

MINUTES OF THE REGULAR MEETING OF THE
STAFF SITE PLAN REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 9:00 A.M., OCTOBER 5, 2006

CALL TO ORDER: Chairman Eastman called the meeting to order at 9:28 a.m.

COMMITTEE MEMBERS PRESENT: Eastman, Lopez, Petropulos, Thompson, St. Paul, Voronel and Yang FOR Tabatabaee

COMMITTEE MEMBERS ABSENT:

STAFF MEMBERS PRESENT: Kusch and Leopold

OTHERS PRESENT: James Dodge, Denis Kuemerle, Rob Upton, and Ed Vonusa

APPROVAL OF MINUTES:

MOTION by Committee Member St. Paul, SECONDED by Committee Member Voronel to APPROVE September 21, 2006 minutes as submitted.

INTRODUCTIONS - COMMITTEE AND STAFF MEMBERS:

ACTION ITEMS:

Item No. 1

PRJ06-00303 – ZON06-00048. APPLICANT: JOHN KOOS; PROPERTY OWNER: CITY OF FULLERTON.

A request for a minor site application for the construction of a monopole telecommunication antenna measuring 65'-0" tall and designed to have the appearance of a pine tree at a City water reservoir property located at 2470 Pioneer Avenue (south side of Pioneer Avenue, approximately 400 feet east of Gilbert Street) (P-L zone) (Categorically exempt under Section 15332 of CEQA Guidelines)

Chairman Eastman said it was his understanding that the applicant has requested a continuance and asked if there was a date for the continuance. Acting Associate Planner Kusch said no, and the specific issues are in compliance with Zoning Code and required setbacks. He said the applicant is proposing the planting of live trees, whether or not they can provide irrigation is questionable. Chairman Eastman questioned having irrigation or live trees that close to a reservoir. Chairman Eastman asked Committee Member Voronel if there was a distance requirement for planting trees next to a reservoir. She answered there is but does not remember them.

Acting Associate Planner Kusch stated the applicant indicated that in negotiating the lease with the City, the Water Engineering Department specified a certain location. Now that location can't meet the zoning code in terms of setbacks, the whole project may be withdrawn.

MOTION by Committee Member St. Paul, SECONDED by Committee Member Lopez to CONTINUE project to a date uncertain. Passed unanimously by all voting members present.

Item No. 2

PRJ06-00417 – ZON06-00070. APPLICANT AND PROPERTY OWNER: DAVID AND SHELLEY TUCKER.

Senior Planner St. Paul presented a staff report for a request for approval of a minor site plan for a 20% reduction in the rear-yard setback from 20'-0" to 16'-0" for a second-story addition, and to allow a second story deck to encroach up to 12' to the rear property line, on property located at 451 El Camino Drive (northwest corner of El Camino Drive and Glenhaven Avenue) (R-1-7.2 zone) (Categorically exempt under Section 15301 of CEQA Guidelines)

Senior Planner St. Paul said several permits are being pursued at this time. Initially there have been building permits issued for retaining walls on the side of the backyard that faces El Camino. He said grading will be done to the rear of the property and a retaining wall that is adjacent to the neighbor.

Staff was concerned with what the deck height was and the applicant has reduced the height of the deck below 10 ft.

Senior Planner St. Paul said all of the neighbors present had concerns with this project including grading to the west of the property. Senior Planner St. Paul explained he expanded the notification zone regarding this project.

Chairman Eastman clarified that there are two parts to the project including:

1. Reduction of the second floor set back, which is 20 ft. A reduction of 20 percent allowed by a minor site plan from 20 ft. to 16 ft. He clarified that the second floor setback requirement is 20 ft.; The first floor requirement is 15 ft.
2. A request to consider a deck encroachment into the rear setback.

Senior St. Paul stated there is no specification in terms as to how far the second story deck can encroach, other than what is deemed appropriate by minor site plan.

Chairman Eastman asked if it abuts an upslope? Senior Planner St. Paul said it abuts an upslope from the retaining wall.

Chairman Eastman said Senior Planner St. Paul indicated the notification area was expanded and asked for what reason? Senior Planner St. Paul said because it is on the northwest corner is visible from the rest of the neighborhood and because the back yard is below grade and the backyard can be seen from across the side street.

Public hearing opened.

Architect James Dodge said it is a very complicated site because of the retaining wall. The only caveat on the deck is that the deck level is at the top of the retaining wall, so it is really not above a structure, visually impacting the adjacent neighbors. He stated he had a problem with the City's requirements regarding placement of a patio versus a deck.

