

MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 10:00 A.M., AUGUST 21, 2008

CALL TO ORDER

Chairman Eastman called the meeting to order at 10:00 a.m.

COMMITTEE MEMBERS PRESENT

Eastman, Zelinka, Lopez, Tabatabaee, Bastreri, and Castaneda

COMMITTEE MEMBERS ABSENT

None

STAFF MEMBERS PRESENT

Jenkins, Kusch, Coats, and Flores

APPROVAL OF MINUTES

MOTION by Committee Member Tabatabaee, SECONDED by Acting Chairman Eastman, and CARRIED unanimously by voting members present, to APPROVE the July 17, 2008 minutes AS WRITTEN.

ACTION ITEMS

Item No. 1

PRJ08-00290 – ZON08-00089. APPLICANT: STEVE WILLIAMSON; PROPERTY OWNER: LUSIFINA CORPORATION. A request to consider site and architectural plans for construction of a drive-through juice kiosk located in a parking lot within an existing commercial center, replacing a smaller coffee kiosk previously approved and construction at the same location, on property located at 130 Imperial Highway (southeast corner of Imperial Highway and Harbor Boulevard) (C-2 zone) (Categorically exempt under Section 15303(c) of CEQA Guidelines) (AKU) (Continued from August 7, 2008)

Associate Planner Kusch noted the request for a drive-thru restaurant at the Best Buy shopping center at Imperial and Harbor was reviewed at a previous meeting and was continued to this meeting. Staff identified a need for a property owner authorization from multiple owners, since there is a shared parking arrangement at the center. The applicant is requesting a continuance to the next meeting to address staff's concerns about the circulation on site, and additional parking. Associate Planner Kusch noted the fire hydrant on Imperial Highway was in excess of 150 feet from the building and appeared to not meet the Fire Departments minimum requirement.

Committee Member Lopez stated that he went out to the site and the location of the existing fire hydrant would be okay.

MOTION by Committee Member Tabatabaee, SECONDED by Acting Chairman Eastman to CONTINUE the item to a DATE CERTAIN of September 4th. Motion passed unanimously.

Item No. 2

PRJ08-00054 – ZON08-00019. APPLICANT AND PROPERTY OWNER: SUONG NGUYEN. A request to consider site and architectural plans for a proposed 8-unit apartment development

on property located at 1130 Nicklett Avenue (located on the east side of Nicklett Avenue, approximately 266 feet north of Orangethorpe Avenue) (Categorically exempt under Section 15332 of CEQA Guidelines) (AKU)

Associate Planner Kusch stated the proposal included four buildings, two stories in height consisting of two 3-bedroom 2 1/2 bath units, and six 2-bedroom, 2 bath units. He noted the parking requirement was being met, and explained that the proposed development would require approval of a zoning adjustment to exceed the allowable lot coverage and to reduce the required driveway width. Associate Planner Kusch explained that the Municipal Code authorizes the Community Development Director acting as the Zoning Administrator to consider the zoning adjustment. Therefore, the decision by the Staff Review Committee (SRC) would be a recommendation to the Zoning Administrator. Associate Planner Kusch noted that with the exception of lot coverage and the driveway width, the proposed plans, as conditioned, meet the applicable development standards. He noted that staff recognized the site's configuration constraints because of the 300 foot length and width of 67 1/2 feet.

Associate Planner Kusch explained the site plan and noted that staff was concerned about the excess amount of hardscape. To address staffs concern, the applicant proposed vine pockets to soften the perimeter wall along the southerly edge and landscape planters to try to break up the linear building mass. Furthermore, the applicant was requesting to reduce the driveway width, and by placing a fire hydrant half way into the depth of the property, Fire Department apparatus access would not be needed. Staff believed the proposed architecture is compatible to the neighborhood with the exception of the front facade as seen from Nicklett Avenue. Associate Planner Kusch noted the proposed design lacked pedestrian orientation to the street, which is uncharacteristic of the adjacent properties. Associate Planner Kusch referenced photographs to show the orientation of the adjacent developments to the street. He noted an adjacent property owner to the south was concerned about pedestrian traffic crossing over onto his property, and recommended that the wall along the south edge be extended to the front property line (to a maximum height of 3 feet within the front building setback). Staff recommended a modification to the site plan to provide for a pedestrian oriented front building facade along Nicklett Avenue. Associate Planner Kusch requested that the Committee provide comments for the Zoning Administrator with regard to the requested zoning adjustment, lot coverage, and driveway width.

