

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

COUNCIL CONFERENCE ROOM

FULLERTON CITY HALL

Thursday

December 14, 2006

4:00 PM

CALL TO ORDER: The meeting was called to order at 4:04 PM by Chairman Daybell

ROLL CALL: COMMITTEE MEMBERS Chairman Daybell; Committee Members
PRESENT: Cha, Duncan, Hoban, and Larsen

COMMITTEE MEMBERS
ABSENT:

PUBLIC PRESENT: Cliff Aslicrofl, Rick Crane, Michael Lehman,
Kirk Keller, John Killen, Leon Perez, J. P.
and Christina Schowalter, John Shipman,
Leland Stearns, Roy Taylor, Greg Walker,
Betsy Warner,

STAFF PRESENT: Acting Chief Planner Eastman, Acting
Associate Planner Kusch, Clerical Staff
Leopold and Planning Intern Jenkins

MINUTES: MOTION made by Committee Member Duncan, SECONDED by
Committee Member Larsen and CARRIED unanimously by all voting
members present to APPROVE the October 12 minutes AS WRITTEN.

MOTION made by Committee Member Cha, SECONDED by Committee
Member Larsen and CARRIED unanimously by all voting members
present to APPROVE the November 16 minutes AS WRITTEN.

OLD BUSINESS:

Item No. 1

PRJ04-00919 – ZON04-00098. APPLICANT AND PROPERTY OWNER: ACCRETIVE
LAGUNA PROPERTIES, LLC.

Acting Chief Planner Eastman presented a staff report for final plans showing design details and landscaping of Phase 2 of an approved project (Providence Center) which included approximately 10,400sf of retail; 8,000sf of restaurant uses; 101,725sf of medical office; 3,700sf of administrative office; a 549 space parking structure; and surface parking. (Generally located at the SWC of Bastanchury Rd. and Laguna Rd., encompassing an area between Bastanchury Rd., Laguna Road, Laguna Drive, and Sunny Crest Drive)

Acting Chief Planner Eastman stated staff had no concerns regarding Building "D" and would recommend approval of that as designed and submitted, unless additional revisions have been

made since staff last saw the plans. He reviewed with the Committee what had been changed since the RDRC reviewed the plans on November 9, 2006.

Acting Chief Planner Eastman said there were modifications made to Building "A" and some changes to add some windows. Staff identified what those concerns were and how it moved away from a horizontal massing and symmetry. The architect has made changes to Building "A" to include Wainscot stonework below the windows and staff believes it creates a symmetry between the bottom floor and the first floor and creates horizontal elements that are more in line with what was originally approved by Council at and staff thinks it integrates well with the landscaping on the site.

Acting Chief Planner Eastman said Building "B" had some changes to it, which were based on the ideas that were identified in the previous staff report or presented at a meeting that staff had with the applicant after the previous RDRC meeting. For the most part, staff believes the revisions are substantially in conformance with what was submitted to the Planning Commission and City Council and believes it meets the criteria of adding warmth to both Bastanchury Rd. and Laguna Rd. He stated there is one issue with Building "B" roof design facing Bastanchury Rd. Acting Chief Planner Eastman said previously there was a pitched roof at the Northwest corner of the food court building tied in with the roof in Building "A", which provided for some residential character along the street as was established two or three years ago. The applicant has moved away from doing a pitched roof to a parapet design and staff recognizes some of the reasons it was done, including screening and mechanical equipment and other factors. However, it was contrary to what was presented to the Planning Commission. Staff does not necessarily object to it, but given the changes being done to the building staff asked the Committee to consider those changes and make a determination in terms of conformance with the intent to create a residential character and softer, warmer feel on Bastanchury Rd.

Staff recommends that the Committee consider the project and identify how it meets the condition and determine conformance as appropriate. Acting Chief Planner Eastman said the architect has provided a list as a response to some of the staff's comments addressed in the report for the previous RDRC meeting.

Chairman Daybell asked if the applicant has read contents of the latest RDRC report. Acting Chief Planner Eastman said yes.

