FOUNTAIN VALLEY PLANNING COMMISSION AGENDA
CITY HALL COUNCIL CHAMBERS
10200 SLATER AVENUE
WEDNESDAY, SEPTEMBER 23, 2020
STUDY SESSION – 5:30 PM
REGULAR MEETING – 6:00 PM

In an effort to protect public health and prevent the spread of COVID-19, we encourage you to watch on FVTV on the city's website or via Spectrum Channel 3, Verizon FiOS Channel 21 and AT&T U-Verse Channel 99. Those watching remotely but desiring to testify on an item have two options: (1) in advance until 5:00 PM on September 23, 2020 by letter, email, or by telephone; and (2) until the close of public hearing on the item in question via email at PC/PublicComments@fountainvalley.org. In the subject line, please indicate the item number and include your name and address. If further information is desired, you may contact the Planning Department at (714) 593-4425.

Applicants and stakeholders may also attend the meeting to address the Planning Commission in person. However, to prevent the spread of COVID-19, all attendees are required to wear a face mask and adhere to physical distancing requirements. To limit crowds, please wait outside until your item is being considered. Each item will be announced and the Chair will allow time to clear and for applicants to enter the chambers between items.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in Planning Commission meetings, please contact the Planning Department at 714-593-4425. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

STUDY SESSION

CALL TO ORDER: 5:30 PM

1. CONDITIONS OF APPROVAL STUDY SESSION
   Study Session to discuss best practices for crafting conditions of approval.

REGULAR MEETING

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL: Farrell, Gaston, Saad, Vice-Chair Osborn, Chair Spear

APPROVAL OF MINUTES
- September 9, 2020

Anyone wishing to speak during Public Comments must fill out and submit a blue speaker card. The Planning Commission can take no action on this date, unless the item is agendized. Anyone wishing to speak on items not on tonight's agenda may do so during Public Comments. Speakers on items scheduled for Public Hearing or non-public hearing items will be invited to speak when those items are heard. (Three minutes per speaker)

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS
It is customary for Commissioners to visit applicant sites. Unless any Commissioner has further disclosure statements at this time, it may be stated that no contact was made during the visit with the applicant, his/her agent or neighbors of the proposed project.

PUBLIC HEARING

1. **CONDITIONAL USE PERMIT NO. 1886 – NEWHOPE MEDICAL OFFICE**
   Petition submitted by Julie Mai on behalf of Synergistic Collaboration LLC to establish and operate a medical office located at 17220 Newhope Street, #127.

   **CEQA Compliance:** This request is exempt from environmental review pursuant to CEQA Guidelines Section 15301.

   **Recommended Action:** Staff recommends that the Planning Commission adopt Alternative #1 approving the request.

NEW BUSINESS

None.

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

Anyone wishing to speak on non-agendized items may do so at this time.

COMMENTS FROM STAFF

COMMENTS FROM COMMISSIONERS

ADJOURNMENT

Adjournment to the next regular Planning Commission meeting scheduled for October 14, 2020.

ALL ITEMS WHICH HAVE FINAL APPROVAL BY THE PLANNING COMMISSION MAY BE APPEALED TO THE CITY COUNCIL WITHIN 20 CALENDAR DAYS OF THE COMMISSION’S ACTION BY ANY APPLICANT OR PROPERTY OWNER WITHIN 500 FT. OF THE SUBJECT PROPOSAL. PERSONS WISHING FURTHER INFORMATION SHOULD CONTACT THE PLANNING DEPARTMENT (CHAPTER 21. 60 FVMC)

MATERIAL(S) RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE PLANNING COMMISSION AFTER DISTRIBUTION OF THE AGENDA PACKET IS/ARE AVAILABLE FOR PUBLIC INSPECTION IN THE PLANNING DEPARTMENT AT 10200 Slater Avenue, Fountain Valley during normal business hours.