Committee Member Lopez recommended that the buildings be fully sprinkled.

Acting Chairman Eastman asked if the SRC would be making a recommendation to the Zoning Administrator, and Associate Planner Kusch responded affirmatively. He clarified a public hearing notice was sent out for both requests; the site plan review and the zoning adjustment.

Acting Chairman Eastman clarified the zoning adjustment was for the encroachment of landscaping into the drive lane width, which would typically be 25 feet.

Associate Planner Kusch noted the applicant would be maintaining the 20 foot dimension for Fire Department access. He further noted the lot coverage adjustment would go from 60% to 64%.

Committee Member Tabatabaee stated the applicant must comply with the 2007 CA Building Codes, specifically ADA requirements, which include an access path to the public right-of-way.

Acting Chairman Eastman asked if the public right-of-way access had to be separate from the drive lane, and Committee Member Tabatabaee responded affirmatively. Acting Chairman Eastman questioned whether it was for only one unit.

Committee Member Tabatabaee stated that any major grading will have to be drained to the front. He expressed concern because the lot is long and narrow.

Public hearing opened.

Rick Crane, Crane Architectural Group, noted staff reviewed previous plans for the project, which consisted of one large building with pedestrian access down one side. Mr. Crane explained that his goal was to break down the mass of the buildings and noted he was working with staff to address all their concerns. He noted that staff's recommended conditions to extend the 3 foot wall to the property line, the condition on grading, and sprinkling the buildings would be fine. Mr. Crane stated that he could add windows (maybe fake windows) to the front elevations to break down the mass of the building. He noted the Building Code requirements would be addressed in the working drawings.

Mark Blumer, Crane Architectural Group, stated he would like to work with staff to enhance the look of the front elevation to give it a better street presence, by adding architectural projections, pilasters, or a trellis.

Acting Chairman Eastman believed the layout of how the building can orient to the street was limited because of the site length. He stated he would prefer not to have fake windows on the front elevation, and noted more window space can be provided to the 2nd floor bedroom to create the sense of "eyes on the street". He believed a front entrance door could be provided.

Mr. Crane clarified that he was proposing additional windows, and not a change in the orientation of the units. Acting Chairman Eastman believed they could increase windows without changing the orientation of the units.

Mr. Blumer was concerned about the 6-inch curb between the planters and the driveway. He explained the site was limited on the amount of space available to break the curb, and believed there was only enough room for the vine pockets along the wall. Acting Chairman Eastman noted the 6-inch curb was to keep planter water and dirt from getting on to the paved surface, and to keep water from draining onto the adjacent properties. Mr. Blumer believed the block wall would form a barrier. Acting Chairman Eastman noted that the Code identifies a 6-inch curb between landscaping and drive lanes, but does allow for an alternative method through the landscape plan.

Mr. Blumer noted the fire hydrant would be placed wherever the Fire Department determined was adequate. Mr. Crane noted the proposed fire hydrant location was approximately 155 feet from the building.

Robert Ford, 1200 S Nicklett, was concerned about the 6-foot wall and stated he would like to see the wall extended on the south property line to cut down on cross over traffic through his property. He stated he would like to see the extension of the wall noted on the plans so there is no question that the wall will be extended.

Mr. Crane stated they were not opposed to extending the wall to the property line.

Public hearing closed.

Committee Member Zelinka noted the sight was tough to work with, and believed it would take a lot more than putting in a window to create an active presence on Nicklett Avenue. He recommended an entrance to the building so people are coming and going to create the sense of “eyes on the street”.

