Eastman stated that Code did not allow staff to assume that a dwelling would be created. The deed restriction ensured that the condition ran with the land, so that any future property owners would be subject to the conditions.

Vice Chairman Hart asked the size of the home in the front and if it determined the size of the second unit. Acting Associate Planner Kusch responded that because the proposal was not a second dwelling unit there were no restrictions on the size. Acting Chief Planner Eastman stated the request was before the Planning Commission because it was a two-story structure; a one-story detached structure would not come before the Commission. Vice Chairman Hart asked if parking requirements would be changed, and Acting Associate Planner Kusch stated that parking requirements did not change until there were five bedrooms.

Public hearing opened.

Juli Stockstill, the applicant's representative, assured the Planning Commission that the new structure would not be rented out. Her uncle was the applicant, and the second dwelling would be used only a couple of times a year for out of town family guests. A kitchen would not be added, and there was no intent to rent the property. She did not think the screen wall would look good, and suggested extending the wall on the balcony or eliminating the balcony altogether.

Acting Chief Planner Eastman clarified that the screening of the property line was a Code requirement for any deck or balcony constructed at the minimum setback requirement. The applicant could do some type of wood screen, glass, or some type of landscaping that could not be seen through.

Commissioner Chaffee asked if the Redevelopment Design Review Committee (RDRC) would review the screen wall, and Acting Chief Planner Eastman stated that the RDRC would not typically review this project, but the Commission could refer the project for their review.

A five minute recess was called at 7:28 p.m. to allow Ms. Stockstill to contact the applicant.

Ms. Stockstill stated that she had spoken with her Uncle and he was agreeable with the screen wall as conditioned.

Public hearing closed.

Commissioner Bailey liked the project and would support.

Commissioner Musante would support the project.

Commissioner Chaffee stated that he had driven by the property and liked the architecture and the way it blended in with the neighborhood.

Commissioner Savage had driven by the property and liked the remodel of the front house. He was concerned with the potential for the second unit to become a dwelling unit. It was an R-1 zoned neighborhood and he was concerned that the new structure would become an attractive nuisance. He believed that somewhere down the line it would possibly be converted to a rental unit. He would not support the project.

Commissioner Thompson felt the key to preventing the unit from becoming a rental was enforcement, and just because it "might" become a rental did not mean the City should prohibit the addition.

Vice Chairman Hart commented that if this additional building was attached to the existing building Code would allow this additional square footage without Commission review. She understood Commissioner Savage's concerns, and had some concerns of her own, but the proposal was within Code.

Chairman Francis stated that the condition would be enforced, prohibiting conversion.

The title of <u>RESOLUTION PC-07-16</u> APPROVING a Resolution of the Planning Commission of the City of Fullerton for a request for a Conditional Use Permit to construct a detached two-story structure on property located at 1800 Gregory Avenue was read and further reading waived. MOTION by Commissioner Musante, SECONDED by Commissioner Chaffee and CARRIED 6-1, with Commissioner Savage voting against, that said Resolution be ADOPTED AS WRITTEN.

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

OTHER ITEMS

None

COMMISSION STAFF COMMUNICATION

Acting Chief Planner Eastman gave an update on the Community Development Director recruitment.

Commissioner Savage asked the reason for not allowing people to back into parking spaces in public parking lots, and Chairman Francis stated that he had been told it was to allow the Police Department to see license plates and registration stickers. Commissioner Savage stated that it was now an ISO 9000 requirement to back into parking spaces because it was considered safer.

REVIEW OF COUNCIL ACTIONS

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

PUBLIC COMMENTS

Merrijo Hatfield, 713 W. Houston Avenue, stated that she appreciated the opportunity to speak at the last meeting, even though the item was continued. She believed that drug and alcohol treatment centers were needed. She appreciated the efforts that the Commission put into preparing for a hearing.

AGENDA FORECAST

The next regularly scheduled Planning Commission meeting would be July 25, 2007 at 7:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:52 p.m.