Committee Member Chas asked when Building "B" was approved if there was specific discussion about the roof style? Acting Chief Planner Eastman said there was some presentation in terms of how the roof came to be and it had been identified that the pitched roof creates a more residential character. Committee Member Hoban asked if Building "A" still has a semi-pitched roof? Acting Chief Planner Eastman said yes, and said Building "B" has a pitched roof at the corner of Laguna Rd. and Sunnycrest.

Acting Chief Planner Eastman said there have been some additional changes to the landscaping since November 9 and they were highlighted in the staff report related to either screening of utilities, the screening of the building and some change in material.

Committee Member Hoban asked if the retaining wall that is proposed versus what was approved by the Planning Commission is to increase parking or is it different renderings and the same wall? He stated it looks like it was changed. Acting Chief Planner Eastman clarified that

it was more of a graphic rendering issue. He explained it was a crib wall and is relatively vertical and it will be landscaped and as indicated in the report will be irrigated to ensure the plant material grows.

Acting Chief Planner Eastman said staff made a couple of additional recommendations to what was proposed. As it relates to Bastanchury Rd. there were two windows that were proposed on either side of the screen wall. Staff would recommend that one of those windows be moved farther west, so there be two windows at that location, and the landscape screen be slightly reduced in size.

Public hearing opened.

Introductions were made by the applicant.

Lee Stearns, architect, distributed a list to the Committee of responses to the staff report and reviewed the list of items he did not agree with. He stated part of the building with the hip roof was re-designed because it didn't serve the original purpose. He said the highest element on the building is a trestle (wood element). He presented the color board for the buildings in the complex.

Mr. Stearns and John Killen reviewed the plans with the Committee. Mr. Killen said signs were shown on the building elevation to indicate approximate locations and not depict sign design. He said it was noted on the staff report and although it was not discussed there will be a full on sign package submitted for review.

Mr. Stearns said the green screen panel system worked out pretty well along Laguna Rd. and Landscape architect Kirk Keller came up with an interesting kind of system between the columns.

Acting Chief Planner Eastman said staff recommended a condition of moving the landscape screening a couple of feet out from the wall for maintenance and backlight it to illuminate the building, creating additional layers to the architecture at night. Staff identified a condition to that effect.

Mr. Stearns said all of the brick walls are uplit from the ground, so there is a whole lighting scheme. He said where there are brick walls, there are lights buried underground that are lighted and there is uplighting on the trestle panels, columns that march around the drum on Bastanchury and is a little bit more dramatic.

Mr. Keller expressed his concerns regarding pulling the panel out and said that two or three years down the road when the vines have fully matured and covered the panel and wondered if you can actually see the light coming through the vines and if that effect would be lost. He explained there is another system that can be done that is braided steel that is bolted.

Committee Member Duncan clarified and said he understood what he was doing with the screens, but asked about the location of the other panels, on Bastanchury. Mr. Keller said he was not opposed to the idea of uplighting from the front side and spotlight the vines.

Chairman Daybell said he was bothered because the staff report states they are supposed to maintain the residential character of that area and as nice as this project is, he does not think it does it. Mr. Stearns clarified that the buildings should be compatible with the residential, and

would not be residential. Acting Chief Planner Eastman said the issue is not to create a residential looking building, but the issue had to do with the fact that the residents in the neighborhood had concerns that the architecture originally proposed did not reflect the neighborhood, so there were certain changes that were made to the architecture to be more residential in character. He stated that at the time there was a residential mixed use building, which was eliminated as the project moved through the process, and the developer ended up with just the office and the food court. Acting Chief Planner Eastman said the hip pitch roof was introduced because it was almost a "Prairie" style, architecture, as indicated in the report.

Chairman Daybell said he understood what was being said, but this particular new design has strayed from the concept of a year ago. Acting Chief Planner Eastman said architecture is subjective and it was at the Committee's discretion to make that decision as to whether it reflects residential warmth or is significant enough of a drainage to not meet the original concerns. Chairman Daybell said he brings this up because it is loud and clear in the staff report and he is addressing it from the staff report. Committee Member Larsen said it is not that clear. There are two completely different interpretations.

