MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE COUNCIL CONFERENCE ROOM FULLERTON CITY HALL THURSDAY, 10:00 A.M., JUNE 18, 2009

<u>CALL TO ORDER</u>

Acting Chair Allen called the meeting to

order at 10:05 a.m.

<u>COMMITTEE MEMBERS PRESENT</u>
Allen, St. Paul, Voronel, Rebert, and Lopez

<u>COMMITTEE MEMBERS ABSENT</u> Tabatabaee

<u>STAFF MEMBERS PRESENT</u> Hernandez and Flores

APPROVAL OF MINUTES

MOTION by Committee Member St. Paul, SECONDED by Committee Member Rebert that the minutes of May 21, 2009 be APPROVED 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-thru juice kiosk located in a parking lot within an existing commercial center (replacing a smaller coffee kiosk previously approved and constructed at the same location) on property located at 130 W. Imperial Highway (southeast corner of Imperial Hwy. and Harbor Blvd) (C-2 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (Staff Planner: Andrew Kusch)

Senior Planner St. Paul noted the item was continued in September to a date un-certain. He further noted the Committee was previously concerned about the drive-thru circulation. The applicant originally proposed two merging vehicle drive lanes for the drive-thru. Staff was also concerned about the applicant obtaining a shared parking agreement, which he has since obtained. Senior Planner St. Paul noted that there were minor issues with landscape and signage that can be addressed at plan check. He noted that the interior seating shall be limited to 12 seats or less, and the applicant has revised the plans for a regular drive-thru. He explained that the applicant would be restriping the parking area to accommodate the six additional parking spaces required for the shopping center. Staff requested clarification on the location of the delivery area and associated path of travel.

Public hearing opened.

Steve Williamson, Applicant, referenced the site plan and explained the delivery area location.

Senior Planner St. Paul noted there was a six-inch curb and asked if there would be a cutout for delivery, and Mr. Williamson responded there would be a pathway and ramp for the delivery area.

Public hearing closed.

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Committee Member Lopez recommended approval of the request subject to the following conditions:

- Interior seating shall be limited to 12 seats or less
- A pre-order menu board shall be installed (separate permits shall be obtained)
- All exterior roof-mounted equipment shall be screened
- Landscaping shall be approved through the plan check process
- A grease interceptor shall be provided
- The front counter/path of travel shall comply with ADA requirements
- The restroom door shall swing outward to comply with 2007 California Building Code
- A grading/drainage plan shall be provided, if required by the Building Official
- The parking area shall be restriped to accommodate six additional parking spaces

MOTION made by Committee Member Lopez, SECONDED by Committee Member Rebert, with Committee Member St. Paul abstaining, to APPROVE the request subject to staff's recommended conditions. Motion passed unanimously.

Acting Chair Allen explained the 10-day appeal process.

ITEM NO. 2

PRJ09-00089 – ZON09-00026. APPLICANT: DIEGO LARA; PROPERTY OWNER: HOC V. TRAN. A request for minor site plan approval for the construction of multiple retaining walls in a tiered design on property located at 1700 N. Acacia Avenue (southeast corner of Acacia Avenue and Victoria Drive) (R-1-7.2 zone) (Mitigated Negative Declaration) (Staff Planner: Christine Hernandez)

Associate Planner Hernandez explained the request was to construct retaining walls at the rear of the property. She noted the project requires adoption of a Mitigated Negative Declaration because of the severity of the slope on site. She further noted that California Environmental Quality Act (CEQA) requires that alterations to land for a site which has more than an overall 10 percent slope, be reviewed. Staff prepared an Initial Study and the Notice of Determination was posted with the County Clerk on May 28, 2009. The proposed project involves the construction of three retaining walls, ranging in size from 2 feet at the lowest point to 10 feet at the highest point. The applicant has limited use of their rear yard, and upon completion of the retaining walls will gain more useable space. Associate Planner Hernandez noted there will be approximately 3,750 cubic yards of soil filled within the retaining walls. The standard conditions in the Initial Study will be the conditions for the project, if approved:

- The applicant shall comply with all 2007 CBC standards and Fullerton Municipal Code Section 14.030.190 regarding erosion control for cut and fill slopes
- Construction activities shall meet the national pollution discharge illumination system requirements for storm water quality
- Applicant shall comply with applicable regulations pertaining to surface water quality per the state water control board
- Applicant shall prepare and implement a water quality management plan
- Applicant shall prepare a hydrology study
- During construction the facility and its use shall comply with noise standards for residential zone as set forth in Section 15.90 of FMC

- Prior to the issuance of re-grading and construction permits, the applicant shall obtain approval of the haul routes from the Engineering Department
- The applicant shall comply with 2007 CBC with regards to water run-off during construction and grading

Associate Planner Hernandez noted that the applicant was also proposing to add landscaping to screen the retaining walls. She clarified that the nearest property owner was approximately 800 feet away.

Committee Member St. Paul questioned if irrigation of the proposed landscaping would cause slope failure. Associate Planner Hernandez noted that during the plan check process the Building Department will review the irrigation plan.

Committee Member St. Paul noted that the applicant would have to come back before the Committee, should they decide to expand with more retaining walls in the future. Associate Planner Hernandez clarified that because of the severity of the slope, CEQA would require another Initial Study for any additional work to the site.

Committee Member Lopez question how much fill there would be, and Associate Planner Hernandez responded that the applicant proposed 3,750 cubic yards of fill.

Committee Member Voronel recommended drought tolerant landscaping.

Pubic hearing opened.

Tuyet Tran, Applicant, noted they had limited use of their backyard because it was narrow. She noted that their intent was to maximize the lot by extending it an additional 40 feet to get a flat yard of about 60 feet total.

The Committee and applicant discussed the haul route of the soil to the project site. Diego Lara, Applicant's Representative, explained that the dirt would be hauled from 1600 Acacia Avenue (Temple Beth Tikvah parking lot).

Committee Member Lopez was concerned about Fire Department access in an emergency. Acting Chair Allen clarified that the applicant would need to obtain a haul route permit through the Engineering Department, and it could be conditioned that the Fire Department approve it as well.

Acting Chair Allen recommended that the plans reflect the activities on the church property, as well as the haul route, and how the soil would be staged on the property.

Mr. Lara referenced the site plan and explained the haul route of the transportation of the dirt. Ms. Tran clarified that they would be using bob cats to haul the soil on the property, not trucks. Mr. Lara explained that the soil would be hauled from the church.

Senior Civil Engineer Voronel noted that she would email the applicant a list of drought tolerant landscaping material.

Public hearing closed.

Committee Member St. Paul was in support of the request and the Mitigated Negative Declaration, subject to staffs recommended conditions with the additional conditions:

- Applicant shall prepare a haul route plan, and note where the soil will be brought in from
- Applicant shall consider drought resistant landscaping
- Applicant shall comply with mitigation measures of the Mitigated Negative Declaration
- Applicant shall prepare a hydrology study
- Applicant shall comply with 2007 California Building Codes and not increase the flow/speed of water to any adjoining properties

MOTION made by Committee Member St. Paul, SECONDED by Committee Member Lopez, to APPROVE the request subject to staff's recommended conditions. Motion passed unanimously.

unanimously.
Acting Chair Allen explained the 10-day appeal process.
OTHER MATTERS
None.
PUBLIC COMMENTS
There were no public comments.
Adjourned at 10:40 a.m. as Staff Review Committee.
BY: Susana Flores, Secretary

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