Planning Commission meetings can be viewed on FVTW via Spectrum Cable Channel 3, Frontier FiOS Channel 21, and AT&T U-Verse Channel 99. Commission Meetings are also posted on the City’s website at www.fountainvalley.org.
CALL TO ORDER: Chair Spear called the meeting to order at 6:00 p.m.

SALUTE TO THE FLAG: Chair Spear led the flag salute.

ROLL CALL:
PRESENT: Farrell, Gaston, Saad, Vice-Chair Osborn, Chair Spear
ABSENT: None.

APPROVAL OF MINUTES
- August 12, 2020

Action: Approve the Planning Commission meeting minutes of August 12, 2020, as corrected.

Motion: Saad Second: Osborn
AYES: Gaston, Saad, Osborn, Spear
NAYS: None.
ABSTAIN: Farrell

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS
- 9/12/2020 Planning Commission Meeting Minutes – Correction to Item No. 3.
- Public Hearing Item No. 1 – Conditions of Approval page 2 of 7

PUBLIC HEARING

1. Conditional Use Permit No. 1884 – Kin Craft Ramen
Petition submitted by Kin Ramen, LLC. to establish and operate a restaurant with more than 50 seats located at 16185 Brookhurst Street. This request is exempt from environmental review pursuant to CEQA Guidelines Section 15301.

Chair Spear opened the public hearing. Principal Planner Steven Ayers presented the staff report and answered questions from the commissioners. The applicant was present. With no public comments received by email and no one else in the audience wished to speak on this item, Chair Spear closed the public hearing.

Action: Approve Resolution 20-16, with amendments noted by staff.
Motion: Saad Second: Gaston
AYES: Farrell, Gaston, Saad, Osborn, Spear
NAYS: None.
ABSTAIN: None.
NEW BUSINESS

2. Development Review No. 20-03 – Coastal Community Church  
Petition submitted by Timothy Nguyen, on behalf of the property owner, to add a new 285 square foot building entrance facing the new parking lot along Slater Avenue and extend the existing building parapet line along the north elevation for the church located at 10460 Slater Avenue. This request is exempt from environmental review pursuant to CEQA Guidelines Section 15301.

Principal Planner Steven Ayers presented the staff report and answered questions from the commissioners. The applicant Timothy Nguyen and Pastor Kene representing Coastal Community Church answered questions from the commissioners. With no public comments received by email and no one else in the audience wished to speak on this item, Chair Spear closed the public hearing.

Action: Approve the project as presented.
Motion: Osborn Second: Saad
AYES: Farrell, Gaston, Saad, Osborn, Spear
NAYS: None.
ABSTAIN: None.

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

None.

COMMENTS FROM STAFF

Planning Director Brian James announced a second Planning Commission Meeting on September 23, 2020.

COMMENTS FROM COMMISSIONERS

None.

ADJOURNMENT

Chair Spear adjourned the meeting at 6:19 p.m. to the next scheduled Planning Commission meeting of September 23, 2020.
APPROVED

_________________________  ________________________
Chairperson                   Secretary
Request for Planning Commission Action

TO: Planning Commission

FROM: Principal Planner, Steven Ayers

SUBJECT: NEWHCPE MEDICAL OFFICE – CONDITIONAL USE PERMIT NO. 1886

DATE: September 23, 2020

Location: 17220 Newhope Street, #127

Zoning: SP – Warner Newhope Specific Plan

Proposal:

Dr. Julie Mai has submitted a request to establish and operate a medical office located at 17220 Newhope Street, #127.

Code Requirement:

The Warner Newhope Specific Plan (WNSP) is broken out into different planning areas, which specifies uses that are allowed by-right, with the approval of a Conditional Use Permit (CUP), and are prohibited. The building located at 17220 Newhope Street is located in Planning Area C of the WNSP. Per Section 4.4.3 of the WNSP, medical offices and services (clinics, offices, and laboratories) are permitted in Planning Area C with approval of a CUP and a parking study. This section also stipulates that a maximum of 25% of the building area may be devoted to medical offices. Per Section 3.2.3, parking studies are only required for new structures and expansions to buildings. As this project does not involve a new building or an expansion to an existing building, staff has determined to review this applications parking impact based on the maximum 25% medical services in the building.

