

MINUTES OF THE REGULAR MEETING OF THE
REDEVELOPMENT DESIGN REVIEW COMMITTEE

COUNCIL CONFERENCE ROOM

FULLERTON CITY HALL

Thursday

December 13, 2007

4:00 PM

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

ROLL CALL: COMMITTEE MEMBERS Chairman Duncan, Vice Chairman
PRESENT: Hoban, Committee Member Daybell,

COMMITTEE MEMBERS Cha and Lynch
ABSENT:

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

MINUTES: MOTION made by Committee Member Daybell, SECONDED by
Committee Member Hoban and CARRIED unanimously by all
voting members present, with Chairman Duncan abstaining, to
APPROVE the October 11, 2007 minutes AS WRITTEN.

MOTION made by Committee Member Daybell, SECONDED by
Chairman Duncan and CARRIED unanimously by all voting
members present, with Vice Chairman Hoban abstaining, to
APPROVE the October 25, 2007 minutes AS WRITTEN.

OLD BUSINESS

Item No. 1

PRJ05-00269 - ZON05-00025 APPLICANT: JOE AND SARA GUTIERREZ AND
PROPERTY OWNER: GUTIERREZ FAMILY TRUST A Major Site Plan review of
architecture and landscape plans for a proposed five unit apartment complex at 840
Magnolia Avenue. (Generally located on the east side of Magnolia Avenue between
approximately 167 and 263 feet south of the southeast corner of Magnolia Avenue and
Olive Avenue) (R-3 Zone) (Categorically Exempt under Section 15332 of CEQA Guidelines)
(AKU) (Continued from June 28, 2007)

Acting Associate Planner Kusch stated that the Committee previously reviewed the project
and had concerns with the design and also requested a landscape plan. The request was
for a 5 unit apartment complex. The driveway on the revised plans has shifted slightly to
the south of the property to accommodate additional landscaping along the south side of
the front building. Acting Associate Planner Kusch explained that there was a pedestrian
path located between the guest parking spaces and a garage. The intent of the added
pedestrian path is to provide access to the rear open space area from the parking area.

Acting Associate Planner Kusch indicated that staff had five concerns with the landscape plan. Staff believed there should be a unique landscape palette for each of the unit entrances to provide focal and distinct entrances. In response to previous staff comments, the front two units have been revised to orient toward Magnolia Avenue. Acting Associate Planner Kusch stated that the landscape plan indicated queen palms in the planter along the south side of the front building, adjacent to the driveway. Staff believed that the palms would be located too close to the building and block the patio and south window of the adjacent dwelling unit. To provide more usable open space, staff also recommended elimination of the pathway located in the rear open space area. Acting Associate Planner Kusch indicated that the landscape plan identified turf in the required setback. Staff recommended that the landscape plant palette should substitute the turf with shrubs and ground covers to provide visual interest and reduce water consumption. To provide a focal entry to the property, staff also believed that the proposed turf area located south of the driveway entrance should be substituted with a tree specimen and evergreen or flowering shrubs.

Acting Associate Planner Kusch explained that the front building roof line and elevation has been revised to break up the singular plane of the building's previous design. Acting Associate Planner Kusch stated that each of the units is required to have private open space. Each of the units has a balcony to satisfy the private open space requirement. The balconies for Apartment 3 and 4 are above the rear apartment and the Committee previously expressed concern with activities on the balconies disrupting the tenant for the rear apartment. Acting Associate Planner Kusch stated that staff has recommended a condition that permanent storage, nor screening be allowed on the balconies. Staff also recommended that the door swing for apartments 3 and 4 be oriented inward. Acting Associate Planner Kusch stated that the applicant had brought in a rendering of what the project would look like.

Chairman Duncan asked if the landscape plan was meeting the code requirements. Acting Associate Planner Kusch stated that the landscape plans were exceeding the code requirements.

Chairman Duncan asked if the floor of the rear balconies for apartment 3 and 4 were separated or attached to the roof of the apartment located below. Acting Associate Planner Kusch stated that the elevations did not reflect a separation, but the applicant could address the question.

Vice Chairman Hoban asked why staff preferred less turf up front and in the side area. Acting Associate Planner Kusch stated that the turf area should be minimized to reduce water consumption and provide more visual interest along Magnolia Avenue and at the driveway entrance. Acting Chief Planner Eastman stated that the City was trying to move away from turf on a policy level.

