# MINUTES OF THE REGULAR MEETING OF THE REDEVELOPMENT DESIGN REVIEW COMMITTEE

COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
Thursday September 11, 2008 4:00 PM

**CALL TO ORDER:** The meeting was called to order at 4:04 p.m. by Chairman Hoban

ROLL CALL: COMMITTEE MEMBERS Chairman Hoban, Vice Chairman Cha,

PRESENT: Committee Member Daybell, Committee Member Lynch, and

Committee Member Silber

COMMITTEE MEMBERS

ABSENT:

STAFF PRESENT: Senior Planner Eastman, Senior

Planner St. Paul, Senior Planner Allen, Associate Planner Hernandez, and

Clerical Assistant Muhaidly

MINUTES: The August 28, 2008 minutes were not available for approval.

**OLD BUSINESS:** 

None

**NEW BUSINESS:** 

Item No. 1

PRJ08-00338 – ZON08-00105 APPLICANT AND PROPERTY OWNER: LARRY LANGENBACHER. A request to designate a single-family residential structure as a Local Landmark on property located at 1021 North Lemon Street (approximately 470 feet north of Berkeley Avenue) (R-2 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (Staff Planner: Hernandez)

Associate Planner Hernandez gave a brief overview of the project. She stated the project request is to designate a single-family residential structure as a local landmark. The structure was built in 1919; it is a craftsmen bungalow, and one of the few homes in the area that retains the architectural style. In February of 1979, the Planning Commission approved a parcel map to divide the single corner lot into two separate parcels. The subject property remained on the 13,590 square-foot, interior lot. Associate Planner Hernandez referred to site photos and stated that the dwelling is a two-story structure that faces Lemon Street. The County Assessor shows that the structure contains five bedrooms, two and a half bathrooms, and is approximately 2,500 square feet in area. The 540 square-foot garage was demolished and rebuilt in 1989 and would not qualify for local landmark designation. A number of residents have resided in the structure from 1919 to 1984 who have made significant impacts on the city of Fullerton.

A few of these residents include instructors from the Fullerton High School and the Fullerton College, individuals who have been on the Fullerton Board of Trade and the first City Council, as well as a recent council member/mayor. Staff recommends the RDRC recommend approval by the Landmark's Commission to designate the structure as a historic landmark.

## Public hearing opened.

Kathleen Dalton, Fullerton Heritage, stated that she has been involved with the property for a number of years and Fullerton Heritage conducted the original research on the property. She stated that she agrees it should be a local landmark. During the original building survey in 1979, there was a set of criterion that was used to establish significant properties. This structure barely meets architectural standards for landmark designation, but it should be considered historically significant primarily based on the important individuals who have resided in the residence. The Landmarks Commission will, ultimately, make the final decision on whether to designate the structure a landmark. Because it does not have much architectural significance, it may be unimportant to the RDRC, but it is a significant property.

MOTION by Committee Member Daybell, SECONDED by Vice Chairman Cha, to recommend APPROVAL to the Planning Commission to designate the residential structure a historic landmark. Motion passed unanimously.

Senior Planner Eastman clarified findings and facts of reasons for identifying the building as a historic landmark. Any modifications of this building in the future will come back to the Committee for consideration. This project came before the RDRC to ensure the record stands as to the architectural significance of the building, the criteria by which it was considered by the RDRC, the people that live in the building, previous tenants, etc.

Chairman Hoban asked if the history portion of the project would ever come back to the RDRC. Senior Planner Eastman replied that as a local landmark, the structure has to meet certain criteria. If demolition or modification to the structure was proposed, the project would be required to come before the RDRC. The building remains relatively unaltered from its original condition, and while the building has good character and architectural relevance as it relates to style, it is not the only craftsmen style building in the City. There are many buildings of this similar character and nature that may meet certain significance as it relates to beauty. However, staff believes the significance relates to a culmination of common 1919 architectural style, the good condition of the residence, and the significance of the prior residents. The preservation of certain aspects of the building would be aspects the Committee would potentially consider in the future.

Committee Member Daybell stated that the appearance of the building is lovely, and the idea that there are restricting modifications from what is there is a plus. Designating the building a landmark will preserve the building for future generations and that is very important. Committee Member Lynch agreed with Committee Member Daybell and stated that the house is an excellent example of a building from that time period; it is well preserved and well maintained, with the exception of the garage, which is newer. Committee Member Lynch wanted to clarify that the garage would not be protected after the approval and Senior Planner Eastman stated that he was correct. Committee Member Lynch stated he thought more homeowners should make similar requests.

Chairman Hoban asked if this helped with the findings for the minutes. Senior Planner Eastman stated that it does in terms of the recommendations and the reviews,

preserving the building in the state that it has been and as it reflects that the people who have lived in the building are part of the factors. It would allow for some modification as long as it is consistent in maintaining the general character of the building as it has been in while these people have lived in it.

Chairman Hoban asked if there were any more public comments.

Public hearing re-opened.

A Fullerton resident asked if the lot the building sits on will be sub-divided into three separate properties. Senior Planner Eastman clarified that there is a property nearby that is being sub-divided, but it is not this property.

Committee Member Silber arrived at 4:12pm.

## Item No. 2

PRJ08-00315 – ZON08-00097 APPLICANT: DAVID EWING AND PROPERTY OWNER: RETAIL WEST, NORCO LLC. A request for a minor development project to construct a new 521 sq. ft freestanding building to be used as a flower shop in the courtyard area of an existing building and add a multi-tenant sign structure, on property located at 444 North Harbor Blvd. (located on the southeast corner of Harbor Blvd. and Chapman Ave.) (C-3 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (Staff Planner: St. Paul)

Senior Planner St. Paul gave a brief overview of the project. The applicant is proposing to build a 521 square-foot, free-standing building that will be located in the patio area at the south east corner of Harbor and Chapman. The project will include the free standing structure, a redesign of the patio area, and a free-standing sign. The RDRC will consider the appropriateness of the location, the architectural compatibility of the building in the surrounding downtown area, and pedestrian circulation as it relates to the patio area.