Discussion:

Dr. Julie Mai has submitted a request to establish and operate a medical office located at 17220 Newhope Street #127 (Attachment #1). The proposed medical office will provide Osteopathic Manipulative Treatments and general medical care services (Attachment #2). Osteopathic Manipulative Treatment, or OMT, is a set of hands-on techniques used by osteopathic physicians (DOs) to diagnose, treat, and prevent illness or injury. Using OMT, a DO moves a patient's muscles and joints using techniques that include stretching, gentle pressure and resistance. The 1,350 square foot office will include a waiting room, three office rooms for patients, a kitchenette, and a restroom (Attachment #3). The medical office will be solely for Dr. Mai and her one employee who will be working offsite scheduling appointments and managing phone calls. Proposed hours of operation for the medical office will be from 8:00 am – 5:00 pm Monday – Friday.
The WNSP is the regulatory document that provides standards and criteria for the development of the subject site as well as the surrounding area. As noted above, in Section 4.4.3 of the WNSP, medical clinics, offices, and laboratories are permitted in Planning Area C with the approval of a CUP and a parking study. To comply with the parking restrictions of Planning Area C, a maximum of 25% of the building may be devoted to medical offices. Currently, the uses in Planning Area C comprise 13.98% medical offices. With the addition of unit #127 as a medical office, the percentage of medical offices in Planning Area C will increase to 17.2%. Based on these figures, parking will not be impacted in Planning Area C as the percentage of medical offices falls below the maximum 25% outlined in the WNSP.

The Specific Plan also states that in order to ensure adequate parking in the future, all new structures and expansion to existing buildings in Planning Areas that participate in the 947 shared parking spaces (Planning Areas A, A-1, B, B-2, C, D, E, F, G, H, and I) shall be required to verify that at least 5%, 47 spaces, of the shared parking spaces are open and available during peak hours. Since the proposed project does not involve a new structure or expansion to an existing building, the requirement for a parking study is not warranted.

Staff does not anticipate any negative impacts from the proposed medical office. With conditions of approval from the Planning and Building Departments outlined in Resolution No. 20-18 (Attachment #4), staff supports the applicants request as submitted.

Environmental Clearance:

The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city’s environmental review procedures and can be determined categorically exempt pursuant to Class 1, Existing Facilities, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, which establishes that existing structures involved in negligible or no expansion of use beyond the previously existing are exempt from the provisions of CEQA. The project will establish a new medical office in an existing and established building in the Warner Newhope Specific Plan (Attachment #5).

Notice Furnished:

Public hearing notices were mailed to all property owners and commercial tenants within 500 feet of the subject property. The item was published in the Fountain Valley View and notices were posted at City Hall and the Recreation Center.

Alternatives:

1. Adopt Resolution No. 20-18 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit No. 1886 to establish and operate a medical office located at 17220 Newhope Street, #127.

2. Continue the request and direct staff to prepare resolutions for denial.

3. Continue this request for additional information.
Recommended Action

Staff recommends that the Planning Commission adopt Alternative #1 - Adopt Resolution No. 20-18 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit No. 1886 to establish and operate a medical office located at 17220 Newhope Street, #127.

Prepared By: Steven Ayers, Principal Planner

Approved By: Brian James, Planning and Building Director

Attachments: 1. Vicinity Map
2. Project Description Letter
3. Site Plan and Floor Plan
4. Resolution No. 20-18
5. Notice of Exemption
Vicinity Map
Conditional Use Permit 1886
Newhope Medical Office

17220 Newhope Street #127
Project Description

Property 17220 Newhope St #127, Fountain Valley, CA 92708 is currently in Escrow between Synergistic Collaboration LLC (buyer: Julie Mai) and A Nice Place to Work LLC (seller: Aamir Raza). This suite is approximately 1350 sq ft, single floor commercial suite located in Plaza Del Lago. It is a professional building with other professionals, such as physicians, attorneys, etc.

