MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 10:00 A.M., JUNE 5, 2008

CALL TO ORDER	Chairman Eastman called the meeting to order at 10:00 a.m.
COMMITTEE MEMBERS PRESENT	Eastman, St. Paul, Voronel, Tabatabaee, Lopez
COMMITTEE MEMBERS ABSENT	Bastreri
STAFF MEMBERS PRESENT	Jenkins, Kusch, Hernandez, Flores, Coats

APPROVAL OF MINUTES

MOTION by Committee Member St. Paul, SECONDED by Committee Member Tabatabaee, and CARRIED unanimously by voting members present, to APPROVE the May 1, 2008 minutes.

ACTION ITEMS

PRJ08-00174 – ZON08-00055. APPLICANT AND PROPERTY OWNER: GLORY CHRISTIAN CHURCH OF SOUTHERN CALIFORNIA. A request for a security fence plan review for property located at 3700 West Valencia Drive (southwest corner of Magnolia Avenue and West Valencia Drive) (C-2 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (AKU) (Continued from May 15, 2008).

Associate Planner Kusch explained the current use of the site was a church and the request was to install security gates at the driveway entrances. He noted there were driveways on Valencia and Magnolia. He stated the gates have been installed and there is a trash enclosure that would remain accessible. Associate Planner Kusch noted that the location of the fence at the driveway on Magnolia does not meet line-of-sight requirements from the Zoning Code. He further noted that Code does not allow for fencing or landscaping higher than 3 feet and the location of the fence appears to not meet the Code requirement. Associate Planner Kusch explained there was a handicap parking stall that is currently occupied by a storage container on the southwest corner of the parking lot. He stated that assuming the fence gets approved a condition will be included that the storage container must be removed. Staff believed the fence on the Magnolia frontage did not comply with the corner cut off requirements in the Municipal Code.

Committee Member St. Paul asked if the fence was on the property line or if it allowed for vehicle stacking. Associate Planner Kusch stated the fence on the Magnolia frontage was on the property line and the fence on the Valencia side was recessed from the property line.

Chairman Eastman clarified the site plan indicated the Valencia Drive driveway was an exit only driveway.

Committee Member Tabatabaee asked if the floor plan provided was current. Associate Planner Kusch explained it was the floor plan in the case file for the Conditional Use Permit (CUP) for the church. Chairman Eastman clarified the CUP was only for the sanctuary and stated if the church expanded without appropriate approval it was a separate issue. Committee Member Tabatabaee believed the Committee should not process a new application until the CUP is updated.

Public hearing opened.

Won Seok Song, Applicant, stated he was the pastor at the church and he was proposing the fence for the safety of the children that attend the church.

Chairman Eastman asked if there were any outdoor activities at the church, and Mr. Song responded that most activities were indoors, but the children go outdoors for lunch.

Chairman Eastman asked if the gates were automatic, and Mr. Song responded the gates were manual.

Shi A Song, Applicant, explained the gates remain open, except when there are outdoor activities for the children.

Committee Member Lopez asked if classes were conducted for the children, and Mr. Song responded only on Sunday during services from 11:00 a.m. to 2 p.m. Committee Member Lopez asked how many children attend on Sundays and Mr. Song responded approximately 15.

Committee Member Tabatabaee asked if the church occupied the entire building, and Mr. Song responded yes.

Chairman Eastman clarified that a CUP was required, and the review of the CUP would have addressed occupancy limits, parking requirements, and building code requirements for exiting. He informed the applicants that they have only been approved for a portion of the building. He stated that there were Building Code concerns with approving the gates when the use and activity has not been approved for the entire building.

Associate Planner Kusch clarified the church was approved to occupy 60% of the commercial building in 1999. It appears now that the church occupies the entire building.

Committee Member St. Paul asked how long they have been at the location, and Mr. Song responded one year and two months. Committee Member St. Paul asked if there have been any changes to the floor plan since they bought the property, and Mr. Song responded no.

Committee Member St. Paul referenced the site plan and explained the CUP approval in 1999 was only for 60% of the building.