The free standing building is a proposed flower shop. There is a flower shop across the street, north of Chapman, and the tenant is moving. The owner of this property is offering to construct this flower shop. As noted in the staff report, the flower shop is approximately 520 square feet and will be located in the patio area. The west elevation will have full length, glass fenestrations from floor to ceiling. The Chapman elevation (north elevation) will be solid, along with the east elevation, with a radius window that wraps around the building. The material of the façade will be a baked enamel. The structure itself will be sloping in nature from 13 feet down to 10 feet. The structure will be located half way underneath the second story of the existing building.

The existing building was built in 1979, and even though it was built of brick, it has a contemporary design, which is compatible with the downtown fabric. Staff does have a concern with the baked enamel and concerns with the possibility of etching or graffiti on the building.

The patio will be redesigned due to the location of the free-standing structure. Presently, there is a low wall in the patio area, fronting Chapman. At the corner there is a monument sign in the landscaped area. The existing low wall, landscape area, and monument sign are proposed to be removed. This will open up the patio area for new tables and will create a pedestrian-friendly area. There will be new decorative pavers from the patio out to the curb area. The applicant is also proposing new aluminum bollards to be located at the corner. Staff has discussed the removal of the landscaped area with the Engineering Department, as it is located in the public right of way.

Engineering is in general support of this removal, although there is a condition that the applicant will work with Engineering to finish this design.

Senior Planner St. Paul stated that the applicant is also proposing new signage. It is designed as a free standing sign, 12 feet in height. The sign will have two supporting columns, one of which will be located in the patio area. The other column is proposed to be located in a landscaped area, which is in the public right of way along Harbor Boulevard. The design will be enamel, similar to the free standing structure. Engineering is not in support of columns for the sign in the landscaped area. There is a condition that the applicant redesign the sign and work with the Engineering and Community Development to complete the sign. Staff has spoken with the applicant, and the applicant does have some redesign ideas for the sign. Staff is recommending the RDRC approve the request for the free standing building, the over head sign, and the redesign of the patio area, subject to conditions.

Committee Member Daybell asked if any of the proposed flower shop building itself was going to be located in the public right of way. Senior Planner St. Paul replied that it would not.

Committee Member Silber asked what the rules were for encroachment for a sign in this kind of situation; he stated that if it was an awning it seems as though it would be permitted. Senior Planner St. Paul stated that typically encroachment would be pertaining to a sign or an awning. However, encroachment pertains to a sign that projects into the right-of-way with a minimum of eight feet above the right-of-way.

Senior Planner Eastman clarified that there are restrictions on awnings and signs attached to buildings as far as how far they can encroach over the sidewalk area. The City has regularly approved building attached awnings and signs that encroach. The Director of Engineering has more authority over that issue than any other general criteria that would be in the downtown business district.

Committee Member Daybell stated that he does not want to see a repeat of what happened to Florentine's. Chairman Hoban agreed with Committee Member Daybell. Committee Member Daybell stated he was not sure the RDRC should even be involved until Engineering approved the sign design. Senior Planner Eastman stated that there were important design questions that needed to be reviewed and commented on, and the Engineering Department is not in support of encroaching into public right-of-way with the sign.

Committee Member Silber stated that customarily signs are separate permits; if the building is okay, then the sign needs to change. Senior Planner St. Paul stated that there is a sign program for the building. Staff is recommending that the sign program be revisited for the new signage and for the existing signage on the building.

Public hearing opened.

David Ewing, Project Architect, stated that he wanted to thank Staff and Redevelopment for working with them to relocate the existing flower shop. He wanted to address bringing the support columns into his side of the property line to prohibit encroachment on the public right-of-way because he wants the support of the Engineering Department. Mr. Ewing stated that it is not unprecedented that there is a flow of public and private property lines. The way the space is perceived is actually different than where property lines actually are. He stated that if the shop was going to be fantastic, Engineering should not be designing the project regarding the location of the sign column. However, he has tried to mitigate the concern; he believed the design is just as effective when

pulling the support columns in so that it was not encroaching on public right-of-way. He referred to a revised plan and stated that if the supports are pulled in, there will be a smaller sign with smaller letters and believed it will work just as successfully. He referred to plans reflecting the altered columns.

Committee Member Silber asked if the vertical supports in the original design were convex to the street side or the public side. Mr. Ewing stated the supports are convex and slightly concave toward the street; they follow the wave of the sign. They are designed to be the companion piece to the walls of the flower shop itself to create a symmetrical effect where the white panels come down and hit the brick surface. There is also contrast with the existing brick building.

Mr. Ewing addressed the concern about graffiti and stated that the panels are smooth and not hard to clean, as concrete or brick would be. There is a graffiti resistant coating, a sacrificial coating that can be applied to the panels as a repellent. The panels can also be fixed if they happened to be etched.

Committee Member Silber stated the graffiti issue was not a large concern for him. He asked if the column support to the flower shop side should be concave to the street to begin to apply the continuation of the line of the design. Mr. Ewing asked if Committee Member Silber meant the columns should be turning in towards the flower shop. Committee Member Silber answered affirmatively and noted that it was just a thought and won't be considered as a condition.

Committee Member Silber asked Mr. Ewing if he has some type of a base for the panels. Mr. Ewing stated that the panels would come down very cleanly, and there would probably be a half-inch cock-joint at the bottom. He stated the quality of the design depends on it being executed almost like a pod, or a designed object, as opposed to a building; it will be very de-materialized and abstract. Committee Member Silber stated that he was concerned with the white color and the splashes of dirt that foot traffic would produce around the base. Mr. Ewing stated that foot traffic was one of the reasons there is no planter at the base; the material is also very repellent surface and hoses off very easily. Chairman Hoban asked if the material was seamless and powder coated. Mr. Ewing replied that there are seams but they will be white-cock seams, which will be played down. Chairman Hoban asked if they will be cladded and Mr. Ewing answered affirmatively.

Vice Chairman Cha asked if the proposed building would only have one door and Mr. Ewing answered affirmatively and stated that it is a very small space.