Acting Chief Planner Eastman said the conditions' intent was to create a residential feel through character color, material and scale. Acting Community Development Director Rosen said there was a change that was identified and consistent with the overall feeling, which was generated from the original concept and not so far astrayed that was taken to another direction but in fact still plays on the issues that staff raised previously. Acting Community Development Director Rosen believes it does and they support it. Staff has identified that they understand the intent of why it was done. The mechanical, structural reasons, tenant reasons all make sense to staff. The issue is that what was approved by the Planning Commission and Council and what the Committee is reviewing now, has some noticeable changes in architecture and the Committee needs to determine whether or not the project reflects the community and the neighborhood and context in which it was proposed. He stated that staff is not in objection to the architecture that is proposed. Acting Community Development Director Rosen said from staff's perspective it is an eclectic neighborhood and is within the scale and context.

Committee Member Hoban asked what size the existing trees that will be planted will be? Mr. Stearns said the existing trees that they are keeping on the corner of Laguna and Sunnycrest are 60 – 80 ft. tall. He stated the Eucalyptus trees are from the 1960s.

Mr. Keller said a lighting composite was done and it identified all of the signs that will be uplit. He explained there will be some uplights on the major specimen trees, all of the palm trees in the courtyards for Buildings "A" and "B" will have the collar rings and updown lights. He stated they have a comprehensive lighting package. He provided a description of the uplighting.

Chairman Daybell asked how necessary is the crib wall between the restaurant building and the building to the west? He asked if it would look more natural if the crib wall did not exist? Acting Chief Planner Eastman said it is necessary to accommodate the parking and was part of the approval by the Planning Commission.

Public hearing closed.

Committee Member Ellis said he likes the crib retaining wall. The actual residential area is far from the building and he likes the design as is, better than the old one.

Committee Member Hoban said he is fine with the project as proposed with staff recommendations and thinks there are minor changes, but likes the color board and does not see any problem being consistent with the neighborhood. He said that is how he interpreted the discussion from the past meetings that we wanted some connection to the neighborhood and did not want a residential building. He stated he is in support of the project.

Committee Member Larsen said he agrees with Committee Member Hoban's comments and said residential styles can't be extruded in scale. He stated if he would change anything it would be getting rid of the hip roofs they have now because in his opinion it totally marginalizes the project. He said if the applicant is going to go with that he will not change it. He thinks the hip roofs are a result of their type of interpretation that it needs to be more residential and the architect's explanation made a lot of sense about how it relates in a much more sophisticated way than a really bad postmodernism roof. Chairman Daybell said he brought up this issue mainly because it was an apparent issue a year ago that should be discussed.

Committee Member Duncan said he is in agreement with the project and thinks the changes are very nice and the discussion that this committee and the planning of the staff has really helped this project out. He said it is time to move forward and agrees with the comments on Building "B". Architecturally, the use of materials are really nice and it is residential enough. He said if he remembered correctly the previous residential condo component of this project was a big no-no in the community versus trying to bring it in, so he does not know why it is even part of the discussion. He likes what is done. The vine panels along the Bastanchury wall on Building "B" should be offset to look as if it is integrated into the building. He said he likes the lighting with the vines and there is a lot of nice detail planting. He stated that whoever is maintaining landscaping should not have a general landscape maintenance contractor around. They will need someone that will do a good job and someone who knows how to maintain this landscape to fulfill their design because it is real nice. Committee Member Duncan said he is in full support of the project.

