



SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) **AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that some or all of the Fullerton Planning Commission/Landmarks Commission will participate in meetings via teleconference.

PUBLIC PARTICIPATION: Pursuant to Executive Order N-29-20 and given the current health concerns, members of the public can **access meetings streamed live online** at <https://fullerton.legistar.com>, on Spectrum Cable Channel 3 and AT&T U-Verse Channel 99. Members of the public may not attend the meeting in person.

In lieu of attendance at the meeting, the public can submit public comments electronically for the Fullerton Planning Commission/Landmarks Commission consideration by clicking on the **eComment** link accompanying the agenda posted online at <https://fullerton.legistar.com> **until the close of the public comment period for the item**. Staff will read or summarize public comments during the meeting.

Alternately, comments can be provided **in advance of the meeting** directly to the respective staff planner using the contact information detailed on the Public Notice. Public Notices can be reviewed online at: <https://cityoffullerton.com/publicnotices>. Staff will read or summarize public comments during the meeting.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the Community and Economic Development Department at (714) 738-6351 no later than 48 hours before the meeting.



FULLERTON PLANNING COMMISSION/
LANDMARKS COMMISSION
303 W. COMMONWEALTH AVENUE
FULLERTON, CALIFORNIA 92832-1775

MEETINGS OF THE FULLERTON PLANNING COMMISSION/LANDMARKS COMMISSION - are held every other Wednesday of the month at 6:30 p.m.

PUBLIC COMMENT - will be called for by the Chair at the beginning of each meeting. Any member of the public may address the Planning Commission/Landmarks Commission on items not listed on this agenda, but within the subject matter jurisdiction of the Commission. No action may be taken on off-agenda items except as provided by law. Comments shall be limited to three minutes per person and shall observe civility, decorum and good behavior.

PERSONS ADDRESSING THE COMMISSION - Comments on Public Hearing items shall be limited to three minutes the first time or two minutes the second time to the same question or issue, unless a different time is authorized by the Chair, or a majority of the Commission. When a group wishes to address the Commission, the Chair may request that a spokesperson be chosen to represent the group. Public comment will be allowed on items on the agenda at the time each item is considered.

CONSENT CALENDAR - These items are considered routine and will be acted upon by one motion unless a member of the Commission, staff or public requests that an item be discussed and/or removed from the consent calendar for separate action.

AGENDA ITEMS - This agenda contains only a brief summary of each item to be considered by the Planning Commission/Landmarks Commission. Information may be obtained by calling (714) 738-6351 or by accessing the City's home page at www.cityoffullerton.com

The Planning Commission's/Landmarks Commission's approval or denial of any action on this agenda shall become final and effective ten working days after its decision, unless an appeal is made in writing within this ten-day period to the City Council by either an applicant or an opponent. The filing of an appeal within such time limit shall stay the effective date of the order of the Planning Commission/Landmarks Commission until such time as the City Council has acted on the appeal. Anyone interested in making an appeal should contact the Community and Economic Development Department for assistance.

In accordance with CA Government Code Section 24957.5, the public may inspect any writings or documents relating to an open session agenda item distributed after posting of the agenda packet but prior to the meeting. The City will post such writings and documents received in sufficient time on the City's website at www.cityoffullerton.com.

ADA REQUIREMENTS - In compliance with the requirements of Title II of the Americans with Disabilities Act (ADA), disability-related aids or services are available to enable persons with a disability to communicate at a City public meeting. Should you require special accommodations to participate in this meeting, please contact the Community and Economic Development Department at (714) 738-6351 at least 48 hours prior to the scheduled meeting.

Wayne Carvalho
Chair

Kathleen Shanfield
Vice Chair

Chris Gaarder
Commissioner

Elizabeth Hansburg
Commissioner

Douglas Cox
Commissioner





CITY OF FULLERTON
PLANNING COMMISSION/LANDMARKS COMMISSION/
APPEALS BOARD
REGULAR MEETING AGENDA
AUGUST 19, 2020, 6:30 P.M.
Council Chamber
303 West Commonwealth Avenue
Fullerton, California
++VIA TELECONFERENCE++

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS

Public comments will be allowed on matters not appearing on the agenda, but within the Planning Commission's/Landmarks Commission's jurisdiction.

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time of voting on the motion unless members of the Planning Commission, staff, or public request the item be discussed and/or removed from the Consent Calendar for separate action.

1. MINUTES – [AUGUST 5, 2020](#)

RECOMMENDED ACTION: Approve the August 5, 2020 Planning Commission Meeting Minutes.

COMMUNICATION DISCLOSURE

Commissioner communication disclosure regarding agenda items.

