



CITY OF FULLERTON
PLANNING COMMISSION/LANDMARKS COMMISSION
REGULAR MEETING MINUTES
DECEMBER 11, 2019, 6:30 P.M.

Council Chamber
303 West Commonwealth Avenue
Fullerton, California

6:33 p.m.

CALL TO ORDER

Chair Gaarder called the meeting to order at 6:33 p.m.

All present

ROLL CALL

Present: Chair Gaarder, Vice Chair Carvalho, Commissioners Cox, Hansburg, Shanfield (arrived at 6:35 p.m.)

Absent: None

Staff Present: Director Matt Foulkes, Senior Planner Joan Wolff, City Engineer Yelena Voronel, Deputy City Attorney Richard Adams, Deputy City Clerk Susana Barrios

PLEDGE OF ALLEGIANCE led by Commissioner Cox.

Chair Gaarder explained the public meeting process.

PUBLIC COMMENTS

None.

CONSENT CALENDAR

It was moved by Chair Gaarder, seconded by Commissioner Hansburg, to approve the consent calendar.

Motion carried 4 – 0 – 1 (Abstain: Carvalho).

Approved

1. MINUTES – NOVEMBER 13, 2019

RECOMMENDED ACTION: Approve the November 13, 2019 Planning Commission Meeting Minutes.

COMMUNICATION DISCLOSURE

Commissioner Cox disclosed that he spoke with some of the tenants and individuals from the preschool across the street from the proposed Human Service Agency.

REGULAR BUSINESS

None.

PUBLIC HEARINGS

Resolution No. PC -
2019-27 adopted as
amended

2. ZON-2019-0131. APPLICANT: ILLUMINATION FOUNDATION; PROPERTY OWNER: THE BROADDUS FAMILY TRUST

Director Foulkes provided a staff report and presentation on a request by the Illumination Foundation for a Conditional Use Permit to operate a Human Service Agency including recuperative care (60 beds), Navigation Center (90 beds) and associated wrap-around services within an existing building at 3535 West Commonwealth Avenue.

Chair Gaarder opened the public hearing at 6:56 p.m.

Illumination Foundation CEO, Paul Leon, explained the services the Illumination Foundation will provide and referenced other shelters they successfully run. Illumination Foundation Vice President of Infrastructure Development, John Kim, Director of Operations, Jason Wofford and Mr. Leon responded to questions from the Planning Commission.

The following members of the audience spoke on the subject:

- Jeff Buchanan, Fullerton Business Owner, asked if there is a process in place to close the operation if the conditions of approval are not met, who will be the point of contact for the operation if there are issues, concerned about loitering and noticing requirements.
- John White, Fullerton Resident, was concerned about traffic and decline in property value.
- Rusty Kennedy spoke in support of this item.
- Paul Hyek, Anaheim, spoke about AB 143 and AB 139, support services, transportation and job opportunities at the facility.
- Enedina Clements, Fullerton, spoke in support of this item.
- Deacon Peter Lauder, Fullerton, spoke in support of this item.
- Robert Diettere, Fullerton, spoke in support of this item.
- Mike Clements, Fullerton, spoke in support of this item.
- Richard Doubleddee, Fullerton, spoke in support of this item.
- Chuck Doidge, Fullerton, spoke in support of this item.

- Roger Vandervest, St. Phillip Benizi, spoke in support of this item.
- Raul Garcia, Fullerton Resident, spoke in support of this item.
- Francisco Garcia, Fullerton Resident, spoke in support of this item.
- Jay Williams, Fullerton, spoke in support of this item.
- Manoj Wickremesinghe, Kiddie Learning Academy, was concerned about safety and spoke in opposition to this item.
- Jose Luis Mesa, Fullerton, spoke in support of this item.
- Harshi Antony, Kiddie Learning Academy, was concerned about safety and spoke in opposition to this item.
- Teresa Enriquez, St. Phillip Benizi Church, spoke in support of this item.
- Leanna Forcucci, Fullerton, spoke in support of this item.
- Jonathan Cerna, Fullerton, was concerned about parking and safety and spoke in opposition to this item.
- Maureen Milton, Fullerton, was concerned about parking.
- Riana Aranki, Fullerton, was concerned about safety, a decline in property value, loitering and spoke in opposition to this item.
- Darren Antony, Kiddie Learning Academy, was concerned about safety and spoke in opposition to this item.
- Mitch Ashwill, Fullerton Business Owner, was concerned about the short noticing period for review and comment, loitering and requested a continuance of this item.
- Doug Evertz, Attorney for Mitch Ashwill, was concerned about the project process, spoke about the recorded reciprocal easement and requested a continuance of this item.
- Anadety Hernandez, Fullerton, spoke in support of this item.
- Marsha Judd, Fullerton, was concerned about the short noticing period, decline in property value and spoke in opposition to this item.
- Kristy Lawrence, Kiddie Learning Academy, was concerned about the proximity to the preschool and a decline in property value.
- Chris Muniz, Fullerton, was concerned about the proximity to his home.
- Alejandra Sierra, Fullerton, was concerned about the proximity to schools, safety, loitering and spoke in opposition to this item.
- Cameron Roberson, Fullerton, was concerned about the proximity to the preschool and requested that the decision be postponed.
- Holly Cardone, Fullerton, spoke in support of this item.
- Dennis Kriz, St. Phillip Benizi, spoke in support of this item.
- Barbara Johnson, Fullerton, spoke in support of this item.
- Daisy Calderon, Fullerton, was concerned about a decline in property value and spoke in opposition to this item.
- Maria Cerna, Fullerton, was concerned about safety and spoke in opposition to this item.

