

FOUNTAIN VALLEY PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS
10200 SLATER AVENUE

WEDNESDAY, JANUARY 11, 2017
REGULAR MEETING – 6:00 PM

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.

REGULAR MEETING

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL: Brown, Cameron, Gaston, McVicker, Vice Chair Ajamian, Chair Harper

APPROVAL OF MINUTES

- December 14, 2016

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS

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 agendaized. 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)

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 HEARINGS

1. PRECISE PLAN NO. 539 – WELBROOK SENIOR LIVING

Welbrook Senior Living has submitted a request to construct a new 110,000 square foot assisted living facility located at 11360 Warner Avenue.

Recommended Action: Staff recommends that the Planning Commission adopt Resolution No. 17-01 approving Precise Plan No. 539 to construct a 110,000 sq. ft. assisted living facility and approve a Negative Declaration prepared for the project pursuant to the California Environmental Quality Act (CEQA) for the project located at 11360 Warner Avenue.

2. CODE AMENDMENT NO. 16-03 – WIRELESS COMMUNICATIONS

Proposal to repeal and replace Fountain Valley Municipal Code Section 21.28 Wireless Communications in its entirety and adding standards for wireless telecommunications facilities in the public right-of-way. This item was continued from the Planning Commission meeting of December 14, 2016.

Recommended Action: Staff recommends that the Planning Commission adopt Resolution No. 16-41, recommending that the City Council approve Code Amendment No. 16-03 repealing and replacing Chapter 21.28 Wireless Communications in its entirety and amend Sections 21.08.030, 21.10.030, 21.12.030, 21.90.020 and 11.08.030 of the Fountain Valley Municipal Code.

NEW BUSINESS

3. **DEVELOPMENT REVIEW NO. 15-07 – MILE SQUARE PLAZA**

Infinity Design UA on behalf of FV Brookhurst Square, LLC has submitted a request to remodel the exterior of the existing shopping center located at the southwest corner of Brookhurst Street and Heil Avenue.

CEQA Compliance: This request is 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.

Recommended Action: Staff recommends that the Planning Commission adopt Resolution No. 17-02 approving Development No. 15-07 submitted by Infinity Design UA on behalf of FV Brookhurst Square, LLC to remodel the exterior of the existing shopping center located at the southwest corner of Brookhurst Street and Heil Avenue.

4. **DEVELOPMENT REVIEW NO. 16-11 – TIO FLACO TACOS**

Tio Flacos Restaurants, LLC has submitted a request to add yellow fabric patio covers, a patio cover support structure for the yellow covers, and exterior heaters to the existing exterior dining patio area for the restaurant located at 18959 Magnolia Street.

CEQA Compliance: This request is categorically exempt from the provisions of CEQA (Class 15303 (e), New Construction or Conversion of Small Structures).

Recommended Action: Staff recommends that Planning Commission approve Development Review No. 16-11 submitted by Tio Flacos Restaurants, LLC to add yellow fabric patio covers, a patio cover support structure for the yellow covers, and exterior heaters to the existing exterior dining patio area for the restaurant located at 18959 Magnolia Street.

5. **BUSINESS BEAUTIFICATION COMMITTEE PROGRAM REPORT**

Report of Business Beautification Committee actions from the meeting of January 11, 2017.

Recommended Action: Receive and file the report.

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 February 8, 2017.

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 FVTV via Time Warner Cable Channel 3, Verizon FiOS Channel 21, and AT&T U-Verse Channel 99. Commission Meetings are also posted on the City's website at www.fountainvalley.org.

CITY OF FOUNTAIN VALLEY PLANNING COMMISSION MINUTES

**CITY HALL COUNCIL CHAMBERS
10200 SLATER AVENUE**

WEDNESDAY, DECEMBER 14, 2016 – 6:00 P.M.

CALL TO ORDER: Chair Harper called the meeting to order at 6:00 p.m.

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

ROLL CALL:

PRESENT: Cameron, Gaston, Brown, Vice Chair Ajamian, Chair Harper, McVicker
ABSENT: None.
STAFF PRESENT: Planning Director Matt Mogensen; Planner Steven Ayers
Assistant Planner Matt Jenkins; Administrative Assistant Lisa Montano

APPROVAL OF MINUTES:

- November 9, 2016

Action: Approve the Planning Commission meeting minutes from November 9, 2017.
as presented.

Motion: Cameron Second: Ajamian
AYES: Cameron, Gaston, Ajamian, Harper, McVicker
NAYS: None.
ABSTAIN: Brown

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS

- Item #4 – Two letters received from Fountain Valley residents James & Annie Lai and Tuan Cao in opposition to this item.

PUBLIC HEARINGS

1. CONDITIONAL USE PERMIT NO. 1804 – MUSCLE MAKER GRILL

Muscle Maker Grill has submitted a request to establish and operate a restaurant located at 9965 Ellis Avenue, Suite 2.

CEQA Compliance: This request is determined categorically exempt pursuant to Class 1, Existing Facilities, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines.

Chair Harper opened the public hearing. Planner Steven Ayers presented the staff report. The applicant James Ginger was present to answer questions. With no one to speak on this item, Chair Harper closed the public hearing.

Action: Adopt Resolution No. 16-58 approving Conditional Use Permit No. 1804 to establish and operate a restaurant located at 9965 Ellis Avenue, Suite 2.

Motion: Gaston Second: Brown
AYES: Cameron, Gaston, Brown, Ajamian, Harper
NAYS: None.
ABSTAIN: None.

