

MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 10:00 A.M., SEPTEMBER 6, 2007

CALL TO ORDER

Chairman Eastman called the meeting to order at 10:20 a.m.

COMMITTEE MEMBERS PRESENT

Eastman, Kunze, Voronel, Bastreri, St. Paul, Yang

COMMITTEE MEMBERS ABSENT

None

STAFF MEMBERS PRESENT

Kusch, Jenkins, Pasillas

APPROVAL OF MINUTES

MOTION by Committee Member St. Paul, SECONDED by Committee Member Eastman, and CARRIED unanimously by voting members present, and with Committee Member Kunze and Committee Member Bastreri abstaining, to APPROVE the August 16, 2007 minutes.

ACTION ITEMS

PRJ07-00351 – ZON07-00076. APPLICANT: DENNIS CROGHAN; PROPERTY OWNER: STAN RHODES. A request for a minor site plan review for private golf lessons within a golf club assembly and retail business, on property located at 1841 West Commonwealth Avenue (north side of Commonwealth Avenue, approximately 650 feet west of Brookhurst Road) (C-M zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (BSP/MJE) (Continued from August 16, 2007).

Chairman Eastman explained the three activities that would take place at this business; golf club manufacturing (the main part of the business), retail sales of golf clubs, and golf lessons. Planning Technician Jenkins stated that he had visited the site and there was ample parking available, although one major tenant space was vacant. The surrounding businesses were light manufacturing.

Chairman Eastman asked how many people would be at the business at any given time, and Planning Technician Jenkins responded that there would be no more than twenty people at a time, and estimated that usually it would be approximately ten people maximum.

Chairman Eastman asked what the proposed hours of the business would be, and Planning Technician Jenkins responded 9:00 a.m. to 7:00 p.m. The surrounding business operated during typical daytime business hours.

Senior Planner St. Paul asked if the human service agency nearby would impact parking, and Planning Technician Jenkins explained that their approval had included parking conditions; therefore, there should be no impact on parking.

Senior Civil Engineer Voronel stated that the current site plan was inaccurate and would need to be corrected.

Committee Member Yang stated that adequate handicapped parking spaces would be needed, and adding handicapped spaces would reduce the total number of parking spaces.

Senior Civil Engineer Voronel stated that the Engineering Department may require upgrading a substandard driveway and replacement of a missing tree up to 10% of the valuation of improvements.

Planning Technician Jenkins stated that the Water Engineering Department had noted corrections. Senior Civil Engineer Voronel added that the water meter needed to be upgraded and a backflow device installed.

Public hearing opened.

Dennis Croghan, the applicant, asked what the Staff Review Committee's purpose was. Chairman Eastman explained the purpose of the Staff Review Committee was to review the project in terms of land use, parking, site improvements, and provide an opportunity for the public to comment. The plan check process was the technical review of the plans. Mr. Croghan stated he was concerned with the delays, and clarified that the main business was the manufacture of golf clubs; teaching lessons would be secondary.

Public hearing closed.

Chairman Eastman believed that many of the issues discussed would be plan check corrections. He recommended the following conditions: 1. Up to three practice bays may be used for lessons, with no more than one instructor and two students in each bay at any given time, 2. The business hours will be limited to 9:00 a.m. to 9:00 p.m., and 3. All corrections from plan check must be complied with.

Senior Planner St. Paul stated that staff would need to verify that the plans they approved were the same plans submitted for plan check.

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

Chairman Eastman explained the ten-day appeal process.

PRJ07-00355 – ZON07-00078. APPLICANT: WON KIM; PROPERTY OWNER: GIVISH MEHTA. A request for a minor site plan to operate an educational tutoring facility on property located at 2000 East Chapman Avenue (southeast corner of Mountain View and Chapman Avenue) (O-P zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (BSP/MJE). (Continued from August 16, 2007).

Planning Technician Jenkins gave an overview of the request. It was for a small educational facility, with students from third grade up to eleventh grade. The proposed hours of operation were 3:00 p.m. to 8:00 p.m., and classes would be held on the first floor only. At the last meeting there was discussion on the need for separation of occupancy between the first and

second floors, and since that meeting the applicant had leased the entire building. The property had eighteen parking spaces, with one handicapped space.

Committee Member Yang stated that the second floor would still be a B occupancy and therefore it would still require a one hour separation.

Planning Technician Jenkins continued and explained that there would be six students and one teacher per classroom, and there were five classrooms, plus a receptionist, so there would be a maximum of thirty-seven people using the facility at one time.

Wayne Kim, the applicant, stated that there would be four students and one teacher per room, so there would be a maximum of twenty-five people at one time. Their SAT courses would be held on Saturdays, and would have approximately twenty students.

Chairman Eastman asked what the second floor would be used for, and Mr. Kim responded that it would be office and storage space. His architect had told him if it was only used occasionally for an office it would not require a one hour separation.