Acting Chief Planner Eastman clarified that Committee Member Duncan had indicated about the landscape screen on the north side and asked if he did not feel that it needed to be 2 ft. off? Committee Member Duncan said he does not think it needs to be, but it can be and it is a case of having it looking like it is integrated into the building versus a free standing panel. He said 2 ft. is not too far but it still needs to be connected in somehow to support a 14 ft tall panel. Acting Chief Planner Eastman said he does not have any objections to the modification the landscape indicated an alternative to the design that would allow for the maintenance of the building and keeping the landscape from damaging the building. If that is the case, we would have to change Conditions No. 4 and No. 5 as recommended by staff should the RDRC choose to adopt the conditions. He read Condition No. 4 that landscape plans shall be revised as space Building "B" green screen trellis facing Bastanchury Blvd. at least 2 ft. from the building face. The setback will provide a better maintenance to the building in green screen. Acting Director Rosen said to strike "at least 2 ft." from the condition and shall be revised to read "to provide better maintenance to the building. He stated for the other condition "uplighting can be either uplighting of the green screen behind or in front subject to our approval". Acting Chief Planner Eastman clarified that Condition No. 5 would change "behind" to "to".

Acting Chief Planner Eastman said if the Committee is to make a motion, he approves they recommend a finding that the project complies with the condition to provide warmth with the use of earth tones, natural materials and pedestrian scale as indicated in the Planning Commission resolution adopted by City Council. He confirmed, the finding should state the pitch roof is not

necessary to dictate a residential character and the project adequately addresses staff's concerns of integrating with the surrounding environment.

MOTION made by Committee Member Cha, SECONDED by Committee Member Duncan and CARRIED unanimously by all voting members present to APPROVE the project with staff recommendations and modifications to Conditions No. 4 and No. 5, pursuant to the findings.

Meeting adjourned for a three-minute break in order to move the meeting into the Council Chambers.

Re-adjourned in Council Chambers at 5:03.

OLD BUSINESS:

Item No. 2

PRJ06-00549 – ZON06-00092. APPLICANT: CRANE ARCHITECTURAL GROUP. PROPERTY OWNER: LEON PEREZ.

Acting Chief Planner Eastman presented a request for a Zoning Adjustment to increase the allowable floor area ratio by up to 10% for a new four-bedroom single family residence measuring approximately 2,347 square feet and to consider the residence's conformity with the Pico-Carhart Rural Street Design Guidelines on a vacant property located at 1095-1097 Arroyo Drive (located on the north side of Arroyo Drive between approximately 117 and 192 feet east of the northeast intersection of Arroyo Drive and Arroyo Place) (R-1) (Categorically Exempt under Section 15303 of the CEQA Guidelines)

Acting Chief Planner Eastman stated that staff has reviewed the project and believes there are a couple of aspects of the site justifying staff's support of the design as proposed. Staff believes that the architecture as presented addresses the Pico-Carhart design criteria and another consideration issue is the steep slope. Acting Chief Planner Eastman said there is a criteria, which the project meets, regarding setbacks of second story elements. The concern was to prevent "mansionization". Staff feels that the building as designed has a lot of articulation and character to it, and does not portray a "mansion" layout.

Acting Chief Planner Eastman said one of the issues to be addressed is size and mass in relationship to adjacent properties. Staff said the proposed home is consistent with other sizes of homes in the neighborhood.

Acting Chief Planner Eastman explained the other issue presented to the Committee regarding the floor area ratio (FAR) is driven by the small lot, which is substantially smaller than other lots in the area.

Staff believes that the topography of the lot, the Pico-Carhart Design Guidelines, which prohibit extensive grading, as well as the dedication, are special circumstances applicable to this property. It is not a granting of a special privilege because the house, while it is being built to the maximum allowed on this property, is substantially less than what the potential maximum is for other properties in the neighborhood, and the proposed house is comparable in size with what currently exists in the neighborhood.

Acting Chief Planner Eastman explained that in terms of looking at the justification for an increase in floor area, staff looked at properties within the vicinity with lot sizes of 10,000 square feet and under. Lot sizes range roughly from 5,000 sq. ft. up to 9,350 sq.ft. with an average of 7,360 sq. ft., which is consistent with the previous zoning in the area. Staff is recommending approval of the project subject to conditions.