Chairman Eastman clarified the fencing was before the Committee, not the issue of the use or the interior, although it is a serious issue.

Committee Member Tabatabaee stated that at this time he needed to know the occupancy of the building, and the exit paths. He stated the applicant should come back with a permit for the entire building, including the fence with a change of occupancy.

Public hearing closed.

Chairman Eastman stated that he was concerned with the fencing regardless of the CUP for the interior space. He was concerned about a car overhanging the street since the fence is close to a sidewalk and street. Chairman Eastman believed it could be avoided if the entrance was from Valencia, where there is adequate space. He believed there were other ways to address the children's safety during the day.

Committee Member Voronel stated she would like to know when the gates would be closed, and if driveway on Valencia was an exit only.

Chairman Eastman stated that the Committee could continue the item, the applicant could withdraw their application or the Committee could deny the project later.

Committee Member Tabatabaee stated that he would like to deny the project and give them notice to remove the fence as soon as possible.

Committee Member Lopez stated that an enclosed yard was required if there was a daycare center on site. He also expressed the Fire Code requirements for a "dispersion area".

Chairman Eastman believed the applicant was not running a daycare center based on the applicant's comments. He stated he would rather continue the item and mandate the gates remain opened at all times until resolution by the SRC.

MOTION by Committee Member St. Paul, SECONDED by Committee Member Tabatabaee, to CONTINUE to a DATE CERTAIN of July 3, 2008. Motion passed unanimously.

PRJ08-00110 – ZON08-00034. APPLICANT AND PROPERTY OWNER: TIM VITTA. A request to review site and architectural drawings to construct three buildings measuring a combined total of approximately 18,550 square feet on property located at 1801 Via Burton (terminus of Via Burton Street, west of Baker Street) (M-G zone) (Categorically exempt under Section 15332 of CEQA Guidelines) (AKU).

Associate Planner Kusch explained that a previous approval by the SRC for the site has expired. He noted the applicant was proposing three new buildings. Associate Planner Kusch explained that building one as identified on the site plan, and a portion of building two would remain. The request included an addition to building two, a new building three adjacent to the flood control channel and a new building four located near the south property line. To allow flexibility for manufacturing purposes on the property staff calculated the parking ratio at 1 per 800 for the industrial space and applied the normal parking ratio for the offices. As a result there are 66 parking spaces and only 62 are identified on the site plan. Associate Planner Kusch believed additional parking could be provided adjacent to the west side of building one. Staff was concerned with areas on the property that are going to be paved and could be turned into outdoor storage. He clarified that the Municipal Code requires screening of outdoor storage from adjacent properties. Staff believed the site plan can be modified to accommodate landscape planters and achieve screening of outdoor storage. Associate Planner Kusch noted that the truck dock area attached to building one should not be used for storage purposes reducing the queuing of trucks accessing the dock. Staff recommended that building 4 be shifted approximately 6 feet closer to the flood control channel to allow for a landscape planter and meet the minimal spacing requirement for trees at the sewer and water easement along the

south property line. The intent is to screen the industrial building from adjacent residential to the south and allow for landscape screening of areas that can be used as storage. Associate Planner Kusch explained there are conditions that staff would like to carry over from the previous approval as well as adding a condition that all parking areas and drive isles be maintained as such and not be used for storage purposes. He recommended the multiple parcels on the property be consolidated prior to the issuance of a certificate of occupancy. Associate Planner Kusch referenced the elevations and explained the architecture and materials being used for the buildings. He believed the project meets the development standards for the industrial zone with staffs recommended conditions.

Committee Member Tabatabaee asked if there were any existing code violations existing. Associate Planner Kusch responded there is a pending code enforcement case for an unpermitted temporary structure. Chairman Eastman clarified the code enforcement case was a separate issue being processed and handled through the Community Preservation Department and/or the City Attorney's Office.

Committee Member St. Paul asked if building four was a new or existing building, and Associate Planner Kusch responded that as proposed it's a new building.

