

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

COUNCIL CHAMBERS

FULLERTON CITY HALL

Thursday

July 13, 2006

4:00 PM

CALL TO ORDER: The meeting was called to order at 4:06 PM by Chairman Daybell

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

COMMITTEE MEMBERS Committee Member Larsen
ABSENT:

PUBLIC PRESENT: Bobby Glicksir, Caroline Kielmayer,
Marjorie Pittman, Martha Rabadan, Jiaah
Shah, and Hossein Tajiki

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

MINUTES: MOTION made by Committee Member Duncan, SECONDED by
Committee Member Cha and CARRIED unanimously by all voting
members present with a 4-0 vote with Committee Member Larsen
absent to APPROVE June 29 minutes AS WRITTEN.

OLD BUSINESS:

None

NEW BUSINESS:

Item No. 1

PRJ06-00081 – ZON06-00015. APPLICANT AND PROPERTY OWNER: JOHN SILBER (AKU)

Acting Associate Planner Kusch presented a staff report for a requested Major Development Project and a Tentative Tract Map to construct a 6-unit residential condominium complex on property located at 321-323 East Amerige Avenue (generally located on the north side of Amerige Avenue between approximately 175 and 275 feet east of the northeast corner of Amerige Avenue and Lemon Street) (R-3 Zone) (Categorically Exempt under Section 15332 of the CEQA Guidelines). (AKU)

Acting Associate Planner Kusch stated that in March 2005, the RDRC reviewed a previous proposal for this property. At the time, the applicant was proposing seven units and the RDRC recommended denial of the project. The Committee agreed with staff that the project was not compatible with the neighborhood, in terms of the bulk size and general architecture.

Subsequently in August 2005, the Planning Commission reviewed the proposal and had the same concerns. However, the Commission approved the project subject to conditions. Thereafter, the project was appealed by neighbors adjacent to the property. At the City Council meeting, the appellants had concerns with the proposed building's bulk, size, architecture and general compatibility with the existing neighborhood. The applicant is now requesting approval of a revised proposal.

Acting Associate Planner Kusch presented site photos. He explained that the project is located within a Community Improvement District. In order to implement the redevelopment area objectives and to ensure the quality of the design, the RDRC is required to review the proposed project.

Acting Associate Planner Kusch stated that City Staff believes the applicant has created architecture that is authentic, which includes use of materials and provision of setbacks as it relates to building's height, mass and orientation. The architecture is contemporary in contrast to the adjacent buildings, including the Queen Ann Victorian residence (Cusick House). Rather than replicate it, the proposed architecture juxtaposes with the Queen Ann Victorian architecture. Staff recognizes the architecture is unique, but believes the fundamental design of the project is well implemented. Staff's analysis of the design is based on its livability, balance use of materials, rhythm, massing, setbacks, pedestrian orientation, as well as the articulation and orientation. Staff is recommending approval of the project subject to conditions contained in the staff report.

Acting Chief Planner Eastman explained to the Committee that staff has gone through a number of revisions on the project in order to meet code and address concerns. He stated that the applicant submitted digital plans and the Committee has the accurate set of plans reflecting what is being proposed.

Committee Member Duncan asked about the difference in the common open space and usable percentage. Acting Associate Planner Kusch explained that the common open space is essentially on the ground floor and the usable open space includes the common and private open space. There is an overall amount of space required and of that there is a certain percentage devoted to both common and private space comprised primarily of patio and balcony areas.

Committee Member Duncan asked what is the purpose of Condition No. 16 (6" high curb at landscape planters)? Acting Chief Planner Eastman explained it is a standard condition and not necessarily a code requirement, but addresses potential surface drainage issues. Staff and Committee Member Duncan discussed zero curb options.

Committee Member Duncan asked about Condition No. 18, which states that decorative pavers shall be used. He asked if specifically pavers or enhanced paving of any kind can be used? Acting Associate Planner Kusch stated that staff would be open to a discussion regarding enhanced paving.

Chairman Daybell asked about the height of the Cusik building? Acting Associate Planner Kusch answered it is approximately 30 - 32 ft. and presented an elevation. Chairman Daybell stated that this project would not necessarily be taller than Cusik building, as designed. Acting Associate Planner Kusch said it will be taller than the adjacent apartment building, but not necessarily the portion of the Cusik building designed as a water tower.