Chairman Hoban asked if the structure is going to be built around the existing columns of the building. Mr. Ewing answered affirmatively and stated that the big brick columns of the building will be apparent when walking inside. There will be a large curving glass, and the brick columns will be seen coming down inside the building. The floral display will be showcased between the columns, using them as a feature.

Mr. Ewing stated that, currently, the existing monument sign and the big overgrown planter is a suburban idea, seen at an outlying area of the city. The location of the shop is such an important corner of the City, the goal is to make the corner more urban and lively rather than be in the shadow of the existing awnings, the ficus, and wall.

Chairman Hoban asked Senior Planner Eastman if there were any open space requirements for the structure that would be intruded by the proposed building. Senior Planner Eastman replied that there was not. Chairman Hoban stated that the building will be built under an existing roof; he asked if there would be any need for a sprinkler.

Senior Planner stated that he does not believe there is a need for a sprinkler, which is based on fire ratings and would be a requirement by the building and fire code.

Vice Chairman Cha stated that the existing door was choking up the alley area. He asked if there was any way the door could be relocated toward the street where it would be less crowded. Mr. Ewing referred to the plans and clarified a potential area for the door. Mr. Ewing stated that he would have to talk to the tenant and owner about the door relocation. He stated he hadn't discussed the location of the door before and thought it might be better in the area Vice Chairman Cha indicated. Senior Planner Eastman stated that he believed the location of the door would be contingent upon the play out of the interior space. It is a very tight interior space, with limitation as to what can be done with it, particularly with the curvature wall. Mr. Ewing referred to the line of the building overhang and stated that another reason for the present location of the door is for weather protection of the building itself. Committee Member Silber stated that he was thinking of moving the door one panel over, but didn't know if the building would have entrance clearance. Mr. Ewing stated that he didn't have the clearance; he has the 44inch clearance on the inside to the column. Senior Planner Eastman clarified that the tables are moveable; if there are congestion problems, the outdoor tables can be relocated. Vice Chairman Cha stated that without knowing the interior space, not much can be discussed in terms of the door relocation. Mr. Ewing stated that he understood the concern and suggested that maybe the table does not belong by the door. Committee Member Daybell stated that the table sits in the main route of the building. Mr. Ewing stated that the door is wider than a normal door, but it is meant to be bigger because it is intended to be one of the glass vases, as opposed to looking like a door. Senior Planner Eastman noted that a larger door is required anyways for moving in and out with large flower arrangements.

Committee Member Lynch stated that he had a concern about the south facing elevation. The other angles look nice because the glass fenestration can be seen around the building, and it doesn't look like an obstruction. However, facing south, it looks more like an obstruction as opposed to the other angles. He asked if Mr. Ewing was opposed to expanding the glass around the corner to give it a little more interest from the vantage point. Mr. Ewing stated that the whole open structure is not part of the vocabulary of the panels, but more of a Japanese modern design, where the white empty space would be used for drama. The space acts as a billboard for the building with drama created by a slot for the flower display. Because there is so much glass in the shop, there is minimal wall space for signage. Mr. Ewing stated that the design will be dramatic and unique—a modern, urban design. He explained the urban design was the reason he didn't have a sign labeling "Fullerton Court, View Flower Shop", because he preferred to have an icon representing the store. He stated that he is particular about designing the icon and making the slot even seem more important by having it not share the wall with other windows that are going to be distracting to the public. The existing flower shop is filled with signs, and he wanted to limit that from happening to the proposed shop.

Committee Member Daybell asked what the source of water was for the shop. Mr. Ewing stated that there is already water stubbed out for another location when the adjacent yogurt shop was built. Mr. Ewing stated that the proposed building will be more expensive to complete as opposed to expanding under an existing roof and glassing in the courtyard like the yogurt shop. The owner paid for the whole free-standing foundation. Utilities will also have to come under ground for air conditioning, condensor lines, etc. There will probably be a remote compressor in one of the planters. Large

appliances are not wanted on the top of the new structure, as the shop will be kept very clean.

Committee Member Daybell asked if the compressor will be visible from the street. Mr. Ewing stated that it is a mini-cassette unit, similar to a room air conditioner that is in the ceiling. The remote compressor is a small unit, and there is a planter where it can be screened. He suggested the compressor could go through the roof like all other air conditioning units; however, the shop needs to be kept pure and clean; limited equipment should be visible. Committee Member Daybell stated he wanted to keep the building clean and did not want any large equipment visible. Senior Planner Eastman stated it was his understanding that when the yogurt facility was built, they had anticipated another tenant in the future and had plumbing prepared for the future structure; but he had not verified this. Mr. Ewing stated that there have been supply and return ducts installed that stub out on the top of the yogurt structure's ceiling. He stated he did not want to use these ducts due to the limited interior space and does not want ducts coming down or across the ceiling. Committee Member Daybell stated that because this is one of the City's main intersections, the Committee should be careful what goes in the structure and have the rest be concealed, just like any project downtown.

Senior Planner St. Paul stated that the signage can be regulated in the window or in the sign program. Condition number four states that the applicant has to work with the Water Engineering Department.

Vice Chairman Cha stated that anywhere other than the current location for the door would be better due to the frequent delivery of flowers.

Public hearing opened.

Kathleen Dalton, Fullerton Heritage, stated that she lives in the area and she is happy there is another place for the tenant to relocate downtown, because it is an important business in the downtown area. It is great that a creative solution can be met to keep the tenant so close to that vibrant area.

Public hearing closed.

Senior Planner Eastman clarified that the business is in the Central Business District (CBD), and is subject to the CBD Design Guidelines. There are criteria in the Guidelines that relate to respecting historic buildings, the character of the historic building, and the surrounding area. He asked that the Committee have some discussion about their understating and justification of the architectural style, as it relates to the Central Business Design Guidelines.

Committee Member Daybell stated he agrees with Vice Chairman Cha's opinion regarding the entry location—that there is some other means of entry and exiting so there is not a door swinging in and out. Possibly a sliding door can be installed. Mr. Ewing clarified that the door swings in because it is such a small shop; it is not required for exiting to swing out. Committee Member Daybell stated there should be an alternate solution to the door. He also does not want to see anything visible that should be well hidden.

