

CITY OF FOUNTAIN VALLEY

REGULAR MEETING OF THE PLANNING COMMISSION

November 17, 2010

MINUTES

CALL TO ORDER

The Fountain Valley Planning Commission meeting was called to order at 6:30 p.m. in the City Council Chambers.

SALUTE TO FLAG

Chair Jensen led the salute to the flag.

ROLL CALL

Commissioners present: Drilling, Gaston, Jensen, Proctor, Walker

Commissioners absent: None

Staff members present: Andrew Perea, Planning and Building Director; Steven Ayers, Planner; Matt Jenkins, Assistant Planner; Amanda DeForest, Planning Secretary

APPROVAL OF MINUTES

The Planning Commission minutes of October 13, 2010, were approved as amended.

PUBLIC HEARINGS

1. ARCO- Conditional Use Permit No. 1465M/ Precise Plan No. 500

Petition submitted by CJC Design Inc., on behalf of Arco, for the construction of a 2,400 sq. ft. 24-hour Arco AM/PM facility, a new 40' self serve car wash, two (2) new fueling canopies with six (6) new fueling dispenser stations, and a Type-20 beer and wine license for the gas station located at 8520 Warner Ave. This item was continued from the Planning Commission meetings of August 11, 2010, September 22, 2010, and October 13, 2010.

Chair Jensen opened the public hearing.

Steven Ayers, Planner, presented the staff report.

Discussion ensued regarding the hours of operation for the car wash and liquor licenses.

Applicant Fred Cohen was present for questions.

Eddie Baker, 8531 El Rancho Ave., Fountain Valley, spoke in opposition to the proposal.

Discussion ensued regarding the proposed plans, conditions of approval, the liquor license, and the noise study.

Chair Jensen closed the public hearing.

Vice Chair Walker made a motion to adopt Resolution No. 10-31 approving Conditional Use Permit No. 1465M with amendments to condition nos. 12, 13, 22, and 36 and Resolution No. 10-32 approving Precise Plan No. 500 with an amendment to condition no. 17.

Commissioner Proctor seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution Nos. 10-31 and 10-32.

2. CASA INKA- Conditional Use Permit No. 963M2

Petition submitted by Casa Inka to request an amendment to Conditional Use Permit No. 963M to add live entertainment and modify their existing Type 41 beer and wine license to a Type 47 full liquor license for the restaurant at 8610 Warner Avenue. This item was continued from the Planning Commission meeting of October 13, 2010.

Chair Jensen opened the public hearing.

Matt Jenkins, Assistant Planner, presented the staff report.

Applicant Andrew Gonzalez was present to answer questions.

Discussion ensued regarding the noise study, the neighbors, hours of operation, as well as the side and back doors.

Vice Chair Walker asked the applicant if he would be agree to a condition on the resolution to reduce the hours of operation.

Mr. Gonzalez stated that he would agree to reduce the hours of operation if approved.

The following people spoke in opposition to the proposal:

- Rick Wietrick: 8612 El Rancho Ave. Fountain Valley, CA
- Larry Hadley: 8591 El Rancho Ave. Fountain Valley, CA
- Cathy Wietrick: 8613 El Rancho. Fountain Valley, CA
- Tim O'Boyle: 17061 Ross Street Fountain Valley, CA
- Tim McDonald: 17249 Santa Suzanne St. Fountain Valley, CA
- Laura Hadley: 8591 El Rancho Ave. Fountain Valley, CA

The following people spoke in favor of the proposal:

- Pat Tucker: 9774 Cardinal Avenue. Fountain Valley, CA
- Bonnie Erick: 8342 Brush Drive Huntington Beach, CA
- Jim Lennertz: 7302 Waterside Drive Huntington Beach, CA
- Beth Hamilton: 7302 Waterside Drive Huntington Beach, CA

Discussion ensued regarding noise complaints, amplified singing, and noise.

Chair Jensen closed the public hearing.

Commissioner Drilling made a motion to approve a request on behalf of Casa Inka to modify their existing Type 41 beer and wine license to a Type 47 on-sale general liquor license for a bona fide public eating place and a request to add live entertainment, subject to a confirming resolution.

Chair Jensen seconded the motion.

By a unanimous vote, the Planning Commission approved a request on behalf of Casa Inka to modify their existing Type 41 beer and wine license to a Type 47 on-sale general liquor license for a bona fide public eating place and a request to add live entertainment, subject to a confirming resolution which will be presented at the Planning Commission meeting of December 8, 2010.

