

CITY OF FOUNTAIN VALLEY
REGULAR MEETING OF THE PLANNING COMMISSION
FOUNTAIN VALLEY COUNCIL CHAMBERS

MAY 27, 2009

MINUTES

CALL TO ORDER

The Fountain Valley Planning Commission meeting was called to order at 7:00 p.m. in the City Council Chambers.

SALUTE TO THE FLAG

Chair Drilling led the salute to the flag.

ROLL CALL

Commissioners present: Drilling, Frank, Gaston, Jensen, Proctor, Walker
Commissioners absent: None
Staff members present: Steven Ayers, Planner, Matt Jenkins, Assistant Planner, Cyndee Alvarez, Planning Secretary; Temo Galvez, Senior Civil Engineer

APPROVAL OF MINUTES

The Planning Commission minutes of May 13, 2009, were approved as amended by a unanimous vote.

Chair Drilling stated that it was customary for Commissioners to visit applicant sites; that unless any Commissioner had further disclosure statements at this time, it may be stated that no contact was made during the site visit with the applicant, his/her agent, or neighbors of the proposed project.

PUBLIC HEARINGS

1. VERIZON WIRELESS – CONDITIONAL USE PERMIT NO. 1669
Petition submitted by Core Communications on behalf of Verizon Wireless to install a new wireless communications facility consisting of twelve (12) panel antennas, four (4) GPS antennas, and one (1) microwave dish on a new 50'-0" monopalm located at 16061 Brookhurst Street. Continued from the April 8, 2009 and May 13, 2009, Planning Commission meetings.

Steven Ayers, Planner, stated that staff is recommending continuing this item to the June 10th, 2009, meeting to allow the City Attorney and staff to review the draft conditions received from the applicants attorneys.

Chair Drilling motioned to continue this item to the Planning Commission meeting of June 10, 2009.

Commissioner Gaston seconded the motion.

By a unanimous vote, the Planning Commission moved to continue this item to the Planning Commission meeting of June 10, 2009.

2. PACIFIC PARADISE POOLS – CONDITIONAL USE PERMIT NO. 1674

Petition submitted by Pacific Store Designs, Inc. on behalf of Pacific Paradise Pools to establish and operate pool and spa retail showroom located at 11210 Talbert Avenue.

Chair Drilling opened the public hearing.

Mr. Ayers presented the staff report. He stated that Pacific Store Designs has submitted a request to establish and operate a pool and spa retail showroom located at 11210 Talbert Avenue that will showcase above ground pools and spas, display of solar panels, heaters, stone and tile samples, BBQ islands and other various pool related equipment; that the store is located in a center consisting of retail furniture uses, warehouse uses, and manufacturing uses and has 110 parking spaces; that the requirement is 102 parking spaces; that the proposed hours of operation are Monday through Friday 9:00 a.m. to 7:00 p.m., Saturday 9:00a.m. to 6:00 p.m., and Sunday 10:00 a.m. to 5:00 p.m. and will have no more than 4 employees and that staff supports the request as submitted.

Applicant Chris Miller, 1210 Talbert Avenue, was present to answer any questions from the committee. He stated that he would like to thank the Planning Commission for reviewing this item.

Chair Drilling asked if Mr. Miller read and agreed with the conditions of approval.

Mr. Miller stated that yes. He and his client agree and accept the conditions of approval.

Chair Drilling closed the public hearing

Commissioner Frank moved to adopt Resolution No. 09-25 approving Conditional Use Permit No. 1674 which is a request submitted by Pacific Store Designs, Inc., on behalf of Pacific Paradise Pools, to establish and operate a pool and spa retail showroom located at 11210 Talbert Avenue.

Vice Chair Jensen seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 09-25 approving Conditional Use Permit No. 1674.

3. CODE AMENDMENT NO. 09-02 – SIGN ORDINANCE

An amendment to Fountain Valley Municipal Code 21.24 regarding signs.

Chair Drilling opened the public hearing.

Matt Jenkins, Assistant Planner, presented the staff report. He stated that on February 3, 2009, planning staff met with the Planning Commission and the City Council to discuss possible updates and changes to the entire Title21 Development Code.

Discussion ensued regarding the changes that are being proposed for City Council approval. The major change noted would be to the monument signs.