Rob Upton, neighbor to the north of the project, said at this point he is not for or against the project. He asked how high the addition would be and with how many windows?

Chairman Eastman explained the decision (and appeal) process, as there was some unclarity with the public.

Denis Kuemerle, resident, said the setbacks in the City are more than generous and the applicant should work within the setbacks that have been established. He stated he is against the second story because the neighborhood consists of single story homes. He said he did not see a reason to extend the house another 4 ft. and it is degrading the character of the neighborhood.

Ed Vonusa, neighbor who lives above the applicant, said he believes in the City's codes and feels this decision making process is more than adequate and is in support of the addition.

Committee Member Thompson said one thing that staff would ask for during plan check is to show the two closest fire hydrants. The Fire Code does require that there is a reliable source of water within 150 ft. of the most remote spot. He explained how the applicant must measure from the hydrant to the backyard.

Mr. Dodge said they would be adding smoke detectors. He said the owner is willing to work with everyone on this project. Mr. Dodge said the applicant is not asking for a variance above what is permitted in the zoning code.

Public hearing closed.

Chairman Eastman commented on the proposal and said it is on a site that has a very steep slope, so it has some unique conditions to it. He said in the nature of creating the pool and spa they dictate the placement and to a certain degree doing an addition to the house is dictated by where the pool and spa is. The applicant is asking for the second floor to encroach in the rear yard, not the first floor. There is a significant height difference between the rear property and this property. The neighboring properties are higher as it relates to the encroachment itself to where there isn't an issue of the people in the second floor looking down on the neighbors. Chairman Eastman said he is not generally opposed to the request that has been made. The encroachment is a smaller area in the backyard and as far away from the streets as possible. The second story addition is located in the back of the property and not located along the front of the street where it would affect the neighborhood as a whole. He commented on a neighbor's comments regarding maintaining the single story neighborhood and explained that a two-story structure is permitted by code. Chairman Eastman said he is not in objection of what is requested. He stated it is a reasonable request and can be supported.

Committee Member Thompson told the applicant the Fire Department always looks at access and being able to get the equipment within a certain distance of a structure and having a reliable water within a certain distance of the structure.

Chairman Eastman said part of his concern is erosion problems. There is an ordinance that requires that slopes be landscaped and maintained. He recommended adding a condition that a landscape plan be provided by a qualified professional for staff's review and approval to address erosion issues, so that the applicant doesn't undermine slope stability, and it be implemented prior to final of the building permit. The building inspectors will require that the slope be landscaped, as well.

Mr. Dodge said the applicant would like to get started on the retaining wall before the rainy weather. He said the City required a grading, retaining wall and building permit. Chairman Eastman said he would be fine with issuance prior to building permit. The architect asked if they could pull a foundation only on the addition? Chairman Eastman said it needs to be implemented prior to final and doesn't have a problem with the timing if they pull a permit first as long as there is stability that is maintained during construction, and prior to finaling landscape plans be submitted, approved and installed.

Committee Member Voronel asked for the status of the plans and if Engineering reviewed the plans. She stated she did not know if driveways are in compliance with current City standards and sidewalk alone and the property does not require repair. She said if it is in plan check, it may be indicated on the plans and that some additional work is in public right-of-way such as driveway replacement to comply with City standards or sidewalk replacement if it is damaged may be added. Committee Member Voronel asked if they pour through curb for drainage or add any outlet into curb or street. Mr. Dodge said that is all part of the grading and drainage retaining wall plan. Committee Member Voronel said if they pour public curb to outlet into the street the applicant has to pull a public permit for encroachment with Engineering Department. Mr. Dodge said there is a missing link in the sidewalk where it doesn't go all the way to the property line and ends at the corner and are extending it to the property line. Committee Member Voronel said it would be a condition from Engineering. She explained there may be additional permits required from the Engineering Department and will have to pull grading, building and retaining wall permit.

Chairman Eastman explained the standard conditions and requested the following condition be added:

1. Landscape and irrigation plans must be submitted for review, approval and installation prior to final of the construction.

MOTION by Chairman Eastman, SECONDED by Committee Member Voronel to APPROVE project subject to the two conditions. Passed unanimously.

Chairman Eastman explained the appeal process.

MOTION by Committee Member Thompson, SECONDED by Committee Member St. Paul to ADJOURN meeting as Staff Review Committee at 10:13 a.m.

BY: _____
Ruth Leopold, Clerical Support