

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

COUNCIL CONFERENCE ROOM

FULLERTON CITY HALL

Thursday

October 11, 2007

4:00 PM

**CALL TO ORDER:** The meeting was called to order at 4:05 p.m. by Vice Chairman Hoban.

**ROLL CALL:** COMMITTEE MEMBERS Vice Chairman Hoban, Committee Members Daybell, and Lynch PRESENT:

COMMITTEE MEMBERS Chairman Duncan and Committee Member ABSENT: Cha

STAFF PRESENT: Acting Chief Planner Eastman, Acting Senior Planner Allen, Acting Associate Planner Kusch and Clerical Assistant Flores

**MINUTES:** The August 23<sup>rd</sup>, September 13<sup>th</sup> and September 27, 2007 minutes were not available.

**OLD BUSINESS**

Item No. 1

PRJ07-00403 – ZON07-00095 / ZON07-00403. APPLICANT: JOHN J. SILBER AND PROPERTY OWNER: JONATHAN E. LEGREE A request for a Minor Development Project to (1) demolish an existing 320 sq. ft. attached garage and construct a 685 sq. ft. addition including a 2-car attached garage and master bath, and (2) repair the existing front porch; and a request for a Minor Site Plan to reduce the required setback for a garage from 20 feet to 19 feet (a 5% reduction) on a property located at 423 E. Wilshire Avenue and 307 Newell Place in a residential preservation zone. (Generally located on the northwest corner of Wilshire Avenue and Newell Place). (R-2P ZONE) (HAL)

(Continued from September 27, 2007)

Acting Senior Planner Allen stated that the project was continued from the previous meeting to add a request to reduce the required garage door setback from 20 feet to 19 feet. The project was re-noticed and staff did not receive any negative feedback. Acting Senior Planner Allen stated that the staff report has the previous conditions as well as a new condition that a ribbon style driveway shall be constructed for the new garage. Staff believed that the Minor Site Plan for the setback reduction was justified because it facilitated better articulation of the building.

Public hearing opened.

Vice Chairman Hoban asked the property owner if he agreed with the recommended conditions. Jonathan Legree, Property Owner, stated that he agreed to all the recommended conditions.

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

Acting Chief Planner Eastman explained the 10-day appeal process.

Item No. 2

PRJ07-00263 – ZON07-00056. APPLICANT: RAUL PINA. PROPERTY OWNER: ERNESTO MARTINEZ A request for a Minor Development Project to construct a new 870 sq. ft., 2-bedroom, single-family dwelling unit with an attached 800 sq. ft., 4-car garage on a lot with an existing 3-bedroom unit located at 315 E. Ash Ave in a Community Improvement District. (Generally located approximately 230 ft east of Lemon on the north side of Ash Ave) (R-2 Zone) (Categorically Exempt under Section 15303) (HAL)

(Continued from August 23, 2007)

Acting Senior Planner Allen stated that this project was continued from a previous meeting because there were questions on how the new rear unit would be accessed, and the patio cover was not shown on the plans. Acting Senior Planner Allen explained that the applicant has decided to leave the orientation of the rear unit the way it was originally proposed with an entrance on the west side. The walkway to get to the entrance from the alley or street would also now be on west side. She stated that the applicant was also proposing to keep the patio cover now shown on the plans. Acting Senior Planner Allen stated that the patio cover shared the common open space for the two units. Although staff had some concerns that the space remains common, there was a kitchen door that would open up into the common space from the new unit, providing a connection to the space.

Vice Chairman Hoban stated that at the previous meeting there was a recommendation that the design be flipped so the RV parking would be on the opposite side. Acting Senior Planner Allen clarified that the original thought was the walkway would be on the east side which would possibly work with flipping the back unit. The applicant decided not to flip the floor plan design, and put the walkway on the west side.

Committee Member Daybell asked what the floor area ratio was in an R-2 zone. Acting Senior Planner Allen stated that there are no FAR limits, and intensity is based on lot coverage. Acting Chief Planner Eastman stated that the there was a lot coverage of 60 percent. He clarified that a floor area ratio of 0.35 applied to preservation zones, which this site is not subject to.

Public hearing opened.

Vice Chairman Hoban asked the applicant if he had any concerns with the recommended conditions. Ernesto Martinez, Property Owner, stated that he did not.

Public hearing closed.