Chairman Daybell commented on Conditions No. 6 and No. 7 and stated that the Water Resources Control Board requires that items be submitted on a project where the size is in

excess of one acre. He said the project is not within the guidelines and stated that he did not know if the City was being more stringent than the State, which does not require a Notice of Intent (NOI). Acting Chief Planner Eastman stated that the City is not being more stringent than the State. The language that is provided is standard. He stated the intent is not to be more stringent, but to notify the applicant that they will need to comply with the Stormwater Pollution Prevention Plan (SWPPP) and/or Water Quality Management, which includes best management plans. Staff includes the condition so that the applicant is aware of the state requirements, which were implemented a few years ago. Acting Chief Planner Eastman reviewed some of the requirements and stated it is the City's duty to require compliance and the condition is simply to put the applicant on notice.

Hossein Tajiki, one of the property owners of the project, explained they went through several revisions of the project that were taken to the Planning Commission and have come tonight with a project they are very happy with.

John Silber, project architect, commented that he is very pleased with the design of the project and hopes the Committee will support it. He reviewed the plans with the Committee and distributed a material and color board to the Committee.

Committee Member Hoban asked what would be the first choice if pavers are not used in the landscape area. Mr. Silber said he would prefer to work with different ways of treating concrete, and keep a unified ground paving appearance.

Committee Member Hoban asked if the T1-11 siding choice was made due to financial reasons or to incorporate a shear wall. Mr. Silber said a T1-11 will not be used and is hoping to use stained T&G siding.

Committee Member Cha requested clarification about the 1.75 and .75 car garage requirement. Mr. Silber explained the calculation made is for the two-bedroom unit and the City requirement is 2.5 parking spaces. They can theoretically have 1 $\frac{3}{4}$ stalls in the garage. Mr. Silber stated they have not sought any calculation rounding relief from the City and have rounded up to three stalls. The amount of parking provided is two garage stalls and a guest stall for every unit.

Chairman Daybell asked Mr. Silber what precludes the auto court from becoming additional parking spaces? Mr. Silber stated it will be striped for no parking and the CC&Rs will preclude people from parking in the central part of the property. Acting Chief Planner Eastman stated that from a practical sense, parking in the auto court would block garage access for some of the dwelling units. Chairman Daybell stated he was hoping to place a restriction in the CC&Rs that would prohibit parking in the center driveway or auto court area. Acting Chief Planner Eastman stated that the CC&Rs will incorporate that concern. Mr. Silber clarified that two of the units are accessed directly from the alley and one from the street, so the restricted parking provision would affect three of the six units.

Committee Member Duncan asked if unit one, which is on the southwest corner, has any issue with cars maneuvering in and out of the garage; it appears that it is tight turn. Mr. Silber said the separation of both buildings complies with the turning radius for the City and the drive pavement is slightly beyond the garage door. Cars backing out of the driveway can overhang into the adjacent landscape area to complete the maneuver. Mr. Silber stated the number of cars in the area will be relatively small.

Committee Member Hoban asked if there is a trash enclosure within the complex or in the back. Mr. Silber said they have incorporated a trash bin area with doors in Unit 3, which is accessible from the rear alley.

Chairman Daybell commented he would be upset if the applicant did not have the flat roof because he would be very concerned about the building height.

Public hearing opened.

Caroline Kielmayer, owner of the adjacent Cusick House, requested to see scaled plans in relation to her residence to show the relationship of the proposed windows to her residence. She noticed that on the third deck, the patios are on the east and west and asked if they can be oriented toward the middle of the property. She is concerned with her privacy and people congregating on the proposed decks. She inquired if walls were going to be built on the east and west and if so, what materials will be used. She also asked where air conditioning units would be located.

Marjorie Pittman, owner of the adjacent apartment complex to the east, said she appreciated the effort the architect put into this project and liked the interesting design. She asked about the height of her building at 325 E. Amerige in comparison to the new building. Acting Chief Planner Eastman answered approximately 20 and 25 ft. in height given height of interior ceilings and flooring requirements. She asked for clarification on Mr. Silber's comment regarding the stepping back of the second story from property side property lines. She expressed her concern with rooms being rented out to college students and suggested placing in the CC&Rs that bedrooms can not be rented. She asked if the City had any requirements about the amount of garbage space that one must have for the number of units. She also requested to see scaled plans.

Bobby Glicksir, resident of the Cusick House, stated this is a better plan than the previous one. She expressed her concern with the project being massive. Although the tower of the Cusick house may be 30 ft. in height, she inquired as to the actual height of the house. Ms. Glicksir was concerned with noise, college students and parking in the alley and street. She stated that although it is a better project she is not excited about it.