Chairman Hoban stated that he feels the door could move by one panel. He believes the business will fit in the downtown and it is a unique item. Instead of just adding onto a brick building, it is its own element. He stated he does not have any problems with it in regards to the Central Business District Design Guidelines. He believed the architect was certainly pure in his designs.

Committee Member Lynch stated he appreciated the architect's comments on his concern. He could tell he was passionate about his design. He stated that if he believes in his design that much, he does not have any further concerns. The business fits very well in its location across the street from the Fox theatre. It is a nice juxtaposition from the mid ninety's look—a nice modern twist. He stated he was glad to see the corner landscaping and monument sign removed and have the corner open up. Committee Member Lynch stated that he would move forward with approving the project.

Committee Member Silber stated he thought the design was very nice looking and a thoughtful way to address the tension between the existing building and the smaller development. When it comes to fitting into the historic fabric of the downtown area, there are certain strategies--one is to thoughtfully plan the contrast between new and old. He is pleased with the project because an important business to the area is being retained. It is going to make the area more dynamic because there is a place to stop for coffee and flowers and it fits together as a piece. The passage area is also becoming livelier. He is also confident the HVAC concern will be handled. It is a sensitive example of one strategy to follow in the historic downtown. He is in support of the project.

Committee Member Daybell stated that there was no discussion about the modification of the sign, so the column should be removed from the sidewalk. Chairman Hoban asked Committee Member Daybell if he would support Mr. Ewing's modification, and Committee Member Daybell answered affirmatively. Committee Member Silber stated that he would move for approval of the project with a modified sign location and a possible relocation of the door by one panel. He stated that the door relocation depends on the interior space and the problems of the existing columns coming through the building. Vice Chairman Cha asked who would be responsible for approving the final door relocation. Senior Planner Eastman replied that it could be to the satisfaction of the Director of Community Development. Chairman Hoban noted that creating a hatch or backdoor to hide the flower deliveries is the last thing he is concerned with because flower deliveries would give a down-town feel to the corner.

Committee Member Silber stated that he would encourage the architect to consider how the signage could be dynamic. He was concerned with the extensive amount of window signage at the future tenant's existing location. Senior Planner Eastman suggested that, if Committee Member Silber was providing a suggestion to the architect, that he relay that to the property owner to incorporate in the lease agreement between the property owner and the tenant. Committee Member Silber stated that this was a good point and added that he would hate to see tacky signs on the metal panels. Committee Member Silber moved for approval of the project, with a door location that might be modified to the satisfaction of the Director of Community Development and, taking into account the flow in that area, with the understanding that the freestanding sign structure does not encroach into the public right-of-way.

MOTION by Committee Member Silber, SECONDED, by Vice Chairman Cha to APPROVE the project, subject to the door and sign condition and staff's recommended conditions. Motion passed unanimously.

Committee Member Daybell asked if Engineering was still involved with the project and Senior Planner Eastman clarified that they will still be involved with reviewing the project and Plan Check.

Senior Planner Eastman explained the ten-day appeal process.

#### Item No. 3

PRJ08-00317 – ZON08-00098 / ZON08-00100. APPLICANT AND PROPERTY OWNER: MARK RIDGEWAY. A request for Minor Development Project to demolish an existing detached two-car garage and construct a new detached 789 sq. ft. garage and workshop, with a 640 sq. ft. granny unit above, on a property designed as a Historical Landmark (Kelley House). Site is located at 539 W. Fern Drive. (north side of Fern Drive, approximately 145 feet east of Grandview) (R-1-7.2 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (Staff Planner: Eastman)

Senior Planner Eastman stated that the applicant has requested a Minor Development Project approval, as it is required since the property is identified as a local landmark in the City's Municipal Code. The property is known as the "Kelley House". It is located in the upper Golden Hills Potential Landmark District, and while it is not in a Preservation Zone, it is in a Potential Landmark District and has cultural sensitivity. The applicant has requested a Conditional Use Permit to allow for a two-story detached structure. The second floor will be a "Granny Unit", which the code allows "by right". The purpose of requiring a Conditional Use Permit is to consider the compatibility of the structure as it relates to its architectural surroundings, architecture of the existing house, and its encroachment on the privacy and other aspects of the adjacent properties. It is also to provide an opportunity for the public to come forward and provide comments as to what is taking place in their neighborhood. The applicant is requesting a "limited second dwelling" unit above a three car garage on the ground floor, with a workshop. The code allows for a limited second dwelling unit based on certain criteria, which the property meets. The maximum size permitted by code is 640 square feet, which has been provided; it does only provide for a one bedroom unit. These structures are normally referred to as "Granny Units" by code, typically because granny lives in it. They are also referred to as "Carriage Houses" because historically they were often little houses over garages. Whether the second unit is allowed is not the issue before the RDRC, nor will it be an issue before the Planning Commission. State laws identify that second units are allowed by law provided the criteria is met. Staff has reviewed the project; there is a historic house and an existing garage that is being demolished, which is not a contributing factor to the classification of the property. Therefore, staff has no objections to the demolition of the existing garage. The addition of the second unit and two-story structure is something that staff has reviewed for compatibility. Staff feels that what is proposed is compatible to the existing home and to the neighborhood. A number of conditions have been recommended to ensure the structure maintains an authentic character regarding window location, garage door design, etc. Staff is recommending approval subject to 12 conditions in the staff report.

#### Public Hearing Opened.

Mark Ridgeway, property owner, stated that he and his wife have been working with the City and Senior Planner Eastman for about two and a half years. The unit will be for Mr. Ridgeway's mother, who sold her home in Palm Desert and plans to use the proceeds to give her more disposable income and build the apartment above the garage. Mr. Ridgeway understands that after he leaves his home, there is no control over whether the unit is rented. He stated he does not know if a Conditional Use Permit means that

there are restrictions on the unit and it can only be rented to a family member, but he would like to be informed about it. He stated he wanted to match the structure of the existing house. He stated that the architectural detail that is on the existing home is a significant size. The architectural detail put on the garage is probably going to be half size or two thirds the size of the main house. He stated that he didn't want a two-foot architectural detail sticking out on an 800 square-foot building, so it will be reduced to scale. He stated he was ok with the conditions and agreed that the garage door should be a little more attractive then just an average garage door.