- Barbara Lewis, Fullerton, was concerned about traffic, safety and spoke in opposition to this item.
- Javier Medina, Fullerton, spoke in opposition to this item.
- Armando Lomeli, Fullerton, was concerned about safety and spoke in opposition to this item.
- Felipe Marrufo, Fullerton, was concerned about safety, parking and spoke in opposition to this item.
- Curt Johnston, Fullerton, believed that Elephant Packing House was a better location for the Human Services Agency.
- Curtis Gamble, Fullerton, spoke about the location and homeless issues.
- Tony Mercado, St. Mary's Church, spoke in support of this item.
- Paul Choi, Real Estate Agent, spoke about the negative impact on property values in the neighborhood due to the proposed facility.

Mr. Leon and Director Foulkes responded to questions arising from public comments.

Chair Gaarder closed the public hearing at 9:54 p.m.

Chair Gaarder recessed the meeting at 9:54 p.m.

Chair Gaarder reconvened the meeting at 10:04 p.m.

The following conditions were amended as follows:

Condition 10:

The applicant shall convene a minimum of two public outreach and engagement forums each calendar year starting in 2020. Notification for these forums shall be sent to all property owners, business owners and tenants within a 500-foot radius of the property boundaries. Notice shall also be sent to the Fullerton Community and Economic Development Department. The purpose of these meetings will be to provide attendees a forum to provide feedback to the applicant regarding operations at the facility in relation to their business or property. These meetings shall occur at the Fullerton Community Center, Fullerton Library Conference Room or other City approved location. Confirmation of these forums shall be provided to the City including the outreach material and minutes from the meetings.

Added Condition 11(e)(iv):

Prior to issuance of Certificate of Temporary Occupancy, the applicant shall secure a letter agreement with a nearby property owner or business for use of a minimum of 14 parking spaces to serve as overflow parking for facility staff or guests. This letters shall remain on file with the Community and Economic Development Department.

Added Condition 42:

The applicant shall meet with the Executive Director, or their designee, from the Kiddie Learning Academy at 3516 West Commonwealth Avenue once a month for the first six-months following issuance of Temporary Certificate of Occupancy. The purpose of these meeting shall be to ensure that operations of the proposed facility is not resulting any negative impacts to the patrons or staff of the Kiddie Learning Academy.

It was moved by Commissioner Hansburg, seconded by Commissioner Shanfield, to adopt Resolution No. PC-2019-27 as amended, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR A HUMAN SERVICE AGENCY INCLUDING RECUPERATIVE CARE (60-BEDS), NAVIGATION CENTER (90-BEDS) WITH WRAP-AROUND SERVICES AT 3535 WEST COMMONWEALTH AVENUE

Motion carried 4 – 1 (No: Carvalho)

Chair Gaarder explained the 10-day appeal process.

Pursuant to Planning Commission Resolution PC-09-14, the Planning Commission is required to take a vote as to whether any new public hearing items can occur after 10:00 pm. It was moved by Chair Gaarder, seconded by Commissioner Hansburg, to continue hearing items 3, 4, and 5.

Motion carried 5 – 0.

At 11:00 p.m. due to noise, the Commission briefly waited for individuals exiting the Council Chamber.

Resolution No. PC - 3. PRJ19-00138 – TPM 2019-112 – SUB19-00003.
2019-28 adopted APPLICANT AND PROPERTY OWNERS: JEFFREY AND ROZANNA ELSENPETER

Senior Planner Wolff provided a staff report and presentation on a request for approval of a tentative parcel map to subdivide one parcel into two parcels, on property located at 1167 West Valley View Drive.

Chair Gaarder opened the public hearing at 11:11 p.m.

Jane Reifer, Fullerton Resident, referenced the grading and drainage plan and asked if there were any Engineering Department concerns regarding the inundation of the proposed second parcel.

City Engineer Voronel explained that all concerns have been addressed.

Chair Gaarder closed the public hearing at 11:15 p.m.