Committee Member Tabatabaee asked what the use of the building was, and Associate Planner Kusch responded it was for warehouse purposes.

Committee Member Tabatabaee asked how far the buildings would be from the property line to south side, and Associate Planner Kusch responded 16 feet.

Public hearing opened.

Carl VanDerHoek, Project Architect, noted there were three buildings and his client was proposing an addition to building two, a new office building three and building 4 would be an accessory use for building two. He noted his client was concerned about security at night and on the weekends and that is why gates were proposed at the entries to the building.

Tim Vitta, Applicant, noted there was the ability to add parking spaces adjacent to the west side of building one to meet the requirement for parking. Associate Planner Kusch asked if there was any access to building one on that side, and Mr. Vitta responded no.

Mr. Vitta asked staff to clarify what they were referring to when talking about screening outdoor storage. Associate Planner Kusch referenced the site plan and noted all the open areas. He explained staff was concerned that overtime those areas will be used for storage areas. He said they can be used for storage, provided they are screened. Mr. Vitta noted that he could add a greenbelt area on the south and east that would be planted with Pines which would screen the buildings from the adjacent apartments.

Chairman Eastman asked the applicant what his business was. Mr. Vitta stated he was a contractor and he occupied building two and was proposing to build an office area adjacent to it. He stated that he leased building one to a printing company, and the tenant in building three was moving out soon.

Mr. Vitta explained the unpermitted structure 4 was put up two years ago because he could not get approval from water engineering for his project. He noted he didn't have sufficient water

demand to meet the Fire Department requirements. He stated it was a “shade” structure that he planned on removing or moving along the property line.

Associate Planner Kusch noted no trees shall be planted in the sewer, water, and drainage easement located along the south property line. Chairman Eastman clarified that putting plants and trees along a water easement creates a problem because the roots can intrude into the water mains and cause a maintenance problem for the City. He noted the Water Engineering Department has requirements for distancing landscaping.

Mr. Vitta believed he filed a lot consolation with the Engineering Department, and Associate Planner Kusch stated he would verify that.

Committee Member Lopez asked why the fire hydrants were not located on the site plan. Mr. VanDerHoek explained he received a letter from the Fire Departments consultant noting that the buildings did not need to be sprinkled and fire hydrants were not needed. Committee Member Lopez stated he would meet with the consultant to discuss the Fire Department requirements.

Associate Planner Kusch noted the applicant had outstanding fees with the Water Engineering Department, and there have been no inquiries about the project from the public.

Public hearing closed.

Committee Member Lopez stated the water source needed to be cleared up.

Chairman Eastman stated that his biggest issue from a planning standpoint was the screening to the residential. He believed the screening could be addressed by appropriate landscaping.

The following conditions were discussed by the Committee:

- A landscape and irrigation plan shall be prepared by a licensed landscape architect.
- Trees shall be planted a minimum of eight feet from the existing underground sewer, water and drainage easement located along the south property line.
- A one year maintenance bond in an amount equal to 50% of the combined cost of the landscaping materials and irrigation will be posted.
- All conditions of previous project will still be in effect.
- Plans shall be revised to reflect a minimum of 66 parking spaces.
- Plans shall be revised to reflect a shift in the location of Building four for adequate landscaping.
- Parking areas and drive wells shall be maintained for parking purposes and not storage.
- Must meet water engineering requirements prior to issuance of permits.
- Outdoor storage should be clearly identified on the plan and screened accordingly.
- Applicant shall comply with all Building Codes and applicable construction requirements.
- Applicant shall submit a Water Quality Management Plan identifying Best management Practices for the project.
- Prior to the issuance of any building permits, a detailed grading and drainage plan will be submitted for review and approval.
- Plans shall be revised to identify utility easements.

Public hearing re-opened.

Mr. Vitta asked what his options were for screening. Chairman Eastman noted that Code identifies a maximum height limit of 8 feet of screening when adjacent to residential. He clarified the applicant would need a building permit if he went higher than 6 feet. Chairman Eastman stated the applicant can screen through landscaping, but not within the 15 feet easement. He also noted that trash enclosures must be provided, and building 4 must be relocated at least four feet from the property line to accommodate screening.