This property will be used as a medical office for health care services for patients of Dr. Julie Mai. Days of operation would be Monday – Friday from 8 am to 5:00 pm. The medical services provided is Osteopathic Manipulative Treatments and general medical care services. My one employee is off site helping to schedule appointments and manage phone calls. My use of the office will only be inside the suite and not outside. The exterior is landscape and water feature managed by HOA.

HOA and Property Manager advised that I apply for the conditional use permit, so that I can have my medical practice run its business at this new suite once Escrow closes.
Site Plan
Conditional Use Permit 1886
Newhope Medical Office

17220 Newhope Street #127

Submitted 8/11/2020
NAME
Dr. Julie Mai 17220 New Hope St., ste127

LOCATION
17220 New Hope St
92708 Fountain Valley
CA

DETAILS
Total area: 1378.59 sq ft
Living area: 1378.59 sq ft

Submitted 8/11/2020

This floor plan is provided without warranty of any kind. Sensopat disclaims any warranty including, without limitation, satisfactory quality or accuracy of dimensions.

0'1/2'3/4'5'
1:96 (1/8" = 1')
RESOLUTION NO. 20-18

A RESOLUTION OF THE FOUNTAIN VALLEY PLANNING COMMISSION
ADOPTING A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND
APPROVING CONDITIONAL USE PERMIT NO. 1886 FILED BY DR.
JULIE MAI TO ESTABLISH AND OPERATE A MEDICAL OFFICE
LOCATED AT 17220 NEWHOPE STREET, #127

WHEREAS, an application for Conditional Use Permit No. 1886 was submitted by Dr. Julie Mai in accordance with Municipal Code, Title 21 and Chapter 4.4.3 of the Warner Newhope Specific Plan (WNSP); and

WHEREAS, the Fountain Valley Planning Commission considered said application at its noticed public hearing on September 23, 2020; and

WHEREAS, the Planning Commission has imposed conditions, pursuant to the Conditional Use Permit process, which mitigate potential negative effects of the proposed project; and

WHEREAS, the Planning Commission has determined that the proposed Conditional Use Permit is consistent with the Fountain Valley General Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1

The Planning Commission finds that due notice of the public hearings in the Council Chambers, City Hall, 10200 Slater Avenue, was given as required by the Fountain Valley Municipal Code (FVMC), Title 21, and the Statutes of the State of California.

SECTION 2

Findings and Supporting Facts: - The Planning Commission finds that the subject application meets the criteria for a Conditional Use Permit found in Chapter 21.36 of the Fountain Valley Municipal Code as follows:

1. The proposed use is allowed within the WNSP zoning district with the approval of a Conditional Use Permit and complies with all other applicable provisions of the Development Code and the Municipal Code.

   The proposed medical office is an allowed use in the WNSP zoning district subject to the Planning Commission’s approval of a Conditional Use Permit. The proposed use complies with all applicable provisions of Title 21 Development Code, the Municipal Code, and the WNSP.

2. The proposed use is consistent with the actions, goals, objectives, and policies of the General Plan and any applicable specific plan.

   The proposed request for a medical office meets General Plan Goal 2.12, which is to enhance the city’s economic base and business environment by assisting in the
improvement and intensification of existing commercial development. The medical office will improve and intensify the building located at 17220 Newhope Street. The medical office also meets the WNSP Project Objectives found in Section 1.2 of the WNSP by implementing the goals, objectives, and policies of the City of Fountain Valley General Plan and by meeting clear and flexible parking standards that respond to the unique nature of the uses on the site.

3. The design, location, shape, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

The design, shape, and size of unit #127 falls within the envelope of the existing building located at 17220 Newhope Street in Planning Area C of the WNSP. Sufficient access will be provided to the project via the private drive that extends from Newhope Street to Planning Area C. The operations of the medical office comply with normal anticipated operating characteristics of a medical office in a commercial building in the WNSP. Section 4.4.3 of the WNSP allows for medical offices with a maximum square footage of 25% of the building area. With the proposed medical office, medical offices will comprise a maximum of 17.2% of the building area at 17220 Newhope Street in Planning Area C.