Acting Chairman Eastman noted that staff and the applicant have worked very hard to try to fit the project on the site, and meet the code requirements or come as close as possible. He noted the site was very long and narrow and agreed that adding windows does not create the “eyes” on a public street. Acting Chairman Eastman believed that putting windows where there is activity, particularly in the evening when the lights are on, would create some sense of activity. Acting Chairman Eastman was concerned with trying to redesign the floor plan at this point.

Associate Planner Kusch asked if it was a building code requirement that the front unit have access directly from Nicklett Avenue. Committee Member Tabatabaee noted that generally it is, but in the case of a disable access requirement the driveway cannot be part of that access.

Acting Chairman Eastman recommended that the applicant be able to come back to the SRC without filing a modification, should the plan check requirements require significant revisions.

Associate Planner Kusch believed the ADA requirement could serve as a dual purpose, with regards to the pedestrian orientation toward the street. Acting Chairman Eastman clarified that it would require redesign of the units, and a redesign would have to come before the Committee.

Associate Planner Kusch asked the Committee to comment on the adjustments in terms of coverage and the driveway access.

Acting Chairman Eastman stated the site was long and narrow and the Committee would typically not support a development of this nature without some consideration of the site layout. He believed the lot coverage was fine because the applicant was forced to have a single loaded drive approach, which drives up the lot coverage requirement. Acting Chairman Eastman stated he was in support of recommending approval of the zoning adjustment to exceed the allowable lot coverage, and to reduce the required driveway width, subject to staff’s recommended conditions. Associate Planner Kusch identified 15 conditions recommended by staff. The applicant had reviewed the recommended conditions.

In addition to staff’s recommended conditions of approval, the following conditions of approval were identified:

- Applicant shall address the front elevation to provide more street presence or pedestrian orientation toward Nicklett Avenue, subject to the review and approval of the Director of Community Development.
- Applicant shall revise the recommended condition related to the 6-inch curb, addressing the vine pockets as necessary, through submittal of the required landscape plan.
- Pursuant to the Fire Department, the building shall be fully sprinkled.

- The block wall shall extend as far out to the property line as possible pursuant to Code, and a block wall shall be constructed on the south property line if not already there.

The following recommended conditions of approval from the Engineering Department were identified by Committee Member Castaneda:

- All utilities shall be underground
- 20 foot minimum driveway approach
- All landscape and hardscape shall be removed to construct a new 4-foot wide sidewalk on the public right-of-way, 67 ½ foot width, and remaining portions shall be landscaped
- Planting material and density shall be approved by the Engineering and Maintenance Services Department
- The existing street light is substandard and shall be upgraded, as determined by the Director of Engineering.
- One of the two street trees being removed shall be replaced
- Water drainage shall be picked up before getting to the sidewalk and shall be put through a curb drain

Mr. Crane was concerned about upgrading the street light and asked what the voltage was. Committee Member Castaneda believed it was 6.6 volts, and noted the electrical circuit may have to be upgraded. Acting Chairman Eastman clarified that the standard conditions for street improvements are based in part, on a percentage of the cost of improvements.

Acting Chairman Eastman stated that the Engineering Department conditions were standard conditions, and recommended further discussion with the Engineering Department should the conditions be too onerous.

MOTION by Committee Tabatabaee, SECONDED by Committee Member Zelinka to APPROVE Site Plan ZON08-00089 and RECOMMEND APPROVAL to the Zoning Administrator for the requested zoning adjustment, subject to staff's recommended conditions. Motion passed unanimously.

Acting Chairman Eastman noted the item will be going to the Zoning Administrator on September 6, 2008.

Item No. 3

PRJ08-00183 – ZON08-00060. APPLICANT: SEIWON CHOI; PROPERTY OWNER: PU KI CHONG. A request to review site and architectural plans to construct a building measuring approximately 2,000 square feet and redesign a parking area on property located at 2419-2934 East Orangethorpe Avenue (north side of Orangethorpe Avenue, approximately 350 feet east of State College Boulevard) (C-M zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (AKU)

Associate Planner Kusch stated that the applicant requested a continuance, and staff was recommending that the Committee continue the project to a date uncertain. Associate Planner Kusch explained the proposal is intended to address comments from a previous meeting, and will need to meet the development standards. He noted staff received some indication that there would be a subdivision of this parcel in the future, and a change in the use of the existing

restaurant on the property to a nightclub. Staff believed the future proposal might have some impacts on the present site plan, but that proposal was not before the Committee.