Vice Chairman Hoban asked if there was discussion with the applicant to rearrange the open space area in the back so it could become more functional. Acting Associate Planner Kusch stated no.

Committee Member Daybell stated that the landscape plan and site plan were not the same. He stated that the site plan did not reflect the concrete sidewalks as shown on the landscape plans.

Committee Member Daybell asked what the setback requirement was for a garage at the rear of the lot. Acting Associate Planner Kusch explained that there was no setback requirement because the structure is single story. Acting Chief Planner Eastman explained that the setback requirements for an R-3 zone were based on a window type and the number of stories.

Public hearing opened.

Robert Little, Architect, stated that the applicants agreed to all the conditions. Acting Associate Planner Kusch asked if the balconies for apartment 3 and 4 were on top of the roof of the rear apartment or if there was a separation. Mr. Little stated that the balconies were sitting on joists that are the ceiling of the lower apartments and believed that it was common. He stated that insulation would be added to attenuate noise.

Joe Gutierrez, property owner and applicant, asked if the balcony above the garage was attached or separated. Acting Chief Planner Eastman clarified that the balcony would be attached.

Sara Gutierrez, property owner and applicant, stated that they agreed to all the recommended conditions. She stated that she spoke with the landscape architect and he said he would make the appropriate changes.

Chairman Duncan asked which of the two different walkway layouts was going to be used. Mrs. Gutierrez stated that they would select the one the Committee preferred. Acting Chief Planner Eastman stated that the applicant had not resolved the differences and was willing to do whatever the Committee believed was more appropriate.

Vice Chairman Hoban asked the applicant what they intended with the turf space and stated that staff was requesting that it be turned into something less usable and more aesthetically pleasing. Mrs. Gutierrez stated that she would prefer that the space look aesthetically pleasing.

Committee Member Daybell asked about the air conditioning condensers being in roof wells. Mr. Little explained that the air conditioners would be sitting down below the roof line in wells. Acting Chief Planner Eastman stated that the sloped roof would come up to where the air conditioner unit would be and would terminate with a flat roof underneath. Committee Member Daybell asked if the drainage would be on the exterior, and Acting Chief Planner Eastman stated yes.

Committee Member Daybell asked why the footprint was slanted for the rear garage. Mr. Little stated that it would facilitate driving into it.

Public hearing closed.

MOTION by Committee Member Hoban to APPROVE the project, subject to staff's recommended conditions.

Committee Member Daybell stated that either the architects or landscape architects walkway layout needed to get approved. Vice Chairman Hoban stated that he would go with the more detailed plan with staffs recommendation and the rear walk be eliminated and the front area should be aesthetically landscaped. Committee Member Daybell stated that

he would like the curb walks on the landscape plans combined with the front area being ground cover as opposed to turf.

Chairman Duncan believed that the landscape needed to establish more of an entry element for each of the unit entrances. He believed that removing the walkway in the back would help resolve that. Chairman Duncan stated that the association of the tree varieties could be better and agreed with staff that the turf should be eliminated.

Vice Chairman Hoban asked if the walkway in the back could be smaller instead of eliminating it. He believed that the children would be out by the garages riding their bikes if the play area was all plants and grass. Vice Chairman Hoban stated that the back walkway should be left up to the property owner because he did not want to limit how the applicant thought the space could be used.

Committee Member Daybell stated that he did not like the idea of putting the balconies over the roof concept and at the previous meeting Committee Member Cha did not like it either and a discussion about the decks followed.

MOTION by Committee Member Hoban, SECONDED by Committee Member Daybell, to APPROVE the project subject to staff's recommended conditions and the reduction of the size of the mow strips, approving the landscape plan but rethinking the form of the concrete walks, and looking at the feasibility of relocating balconies and adding a hardscape element that might connect the useable open space depending on use determined by the owner. Motion passed unanimously.