4. The subject site is physically suitable for the type and density/intensity of use being proposed including the provision of public access (e.g., width and pavement type), facilities, and utilities (e.g., drainage, fire protection, sewers, water), shape, size, the absence of physical constraints, and compatibility with adjoining land uses.

The building located at 17220 Newhope Street operates as a commercial building and allows a maximum of 25% of the building area to be comprised of medical office uses. With the proposed medical office use, the building will operate with 17.2% medical office uses in the building. The medical office will be located along the southern portion of the building with parking available around all four sides of the building. Sufficient vehicular access is provided via the private driveway from Newhope Street. Sufficient pedestrian access is provided from the parking lot to the building. Sufficient facilities as well as drainage, fire protection, sewers, and water utilities will be provided to the medical office. The medical office is adequate in shape and size for the building, will not pose any physical constraints on the property, and is compatible with the existing and permitted uses in Planning Area C of the WNSP.

5. Granting the Conditional Use Permit would not be detrimental to the public convenience, health, interest, safety, or welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

The proposed use will be located in the existing building located at 17220 Newhope Street in Planning Area C of the WNSP. All operations of the medical office will be conducted inside unit #127 and operations of the medical office are consistent with the normal anticipated operating characteristics of a medical office in a Planning Area C of the WNSP. The nearest residential property line is approximately 140 feet away to the south of the medical office and no impacts from the medical office will impact nearby residences. The conditions of approval included in this resolution help ensure the operations of the medical office will not be detrimental to the public convenience, health, interest, safety, or welfare, or injurious to persons, property, or improvements in the vicinity and WNSP zoning district in which the business is located.
6. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures.  

   The proposed project has been reviewed in compliance with CEQA and is categorically exempt per Section 3 below.

7. By signing this Resolution, the business owner/operator has demonstrated his/her understanding of the conditions imposed in the Conditional Use Permit (attached as Exhibit 1 herein) granted to him/her and has agreed on the record to abide by those conditions.

SECTION 3

The Planning Commission finds that the subject application meets all the criteria for a Conditional Use Permit found in the City's zoning regulations; moreover, the Commission finds that this project is categorically exempt from CEQA – Class 1 (15301-Existing Facilities), which establishes that existing structures involved in negligible expansion of use beyond the previously existing are exempt from the provisions of CEQA. The project will establish a new medical office in an existing and established building in Planning Area C of the Warner Newhope Specific Plan.

SECTION 4

The Planning Commission hereby approves Conditional Use Permit No. 1886 to establish and operate a medical office located at 17220 Newhope Street #127.

PASSED, APPROVED AND ADOPTED THIS 23RD DAY OF SEPTEMBER, 2020

_____________________________    ________________________________
Chairman                                      Secretary

BY SIGNING THIS PERMIT, THE PERMITTEE ACKNOWLEDGES ALL OF THE CONDITIONS IMPOSED AND ACCEPTS THIS PERMIT SUBJECT TO THOSE CONDITIONS AND WITH THE FULL AWARENESS OF THE PROVISIONS OF CHAPTER 21.36 OF THE FOUNTAIN VALLEY MUNICIPAL CODE.

BY SIGNING THIS RESOLUTION, THE APPLICANT ACKNOWLEDGES ACCEPTANCE OF THE BENEFITS OF THE CONDITIONAL USE PERMIT AND AGREES TO WAIVE ANY RIGHT TO LATER CHALLENGE ANY CONDITION(S) IMPOSED AS UNFAIR, UNNECESSARY, OR UNREASONABLE.