3. CLEARWIRE- Conditional Use Permit No. 1706

Petition submitted by Celly Adamo, of Reliant Land Services, to allow for the construction of an unmanned telecommunication site consisting of six (6) 4' panel antennas, three (3) 2' parabolic dishes, and one (1) GPS antenna to be installed behind rooftop screening, and one (1) equipment cabinet to be constructed at ground level on an existing concrete pad. The site is located at 18020 Magnolia Street.

Chair Jensen opened the public hearing.

Steven Ayers, Planner, presented the staff report.

Andrew Perea, Planning and Building Director, stated that additional language would be added to Condition No. 30 stating that the clock would need to be maintained in an operational manner.

Applicant Celly Adamo was present and agreed to all conditions as presented.

Discussion ensued regarding screening, additional signage, and placement of the clock.

Dennis Sowers, owner of the property located just behind the car wash addressed an issue with the existing cell tower. He stated that T-Mobile parked on his property and refused to move during construction of the existing antennas. He further stated that there is not a lot of parking for the businesses and this impacts them. He passed around photos of the vehicles and asked that cars no longer be allowed to park on his property for this cell site.

Applicant Celly Adamo stated that she would like a copy of the pictures to make sure that she can pass them along so that the issue does not happen again.

Chair Jensen closed the public hearing.

Commissioner Proctor made a motion to adopt Resolution No. 10-49 approving Conditional Use Permit No. 1706 submitted by Celly Adamo, of Reliant Land Services, to allow for the construction of an unmanned telecommunication site consisting of six (6) 4' panel antennas, three (3) 2' parabolic dishes, and one (1) GPS antenna to be installed behind rooftop screening, and one (1) equipment cabinet to be constructed at ground level on an existing concrete pad. The site is located at 18020 Magnolia Street.

Vice Chair Walker seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution 10-49.

4. CLEARWIRE- Conditional Use Permit No. 1709

Petition submitted by Celly Adamo, of Reliant Land Services, on behalf of Clearwire, to establish and unmanned telecommunications facility with the addition of three (3) 4' broadband antennas, and three (3) 2' parabolic antennas on an existing monopole, with one associated equipment cabinet and a GPS antenna to be mounted on the roof behind rooftop screening at 10505 Slater Avenue.

Chair Jensen opened the public hearing.

Steven Ayers, Planner, presented the staff report.

Applicant Celly Adamo was present for questions.

No public input received.

Chair Jensen closed the public hearing.

Commissioner Drilling made a motion to adopt Resolution No. 10-54 approving Conditional Use Permit No. 1709 submitted by Celly Adamo, of Reliant Land Services, on behalf of Clearwire, to establish and unmanned telecommunications facility with the addition of three (3) 4' broadband antennas, and three (3) 2' parabolic antennas on an existing monopole, with one associated equipment cabinet and a GPS antenna to be mounted on the roof behind rooftop screening at 10505 Slater Avenue.

Commissioner Gaston seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 10-54.

5. HERBALIFE- Conditional Use Permit No. 1710

Petition submitted by Lance Bell to operate a membership club and beverage café located at 17914 Magnolia.

Chair Jensen opened the public hearing.

Matt Jenkins, Assistant Planner, present the staff report.

Applicant Lance Bell was present for questions.

Discussion ensued regarding the number of people who would belong to the membership club, advertisement, and walk-in customers.

No public comments were received.

Chair Jensen closed the public hearing.

Commissioner Gaston made a motion to adopt Resolution No. 10-50 approving Conditional Use Permit No. 1710 submitted by Lance Bell to operate a membership club and beverage café located at 17914 Magnolia.

Commissioner Proctor seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 10-47.

6. GARDEN STORE- Conditional Use Permit No. 1711

Petition submitted by Heidi McGillicuddy to establish an indoor/outdoor gardening supply store at 18187 Euclid Street.

Chair Jensen opened the public hearing.

Matt Jenkins, Assistant Planner, presented the staff report.

Applicant Heidi McGillicuddy was present for questions.

Robert Cammack, 17836 Santa Anita Circle, Fountain Valley, clarified that it would be the sale of outdoor gardening supplies.

Jim Pull, 11360 Bluebell, Fountain Valley, asked if the sales would be indoors or outdoors.

