

MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 10:00 A.M., SEPTEMBER 18, 2008

CALL TO ORDER

Chairman Zelinka called the meeting to order at 10:02 a.m.

COMMITTEE MEMBERS PRESENT

Zelinka, St. Paul, Tabatabaee, Bastreri, Voronel, and Lopez

COMMITTEE MEMBERS ABSENT

None

STAFF MEMBERS PRESENT

Hernandez, Coats, and Flores

APPROVAL OF MINUTES

MOTION by Committee Member St. Paul, SECONDED by Committee Member Tabatabaee, and CARRIED unanimously by voting members present, to APPROVE the August 21, 2008 minutes AS WRITTEN.

ACTION ITEMS

Item No. 1

PRJ08-00327 – ZON08-00102. APPLICANT: WILLIAM RHODES; PROPERTY OWNERS: MOHAN BRAR AND FIKRAT COTTA. A request for a minor site plan review to operate a small collection recycling facility on property located at 2730 West Orangethorpe Avenue (south side of Orangethorpe Avenue, approximately 270 feet east of Magnolia Avenue) (C-H zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (Staff Planner: Christine Hernandez)

Associate Planner Hernandez handed out revised information to the Committee Members from the applicant and two letters of opposition from neighbors. She explained the applicant was proposing a recycling container behind an existing liquor store. The applicant was proposing business operating hours of Monday, Thursday, and Friday 9:00 a.m. and 3:30 p.m., Saturday and Sunday between 8:30 and 3:30 p.m. The recycling center will be closed between 12:30 and 1:00 p.m. for lunch. Associate Planner Hernandez explained the site plan layout, and noted there have been complaints from neighbors concerned about loitering, trash, graffiti, and security in the area. Staff recommended a condition that the applicant shall remove all graffiti within 24 hours. Associate Planner Hernandez questioned if there would be a lavatory facility for employee use. She noted that there would be 56 feet from the proposed containers to the nearest residential area.

Committee Member St. Paul asked if the parking area terminated. Associate Planner Hernandez explained that the area Committee Member St. Paul referred to was an alley, which does not terminate.

Committee Member St. Paul asked if the buildings were separate parcels, and Associate Planner Hernandez responded affirmatively. Associate Planner Hernandez noted the applicant stated there are no access easements.

Committee Member Tabatabaee referenced an aerial photograph, and noted that the site layout does not indicate where the property lines are. Associate Planner Hernandez clarified where the property lines were, and the Committee discussed the parcels.

Chairman Zelinka asked if the entrance into the Likkerdale off of Orangethorpe was one-way. Associate Planner Hernandez clarified that it was a two-way entrance, which is striped incorrectly.

Committee Member Lopez referenced the site plan and asked if there was vehicular access where the bollards were located. Associate Planner Hernandez responded it was pedestrian access only.

Committee Member Bastreri asked if there was on-site security. Associate Planner Hernandez responded that she has not discussed security with the applicant.

Committee Member Tabatabaee asked where the employee would work and Associate Planner Hernandez responded outside because the applicant was not proposing a kiosk.

Committee Member Tabatabaee asked if there was ADA parking available. Associate Planner Hernandez noted that the ADA parking in front of the convenience store, and not adjacent to the recycling area.

Chairman Zelinka asked where customers were going to park to unload their recycling items. Associate Planner Hernandez referenced the site plan and noted that the applicant stated there would be enough room in front of the containers for customers to pull up and un-load items.

Committee Member Tabatabaee asked how often the containers would be emptied. Associate Planner Hernandez stated the plans did not indicate that information.

Chairman Zelinka asked if the site was in a Community Improvement District (CID) and Associate Planner Hernandez responded the property was designated a proactive area by the Community Preservation Division.

Public hearing opened.

William Rhodes, Applicant, explained that he had an agreement with Likkerdale Liquor for restroom use by employees. Committee Member Tabatabaee asked if the restroom was ADA compliant, and Mr. Rhodes responded that he did not know.

Committee Member Tabatabaee asked if the employees would make cash payments, and Mr. Rhodes responded affirmatively. Mr. Rhodes noted that an employee would carry approximately \$200.00. He clarified that he could issue vouchers that could be cashed at the Likkerdale if needed. Mr. Rhodes explained his hours of operation. He believed there would be a low noise level and no offensive smell. Mr. Rhodes explained that the proposed recycling facility would be over 100 feet from the closest residence.