Senior Planner Eastman clarified that the Municipal Code and State Law identifies that the unit can be rented. The reason why the State adopted the criterion that says Conditional Use Permits are no longer required for granny units, and requires the City to allow second units "by right", is to meet some of the affordable housing issues that communities are feeling. The size of the unit is limited, additional parking is required, and there are certain access standards which dictate that not every house can actually have a second unit. It is possible to rent out the unit, should his mother not want to live in the unit anymore. It would be permitted and allowed by law. However, there is a deed restriction requirement in the Code and identified as a condition of approval, that the property owner needs to either live in the back or front unit; both units may not be rented out simultaneously. A deed restriction would have to be recorded by the County Recorder. It applies to the property, so if the property sold, it carries to the next property owner and it can only be removed by City, which would require a zone change to a duplex zone.

John Lawson, Fullerton resident, stated that there is a granny unit next to his home and there have been up to four couples living in that house in one time, with up to six to eight automobiles parked at the property. The original owner is no longer around and rents the unit out, and it has been nothing but a hassle for him and his wife. He stated that he is not complaining about Mr. Ridgeway, but is making clear what can potentially happen with a granny unit. The neighborhood on Fern, within the next two or thee blocks, does not have a second structure. Mr. Lawson stated that the unit will be more than 1,400 square feet, with the roof more than 600 square feet. Mr. Lawson stated this structure will show where nothing else is showing presently. He stated he does not want to hold up anyone from improving their property. He is here to discuss what can happen if the property is not controlled. The neighborhood goes back to the early 20's and there are very few structures that have been changed cosmetically or architecturally. It is his concern that if a structure is installed, then there are a certain amount of things that can and can't be done. Once the owner leaves and rents the unit out, there may be more people than necessary occupying the structure. He stated he believed there is not a person here that is not concerned about this. Mr. Lawson stated that he is really happy with their neighborhood, and certainly does not want to stop someone's mother from living with them, because he thinks that is wonderful. His concern is what happens afterwards, because after the unit is approved there is nothing he can do other than complain if the parking is adhered to.

Rich Goedl, Fern resident, stated he has looked at Mr. Ridgeway's drawings, and architecturally and scale wise, the design is more compatible with the existing home than the present garage. The current garage is a different style than the style of the house. Mr. Goedl stated that Mr. Ridgeway is keeping with the unique architectural style of the house. He stated the unit doesn't seem to present a massiveness that will be an eye sore in the neighborhood. The unit is on the alley in the back, and when one drives down

the street, he is not sure if someone could even tell it is a two-story structure because the existing house is taller than an average one-story house. He stated that the design looked good to him.

Diana Lawson, Fullerton resident, stated that she lives in a semi-historical area and wanted to know if the unit is something the City is approving for the entire neighborhood. She asked if the structure of the community is going to change. She stated that if one granny unit is approved, then another similar unit cannot be denied.

Senior Planner Eastman clarified that the issues before the RDRC, by law, is (1) doing construction on the property that is identified as a local landmark, and (2), a two-story detached structure. The issue of whether a granny unit can or cannot be permitted on the property is not before the RDRC for consideration. By law, the RDRC cannot deny the application based on the fact that it is a second unit. Senior Planner Eastman explained that there are certain criteria in the Zoning Code, in terms of development standards, that need to be met to have a limited second dwelling. The neighbors would have to meet all of the development standards. In this case, the applicant meets one of the preliminary requirements in that they have alley access. Another criterion would be to have 150 percent of the minimum lot size.

Mrs. Lawson stated that that was all she needed to know. She stated she lived in a beautiful neighborhood and just didn't want to see apartments go up all over the street. Senior Planner Eastman stated that, by law, the Committee and Planning Commission cannot deny the application solely based that it is a unit. They can deny the application based on other criteria, including the structure's physical compatibility with the neighborhood, the building, and the structure.

Paula Goedl, Fern resident, stated that her neighbor has a granny unit attached to their house, but they have a separate outside entrance. Mr. Ridgeway would not be the only one in the neighborhood with a granny unit.

Katie Dalton, Fullerton Heritage, stated that she has been aware of the project for some time. Mr. Ridgeway met with one of the board members, talked about materials, design, compatibility, etc, which was much appreciated. She stated she thinks it is a wonderful project and that Mr. Ridgeway is doing a fabulous job of honoring the historic house, which is nearly a one-of-a-kind, neo-classical structure. It is a very important cultural resource to the City, and Mr. Ridgeway and his wife know this and are doing everything they can to preserve it. She stated she is completely in support of the project. She really appreciates the fact he takes this process seriously and is trying to make it compatible not only with the existing neighborhood, but with the context of the historic neighborhood. Ms. Dalton stated she does share the neighbors' concerns with second units and maximizing lot space. There is maximum consideration for the quality of what is going on Mark's property because it is a historic landmark. The same level of scrutiny would not carry through to other properties in the neighborhood. Just being aware of that is a concern the neighborhood needs to have.

Public hearing closed.

Committee Member Silber stated that it is interesting that the beginning projects in the meeting encompassed a high contrast between the new structures and the old, with certain strategies to follow. This is a perfect example of the other strategy, where the

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goal is to reflect the older, existing architecture. He feels it has been done in an appropriate, understated way. He appreciates the concerns about whether the unit could be done well or not and what the impacts are cumulatively. He believed the best defense of the neighborhood is the way the residents take care of the neighborhood and to share that information. In comparison to other communities, the neighborhood is doing a great job. One of the advantages for this kind of use of land is that there are restrictions on how bulky houses can become on properties this size. One of the advantages for this small unit is that it keeps ideas away that the best use of land is to put up the biggest and most dominant house. What is nice about these neighborhoods and their older structures is the relationship of the land to the size of the structure. The unit is nice because it does not disturb the older home and keeps the character. He stated he is in support of the project, and for those residents who are concerned about the unit, the City's Community Preservation is very effective.

Committee Member Lynch stated that based on the required criteria, he believes the structure is very appropriate and there is no reason to stand in the way of the project's progress. He is in support of the project.