REGULAR BUSINESS - None

PUBLIC HEARINGS

2. ZON-2019-0151. APPLICANT: FITNESS ALLIANCE LLC, DBA EOS FITNESS; PROPERTY OWNERS: MGP XII COLLEGE PLAZA, LLC; 99 CENTS ONLY STORES; BANK OF AMERICA

Request for a Conditional Use Permit (CUP) to operate a fitness facility (EOS Fitness) within College Plaza, a multi-tenant shopping center at 2420-2436 East Chapman Avenue

(located at the southeast corner of State College Boulevard and Chapman Avenue)
(Categorically exempt under Section 15301 of State CEQA Guidelines) (G-C Zone, General Commercial) (Staff Planner: Andrew Kusch)

RECOMMENDED ACTION: Approval, subject to conditions

[Staff Report](#)

3. PRJ2020-00002 – ZON-2020-0012. APPLICANT: ERNIE KELSEY, FULLERTON HERITAGE; PROPERTY OWNER: FULLERTON JOINT UNION HIGH SCHOOL DISTRICT

Request to designate the “Pastoral California” mural as a Local Landmark with inclusion in the City of Fullerton Local Register of Historical Resources. The mural is located on the west exterior side of the Fullerton Union High School Auditorium at 201 East Chapman Avenue (Northwest corner of Chapman Avenue and Lemon Street) (Categorically exempt under Section 15331 of State CEQA Guidelines) (P-L Zone, Public Land) (Staff Planner: Andrew Kusch)

RECOMMENDED ACTION: Approval, subject to conditions

[Staff Report](#)

4. SUB-2019-0022. APPLICANT: GH PLUS; PROPERTY OWNER: 211 WEST LAS PALMAS, LLC.

A request for a Tentative Parcel Map to subdivide one parcel into two at 211 West Las Palmas Drive (North side of Las Palmas Drive, approximately 300 feet west of the intersection of Las Palmas Drive and Harbor Boulevard) (Categorically exempt under Section 15315 of State CEQA Guidelines) (R-1-20 Zone - Single Family Residential, minimum lot size 20,000 square feet) (Staff Planner: Christine Hernandez)

RECOMMENDED ACTION: Approval, subject to conditions

[Staff Report](#)

5. PRJ14-00255 – TPM 2014-156 – ZON14-00094 – ZON18-00060. APPLICANT: AJAY AND RITU BERI; PROPERTY OWNER: BERI FAMILY TRUST

A request for a 12-month extension of prior project approvals to divide one parcel into two and to facilitate construction of a new single-family residence in the 1900 Block of Ladera Vista Drive (East side of the 1900 block of Ladera Vista Drive, approximately 1,000 feet north of Pioneer Avenue) (Previously Certified Mitigated Negative Declaration) (R-1-20 Zone - One-Family Residential, minimum lot size 20,000 sq. ft.) (Staff Planner: Edgardo Caldera)

RECOMMENDED ACTION: Approval, subject to conditions

[Staff Report](#)

6. ZON-2020-0044. APPELLANT: HECTOR PEREZ, ESQ. ON BEHALF OF ABRAHAM TABAJA

An appeal of the Public Nuisance Hearing Officer Findings and Order of Abatement for 801 West Commonwealth Avenue declaring the subject property a public nuisance; ordering the marijuana-related use and activity abated; and ordering licenses and permits be obtained for all tenant improvements done without the benefit of required permits. (Staff: Roy Hernandez)

RECOMMENDED ACTION: Uphold Public Nuisance Hearing Officer Findings and Order and Deny Appeal

[Staff Report](#)

7. ZON-2020-0050. APPELLANT: CHERYL S. PETROPOULOS, ESQ. ON BEHALF OF MICHAEL R. SMITH, CEO, CFO, SECRETARY, AND DIRECTOR OF PRIVEST FINANCIAL CORPORATION

An appeal of the Public Nuisance Hearing Officer Findings and Order of Abatement for 1110-1112 East Ash Avenue declaring the subject property a public nuisance; ordering the marijuana-related use and activity abated; and ordering licenses and permits be obtained for all tenant improvements done without the benefit of required permits. (Staff: Cecelia Vasquez)

RECOMMENDED ACTION: Uphold Public Nuisance Hearing Officer Findings and Order and Deny Appeal

[Staff Report](#)

PLANNING COMMISSION / LANDMARKS COMMISSION STAFF COMMUNICATIONS AND REVIEW OF CITY COUNCIL ACTIONS

Planning Commissioners may ask a question for clarification, make a brief announcement, make a brief report on his/her own activities, request staff to report back at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda. Staff may also communicate with the Commission and ask questions.

AGENDA FORECAST

September 2, 2020

- Tentative Parcel Map request to subdivide one parcel into two at 1710 Vista Lomitas Place
- Municipal Code Amendments pertaining to regulation of commercial cannabis activities

ADJOURNMENT – Adjourn to next regularly scheduled Fullerton Planning Commission/Landmarks Commission meeting at 6:30 p.m. in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.