Committee Member Lopez noted that the access for the Fire Department turn radiuses must be maintained and a water source must be provided.

Associate Planner Kusch noted he would like the Committee to deliberate on the project. Acting Chairman Eastman stated that the Committee could give Associate Planner Kusch direct comments on the plans as to whether or not the previous comments were addressed.

MOTION by Acting Chairman Eastman, SECONDED by Committee Member Tabatabaee to CONTINUE to a DATE UNCERTAIN. Motion passed unanimously.

Item No. 4

PRJ08-00292 – ZON08-00090. APPLICANT: JOHN B. DENAULT; PROPERTY OWNER: WELLS FARGO BANK. A request for a minor site plan review to convert an existing single-family residence to a commercial office in the Office-Professional zone, on property located at 800 S. Euclid Street (east side of Euclid Street, approximately 360 feet north of Southgate Avenue) (O-P zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (MJE)

Planning Technician Jenkins explained that the applicant was proposing to convert a single family dwelling to an office for his window/door contracting business. He noted the site meets the lot coverage requirement for the Office-Professional zone. He further noted there would be two parking spaces in the front yard that meet the setback requirements for a total of seven parking spaces, and Code requires six. Planning Technician Jenkins explained that the Engineering Department requested a change of occupancy permit.

Committee Member Tabatabaee noted the applicant must submit an application for a change of occupancy inspection. He further noted the applicant has to comply with the 2007 CA Building Codes for ADA access, and setbacks.

Committee Member Castaneda noted a grading plan shall be submitted because there is a grade differential between the wall on the north side and the parking area at the front of the property.

Richard Bell asked if the elevation difference was, and Committee Member Castaneda clarified that the alley elevation was lower than the property. J.R. Coles believed the elevation difference could be addressed by a retaining wall. Acting Chairman Eastman noted the retaining wall would have to go farther back on the property to accommodate an ADA parking space.

Acting Chairman Eastman noted the guy-wire for the utility pole where the parking is proposed would have to be relocated. He asked Planning Technician Jenkins if he had any conversation with the applicant regarding the block walls and the patio cover. Planning Technician Jenkins noted the applicant indicated he would be demolishing the patio cover for the parking stalls, and was also proposing two parking stalls in the garage. Acting Chairman Eastman referenced the site plan and noted the applicant was proposing to keep the garage.

Acting Committee Member Zelinka asked if there was any discussion about the landscaping and the tree in the front yard, and Planning Technician Jenkins noted a landscape and irrigation

plan would be submitted. Acting Chairman Eastman clarified that Code requires a landscape and irrigation plan be submitted by a landscape architect in commercial developments. J.R. Coles noted he would like to keep the tree.

Committee Member Tabatabaee noted that the main entrance to the building would need access from the front because of ADA requirements. He further noted the restroom facility would also need to be ADA compliant.

Acting Chairman Eastman noted that one parking stall would need to be in the front because ADA access is required to the main entrance. He further noted that the Code only allows an ADA compliant slope, and because of the grade differences an ADA ramp would be needed off the front.

Public hearing opened.

J. R. Coles, Applicant, stated that he was proposing a general sales/office for his door and window business. He explained that demolishing the garage would be fine, and stated that he was planning on demolishing the walls. Mr. Coles stated he would like to change the building as little as possible to keep the cost down. He understood that ADA access was needed from the front entrance and the parking up front. Mr. Coles noted the guy-wire can be relocated for parking clearance.

Richard Bell, VanGuard Investments, asked what the process was for relocating the guy-wire from the public utility pole. Acting Chairman Eastman explained that the applicant would have to contact Southern California Edison.

Mr. Coles stated he would like to receive some approval to get out of escrow, and noted he did not want to spend too much money on plans if he was not going to get approval.