Chairman Zelinka asked if the recycling materials are sorted into different bins inside the container, and Mr. Rhodes responded affirmatively.

Mr. Rhodes noted that the containers would be emptied once a month or twice in six weeks, and explained how the containers are emptied.

Committee Member Voronel asked if the containers would be removed. Mr. Rhodes clarified that the container would be removed and replaced with a new one.

Committee Member Voronel questioned if there was sufficient area in front of the containers for trucks to maneuver and lift the containers. Mr. Rhodes clarified there was 60 feet in front of the container for maneuverability. Committee Member Voronel noted she would like the site plans to reference that trucks can easily and safely maneuver when picking-up and dropping-off the containers.

Chairman Zelinka asked what the walk-up versus drive-up customer percentage was, and Mr. Rhodes noted that 98% was drive-up customers. Chairman Zelinka asked what the peak hours of operation were. Mr. Rhodes responded that the first 45 minutes upon opening and Saturday/Sunday mornings were peak hours. Chairman Zelinka asked why this was a good location, and Mr. Rhodes explained the State of California Convenience Zone Guidelines. Mr. Rhodes noted that many of the complainant's concerns did not involve the proposed recycling facility or the liquor store. He stated that he would post signs on the property prohibiting drinking or loitering. Mr. Rhodes believed that his recycling center would not be a garbage dump, would not smell, would not be noisy, and would not be an eye sore.

Kathleen Toscano believed that Likkerdale was the only dilapidated business in the area. Ms. Toscano noted that there were other recycling centers in the area. She was concerned about no customer restrooms. Ms. Toscano referenced an aerial view and explained the surrounding area. She believed that truck maneuverability would not be possible because of the bollards in the area. Ms. Toscano expressed the following concerns:

- There is no drain to hose off excess liquids from recycled materials
- The parking area between Likkerdale and the Taco Bell drive-thru is the access for the surrounding buildings, and a service road
- There is illegal drinking, loitering and littering on the property
- Ms. Toscano believed the neighborhood was not adequately notified
- Crime in the area
- Graffiti in the area
- There will be an offensive smell from recycled materials

Bridie Geeter commented that he calls the Police Department when people are loitering in an effort to clean up the area. Mr. Geeter stated that he did not see a problem with the recycling center.

Public hearing closed.

Committee Member Lopez noted that if the alley access remains open, the recycling center there will not be an issue for the Fire Department.

Committee Member Bastreri noted that the area was very accessible to freeways and the liquor store has been robbed a number of times. He was concerned about an on-site cash business because of the known crime in the area. Committee Member Bastreri stated a cash voucher would be preferable. He believed that the recycling center would attract more loitering and

homeless people. Committee Member Bastreri was not in support of the recycling center because of its proximity to the apartments.

Committee Member Voronel expressed concern about the loading and un-loading of the recycling bins. She believed there would not be sufficient room for maneuverability.

Committee Member St. Paul was concerned about the visibility of the recycling center for safety reasons. He was also concerned about the State Convenience Zones, and was not in support of the project.

Committee Member Lopez left the room at 11:20 a.m.

Chairman Zelinka concurred with the Committee. He stated he did not have a problem with the use, but he did have a problem with the location. He believed the recycling center would be a magnet for problems. He believed the plans did not address issues pertaining to on-site access/circulation, and maneuverability of trucks picking-up and dropping-off of the containers. Chairman Zelinka stated that everyone was concerned about the area and noted that the neighbor's good efforts and desire for improving the area should not stop with this application.

Committee Member Tabatabaee was concerned about the location of the recycling facility because of its adjacency to residential properties. He expressed concerns with security and believed that the ADA restroom requirements were not met. Committee Member Tabatabaee was not in support of the project.

MOTION made by Committee Member Tabatabaee, SECONDED by Committee Member St. Paul to DENY the project. Motion passed unanimously.

Chairman Zelinka explained the 10-day appeal process.

OTHER MATTERS

None

PUBLIC COMMENTS

There were no public comments.

Adjourned at 11:28 a.m. as Staff Review Committee.

BY: _____
Susana Flores, Secretary