Mr. Silber answered the residents' questions. He said that he had envisioned fences for the private patio space at 6 ft. high. It was omitted from the elevation on the open space to the Cusick house, because he wanted to have the Committee see the landscaping. He stated he would like to use painted cement board between wood posts as a fence material, but can have a cedar fence with some detail.

Mr. Silber stated that the windows near the neighboring property, by code have to be translucent, but will maintain privacy. He provided an explanation of the stepping and setbacks.

Mr. Silber said the location of air and heater equipment has not been detailed at this point. He said there will be a need for conditioned space and a location for an outside unit. Mr. Silber said they will follow the rules in the staff report and will continue to address the neighbors' concerns.

Mr. Silber explained the third floor plans and stated the top floor was designed as a loft/master suite with a retreat-type of environment.

Staff answered some of the residents' questions regarding the City's garbage space requirements. Acting Chief Planner Eastman said staff does not have requirements in terms of

trash area per unit. It varies and is based on uses and activities. The City contracts with MG Disposal for waste disposal. MG Disposal has indicated in the past, for four units or less, they can accommodate a standard residential pickup of one common 3 yard trash bin for four units, with additional pickups scheduled, if needed.

Acting Chief Planner Eastman stated that the applicant can establish prohibiting room rental of the units as criteria of the CC&Rs. He stated that the City cannot dictate what a family is per state requirements.

Committee Member Hoban stated this is a unique project and the architecture lends itself for a unique combination on the block. He is in full support of the project and stated this project is a micro scale comparison to the Disney Hall next to the Dorothy Chandler Pavilion in Los Angeles, with the Queen Victorian next door to the project.

Committee Member Hoban stated that he thinks it is better that the T1-11 not be used on such a unique structure. If the architect would like to take it a step further, he can use a wood such as teak planks, which can lend itself to something unique. Committee Member Hoban stated that an excellent job has been done with size and mass and pushing it off the street with a lot of variation in heights. He urged saving the existing Jacaranda tree. Committee Member Hoban stated he is in support of the project pending staff's recommendations.

Committee Member Duncan agreed with Committee Member Hoban and fully accepts the project. Committee Member Duncan complimented the owners of the property for allowing the architect to express himself. The architect is complementing the on-site architecture and combining that with the surroundings. He complemented the architect on the initial design relationship of what occurs on the ground floor with the exterior of the buildings. Committee Member Duncan indicated support of the project with the City Staff recommended conditions of approval.

Committee Member Cha liked the design and uniqueness of the project with different designs and colors of each unit. He is concerned with the third floor plan, which has a deck. He stated, according to staff, the space is added on to the open space requirement. Committee Member Cha suggested reducing the third floor decking. He expressed that the whole design should be appreciated by the neighbors and the City.

Chairman Daybell said he previously did not support the project because of the design. He expressed his concerns with the third story, but is in support of the project. He thinks the neighbors can sit down with the architect and owner and review the fencing issue.

MOTION made by Committee Member Duncan, SECONDED by Committee Member Hoban with a 4-0 vote with Larsen absent to APPROVE project to go to the Planning Commission as recommended by staff.

Acting Chief Planner Eastman clarified that this is a recommendation to the Planning Commission, so the decision can not be appealed and is an opinion of the RDRC. He indicated, that at this time, the applicant has not submitted the technical tract map that is required, which are the legal boundaries for the condominium project. Staff accepted the project to be taken to the RDRC without the Tract Map, that if the project would be revised, the applicant would not be subject to the additional cost of revising tract map plans. There will be a time frame that is necessary for the applicant to prepare the legal tract map by their engineer. Acting Chief Planner Eastman stated that at this time, the date is uncertain for the Planning Commission hearing, but a notice will be sent to the public informing them of the hearing.

PUBLIC COMMENT:

None

STAFF/COMMITTEE COMMUNICATION:

MEETINGS:

Acting Chief Planner Eastman provided a review of the City Council and Planning Commission meetings.

AGENDA FORECAST:

Acting Chief Planner Eastman provided a review and announced the Amerige Court Special Meeting scheduled for July 27 in order to review the preliminary project.

ADJOURNMENT:

MOTION made by Committee Member Hoban, SECONDED by Committee Member Duncan and CARRIED unanimously by all voting members present to adjourn meeting at 5:21 P.M.

Respectfully Submitted,

Ruth Leopold
Clerical Support