Committee Member Yang explained that it would still be an office, and would be a B occupancy, so a separation was needed. He also explained that, depending on what was to be stored, the stairs may need to be upgraded. Commercial storage had different requirements than residential.

Chairman Eastman commented that the plans indicated six "offices" on the ground floor, and no classrooms. The plans did not accurately reflect the request. Committee Member Yang explained that the plans showed the building as currently constructed, and the architect needed to identify the actual use.

Public hearing opened.

Chairman Eastman believed it was a large facility for a tutoring business, and he had concerns with parking, especially so close to a residential area. His initial thought was to take the second floor offices off of this approval, but understood it would be a building issue either way.

Mr. Kim asked if he could operate the second floor only, and not have the one hour separation, and Committee Member Yang responded that a one hour separation would still be required, although it may be possible to block the stairs.

Mr. Kim asked if there was a conditional process that would let him get approval for opening the first floor business, then deal with the second floor separation. Chairman Eastman explained that there was no temporary approval; if approved, plans needed to be submitted to plan check and they would need to meet Code requirements. Committee Member Yang stated that this process was to address land use issues, and accurate plans would still be needed for plan check.

Senior Planner St. Paul asked how many students would be driving age, and Mr. Kim responded there were be very few, less than 5%, and they would mainly be attending on Saturdays for the SAT classes.

Chairman Eastman believed the site was under parked, and therefore believing the second floor would need to be part of this request to meet on-site parking requirements.

Committee Member Yang left the meeting at 11:15 p.m.

Public hearing closed.

Chairman Eastman stated that the applicant would need to comply with Building, Fire, and Engineering requirements, including occupancy requirements. The second floor should be included in this request and be used exclusively as office space for the staff, so as to avoid parking conflicts with a different on-site tenant.

Senior Planner St. Paul expressed concern with the number of parking spaces. He believed that the offices could be rented out at a later date and increase the parking demand. He also would like the applicant to submit a business plan and he would like a condition added to any approval setting a maximum for the number of students.

Committee Member Kunze expressed concern with the applicant providing after school childcare and the need for a license. She explained that after school care, without the parent present, for student's third grade and under may require a license. She would like a condition added requiring the applicant to obtain any required licenses.

Chairman Eastman recommended the following conditions of approval: 1. No loitering outside of the building, 2. Parents must come inside the building to pick up and drop off the students, 3. The applicant will provide a written statement outlining their business, including the hours and days of operation, and the number of children, 4. The second story of the building will remain a part of this approval, 5. Building permits are subject to Building, Engineering, and Fire plan check corrections, 6. A Community Care license will be obtained, or the business modified so that it would not require a license, and 7. The applicant will provide and illumination plan for review and approval prior to permits being issued.

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

Chairman Eastman explained the ten-day appeal process.

Committee Member Kunze left the meeting at 11:30 a.m.

PRJ07-00335 – ZON07-00070. APPLICANT AND PROPERTY OWNER: SUNNY SONG. A request for a minor site plan to review the addition of tennis court lights on property located at 1710 Vista Lomas Place (southeast corner of the property, 750 feet south of the Acacia Reservoir) (R-1-20 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (AKU). (Continued from August 16, 2007).

Acting Associate Planner Kusch explained that this item had been continued from a previous meeting. At that time the Committee had expressed concerns with light and noise impacts upon adjacent properties. There had been discussion of limiting the hours the lights could be used to 10:00 p.m., and also lowering the light height to fifteen feet.

Senior Civil Engineer Voronel stated that she had expressed concern at the last meeting with the applicant ensuring that the court did not encroach into any easements.

Chairman Eastman had visited the site and was concerned with the impacts on the neighbors. Poles measuring 18 feet tall had already been installed, but no lights had been attached. He also described a retaining wall that had been built to level the rear area of the property, and the elevated level on which the tennis court was located.

Public hearing opened.

Sunny Song, the applicant, stated that she had spoken with her contractor and believed that lowering the pole height would not have any effect on the amount of light that carried to her neighbors, but it would affect the illumination of the tennis court. She also had pictures of neighboring properties with tennis courts and lights of similar height.

Chairman Eastman described how the site dropped off at the retaining wall which gave the appearance of the light poles being higher. He believed that fifteen feet was more than adequate and appropriate for this residence, and it would reduce the light and glare impact on adjacent properties.

Senior Civil Engineer Voronel would like a condition of approval which would require the illumination be properly positioned and shielded to illuminate the court and reduce the glare to the adjacent properties.

Ms. Song stated that Building Inspector La Bare had been at the property yesterday and saw many trees around the court area that were taller than the proposed lights. She added that the neighbors had expressed concern with the noise, but not the lights.

Public hearing closed.