Committee Member Daybell stated he is very much in support of the project. He noted this is the one of the few times when somebody has not tried to maximize the property and go over the development standards. This project has been designed much more tactfully. This is also the first time he has received a thoughtful proposal letter from the applicant regarding the project and he would like to commend Mr. Ridgeway. Committee Member Daybell stated this unit will be an asset to the neighborhood.

Vice Chairman Cha stated he had nothing against the project. It will look better than the old structure and he is really happy with the design.

Chairman Hoban stated he is in agreement as well.

MOTION by Committee Member Silber, SECONDED by Committee Member Daybell, to recommend APPROVAL to the Planning Commission. Motion passed unanimously.

Senior Planner Eastman stated there is no appeal period because it is not a final determination; the project will proceed to the Planning Commission on September 24, 2008.

# Item No. 4

PRJ03-00804 – ZON08-00008. APPLICANT AND PROPERTY OWNER: SOUTHERN CALIFORNIA EDISON. A request for a Minor Development Project to review site improvement plans and landscape plans for an existing Southern California Edison electrical substation on property located at 218 E Walnut Avenue. (located on the south side of East Walnut approximately 250 feet west of South Lemon, on the northeast side of the SOCO Walk Development) (M-G zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (Staff Planner: Eastman)

Senior Planner Eastman stated there was a development project that the Olson Company had built in 2005; they were given approval to do the SOCO Walk project--120 units. As a condition of approval, they were required to underground overhead utility lines. It is a standard condition of approval; however, the Code typically does not require that high voltage lines be placed underground. The applicant had indicated that it was their intent to do that. Unfortunately, after approval and the construction estimating

phase, the cost of under grounding the utilities had escalated substantially for a variety of reasons. As a result, the applicant went back to the City Council to deviate from the under-grounding requirement, which would cost roughly 1.9 million dollars, to provide for other improvements that they and the City felt would be more beneficial for the Community at large. Part of the amended approvals for the project required that they screen the Edison sub-station; currently the sub-station has a chain link fence with barbed wire on top and landscaping in front. It has a sidewalk which is adjacent to the fence with a parkway, and it does meander a little bit at the beginning. The applicant had some communication with Southern California Edison, who indicated they are not interested in paying for the improvements, but are ok with screening. They are not interested to give up any properties, so the applicant would be working within the City's existing public right-of-way. The proposal is to build a steel fence; it has twelve feet high, eight-inch wide steel flange posts with three-inch by 6-inch steel rail braces between the posts. There would also be a four-inch wire mesh that provides the fencing. The applicant has proposed some decorative features on the wall, which includes both an art deco panel, that will run the length of the wall, and individual art panels that will be placed sporadically on the fence. Additionally, the applicant has proposed landscaping and landscaping improvements. A concept has been presented; some of the specific details have not been identified. The plans include a hedge at the base of the fence and some vines that grow to create a green screen on the fence itself. There are also some street trees that are proposed, but require the approval of the City's landscape super intendent. There would also be tree grates in the sidewalk; the sidewalk is curb adjacent. Staff feels curb adjacent is appropriate given the parking on the street and the damage already done with the landscaping. Staff recommends approval subject to conditions.

Vice Chairman Cha asked about the height of the transformer facility. Senior Planner Eastman stated he did not know the actual height, and it hasn't been measured, but he estimated it is probably about 25 to 30 feet.

Vice Chairman Cha asked if the art pieces would be on one side of the street. Senior Planner Eastman stated that as proposed, it has the art feature on the north side of the fence facing Walnut Way and the train track. As indicated in the 2004 staff report, when the original 120-unit project came before the RDRC, there was discussion of screening the sub-station. There was also an interest on behalf of the Committee to have a public art program through the City's Public Art Committee. The applicant has indicated that there is an opportunity to do this, instead of the Olson Company creating the art. They have identified an interest in contributing to having it done. Staff has identified a condition to that degree as well.

Public hearing opened.

Tom Moore, Senior Director of Operations for the Olson Company, stated that he does not have anything to add to what Senior Planner Eastman said.

Committee Member Daybell stated that he noticed there was security wire meant to keep the people in the sub-station, but wanted to know what was going to prevent people from climbing the fence from the outside. Security wise, there needs to be something that discourages people from climbing over the fence.

Committee Member Lynch stated that if people were to climb the fence, they still have to get back out and through security. Committee Member Daybell stated he wanted something to prevent them from coming in. Chairman Hoban added that it is tough to climb a fence in reverse. Committee Member Lynch stated they would also have to jump 12 feet down from the fence.

Mr. Moore stated that they built a block wall on two other sides, which was required. Right now there is an existing chain-link fence with barbed wire on top, facing inward, and the new block wall has the same. Committee Member Daybell stated that he was just concerned because he knows someone who works for Edison and says people do get over the fence.

Public hearing opened.

Committee Member Silber asked the applicant if he knew how much the art deco panels cost. Mr. Moore stated the panels are a styrofoam panel with stone coat over the top of it. Committee Member Silber asked from a budgetary standpoint, how much it cost. Mr. Moore replied that he did not have that information.

Chairman Hoban asked about the historical citrus crate labels and whether they will be part of the art program. Senior Planner Eastman clarified that nothing has been determined presently, in terms of what the art feature would be. The crate labels depicted on the plans are a place holder. It would likely be some form of vignette, or something that reflects Fullerton's citrus packing history or railroad. The applicant has indicated that he would go to California State Fullerton, or other schools with art programs, and solicit their participation. The Olson Company would support the manufacturing construction of that and place it on the wall. The alternative, which goes back to 2004, is to have the applicant contribute a dollar amount to the City's art program and give the Public Art Committee a budget. The Public Art Committee would then go through their process in choosing a concept. The art could be almost anything based on certain criteria, including structural questions, weight questions, how it is mounted, how much it can encroach in the public-right-of-way, etc.

Committee Member Lynch asked who had the responsibility of maintaining this if it should fall apart or be vandalized. Senior Planner Eastman stated that it was the City's responsibility.

Public hearing closed.