Public hearing closed.

MOTION by Committee St. Paul, SECONDED by Committee Member Lopez to APPROVE the project. Motion passed unanimously.

PRJ08-00187 – ZON08-00059. APPLICANT: JUN OH KIM; PROPERTY OWNER: REGENCY CENTERS. A request for a minor site plan review to operate a tutoring facility on property located at 1082 East Bastanchury Road, Suite 100 (southwest corner of Brea Boulevard and Bastanchury Road) (C-1 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (MJE)

Chairman Eastman explained the applicant was proposing to operate a tutoring facility with four classrooms, teacher's room, and a multi-purpose room.

Public hearing opened.

Yun Kim, Applicant, explained the tutoring facility would be for children from elementary to high school, and the instruction was for college preparation and mathematics. Mr. Kim noted there would be ten students, two teachers and two staff members for a total of fourteen people at any given time. He further noted the facilities operating hours during summer vacation and winter break would be 9:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 3:00 p.m. on Saturday, closed Sunday. During the regular school year the operating hours proposed are 1:00 p.m. to 7:00 p.m., Monday through Friday, 11:00 a.m. to 3:00 p.m. on Saturday, closed Sunday.

Committee Member St. Paul asked how long each tutoring session would last, and Mr. Kim responded two hours.

Chairman Eastman asked if the occupancy of the entire space would be limited to 14 people at any given time. Mr. Kim responded yes and noted there would be 10 students, two teachers, and two staff members.

Chairman Eastman asked if the classes were offered on an hourly basis or by appointment, and Mr. Kim responded by appointment.

Chairman Eastman asked if students are accompanied by their parents, and Mr. Kim noted the students are dropped off and picked up.

Public hearing closed.

Chairman Eastman noted his only concern had to do with students loitering outdoors unattended. He recommended a conditon that the loitering of students shall not be allowed and

students under the age of 16 must be checked in and out by an adult. He also recommended that the applicant comply with all the state requirements as it relates to daycare or childcare facilities, as applicable.

Committee Member Lopez noted that he would like to see the hours of operation and the students ages posted on the building permit plans.

Committee Member Tabatabaee stated the applicant had to obtain a change of occupancy permit, and comply with the 2007 California Building Codes.

Chairman Eastman stated the approval shall be subject to the hours specified, summer vacation and winter break 9:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 3:00 p.m. on Saturday, closed Sunday, and during the regular school year 1:00 p.m. to 7:00 p.m., Monday through Friday, 11:00 a.m. to 3:00 p.m. on Saturday, closed Sunday.

Chairman Eastman stated there would be a maximum occupancy of 16 students/teachers at any give time.

MOTION by Committee Member St. Paul, SECONDED by Committee Member Lopez, to APPROVE the project. Motion passed unanimously.

Chairman Eastman explained the 10-day appeal process.

PRJ08-00138 – ZON08-00044. APPLICANT: MALID OLIEIJAN PROPERTY OWNER: NABIL WANISS. A request for a minor site plan to create additional retail/convenience store area in an existing mechanic service bay area on property located at 1133 East Commonwealth Avenue (northwest corner of East Commonwealth and Raymond Avenues) (C-1 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (CHE)

Associate Planner Hernandez handed the Committee revised plans and explained the request. The applicant was proposing to eliminate two bays. There were currently four bays and two of which will remain for vehicle repair. The two bays along the southern portion of the existing building would be eliminated and renovated into a convenience store. Staff was concerned that the mechanical and roof mounted equipment are not properly screened from view of the public right-of-way. Associate Planner Hernandez explained that the measurement between the southerly pump isle and the new main entrance to the convenience store, as proposed would be twenty feet with a five foot planter. She noted there needs to be sufficient clearance for vehicle queuing as well as an adequate pedestrian path of travel. She further noted that all the new parking stalls should be designated for customer use only. Associate Planner Hernandez stated there was a business license for a one car retail display for a wholesale used car dealership. She noted there were state requirements concerning the enhanced vapor recovery program. Associate Planner Hernandez gave the applicant a brochure and explained that all phase one and two enhanced vapor systems (EVR) and in-station diagnostics should be installed, and the owner must be in the certification process prior to final permits. She stated the EVR systems should be adequately screened from public view, as determined by the Director of Community Development.