Acting Chairman Eastman stated there are a number of Code issues that staff needs to address. He asked if the block walls surrounding the property were going to get removed, and Mr. Coles responded affirmatively.

Committee Member Castaneda noted there was a grade differential and asked how the block walls would be removed. Mr. Coles responded that there was about a foot differential that can be graded back, to create a slope.

Acting Chairman Eastman asked the applicant if he was in opposition of maintaining the retaining portions of the wall, and Mr. Coles responded that he was not in opposition. Committee Member Castaneda recommended keeping the portion of the retaining wall along the side where the walkway is, and Mr. Coles responded he would put in a handrail.

Acting Chairman Eastman referenced an aerial photograph and asked Engineering if the alleys to the north were public alleys, and Committee Member Castaneda responded affirmatively.

Mr. Bell asked if the ADA requirements would apply if the applicant proposed a private office versus public retail, and Acting Chairman Eastman responded affirmatively.

Public hearing closed.

Acting Chairman Eastman recommended the following conditions:

- That the garage and patio cover at the rear of the property shall be removed to accommodate the required parking
- Shall comply with ADA access requirements
- Block walls along the alley and the rear of the property shall be removed to provide access to the parking
- Adequate lighting at the back of the alley shall be provided for safety of the parking spaces
- A landscape and irrigation plan shall be submitted to address all landscaping portions
- Signage for the business shall not block line-of-sight visibility
- Must comply with 2007 CA Building Codes, and ADA requirements
- Applicant shall obtain a change of occupancy permit
- A grading plan shall be submitted

Acting Committee Member Zelinka asked if the entrance from the alley to the building would be to the storage area, and Planning Technician Jenkins responded affirmatively.

Acting Committee Member Zelinka asked if there was a pervious surface requirement, and Acting Chairman Eastman responded negatively.

Acting Committee Member Zelinka asked if the parking spaces would be striped. Acting Chairman Eastman clarified there would be a 6-inch curb between the landscaping or a wheel stop, but those are typically details identified in the site plan and landscape plan.

Acting Chairman Eastman clarified that the Code does not allow for storage of materials outdoors that are not screened.

MOTION made by Committee Member Lopez, SECONDED by Committee Member Castaneda, to APPROVE the project, subject to staffs recommended conditions, the removal of the garage and patio cover, and the construction of an ADA accessible parking space.

Acting Chairman Eastman explained the 10-day appeal process.

Item No. 5

PRJ08-00311 – ZON08-00094. APPLICANT: JILL LEE; PROPERTY OWNER: MARTIN LEE.

A request for a minor site plan review for a 20% reduction in the required rear-yard setback, from 15 feet to 12 feet, to facilitate the construction of a bedroom addition, on property located at 1454 West Olive Avenue (approximately 325 feet east of Eadington Avenue and 325 feet west of Lambert Road) (R-1-7.2 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (MJE)

Planning Technician Jenkins explained that the applicant originally requested an 8-foot setback. However, when staff informed the applicant that the proposed setback did not meet Code, and a variance would be needed, the applicant decided to request a 20% reduction instead. Planning Technician Jenkins noted that the adjacent neighbor's setbacks were smaller, but were permitted before the rear-yard setback Code requirement was put in place.

Public hearing opened.

Jill Lee, Applicant, stated she was proposing a rear-yard setback reduction to facilitate the construction of a bedroom so her kids can have their own room.

Acting Chairman Eastman asked if the lot coverage and floor area ratio complied with the Code requirements, and Planning Technician Jenkins responded affirmatively.

Public hearing closed.

The Staff Review Committee's approval was based on the following findings:

- The adjacent properties have a smaller setback, and the request is fully justified
- Even though the Code has changed, the setback reduction will not have an impact on the adjacent properties or the neighborhood

MOTION by Acting Chairman Eastman, **SECONDED** by Committee Member Lopez, to approve the project, subject to staffs recommended conditions.

Acting Chairman Eastman explained the 10-day appeal process.

OTHER MATTERS

None

PUBLIC COMMENTS

None

Adjourned at 11:40 a.m. as Staff Review Committee.

BY: _____
Susana Flores, Clerical Assistant