Committee Member Daybell stated that he believed that having the City's Public Art Program involved was a great way to go and would encourage that to happen. He thought the project was a good effort.

Vice Chairman Cha stated that the art and the planting to cover the fence will do the job.

Committee Member Lynch stated that it is a wonderful idea, although he is concerned with the styrofoam. He asked if it bothered any of the other members. Chairman Hoban stated that styrofoam is used on buildings everywhere and certainly a common construction material. Committee Member Lynch stated that he is aware of that factor, but wondered what the whole county would look like in 30 years when it starts to come off of the building. He didn't want to get in the way of improving the community; he just wanted to bring up a concern he has.

Committee Member Silber stated that he has the same reservations for the material. He doesn't have a problem with the strategy that has been picked up with the styrofoam. But in talking about the public art idea, he is interested in whether there could be a program for a public art set up in that location that could be dynamic for the center. It is a very utilitarian center and it would be an attractive solution. He would also encourage the panels to be appropriate as a sculptural element or as a public art display that deals with life, as the trains are usually busiest early in the morning or in the evenings. It encompasses the ambitions of a public art program to reach that far and to be within

budgetary constraints. He stated he had asked how much the panels would be costing so he could suggest the money be used for the art display. He stated that he would support the proposal, but would hope people would look at it from a public art standpoint--possibly a dollar value could be contributed to that approach too.

Committee Member Daybell asked if the project should be continued until the Public Art Committee has a chance to review the project and come up with creative ideas. Committee Member Silber stated that he didn't think it needed to be reviewed before approved and that it could move along. Vice Chairman Cha stated that he is a Public Art Committee member and believed the public art discussion would take a long time. His personal opinion is there are a lot of industrial buildings in Brea with very noticeable art pieces displayed in corners. They really grab his attention and give him a good impression when he drives by. He stated that the weight of the art pieces also needs to be considered. When the structure is not strong enough, or there is no room for the art pieces, then it is very constrained. It will be aesthetically nice, but it is a lengthy process.

Chairman Hoban stated that in his opinion, the whole fence line and façade is a back drop and is consistent across the project. There is an opportunity for vignettes that can support or participate with the art programs so the winner of an art competition, for example, can use that spot. If the Public Art Program is taken out of the project, then it takes the consistency out of the entire project. However, if the Art Program is taken out then they wouldn't be looking at smaller vignettes, they would be looking at one massive art project, which is a bigger endeavor, and may never be completed.

Committee Member Silber agreed about the length of the process of determining public art, but just thought he would mention the possibilities. He stated that he was not opposed to approving what is proposed.

Committee Member Daybell suggested a blank canvas should be left so art pieces can be added whenever they are completed. Committee Member Silber stated that he was thinking along the lines of what they are proposing.

Vice Chairman Cha asked if there was any time constraint on the project. Senior Planner Eastman answered affirmatively and stated the applicant has all of their residential units sold, including the ones not yet built. He stated they are under construction on their last final building and they are obligated to complete it prior to occupancy. There is a bond to ensure utility lines are underground, and some of that will cover this work as well. The project is a lengthy endeavor. It also requires coordination with Southern California Edison, so there is a lot of concern with the timing. His recommendation would be, in terms of public art and art deco panels, approve the project as conditioned, including some additional language that says the applicant will meet with the Parks and Recreation Department Director to determine if the art panels, and possibly art deco panels, may be incorporated into the City's Public Art Program. It allows discussion with the Public Parks and Recreation Director regarding a financial contribution that allows the applicant to move forward in terms of putting the fencing up and accommodating the program. If an agreement cannot be reached financially, there are art programs that the Olson Company will need to move forward with to incorporate art features.

Vice Chairman Cha stated that this is a good idea.

Chairman Hoban stated that he works with a lot of art groups because he is associated with the Orange County Fair. He stated his opinion to leave this up to an option to swap budgets, he can easily see a look that builds consistency, and he thinks there will be opinions on what art deco actually is. In an art person's mind, they would love to swap

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dollars for money to do whatever they want, which may not be near as substantial as the backdrop Olson is willing to put up right now. He didn't want to completely swap out the cost of the art deco pieces to do a bigger project. He stated to create a zone or additional funding for additional art work is a great idea, but to cannibalize the entire project is something to be concerned about, when there is presently project consistency.

Chairman Hoban addressed the styrofoam issue and stated that if plaster/art deco were to be put up, the structural members will turn into a huge project. There are certain technologies that give the same effect for less money. It is also a smaller piece of styrofoam, and in 10-20 years it will need to be replaced. Something like plaster will require many more components. He stated he respected Committee Member Lynch's concern about the foam and stated that if it were a large structure, he would not want styrofoam to be used. Committee Member Lynch stated that he appreciated the comments. He stated the fact that it is up so high and can't be accessed by a bicyclist or pedestrian helps the situation. He's okay with using the foam art deco pieces.

Committee Member Silber suggested laser-cut, plasma, or metal panels for the horizontal element. He stated that if the horizontal element is not a nice finished element, for the sake of saving dollars, then it ends up being a negative aspect.

Committee Member Daybell stated that the motion should be limited to the art work and not the art deco panels. He suggested approving the panels in styrofoam, or what Committee Member Silber suggested—having an either-or situation. Senior Planner Eastman stated the condition as recommended would require the art deco panels and art pieces to be incorporated into the design, not eliminated. He clarified that a recommended condition allows for the Director of Parks and Recreation to produce the art panels through the City's Public Art's Committee. He said staff recommends an additional sentence in the condition to allow the Director to include the art deco band.

MOTION by Committee Member Daybell, SECONDED, by Vice Chairman Cha to APPROVE the project, subject to staff's recommended conditions. Motion passed unanimously.

Senior Planner Eastman explained the ten-day appeal process.

#### **MISCELLANEOUS ITEMS:**

Senior Planner Allen requested that the Committee review several deviations from the previously approved elevations of the JPI student housing project that have become evident during the review of construction drawings. Senior Planner Allen referenced the elevations approved by the City Council and compared them to the construction drawings using the Chapman and Commonwealth frontages as examples. On the Council approved plans, the structure is at its highest point at the towers (68-69 feet) and then it drops to approximately 65 feet with one visible deck of parking. The actual construction documents present a slightly different view, with two visible decks of parking within the overall height at 69 feet. The other area with a slight deviation is to accommodate elevators to the top level. There is one elevator on the East College Place elevation, which rises 74 feet and will be the highest point of the parking structure.