Letters from the public were provided to the Committee. Acting Chief Planner Eastman stated the plans were delivered last week to the Committee and the staff report and analysis was delivered late Tuesday and explained to the Committee that if they feel they did not have enough time to consider the project, to please indicate it. He reiterated that the plans were provided to the Committee last week. Acting Chief Planner Eastman said there was a letter from Ray Martinez provided to him and to be read verbatim. Mr Martinez was present and Acting Chief Planner Eastman asked him if he would like to read it. Mr. Martinez asked Acting Chief Planner Eastman to read the letter to the Committee. The letter explained that the City has provided an inadequate amount of time for Mr. Martinez and the public to receive and review the staff report, findings and recommended conditions of approval prior to the Committee's public hearing date and time. He requested that the Committee consider continuing the project to the following meeting, so the public could have time to review the staff report.

Acting Chief Planner Eastman stated he spoke to Mr. Martinez early that morning and clarified some points of his letter including that the majority of the building except for a small area of the building, is a two-story structure as defined by Code (with a third tier, not a third story as referenced in the letter). Chairman Eastman clarified that a condition will require some minor modifications to eliminate overlap of more than two levels. He explained that Mr. Martinez identifies the legality for providing him notice or for providing the staff report with such a limited time. For clarity, there is no legal issue with that, although staff does concur with Mr. Martinez in terms of the ability of the community to respond to staff's comments. Staff's only legal responsibility is to provide the plans and the project for the public review prior to the meeting and to notify the public of the hearing. Staff is not obligated to provide the public a staff report, just simply to notice and advertise the meeting. Staff apologized for any shortcomings that the timing of the staff report has created for the general public and to clarify that the project does comply with CEQA and the issues regarding mitigation identified in Mr. Martinez' letter are not founded, and this project is in conformance with CEQA. Staff continues to recommend approval of the project subject to the conditions and feel there is grounds for making a finding that this project is not a grant of a special privilege, and there are special circumstances on the property to allow the increase in building size to exceed the base FAR. The project is in compliance with the Pico-Carhart standards.

Committee Member Hoban asked if all properties in the area have an existing dedication or if this triggered by the fact that the lot will undergo construction for future preservation of that dedication? Acting Chief Planner Eastman said it is triggered by the fact that they are requesting construction on this lot and the dedication is required for all such new construction.

Committee Member Hoban said if they all don't have dedication existing then is the calculation FAR for all of the other properties calculated for the property line versus this one being calculated to the dedication? Is it true or not true that they still retain ownership of that property and will be open space regardless? Acting Chief Planner Eastman said staff's calculation for FAR purposes is to their lot only, which they have control over. When land is dedicated to the

City, it is dedicated for street and infrastructure purposes. So, the dedication would not be counted in their property.

Acting Community Development Director Rosen asked to clarify Committee Member Hoban's question by restating, if an adjacent property has not made a dedication and did a room addition, would staff calculate the potential dedication area in the FAR? Committee Member Hoban said yes. Acting Community Development Director Rosen said the answer is complicated, but if they have not made the required dedication and there is no easement burdening the property, the City would probably not subtract it in the FAR calculations.

Acting Community Development Director Rosen said the code is very specific and it is the net area of any dedications. Committee Member Hoban asked if it is the intention of the Code to have open space to building structure and if that is the case, the dedication is still open space?

Acting Community Development Director Rosen said there are some provisions for excess dedication of areas that may never be used, but staff does not know if in the future it may be required, such as if by federal or state laws require sidewalks.

Chairman Daybell said this is a rural environment and why is staff asking for a dedication on this small lot? Acting Community Development Director Rosen said it is standard that staff attempt to achieve the minimum street right-of-way width. He explained that it doesn't necessarily mean we are going to do any improvements, but we don't know what the future may bring. At some point there may be some reason to widen the street. Acting Chief Planner Eastman clarified that it is not just for street purposes, but it is a public easement, so storm drains could be applied at this location, if needed, or utility lines, all of which may require the additional width.

Committee Member Duncan asked why the dedication is 10 ft? Acting Community Development Director Rosen said it is a condition applied by the Engineering Department. Acting Chief Planner Eastman said it is consistent with the standard street width plan for a 60' right-of-way. Typically there is a standard width for the City, and it is what staff would require throughout the rest of the street. The 10 ft. is needed to perfect what the City's Engineering Department may need in the future.