Committee Member Daybell stated that the property was within the 60 percent lot coverage. He believed that the word "substantial" should be removed from the first recommended condition. He believed that the condition should be reworded to be specific and say total conformance. He stated that the property looked nice.

Committee Member Lynch stated that the property looked fine.

Vice Chairman Hoban asked why the word substantial was used in the first recommended condition. Acting Senior Planner Allen stated that sometimes there are things that change in the construction process that the Director will review, and deem them in substantial conformance.

Vice Chairman Hoban asked Acting Chief Planner Eastman if he had any reservations with removing the word substantial. Acting Chief Planner Eastman stated that there are no concerns with removing the word if that is the desire of the RDRC. Acting Chief Planner Eastman stated, however, that minor changes that need to be made through the construction process would then need to come back to the Committee. It would add more work for the Committee, staff and the applicant for something that is considered minor. Acting Chief Planner Eastman stated that it is more applicable to remove the word substantial as it relates to projects in preservation zones. He stated that minor changes could come back to the Committee for consideration if that was their desire.

Committee Member Daybell stated that it was not his intent that minor issues come back to the Committee. He was concerned with a contractor building something different than what is originally approved.

MOTION by Committee Member Daybell to APPROVE the project, subject to staff's recommended conditions and leaving the word substantial on condition #1.

Vice Chairman Hoban stated that there are elements in a project that can change because of design issues in the field. He believed that full blown design plans were not the intent for a project of this magnitude.

Committee Member Lynch stated that substantial was a great word to use in preservation zones. Vice Chairman Hoban stated that more detailed plans are expected in preservation zones.

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

Acting Chief Planner Eastman explained the 10-day appeal process.

#### **NEW BUSINESS:**

##### **Item No. 3**

PRJ07-00273 – ZON07-00059. APPLICANT AND PROPERTY OWNER SERGIO GARCIA  
A request for a Minor Development Project to construct an addition measuring approximately 700 square feet to the rear of an existing residence on property located in a Community Improvement District at 311 E. Ash Avenue (Generally located on the north side of Ash Avenue 150 feet east of Lemon Street). (R-2 Zone) (Categorically exempt under Section 15303) (AKU)

Acting Associate Planner Kusch gave a brief overview of the project. The request was for a single story addition at the rear of the residence, consisting of two bedrooms, a family room and a bathroom. The plans indicate a stucco exterior for the addition and windows that will match the existing residence. He stated that at the intersections of the alley at the northwest corner there is a fence that encroaches on the public alley right-of-way that will have to be removed. At that same location there is a parked recreational vehicle and plans need to be modified to reflect a parking space for that portion of the property. Acting Associate Planner Kusch explained that adjacent to the existing garage there is a required parking space that needs to be lengthened 5 feet from the alley. In addition, at the intersection of the alley and the street, there is a hedge that will need to be removed or pruned to a maximum height of 3 feet. He stated that a condition has been added to modify the plans to reflect the patio cover located on the west side of the existing house. Acting Associate Planner Kusch clarified that the fence located to the right of the house did not meet code, and would have to be removed or limited to a height of 6 feet. The applicant will also need to remove the two strips of pavement located in the rear yard that are used for parking.

Committee Member Daybell asked how it was determined that the fence encroached on the alley. Acting Associate Planner Kusch stated that it was based on the tract map, and County Assessor records.

Public hearing opened.

Vice Chairman Hoban asked the applicant if he had seen the recommended conditions in the staff report. Sergio Garcia, Property Owner, stated that his son translated and explained why there was a posting in front of his house, but did not go over the staff report with him.

Acting Chief Planner Eastman informed the applicant that there were 19 conditions of approval in the staff report.

Staff and the RDRC Committee clarified and went over the 19 recommended conditions with the applicant and property owner.

Raul Pina, Architect, asked if they had to come back to the RDRC when the plan corrections were made. Acting Chief Planner Eastman clarified that staff recommended conditions of approval so that applicants can move on with the project without coming back to the Committee after the corrections are made.

Committee Member Daybell stated that the fences adjacent to the front of the house, in the side yard, would need to be reduced to a height of 6 feet.

Committee Member Lynch stated that he would like to see that all the windows stay consistent.