Architect, RC Alley, referred to the plans and stated that after the drawings were prepared, the plans for the parking garage itself returned to the RDRC. He stated the only difference in what he is presenting today is the graphic deviation from the original drawing approved by the City Council and the RDRC. Senior Planner Allen clarified that

the deviation refers to the appearance of the design when the actual garage structure is put behind the housing building. There is a slight difference in appearance. Mr. Alley stated that when the garage went from the conceptual design to the design presently before the RDRC, is it was modified a little. The ramping internal to the garage was altered from the original design. The garage is about three to four feet taller when looking at it from a straight elevation, than originally portrayed from the approved design. It is not any taller than what it was said to be, nor in the sections, but it is slightly different than what the initial conceptual drawing portrayed it to be. Mr. Alley stated the parking garage is still not visible from the street.

Mr. Alley referred to the production drawings from the Chapman elevation. He stated the structure is not visible within the line of sight for a person at the south side of Chapman Avenue who's eyesight is 5 ½ feet tall. The elevation is what caused initial concern, but the elevations are not seen within the line of sight. Mr. Alley stated the construction plans originally contained a number of visible, raised stair towers on the building that have been removed, although one tower remains deep in the project. David Helms, with JPI, noted that the towers were not architectural elements, but were elevators leading to the top floor. Several elevators remain that stop at the lower floors and one elevator remains leading to the seventh floor.

Committee Member Silber asked if the first parking structure was kept on grade and Mr. Alley answered affirmatively. Mr. Alley stated that the initial concept had the internal ramping going another direction. When they went into production, the garage architect believed the ramping didn't work well from a user standpoint, so they reversed the ramping within the garage. However, it is still on grade and will not be raised. There is only a grade differential across the site.

Committee Member Daybell asked if the proposed change would allow the structure to be visible from the streets. Mr. Helms replied they would not be changing anything, but the visual graphic, done in the entitlement plans, physically shows the elevations as shorter that they actually are. Committee Member Daybell stated that if nothing is changed, and the elevations are not visible from the exterior of the project, than it isn't critical.

Chairman Hoban asked Senior Planner Allen what she would like from the Committee. Senior Planner Allen stated that if the RDRC feels that the proposal is consistent with the Committee's original approval, nothing else should be done to the construction drawings, and they are comfortable the structure will not be visible, then the RDRC should direct staff to move forward and approve the construction drawings as is. If the Committee feels there are some things that will be visible, then they should provide some mitigation to the structure. The applicant is anxious to pull building permits, and the ongoing issues were these differences. Senior Planner Eastman clarified that the issue before the RDRC is whether the drawings before the Committee now are consistent with what was previously approved. The RDRC needs to weigh whether the changes would have changed the motion or decision of the previously approved plans, or if there would have been an additional discussion or relevant comments from the public if these changes were provided.

Committee Member Silber stated that the structure looks more visible than he recalled. Mr. Alley stated they cut sight sections so they could understand what would be visible. From across the street, the garage is still significantly under the line of sight.

Committee Member Daybell asked how visible the garage was from the houses across the street, further away. Committee Member Silber noted that there is a hedge between the main street (Chapman) and the frontage street. Committee Member Daybell clarified he was asking about the houses on Chapman, about 20 feet further back, and whether the measurement was taken from solely the south side of Chapman or from the actual residential homes. Senior Planner Eastman stated the sight line was from Chapman, but there would likely be only a limited difference in appearance.

Committee Member Daybell stated that it is his opinion that there is no difference. Chairman Hoban stated that he agreed with Committee Member Daybell. Chairman Hoban stated that with the cross sections, the view is still the same. Senior Planner Eastman stated that his understanding was the height has not changed at all, it is just a mistake in how the project was depicted previously. Mr. Alley noted that the maximum height that was presented with the original building sections is the same; it is simply a graphic aspect.

Committee Member Lynch stated that the rendering is significantly taller and he would have had a concern with it. Senior Planner Allen noted that the only height difference is the tower on the North West corner, which is up to about 73 feet. It is the best location for something of that height. Committee Member Daybell noted that the structure has been eliminated by the street anyway. Mr. Alley confirmed that the structures near the street have been removed. Committee Member Daybell stated that he would say to go ahead with the project.

Committee Member Lynch stated that at this late stage in the project he is not inclined to stand in the way of the project, but it does not feel right to him. Committee Member Lynch excused himself from the meeting.

Senior Planner Allen stated the general consensus of the Committee is it does not make a difference at this point and it is appropriate.

Vice Chairman Cha stated it is a matter of presentation to make sure the height difference is not visible. It looks like the structure is visible but the height is actually the same. Committee Member Silber stated that the initial concepts for the parking garage have more effort in them and it has become more utilitarian. However, this aspect is not what the Committee is mostly concerned about.

Chairman Hoban noted that it is reasonable to come back and make sure the intent is still present with the project, and he appreciates this.

Mr. Alley stated he appreciated the Committee's time.

#### **PUBLIC COMMENT:**

No public comments.

## **STAFF/COMMITTEE COMMUNICATION:**

None

## **MEETINGS:**

Senior Planner Eastman gave a brief overview of the Planning Commission meetings. Florentine's may return to the RDRC partly pertaining to the bathroom facility to the Palapa Grill, which would go into the adjacent tenant space. It may require a change to the corner of the building.

Senior Planner Eastman stated the City Council meeting was canceled. Committee Member Daybell asked if the sub-division on Hillcrest was denied and Senior Planner Eastman answered affirmatively. He stated that it will be appealed. Senior Planner Allen stated that if the appeal is approved, it is conditioned that one of the designs for the house comes before the RDRC.

## **ADJOURNMENT:**

Meeting	adjourned	d at 6:13 P.M.
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Respectfully Submitted,
Nadia Muhaidly Clerical Assistant