



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

*Planning Commission conducted this meeting in accordance with California Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols.*

6:33 p.m.

### CALL TO ORDER

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

PLEDGE OF ALLEGIANCE led by Chair Carvalho.

All Present

### ROLL CALL

Present: Chair Carvalho (via teleconference), Vice Chair Shanfield (via teleconference), Commissioners Cox (via teleconference), Gaarder (via teleconference), Hansburg (via teleconference)

Absent: None

Staff Present: Director Matt Foulkes, Planning Manager Heather Allen, Deputy City Attorney Scott Porter (via teleconference), Associate Planner Christine Hernandez (via teleconference), Associate Planner Andrew Kusch (via teleconference), Associate Planner Edgardo Caldera (via teleconference), Deputy City Clerk Susana Barrios, Code Enforcement Manager Guillermina Torrico (via teleconference), Code Enforcement Officer Staff Cecelia Vasquez (via teleconference), Code Enforcement Officer Roy Hernandez (via teleconference), Deputy City Attorney Michael Do (via teleconference)

### PUBLIC COMMENTS

Planning Manager Allen confirmed that none had been received.

### CONSENT CALENDAR

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

Motion carried 4 – 0 – 1 (Not present: Cox).

Approved

## 1. MINUTES – AUGUST 5, 2020

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

## COMMUNICATION DISCLOSURE

None.

## REGULAR BUSINESS

None.

## PUBLIC HEARINGS

Continued to August  
26, 2020

### 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

Associate Planner Kusch provided a staff report and presentation on a 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.

Chair Carvalho opened the public hearing at 6:43 p.m.

Arthur Babcock thanked the Commission and stated that he was in agreement to the conditions of approval.

Chair Carvalho closed the public hearing at 6:48 p.m.

It was moved by Commissioner Gaarder, seconded by Commissioner Hansburg, to adopt Resolution No. PC-2020-35, entitled:

RESOLUTION NO. PC-2020-35 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR A FITNESS FACILITY USE WITHIN A MULTI-TENANT SHOPPING CENTER LOCATED IN THE G-C (GENERAL COMMERCIAL) ZONE AT 2420-2436 EAST CHAPMAN AVENUE

Motion carried 5-0.



Chair Carvalho explained the 10-day appeal process.

Due to audio/broadcast issues, the Planning Commission rescinded their approval and continued the item to August 26, 2020.

Continued to August 26, 2020

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

Associate Planner Kusch provided a staff report and presentation on a 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.

Chair Carvalho opened the public hearing at 6:57 p.m.

Ernie Kelsey, Fullerton Heritage, clarified the scope of the landmark designation.

Chair Carvalho closed the public hearing at 6:59 p.m.

It was moved by Commissioner Gaarder, seconded by Commissioner Cox, to adopt Resolution No. PC-2020-34, entitled:

RESOLUTION NO. PC 2020-34 - A RESOLUTION OF THE LANDMARKS COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, DESIGNATING THE “PASTORAL CALIFORNIA” MURAL AS A LOCAL LANDMARK WITH INCLUSION IN THE CITY OF FULLERTON LOCAL REGISTER OF HISTORICAL RESOURCES LOCATED ON THE WEST EXTERIOR SIDE OF THE FULLERTON UNION HIGH SCHOOL AUDITORIUM AT 201 EAST CHAPMAN AVENUE

Motion carried 5-0.

Chair Carvalho explained the 10-day appeal process.

Due to audio/broadcast issues, the Planning Commission rescinded their approval and continued the item to August 26, 2020.

Continued to August 26, 2020

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

Associate Planner Hernandez provided a staff report and presentation on a request for a Tentative Parcel Map to subdivide one parcel into two at 211 West Las Palmas Drive.

Chair Carvalho opened the public hearing at 7:06 p.m.

Hana Oh and Cesar Ramirez, Applicant's Representatives, responded to questions from the Planning Commission.

Vice Chair Shanfield stated that she received notification that there was no audio on the live internet feed of the meeting. Director Foulkes confirmed that there was low audio online and the eComments link had stopped working.

The Commission and Staff discussed options for continuing the public hearing to a date certain.

It was moved by Commissioner Gaarder, seconded by Vice Chair Carvalho to rescind the Planning Commission's approval of items 2 and 3 and continue items 2, 3, 4, 5, 6 and 7 to August 26, 2020.

Hector Perez, Applicant's Representative for Item 6, was agreeable to a continuance of the item to August 26, 2020.

Ajay Beri (Item 5) noted that the project approval for his item will expire prior to the next Planning Commission meeting. Associate Planner Caldera clarified that because Mr. Beri's application was submitted prior to the expiration of the approvals there will be no issues if the item is continued to the next meeting.

Cheryl Petropoulos, Applicant's Representative for Item 7, was agreeable to a continuance of the item to August 26, 2020.

Motion carried 5-0.

Continued to August 26, 2020

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

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.

Due to audio/broadcast issues, the Planning Commission continued the item to August 26, 2020.

Continued to August 26, 2020

**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.

Due to audio/broadcast issues, the Planning Commission continued the item to August 26, 2020.

Continued to August 26, 2020

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.

Due to audio/broadcast issues, the Planning Commission continued the item to August 26, 2020.

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

Director Foulkes apologized for the technical difficulties and asked the Planning Commission to plan for a virtual meeting on August 26, 2020.

Director Foulkes noted that on August 18, 2020, the City Council approved consultant selections for the Housing Element Update, Housing Incentive Overlay Zone, and On-call CEQA Services. The City Council also approved an extension of the Safe Parking Program.

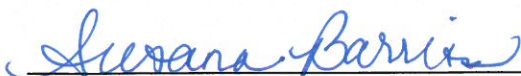
AGENDA FORECAST

The next Fullerton Planning Commission/Landmarks Commission/Appeals Board meeting will be held on August 26, 2020, at 6:30 p.m., in the Council Chamber, 303 West Commonwealth Avenue, Fullerton, California.

7:40 p.m.

ADJOURNMENT

Chair Carvalho adjourned the meeting at 7:40 p.m.



Susana Barrios, Clerk to the Planning Commission