Committee Member Daybell stated that he was concerned that the property line between the two properties was not defined. Mr. Pina stated that the building inspector that came out to the job site verified the dimensions. Acting Chief Planner Eastman stated that property line locations were a civil issue between adjacent property owners, and it's the property owner's responsibility to build at least five feet from the property line. The City does not verify property line locations.

Public hearing closed.

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

Acting Chief Planner Eastman explained the 10-day appeal process and Clerical Assistant Flores translated the appeal process in Spanish.

Item No. 4

PRJ07-00210A – ZON07-00041A. APPLICANT: OC REMODELING. PROPERTY OWNER: JEFFREY A. WILLSON A request to modify a previously approved minor development project to construct a two-car garage and a second story at a residence located in a residential preservation zone at 151 N. Cornell Avenue (Generally located on the southwest corner of Cornell Avenue and Wilshire Avenue). (R-2P Zone) (Categorically exempt under Section 15303) (AKU)

For the record Vice Chairman Hoban stated that he works with Jeff Willson at the Orange County Fair and Exposition Center.

Acting Associate Planner Kusch stated that the project was previously reviewed and approved by the Committee on July 26, 2007. The request was for a second story addition in a residential preservation zone. The new request is for a revision to the design as a result of going through the plan check review process. Acting Associate Planner Kusch explained that the revision to the proposed deck of the second story along Wilshire has been reduced in width to accommodate emergency window egress for the master bedroom. The master bedroom closet has been moved to the west elevation and as a result a previously required screen wall is not necessary. Acting Associate Planner Kusch stated that two of the four windows on the east elevation were eliminated. A condition has been added requiring clearstory windows on the south elevation to address staffs concerns relating to the line-of-sight from the second story into adjacent properties. He stated that recess lights were proposed underneath the deck for lighting of the parking area and the garage door.

Vice Chairman Hoban summarized that the deck was reduced in size to allow for a window that does not open up onto the deck. Acting Chief Planner Eastman stated that the deck was reduced to allow for a closet at the corner and to accommodate the recess where the exiting windows were located. Acting Chief Planner stated that at the previous meeting there was a requirement to add a screen wall to the deck; however a screen is no longer needed with the new design.

Committee Member Daybell referenced the plans and asked if the shaded area on the south elevation was a sloped roof. Acting Associate Planner Kusch stated that it was previously a hip roof and the plans have now been modified to reflect a flat roof. He clarified that the shaded area is where the previous design was erased.

Public hearing opened.

Vice Chairman Hoban asked the applicants if they had seen the conditions of the staff report. Gene Nooxlan, Contractor, OC Remodeling, stated that he and the property owner

had seen the conditions. Mr. Nooxlan stated that the reason the plans changed was because the Building Division said they could not have fire egress onto the deck.

Public hearing closed.

Committee Member Daybell stated that he would like for most of the hedge to stay, and was in support the project.

Committee Member Lynch and Vice Chairman Hoban supported the project.

Acting Chief Planner Eastman explained that there might be a revision to the roof line as it relates to the parapet and the new design.

MOTION by Committee Member Daybell, SECONDED by Committee Member Lynch to APPROVE the project, subject to staff's recommended conditions and the roof line modification. Motion passed unanimously.

**MISCELLANEOUS ITEMS:**

None

**PUBLIC COMMENT:**

No Public Comments

**STAFF/COMMITTEE COMMUNICATION:**

Acting Chief Planner Eastman stated that there will be a report and discussion on garage door criteria for properties in preservation zones at the next meeting under miscellaneous items.

**MEETINGS:**

Acting Senior Planner Allen informed the Committee that the October 10, 2007 Planning Commission meeting was cancelled.

Acting Chief Planner Eastman stated that due to the moratorium in place any restaurant that would like to add an outdoor patio requires Design Review Committee review and approval. He stated that there is a project that will come before the Committee for the outdoor patio design and will go to City Council for a beer and wine license.

City council was considering approving Cherch Restaurant and decided not to change the moratorium so they could not approve the project. Cherch Restaurant is scheduled to go before City Council for a type 41 (beer and wine) ABC license. Acting Chief Planner Eastman stated that the applicant indicated he was not going to move forward. The item will be heard unless the request is withdrawn in writing.

**AGENDA FORECAST:**

Next meeting will be October 25, 2007

**ADJOURNMENT:**

Meeting adjourned at 5:20 P.M.

Respectfully Submitted,

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Susana Flores  
Clerical Assistant