_____________________________                      ________________________________
Date                                      Applicant Sign/Print
EXHIBIT 1

CONDITIONS OF APPROVAL
Conditional Use Permit No. 1886

Newhope Medical Office
17220 Newhope Street #127
Fountain Valley, CA

The following Conditions of Approval [COA] apply to this project. The COA’s are specific conditions applicable to the proposed project. The property owner is responsible for the fulfillment of all conditions and standard development requirements, unless specifically stated otherwise.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, permittee expressly accepts and agrees to comply with the following Conditions of Approval of this Permit:

Planning Department Conditions Unique to this Project

1. The site plan and floor plan dated August 11, 2020, (attached as Attachment # 3 to the staff report for this project) have been reviewed and approved by the Planning Commission on September 23, 2020.

2. The number of persons shall not exceed the maximum occupancy load as determined by the Fire Department. If required by the Fire Department, signs indicating the occupant load shall be posted in a conspicuous place near the main entrance and must be posted prior to final inspection and prior to issuance of a certificate of occupancy for the medical office.

3. Signs for this facility shall comply with the Sign Program for the development (or) Signs for this facility shall be submitted for review by the Sign Committee and shall comply with the Sign Code.

4. The windows of the business shall be free of any obstruction, tinting, or painting, except for window signage as permitted by the Fountain Valley Sign Code.

5. The hours of operation shall be restricted to the hours of 8:00 am to 5:00 pm, Monday through Friday. Hours of delivery shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. Monday through Saturday, and no time on Sunday or legal holiday.

6. There shall be no trash dumping from the facility between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week. The applicant shall work with the property owner to have signage installed near the trash dumpster prohibiting trash dumping during the hours of 10:00 p.m. – 7:00 a.m. compliant with FVMC 6.28.050. If not already provided by the property owner, signage shall be installed prior to issuance of a certificate of occupancy for the medical office.

7. To prevent scavenging, illegal dumping, and to contribute to the general cleanliness of the building, the business shall provide a refuse containment area with a screened and securable gate if not already provided by the property owner. Also, if not already
provided by the property owner, exterior signage shall be provided outside of the trash enclosure prohibiting the scavenging of any material from the trash dumpster. Any refuse containment area and signage shall be included in the applicant’s plan check submittal to the Building Department and shall be installed prior to issuance of certificate of occupancy for the medical office.

8. To maintain the cleanliness of the building, the petitioner shall be responsible for maintaining the area adjacent to their premises over which they have control free of litter and graffiti.

Planning Department Standard Conditions

9. Conditional Use Permit No. 1886 shall be approved and in effect for a period of 12 months from the original date of approval by the City Council, and/or Planning Commission. If no development has commenced at the end of this 12-month time period, project approval shall expire and be determined void. A one-year extension may be granted at the discretion of the Planning Director. A request for an extension of time should be made in writing by the applicant thirty (30) days prior to the expiration date.

Date of Project Approval: September 23, 2020
Date of Project Expiration: September 23, 2021

10. The resolution is not effective unless it is signed by the applicant indicating and acknowledging his/her understanding of the conditions imposed herein. The failure of the applicant to sign this permit in no way shall be deemed to confer any greater rights than are contained in this permit.

11. By signing and accepting the resolution, the applicant accepts the benefits conferred by the permit subject to the conditions imposed therein. By accepting the right to operate pursuant to the permit, the applicant waives all rights to challenge any condition imposed as unfair or unreasonable.

12. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City’s active negligence. The applicant shall provide a copy of conditions of approval to each manager and to all employees.

13. The applicant shall comply with all federal, state, and local laws. Violations of any of those laws in connection with the use will be cause for revocation of this permit.

14. Violation of any condition of approval shall be a misdemeanor.

15. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval
is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of the Fountain Valley Municipal Code.

16. This resolution supersedes previously approved resolutions for 17220 Newhope Street #127.

17. Applicant shall comply with FVMC 21.24.110(27) which prohibits vehicle signs for the principal purpose of advertising a business.

18. No satellite dishes greater than 2.2 meters shall be installed on the subject property without approval of the Planning Commission.

19. All new and/or replaced roof-mounted mechanical equipment (air conditioning, heating, ventilation ducts, exhaust, etc.) shall be screened from the view of adjacent properties and rights-of-way as specifically approved by the Planning Director. Roof treatment shall be common to the building and extended to all four (4) building elevations.