Committee Member Cha asked if the trees in the back of the lot will be removed? Acting Chief Planner Eastman said it is staff's understanding that they will be removed for grading purposes, and there is a need to provide for a flat area that has less than a 20% slope for usable space. There is a deck space that is provided in the site plans, and staff anticipates the trees will be removed. He explained there is a condition that they need to replace them with similar trees and species. Acting Chief Planner Eastman read the condition regarding landscaping.

Committee Member Cha asked how high the house is going to be compared to the house on the right and left. Acting Chief Planner Eastman said the maximum height allowed in the City's Zoning Code is 30 ft. Committee Member Cha said he is trying to picture how high it would be compared to the houses. Acting Chief Planner Eastman said a rough estimation is that the height of this house will be 25 ft.

Acting Chief Planner Eastman indicated that he would work with the applicant to make sure they work with the neighbors to revise the project to address their specific concerns in terms of window locations and providing clerestory windows. The architect has expressed a desire to try and accommodate the neighbors.

Committee Member Duncan asked if the existing palm tree is outside of the dedication zone?

Chairman Daybell asked if the applicant has seen the staff recommendations? Acting Chief Planner Eastman said yes. Mark Blumer, architect, stated he has reviewed the staff report and is willing to meet all of staff's conditions on the project.

Committee Member Cha asked if the height could be clarified? Mr. Blumer said what they have been trying to do is stay in conformance with the Pico-Carhart guidelines where they are following the existing contours of the land and modifying the grade as little as possible.

Chairman Daybell asked how tall is the building from the floor of the garage to the peak of the roof on the master bedroom? Mr. Blumer said he did not have that number "off hand". He said the way height is determined on a sloping lot is generally the four corners are averaged. What you are looking for is an average between a higher and the lower point.

Public hearing opened.

The following people spoke in support of the project:

- Cliff Ashcroft, 810 N. Arroyo Place, said he expressed some of his concerns to the owner with correspondence and never received a response.
- John Shipman
- Greg Walker

The following people spoke in opposition to the project:

- Betsy Warner
- John Paul and Christina Schowalter, 1093 W. Arroyo Dr.
- Roy Taylor, 800 Arroyo

Their points of support were:

- The proposed building will enhance the character of the neighborhood.
- Design attractive and consistent

Their points of concern were:

- Removal of Majestic Queen Palm tree on applicant and neighbor's, 810 N. Arroyo Place, property.
- A 3 ft. or 4 ft. vertical drop off of dirt on a slope that has been there for numerous years.
- Privacy issues
- Community should be informed of projects that ask for any variance to the Pico-Carhart guidelines.
- Design of current property overshadows the properties on both sides, including a neighbor's sunroom.
- Erosion and soil retention
- FAR
- Size of structure is disproportion in comparison to neighboring houses

The following were questions asked by neighbors:

- Was lot divided legally?
- What was the intention when it was subdivided?

Rick Crane, principal architect, explained they are requesting an administrative adjustment and not a variance at this time for the FAR. He stated the only reason it is being requested is that the City is requesting a dedication. Mr. Crane explained that the applicant is willing to give up that dedication. He stated he will make every effort to work with the neighbors and Mr. Ashcroft to preserve the palm tree. Mr. Crane said they will need some retaining walls in the back to deal with slope issues. He explained regarding the privacy issue, he can work with staff and come up with some resolutions perhaps by creating high windows on the east and west sides and some screen walls on some of the decks (translucent panels) that would allow light into the decks and views to the south.

Public hearing closed.

Acting Chief Planner Eastman said that, regarding the legality of the lot, there are two conditions recommended by staff: 1) that all property lines traversed on the site shall be consolidated to create one parcel, if it is not already one; and 2) a title report shall be submitted. The assessor parcel maps indicate that there is a line that goes through the site, which has to do with a previous ownership. If there are two lots, they shall be consolidated to one as reflected. He explained that staff has been assured that it is one lot by the owner. He stated to make sure that it is, prior to issuance of building permit, the applicant will provide a title report and necessary documentation for review by the City to ascertain the subdivision status of the subject property. Should it be determined that this parcel was not legally created, this approval may be null and void.