Commissioner Frank motioned to adopt Resolution No. 09-23 recommending City Council approval of Code Amendment No. 09-02 regarding signage.

Vice Chair Jensen seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 09-23 recommending that the City Council approve Code Amendment No. 09-02 regarding signage.

4. CODE AMENDMENT NO. 09-03 – DENSITY BONUS

An amendment to the Fountain Valley Municipal Code 21.08.050(a) regarding Affordable Housing Density Bonus Incentives.

Chair Drilling opened the public hearing.

Mr. Ayers presented the staff report. He stated that the State of California recently enacted significant changes to the state's density bonus law; that legislation requires cities and counties to amend their ordinances to bring them into conformance with the new law; that the proposed code amendment has been drafted to be consistent with the State Government Code; that the proposed code amendment requires that an affordability agreement between the City and developer be prepared and recorded on the parcels to receive a density bonus and that staff recommends the Planning Commission adopt Resolution No. 09-24 recommending City Council approval of Code Amendment 09-03 regarding Affordable Housing Density Bonus Incentives.

Discussion ensued regarding affordable housing in the City of Fountain Valley.

Chair Drilling closed the public hearing.

Commissioner Walker motioned to adopt Resolution No. 09-24 recommending the City Council approval of Code Amendment No. 09-03 repealing and replacing Fountain Valley Municipal Code Section 21.08.050A pertaining to Affordable Housing Density Bonuses.

Commissioner Gaston seconded the motion.

By a vote of 3 – 2 with Vice Chair Jensen and Commissioner Frank voting no, the Planning Commission adopted Resolution No. 09-24 recommending that the City Council approve Code Amendment No. 09-03.

OLD BUSINESS

None

NEW BUSINESS

5. DEVELOPMENT REVIEW NO. 09-02 – TACO BELL

Petition submitted by Taco Steve, Inc. on behalf of Taco Bell to remodel the business located at 11291 Talbert Avenue.

Mr. Jenkins presented the staff report. He stated the proposed development review is to remodel the exterior of the existing Taco Bell building; that the physical restaurant will not be enlarged as the building is getting a face lift; that staff supports the request as submitted.

Applicant Justin Brechtel, 105 W. Amerige Avenue, was present to answer any questions.

Commissioner Frank moved to approve Development Review No. 09-02 to remodel the business located at 11291 Talbert Avenue.

Commissioner Gaston seconded the motion.

By a unanimous vote, the Planning Commission approved Development Review No. 09-02.

6. GENERAL PLAN CONFORMANCE FINDING – Public Works Capital Improvement Program for Fiscal Year 2009-2010.

Temo Galvez, Senior Civil Engineer, gave a presentation on the Public Works Capital Improvement Program for Fiscal Year 2009 – 2010; after his presentation he asked that the Commission find that the program is consistent with the City of Fountain Valley General Plan.

Discussion ensued regarding his presentation.

Commissioner Frank moved to find that the Fiscal Year 2009-10 Public Works Capital Improvement Program is consistent with the City of Fountain Valley General Plan.

Chair Drilling seconded the motion.

By a unanimous vote, the Planning Commission found that the Fiscal Year 2009-10 Public Works Capital Improvement Program is consistent with the City of Fountain Valley General Plan.

7. SIGN COMMITTEE MEETING UPDATE

An update of the Sign Committee actions from the May 27, 2009 meeting.

Steven Ayers, Planner, indicated that by a unanimous vote, the Sign Committee approved the following item:

CARL'S JR, GREEN BURRITO – SIGN PERMIT NO. 09-11

Petition submitted by National Sign & Marketing to install two (2) illuminated channel letter signs and install a new menu board for Green Burrito at the Carl's Jr. Restaurant located at 17085 Brookhurst Street.

COMMISSION COMMENTS

Chair Drilling stated that she had recently had lunch at the Rocco's Pizza, a new restaurant, and stated that the food was very good and that she highly recommended this restaurant.

ADJOURNMENT

The Planning Commission meeting of May 27, 2009, was adjourned at 9:25 p.m. to the next regularly scheduled Planning Commission meeting of June 10, 2009.

APPROVED:

Chairperson

Secretary