Chairman Eastman referenced the site plan and asked if the storage area would be removed, and the applicant responded yes. Associate Planner Hernandez referenced the floor plan and stated there would be a new enclosure for a healy tank system and tank vent pumps.

Associate Planner Hernandez stated a landscape and irrigation plan prepared by a licensed landscape architect shall be submitted prior to issuance of permits.

Committee Member St. Paul asked if all required parking had been fulfilled, and Associate Planner Hernandez responded yes. Chairman Eastman asked if the parking calculation included the square footage of the building, the service garage, and one space for the auto sales. Associate Planner Hernandez responded yes, and noted an additional stall was needed.

Committee Member St. Paul asked if another stall was feasible, and Associate Planner Hernandez responded yes.

Chairman Eastman asked if the reciprocal access at the northwest corner of the site was required, and Associate Planner Hernandez responded it was existing.

Committee Member Tabatabaee asked if the applicant was only remodeling within the existing space or if additional square footage would be added. Associate Planner Hernandez explained there was a portion along the northern part of the new construction that is additional square footage.

Committee Member Tabatabaee asked if cooking was proposed and Associate Planner Hernandez responded there would be coffee, gondolas, and a cooler/freezer.

Public hearing opened.

Milad Olieijan, Project Architect, stated that he was happy to answer any questions or concerns the Committee might have.

Committee Member St. Paul asked if the entrance into the convenience store was existing, and Mr. Olieijan responded it was existing and would be relocated.

Chairman Eastman asked if the roof and parapet design would be changed and Mr. Olieijan responded yes.

Chairman Eastman asked what the proposed material for the wainscot around the bottom was, and Mr. Olieijan responded it was painted stucco.

Chairman Eastman asked if any work was proposed for the canopy and Mr. Olieijan responded no changes were proposed at this time.

Committee Member Tabatabaee asked how far the existing pumps were to the new entry. Associate Planner Hernandez noted they were scaling out at 20 feet.

Public hearing closed.

Chairman Eastman was concerned about public parking being behind the building. He believed it did not provide for a convenient stop, and there was little space next to the drive lane to accommodate any parking. Chairman Eastman was further concerned about using required parking stalls for storage of vehicles, and stated he would condition that all parking spaces are maintained clear for employee and retail parking only.

Committee Member St. Paul was concerned about the path of travel for pedestrians from the pumps to the convenience store's new main entrance. He noted the landscaping would give pedestrians little room to walk in and out of the convenient store if a car were parked there.

Committee Member Tabatabaee asked what the width of the landscape area was, and Associate Planner Hernandez responded 5 feet. She noted the applicant could reduce it to 3 feet for adequate access.

Chairman Eastman asked Committee Member Tabatabaee if the Building Division needed 4 feet for ADA requirements. Committee Member Tabatabaee responded that 44 inches is needed.

Chairman Eastman asked how many feet were between the pump isle and the building, and Associate Planner Hernandez responded 15 feet. He believed the drive lane width at 15 feet was wider than it needs to be.

After a brief discussion the Committee decided to condition the applicant to work with staff to address the issues of landscaping, pedestrian walkways, and vehicle queuing.

MOTION by Committee Member Tabatabaee, SECONDED by Committee Member St. Paul, to APPROVE the project, subject to staffs recommended conditions. Motion passed unanimously.

Chairman Eastman explained the 10-day appeal process.

OTHER MATTERS

None

PUBLIC COMMENTS

None

Adjourned at 11:55 a.m. as Staff Review Committee.

BY: _____
Susana Flores, Clerical Assistant