Committee Member Larsen said Mr. and Mrs. Schowalter's presentation was outstanding and the diagrams were very clear. He said that, being an architect, he can understand the difficulties of a site such as the one proposed. It is tough not to make a house such as that on a site that is like that very small. He said that it sounds to him that in the end, all parties will be very cooperative if the project were to go through and thinks it can still be done.

Committee Member Hoban thinks the architecture on the overall project was well put together and the architect is going to continue to work with the neighbors on all of the concerns. He said in his opinion, the variance is reasonable due to the unique lot, but more importantly the dedication is not being argued over, but handed over. Committee Member Hoban stated that in his opinion, it is in conformance. The unfortunate part is that the neighbor will have his sunroom partially blocked. He does not think those circumstances can override the building of a site. The site would never be built, essentially we are telling a property owner that he can't build anything there except for something so small that then it might not be in conformance with the rest of the neighborhood. Could it be notched down 200 ft. to come within the FAR that is needed or being asked for? Probably, but does not think it would be significant enough to address the issues that the two neighbors have on either side. Committee Member Hoban is in support of the project because so much effort has been made and will continue to be made. He said he believes the Pico-Carhart guidelines are important and it is not his intention to "toss them out the window". He believes the effort is being made to do all of those things and without seeing any of the neighboring conditions, one of the things that struck him was that they are trying to build a building that is conforming to the site rather than just digging it out and building a massive retaining wall for the property so that the building could be shoved down. He said he appreciates everyone's concern and their thoughtfulness on the presentations. He hopes that the architect can continue to work with the neighbors, especially the one with the sunroom.

Committee Member Cha said the "Item B" on the guidelines should be retained and there has to be a reason why the Pico-Carhart guidelines were written beyond the argument just made and

we must try to respect it. He said the trees should be retained and read "Item D". He stated he thinks within the given shape, a nice project can be built within the maximum FAR guidelines and there must be a reason why it says maximum. He explained that we are trying to break the maximum and once it is broken, it cannot be broken again. Committee Member Cha said he thinks the project should be studied again according to the guidelines and come up with a beautiful house that fits the guidelines and the neighbor's dream.

Committee Member Duncan said the architect mentioned the onset is a constraining site and a lot of times it leads to being more creative and the solution is there. He said the house is really not that big, but in this context it will appear big. He said he would really like for the architect to work with the FAR and do what he can to bring it down and agrees with Committee Member Cha's comments on that. He said he knows the Pico-Carhart area and knows what they are trying to maintain. He said there is a criteria of FAR to work with and they, as competent architects, may be able to fit that in. Committee Member Duncan would like to see the architects challenge themselves more and work with it and see what they can do. He does not see the privacy concerns, because it appears that the mass of the building is further to the north and is not right next to the neighbor's sunroom.

Chairman Daybell said he was impressed with the presentation. He stated a few things that concern him about the project regarding the palm tree on the corner and the vertical slope on the property line brings up the issue with drainage north to south on this site and not sure if they are going to be blocking drainage. He said it needs to be explored further. The staff recommendation of checking out the history of how this "oddball" lot got there should be checked out before it goes any further. Chairman Daybell said that he does not feel that, as presently designed, it meets the intent of the Pico-Carhart guidelines. He thinks it is too big, especially for the size of the lot. He said he could see a solution of removing the third tier and get that part of the building down to the same height of the middle and is more in proportion of what is there. The privacy is rather important and said he thinks privacy would be improved if they reduce the FAR to within the requirements, without the 10 percent allowance, and seriously consider downsizing the house. Chairman Daybell stated he supports Committee Member Cha and Duncan's thoughts on it and said if they can come back with something that is a little bit smaller and get it within the guidelines, the Committee can approve it.

MOTION by Committee Member Cha to DISAPPROVE the project. Acting Chief Planner Eastman clarified that there was some question about working with the site to come up with a solution, so rather than denying project, if it is the Committee's choice to deny it, he suggested they consider a continuance instead.