It was moved by Vice Chair Carvalho, seconded by Chair Gaarder, to adopt Resolution No. PC-2019-28, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A TENTATIVE PARCEL MAP TO SUBDIVIDE PROPERTY ZONED R-1-20 (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE 20,000 SQUARE FEET) INTO TWO LOTS. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF VALLEY VIEW DRIVE APPROXIMATELY 400 FEET EAST OF CARHART AVENUE ADDRESSED 1167 WEST VALLEY VIEW DRIVE

Motion carried 5 – 0.

Chair Gaarder explained the 10-day appeal process.

Resolution No. PC - 2019-30 adopted as amended 4. ZON-2019-0131. APPLICANT: T. LEE; PROPERTY OWNER: PETER OKNAM KIM

Senior Planner Wolff provided a staff report and presentation on a request for a Conditional Use Permit to permit automobile sales on property located at 119-121 South Gilbert Street.

Chair Gaarder opened the public hearing at 11:25 p.m.

T. Lee stated that the property owner has submitted an application for a Conditional Use Permit and is ready to pull permits.

The Commission, Staff, Applicant and Property Owner discussed the fencing and setback requirements along Gilbert Street.

Senior Planner Wolff referenced a letter from Mardon Paulsen and noted her questions and concerns.

Chair Gaarder closed the public hearing at 11:49 p.m.

Conditions 6 and 7 were amended as follows:

Condition 6:

- a) Wall height on the westerly common property line between the business and residential zone shall be six feet, except in the front setback area where existing height shall be retained. Improvements shall be made prior to approval of Final Building Permit and opening of business.

- b) Fencing on Williamson Avenue shall be set back ten feet from the public right-of-way. Fencing and gate shall be made of tubular steel or similar type fencing material and landscaping shall be installed between the public right of way and the fence.
- c) Parking lot fencing on Gilbert Street shall be set back a minimum of five feet from the public right-of-way. Fencing and gate shall be made of tubular steel or similar type fencing material and landscaping shall be installed between the public right of way and the fence.
- d) Rolling gates shall be used on both Williamson Avenue and Gilbert Street frontages. At least one of the gates shall be automated for remote opening and closing.
- e) All fencing, including material, height, automation and location, shall be included on plans submitted for permits, and shall be subject to approval by the Director of Community and Economic Development.

Condition 7:

A maximum of seven display vehicles will be permitted outdoors and shall be located in the marked spaces as indicated on approved plans.

It was moved by Chair Gaarder, seconded by Commissioner Cox, to adopt Resolution No. PC-2019-30 as amended, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW RETAIL SALES OF USED AUTOMOBILES ON PROPERTY ZONED G-C (GENERAL COMMERCIAL), LOCATED AT 119-121 SOUTH GILBERT STREET

Motion carried 5 – 0.

Chair Gaarder explained the 10-day appeal process.

Resolution No. PC - 5. LRP-2019-0083. RESOLUTION OF INTENTION TO
2019-31 adopted AMEND VARIOUS SECTIONS OF THE ZONING CODE

Director Foulkes provided a staff report and presentation on a request to amend various sections of the Fullerton Municipal Code (FMC) Title 15 (Zoning Ordinance) pertaining to historic landmarks and landmark districts (Chapter 15.48), Accessory Dwelling Units (Chapter 15.17) and Group Homes.

Chair Gaarder opened the public hearing at 12:03 a.m. There were no public comments and the public hearing was closed.

It was moved by Commissioner Shanfield, seconded by Vice Chair Carvalho, to adopt Resolution No. PC-2019-31, entitled:

A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA. DECLARING ITS INTENTION TO CONSIDER AMENDMENTS TO VARIOUS CHAPTERS OF TITLE 15 OF THE FULLERTON MUNICIPAL CODE TO PERTAINING TO ACCESSORY DWELLING UNITS, HISTORIC PROPERTY AND LANDMARK DESIGNATIONS AND SOBER LIVING / GROUP HOMES

Motion carried 5 – 0.

Chair Gaarder explained the 10-day appeal process.

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

Director Foulkes stated that the City Council will be considering the Local Landmark designation of 200 N. Cornell Avenue. Staff will be recommending that the Historic Name be the Naylor House and the Present Name be Dalton House. The City Council will also be considering the establishment of operating parameters for the Downtown Nighttime Paid Parking Program following the completion of the pilot program ending December 31, 2019.

Director Foulkes informed the Commission that Senior Planner Wolff was retiring at the end of the month and thanked her. The Commission congratulated Senior Planner Wolff.

AGENDA FORECAST

The next Fullerton Planning Commission/Landmarks Commission meeting will be held on January 8, 2020, at 6:30 p.m., in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

12:16 a.m.

ADJOURNMENT

Chair Gaarder adjourned the meeting at 12:16 a.m.



Susana Barrios, Clerk to the Planning Commission