Chairman Eastman recommended approval with the lights being at a fifteen feet in height, the fixtures being properly oriented and shielded from adjacent properties, and that the lights be turned off no later than 10:00 p.m.

MOTION by Chairman Eastman, 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 ten-day appeal process.

PRJ07-00372 – ZON07-00089. APPLICANTS: JIN YOUNG KANG AND YU & ASSOCIATES; PROPERTY OWNER: REGENCY CENTERS. A request for a minor site plan to operate a martial arts studio in an existing commercial center on property located at 2251 West Malvern Avenue (corner of Gilbert Street and Malvern Avenue) (SPD zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (MJE)

Planning Technician Jenkins gave an overview of the request. The site was located in the Amerige Heights shopping center, near the Albertson's grocery store. There would be a total of fifty to sixty students maximum, and the proposed hours were 9:00 a.m. until 9:00 p.m., and the business would be closed on Sunday. There were 271 parking spaces required, and the site plan indicated that there were 265 available spaces.

Chairman Eastman asked if there would be any exercise equipment, and Planning Technician Jenkins responded that there would not be any, and the applicant intended to keep the space open so it could be used as a workout area.

Public hearing opened.

Mike Kim, a representative for the applicant, stated that this use would be complimentary to other uses in the area and was a mainly off-hour use. The majority of his clients did not drive, and there was a wide sidewalk in front of the building which would provide pedestrian safety.

Chairman Eastman asked if there would be any exercise equipment, and Mr. Kim responded there would not be any equipment, but they would possibly have exercise mats.

Public hearing closed.

Chairman Eastman stated that Committee Member Kunze had expressed concerns with exiting. He clarified that exiting would need to be addressed through the Building permit process.

Chairman Eastman recommended the following conditions of approval: 1. The applicant would obtain permits and was subject to the conditions of the Building, Engineering, Planning, and Fire Departments, 2. No exercise equipment would be allowed, and 3. The business was subject to the hours of occupation and occupancy indicated on the application.

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

Chairman Eastman explained the ten-day appeal process.

PRJ07-00364 – ZON07-00087. APPLICANTS: ROYAL STREET COMMUNICATIONS, LLC AND JOHN KOOS; PROPERTY OWNER: ST. PAUL'S LUTHERAN CHURCH. A request for a minor site plan to review a proposed cell site on property located at 111 West Las Palmas Drive (northwest corner of Harbor Boulevard and West Las Palmas Drive (R-1-20 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (AKU).

Acting Associate Planner Kusch described the proposal as a cellular antenna that would be located in a proposed bell tower at St. Paul's Lutheran Church. The tower would be forty feet high, with a total height of forty eight feet, four inches high at the top of the cross. The antenna would meet the setback requirements to adjacent residences, and the equipment would be enclosed within the tower and existing building. Staff had concern with this antenna not accommodating a co-location, but the applicant had indicated it would not be possible with this design. The drawings reflected a window below the bell, and staff believed this window should be eliminated.

Chairman Eastman confirmed that all of the related equipment would be located inside of the tower, and Acting Associate Planner Kusch responded affirmatively.

Committee Member St. Paul asked about the setback on Harbor Blvd., and Acting Associate Planner Kusch responded that the Municipal Code suggested two hundred feet and this request was for a setback of forty feet.

Chairman Eastman asked if other locations had been considered, and Acting Associate Planner Kusch deferred the question to the applicant.

Senior Civil Engineer Voronel asked why the plans indicated a Royal Street easement as twelve feet instead of twenty feet, and Acting Associate Planner Kusch responded that only twelve feet were required by the cell provider.

Public hearing opened.

John Koos, the applicant, described other locations in the area that he had looked at, but he was unable to find another carrier willing to let them co-locate their antenna. St. Paul's Church was interested in the income this antenna would provide. Regarding the easement, it was actually a vehicle access that had been mislabeled on the drawings; an actual easement (i.e. property covenant) was not needed due to the lease agreement they had with the Church.

Committee Member St. Paul asked if this tower was the minimum height it could be, and Mr. Koos responded that it could not be any lower due to the surrounding topography.

Chairman Eastman expressed concern with the bell tower being disproportionate to the church building. Several design changes were discussed, including a change to the arch at the top of the bell tower and raising the bell opening.

Chairman Eastman suggested the following conditions of approval: 1. The project will be subject to the standard conditions of approval for cellular antennas, and 2. Require additional review and approval by the Director of Community Development for the architectural design.

MOTION by Chairman Eastman, 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 ten-day appeal process.

OTHER MATTERS

Chairman Eastman gave an update on the status of Cherch Restaurant/Lounge.

Chairman Eastman stated that the Community Development Department had a new Director, John Godlewski, who would be coming to a future meeting to introduce himself.

PUBLIC COMMENTS

None.

Adjourned at 12:25 p.m. as Staff Review Committee.