Andrew Perea, Planning and Building Director, stated that the garden store would be selling indoor and outdoor gardening supplies within the store.

Chair Jensen closed the public hearing.

Vice Chair Walker a motion to adopt Resolution No. 10-51 approving Conditional Use Permit No. 1711 submitted by Heidi McGillicuddy to establish an indoor/outdoor gardening supply store at 18187 Euclid Street.

Chair Jensen seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 10-51.

7. JOHN SCHWARTZ- Conditional Use Permit No. 1542M

Petition submitted by John Schwartz to modify Conditional Use Permit No. 1542 and convert one (1) of the two (2) car wash bays into a drive-thru 15 minute smog test only station at 11970 Edinger Avenue.

Chair Jensen opened the public hearing.

Steven Ayers, Planner, presented the staff report and explained parking requirements.

Applicant John Schwartz was present for questions.

No public input was received.

Chair Jensen closed the public hearing.

Commissioner Proctor made a motion to adopt Resolution No. 10-52 approving Conditional Use Permit No. 1542M submitted by John Schwartz to modify Conditional Use Permit No. 1542 and convert one (1) of the two (2) car wash bays into a drive-thru 15 minute smog test only station at 11970 Edinger Avenue.

Commissioner Gaston seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 10-52.

8. RESTAURANT DEPOT- Conditional Use Permit No. 1381M

Petition submitted by Rock Architects, on behalf of Restaurant Depot, to modify Conditional Use Permit No. 1381, and expand their current premises from 41,876 sq. ft. to 54,237 sq. ft. into an adjacent space within the existing building at 10850-10870 Spencer.

Matt Jenkins, Assistant Planner, presented the staff report.

Chair Jensen opened the public hearing.

Applicant John Rock was present for questions.

Discussion ensued regarding storage.

Robert Cammack, 17836 Santa Anita Circle, Fountain Valley, questioned parking.

Andrew Perea, Planning and Building Director, stated that since they were not adding square footage to the building, the parking agreement was between Restaurant Depot and the property owner.

Chair Jensen closed the public hearing.

Chair Jensen made a motion to adopt Resolution No. 10-53 approving Conditional Use Permit No. 1381M submitted by Rock Architects, on behalf of Restaurant Depot, to modify Conditional Use Permit No. 1381, and expand their current premises from 41,876 sq. ft. to 54,237 sq. ft. into an adjacent space within the existing building at 10850-10870 Spencer.

Commissioner Proctor seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 10-53.

9. GARDEN HOMES- Code Amendment 10-03/ General Plan Amendment 10-02

A public hearing to consider an amendment to the General Plan and a Code Amendment to the Fountain Valley Municipal Code to eliminate the minimum project area requirements from the GH- Garden Home zoning district.

Chair Jensen opened the public hearing.

Steven Ayers, Planner, presented the staff report.

Pat Tucker, 8774 Cardinal Avenue, Fountain Valley, CA, questioned whether a residential lot would be able to be subdivided under the proposed code amendment.

Andrew Perea, Planning and Building Director stated that no, it must still be consistent with the general plan.

Chair Jensen closed the public hearing.

Vice Chair Walker made a motion to adopt Resolution No. 10-55 recommending City Council approval of a Code Amendment No. 10-03 and Resolution No. 10-56 recommending City Council approval of General Plan Amendment 10-02 eliminating the minimum project area requirements.

Commissioner Gaston seconded the motion.

By a unanimous vote, the Planning Commission adopted Resolution No. 10-53.

NEW BUSINESS

10. SIGN COMMITTEE MEETING UPDATE

An update of Sign Committee actions from the meeting of November 17, 2010.

- a. Sign Permit No. 10-16- Skating Center
Fountain Valley Skating Center has submitted a request to install one (1) cabinet sign on the north side of the building facing the freeway at 9105 Recreation Circle.

Andrew Perea, Planning and Building Director, presented the staff report.

Chair Jensen made a motion to receive and file the report.

Vice Chair Walker seconded the motion.

By a unanimous vote, the Planning Commission voted to receive and file the report.

STAFF COMMENTS

Andrew Perea, Planning and Building Director, stated that the walkway between La Roca and Fulton school is now ADA accessible and that Public Works is working on putting all of their construction updates online.

ADJOURNMENT

The Planning Commission meeting was adjourned at 9:42 pm to the next Planning Commission meeting of December 8, 2010.

APPROVED:

Chairperson

Secretary