20. Street and unit numbers are to be maintained in such a manner as to be plainly visible and shall not be hidden from view by trees, shrubs, bushes, etc., and other obstructions on the property. Street numbers shall be located and be a minimum size so that they are clearly visible from the street and be maintained on the front and rear doors. All numbers shall not be less than 6 in. in height and 2 in. in stroke and be of contrasting color from the background. Street and unit numbers must be installed prior to issuance of a certificate of occupancy for the medical office.

21. The colors, materials and facades of the building shall be as approved by the Planning Commission. No changes to the colors or materials shall occur without approval by the Planning Director. Changes that the Planning Director deems to vary significantly from the originally approved design shall be forwarded to the Planning Commission for its review and determination.

22. Permittee acknowledges that Education Code Section 48200 et. seq. provides that persons between the ages of 6 and 18 are subject to compulsory education and are required to be in school unless exempted. Permittee agrees not to allow the business to become a "hang out" for truants and agrees not to allow youths to congregate or otherwise loiter in or around the business. Permittee shall take reasonable steps to control the conduct of others on this property so that it does not become a nuisance or otherwise disturb the peace and quiet of the neighborhood or peace, health and safety of the community.

23. An alarm system shall be installed and be of a type that sounds a signal when it is activated.

24. Three or more sustained complaints within any one-year period received by the Fountain Valley Police Department regarding disturbances which have been caused by the business located at 17220 Newhope Street #127 may be grounds for revocation proceedings.
25. Refuse containment areas shall be provided with a screened and securable gate compliant with the Development Code and Rainbow Disposal specs.

26. There shall be no outdoor storage or display of any kind without the approval of a temporary use permit.

27. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.

Building Department Conditions

28. Install, maintain and provide for all California Disabled Access compliance per the California Building Code and the Division of State Architect. No encroachment into the disabled path of travel is allowed under any condition with the exception of emergency vehicles and personnel.

29. Projects must comply with the California Code of Regulations, Title 24; Fountain Valley Ordinances, and California law in effect at the time of plan submittal.
CITY OF FOUNTAIN VALLEY
Planning Department
10200 Slater Avenue, Fountain Valley, CA 92708
714-593-4425 – fountainvalley.org

Notice of Exemption

TO: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

FROM: City of Fountain Valley
10200 Slater Avenue
Fountain Valley, CA 92708

County Clerk
County of Orange
12 Civic Center Plaza
Santa Ana, CA 92701

Project Title: Newhope Medical Office - Conditional Use Permit No. 1886

Project Location/Address: 17200 Newhope St #127, Fountain Valley, CA 92708

Project Activity/Description: Petition to establish and operate a medical office located at 17200 Newhope Street #127

Public Agency Approving Project: City of Fountain Valley, Orange County, California

Project Applicant: Dr. Julie Mai

Project Applicant’s Address: 543 Encinitas Blvd, Suite 107, Encinitas, CA 92024 Phone Number: (909) 919-0701

Exempt Status: (check one):
☐ Ministerial (Sec. 21060 (b)(1); 15268);
☐ Declared Emergency (Sec. 21080 (b)(3); 15269 (a));
☐ Emergency Project (Sec. 21080 (b)(4); 15269 (b) (c));
☐ Categorical Exemption. State type and section number: 15301
☐ Statutory Exemptions. State code number: 

Reasons why project is exempt: Section 15301 of the California Environmental Quality Act (CEQA) Guidelines which establishes that existing facilities involved in negligible or no expansion of use beyond the previously existing are exempt from the provisions of CEQA. The project will establish a new medical office in an existing and established building in Planning Area C of the Warner Newhope Specific Plan.

Lead Agency
Contact Person: Steven Ayers, Principal Planner Contact Phone: 714-593-4431

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?: ☐Yes ☐No

Signature: ___________________________ Date: _____________ Title: ____________________

☐ Signed by Lead Agency ☐ Signed by Applicant