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

NEW BUSINESS:

Item No. 2

PRJ07-00443 – ZON07-00100 APPLICANT: RODRIGO COBA AND PROPERTY OWNER: FELIPE BELTRAN A request for a Minor Development Project to construct a 260 sq. ft addition to an existing dwelling; construct a 400 sq. ft. detached garage; and approve an unpermitted second dwelling on property located in a Historic Residential Preservation Overlay Zone and Community Improvement District, located at 143 E. Valencia Dr. (Generally located on the north side of E Valencia Dr, approximately 100 ft. west of Pomona) (Categorically Exempt under Section 15303 of CEQA Guidelines) (AKU)

Acting Chief Planner Eastman stated that the property owner indicated he would like to withdraw his application. He has not provided anything in writing and staff cannot withdraw an application without something in writing. Acting Chief Planner Eastman stated that he indicated to the applicant that he should go through the process and see what the comments would be from the Committee and, if approved, he would have two years to get the project done. Acting Chief Planner Eastman stated that the applicant indicated he would do that, but apparently he did not wait for his item to be heard. Acting Chief Planner Eastman informed the Committee that they could choose to hear staff's presentation and perhaps approve the project or they could deny the project or continue the item.

Vice Chairman Hoban asked if the item could be continued indefinitely. Acting Chief Planner Eastman stated that he would prefer a termination date because the code does not

include what to do with a project that has not been approved or denied. Staff preferred that the item be continued to a date certain so that staff could get a written withdrawal from the applicant to put in the file.

Acting Associate Planner Kusch stated that the project had Code Enforcement activities because there was unpermitted construction so there was a time period for the item to be resolved.

Committee Member Daybell asked what the setback requirement was for a detached garage. Acting Chief Planner Eastman stated that a building can be built up against the property line as long as it meets all the building and fire code requirements.

Committee Member Daybell stated that the applicant should be allowed 2, two car garages so that the fifth open space is not needed.

Acting Associate Planner Kusch stated that the code requires a two car garage and an open parking space. Because it is in a preservation zone half the required parking can be open so you would need a two car garage and the remaining 4 spaces can be open for a total of six parking spaces for the two units.

Committee Member Daybell stated that the shared concrete driveway at the front of the property should be eliminated. Acting Associate Planner Kusch stated that the Engineering Department standard has the flare of the driveway confined to the frontage of the property and in this case it encroaches onto the adjacent property. He stated that the Engineering Department would be willing to modify the standard driveway approach. Acting Chief Planner Eastman stated that one of the difficulties of using the driveway that exists today, due to its location, is that it requires driving across this driveway to get to the adjacent property. He stated that it's a civil issue between the two property owners.

Committee Member Daybell stated that the issues with the illegal structure would need to get resolved by approving it or getting rid of it. Acting Chief Planner Eastman stated that Code Enforcement would have to resolve the issue. He said that the applicant verbally said he would like to withdraw his application, but staff needs the withdrawal in writing.

Committee Member Daybell asked if the project should be denied without prejudice. Chairman Duncan asked what a denial without prejudice was. Acting Chief Planner Eastman explained what a denial without prejudice was.

Acting Associate Planner Kusch stated that Katie Dalton, Fullerton Heritage emailed him and stated that she was in support of the project as conditioned. She had concerns with windows and the compatibility throughout all the elevations.

Vice Chairman Hoban stated that the item should be continued to a date certain because the applicant was not present, and that would give staff time to get a withdrawal notice from the applicant.

MOTION by Committee Member Daybell, SECONDED by Vice Chairman Hoban to CONTINUE the project to a DATE CERTAIN of January 24, 2008. Motion passed unanimously.

MISCELLANEOUS ITEMS:

None

PUBLIC COMMENT:

No public comments.

STAFF/COMMITTEE COMMUNICATION:

Acting Chief Planner Eastman stated that Chairman Duncan's appointment on the RDRC was up. While he was not aware of any decisions or details to provide, he knew that there was someone who was being looked at favorably who currently did not serve on the Committee. Therefore, Acting Chief Planner Eastman wanted to be certain to thank Chairman Duncan for serving on the Committee.

Acting Chief Planner Eastman stated that the Jacaranda Senior Apartment Complex was coming back to the Committee for consideration of the landscape plan. He stated that the landscape plan was different than what was approved by Council and the RDRC.

Acting Chief Planner Eastman informed the Committee that Bruce Whitaker, a Field Representative for Orange County Supervisor Chris Norby, was appointed to the Planning Commission, and there are currently two appointments that will be open at the end of December. A discussion about the appointment process and applications followed.

MEETINGS:

None

ADJOURNMENT:

Meeting adjourned at 5:25 P.M.

Respectfully Submitted,

Susana Flores
Clerical Assistant