Committee Member Cha recommended to study the design guidelines and reduce size of height of the house to conform to the next two houses. He said the guidelines specifically states "the right house and left house, but 2,000 sq. ft. or less of floor space" and would like to reserve the trees as it states on "Item B". Committee Member Cha said if the committee would like to continue the project, he would support it.

Committee Member Hoban asked for clarification, was it a motion to continue with recommendations? Committee Member Cha said yes.

Committee Member Duncan said he would like to MODIFY the motion to continue the project so that they can bring it under 2,000 sq. ft. and meet the existing FAR percentage of 45 percent. He said he would like to continue this and see what they can come up with.

Chairman Daybell asked for a MOTION to CONTINUE to look at bringing the FAR down to that allowed by the guidelines? Committee Member Cha said yes. SECONDED by Committee Member Duncan as AMENDED by Committee Member Cha.

There was questions from the audience. Chairman Daybell opened the public hearing.

Mr. Crane stated he would like to make a recommendation that if the Committee approves the project tonight, the applicant can do what is required as a condition and work with staff on the reduction of the FAR. He said there was no reason for them to come back. Committee Member Cha said there are a lot of variances.

Chairman Daybell said it was his understanding that a couple of the committee members would like to take one more look at this after it has been modified rather than just working it out with staff.

Committee Member Hoban said he has no problem with the existing project if they can get it to technical conformance of the FAR. It would still have his support and in that case would the Committee approve the project with the condition that the FAR meet the conformance? The other issues he's heard raised from Committee Member Cha is the height and some of the other concerns. He said those he would not condition. He said they should make every effort to preserve the trees.

Committee Member Cha said the reason this project came to the RDRC was to make sure that it follow the design guidelines. It mentions the tree conformities to the next houses and without looking at the final plan design, he really cannot tell if it will go by the design guidelines or not. Committee Member Hoban said he does not believe the design guidelines was making an effort to make every home the same, and felt that would really hinder the neighborhood. He said they could have discussions as to what was meant, the right or the left home? Committee Member Larsen said it is tricky and guidelines are just that, they are not laws. He said it is on a case-by-case basis and the guidelines are there as a place to start.

Chairman Daybell asked to continue the project and prior to the next meeting, the committee should review the guidelines.

Committee Member Duncan said the architect mentioned if the Committee approved it with the condition that they meet the FAR, he said they are fully competent to meet it or come close and really not change the architecture. He said he does not think he needs to see it. He said it is really a nice building and if it changes substantially, he thinks staff will see that it needs to come back to the RDRC. Committee Member Duncan said he is willing to approve it with the condition that they meet the Code FAR and work with staff on a solution.

Chairman asked if the committee members would like to withdraw their motions? Committee Member Duncan said he would like to withdraw his motion.

MOTION by Committee Member Hoban to approve the project pending staff's recommendations and with the condition that the building meet the FAR of the site and preservations of the trees as possible. Committee Member Duncan asked if it could be changed to "preservation of the palm tree"? Chairman said there are two particular trees, one in the front of the lot and the one in the northwest corner, which the neighbor had a concern about. Frankly, it looks like it should be out of harms way and some attention needs to be paid during construction. SECONDED by Committee Member Duncan. Voted 3-1 (with Cha Opposed and Chairman Daybell abstaining).

Acting Chief Planner said the motion passes to approve the project subject to a revision to comply with FAR and approved as amended. He explained the 10-day appeal process.

PUBLIC COMMENT:

Resident reiterated other precedences that can be used to calculate FAR's in the neighborhood. Acting Chief Planner Eastman explained that a decision was made, but she can file an appeal application.

STAFF/COMMITTEE COMMUNICATION:

MEETINGS:

Acting Chief Planner Eastman provided an update on the City Council and Planning Commission meetings.

Appointments of new committee members discussed.

ADJOURNMENT:

Meeting adjourned at 6:52 P.M.

Respectfully Submitted,

Ruth Leopold
Clerical Support