2. **CONDITIONAL USE PERMIT NO. 1805 – SAIGON BAO HOUSE**

Van Dinh has submitted a request to open and operate a 3,300 sq. ft. restaurant located at 16039 Brookhurst Street in the Fountain Valley Town Center.

CEQA Compliance: This request is determined categorically exempt pursuant to Class 1, Existing Facilities, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines.

Chair Harper opened the public hearing. Assistant Planner Matt Jenkins presented the staff report. The applicant and managing partner Van Dinh was present to answer questions. Fountain Valley resident Kim Constantine spoke regarding parking. With no one else to speak on this item, Chair Harper closed the public hearing.

Action: Adopt Resolution No. 16-55 approving Conditional Use Permit No. 1805, submitted by Van Dinh to open and operate a 3,300 sq. ft. restaurant with the additional condition that employees shall park on the west side of the Fountain Valley Town Center property adjacent to the residential properties, for the property located at 16039 Brookhurst Street.

Motion: Brown Second: Gaston
AYES: Cameron, Gaston, Brown, Ajamian, Harper
NAYS: None.
ABSTAIN: None.

3. **CONDITIONAL USE PERMIT NO. 1807 – MAIN SQUEEZE**

Lynn Tran has submitted a request to establish and operate a restaurant with outdoor seating located at 9430 Warner Avenue, Suite J.

CEQA Compliance: This request is determined categorically exempt pursuant to Class 1, Existing Facilities, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines.

Chair Harper opened the public hearing. Planner Steven Ayers presented the staff report. The applicant Lynn Tran was present to answer questions. With no one to speak on this item, Chair Harper closed the public hearing.

Action: Adopt Resolution No. 16-59 approving Conditional Use Permit No. 1807, request to establish and operate a restaurant with outdoor seating located at 9430 Warner Avenue, Suite J.

Motion: Cameron Second: Ajamian
AYES: Cameron, Gaston, Brown, Ajamian, Harper
NAYS: None.
ABSTAIN: None.

4. **PRECISE PLAN NO. 538/CONDITIONAL USE PERMIT NO. 1806 – WARNER PLAZA**

Giano Nguyen from NN Architects has submitted a request to demolish the existing single-story restaurant building and construct a new single-story 9,998 square foot multi-tenant building located at 10830 Warner Avenue. The proposal includes a conditional use permit for a reduction in the required parking for high impact parking uses for the commercial center.

CEQA Compliance: This request is determined categorically exempt pursuant to Class 32, In-Fill Development Projects, Section 15332 of the California Environmental Quality Act (CEQA) Guidelines.

Chair Harper opened the public hearing. Planner Steven Ayers presented the staff report. The applicant Giano Nguyen and developer were present to answer questions. Fountain Valley resident Kim Constantine spoke regarding parking and was in opposition to this proposal. With no one else to speak on this item, Chair Harper closed the public hearing.

Action: Adopt Resolution No. 16-54 approving Precise Plan No. 538 to demolish the existing single-story restaurant building and construct a new single-story 9,998 square foot multi-tenant building located at 10830 Warner Avenue and adopt Resolution No. 16-80 approving Conditional Use Permit No. 1806 for a shared parking reduction for the commercial center.

Motion: Brown Second: Cameron
AYES: Cameron, Gaston, Brown, Ajamian, Harper
NAYS: None.
ABSTAIN: None.

5. **CODE AMENDMENT NO. 16-03 WIRELESS COMMUNICATIONS**

Proposal to repeal and replace Fountain Valley Municipal Code Section 21.28 Wireless Communications in its entirety and adding standards for wireless telecommunications facilities in the public right-of-way.

Planning Director Matt Mogensen presented the staff report.

Action: Continue this item to the next Planning Commission meeting on January 11, 2017.

Motion: Gaston Second: Cameron
AYES: Cameron, Gaston, Brown, Ajamian, Harper
NAYS: None.
ABSTAIN: None.

NEW BUSINESS

6. **FOUNTAIN OF LIFE FELLOWSHIP CHURCH – DEVELOPMENT REVIEW NO. 16-10 – 9120 HEIL AVENUE**

Jason Richart submitted a request on behalf of Fountain Valley Life Fellowship Church, to construct a new patio cover and barbeque area adjacent to the sanctuary and education buildings and an open trellis by the parsonage building.

CEQA Compliance: This request is determined categorically exempt pursuant to Class 3, New Construction or Conversion of Small Structures, Section 15303 of the California Environmental Quality Act (CEQA) Guidelines.

Assistant Planner Matt Jenkins presented the staff report. The applicant was not present and no one in the audience wished to speak on this item.

Action Adopt Resolution No. 16-57 approving Development Review No. 16-10 for a new patio cover and barbeque area adjacent to the sanctuary and education buildings and an open trellis by the parsonage building for the Fountain of Life Fellowship Church located at 9120 Heil Avenue.

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Motion: Ajamian Second: Brown
AYES: Cameron, Gaston, Brown, Ajamian, Harper
NAYS: None.
ABSTAIN: None.

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

Fountain Valley resident Kim Constantine spoke about the proposed Fountain Valley Crossings Specific Plan.

STAFF COMMENTS

Planning Director Matt Mogensen stated that nomination forms for the Business Beautification Award are available on the City website; looking ahead to the next Planning Commission meeting the following projects will come before the commission: Welbrook Senior Living project; Mile Square Plaza; a KFC remodel on Brookhurst; and a Joint Planning Commission and Council meeting on the Draft EIR for the Fountain Valley Crossings Specific Plan is scheduled for January 25th.

COMMISSIONER COMMENTS

Commissioner Gaston asked that Code Enforcement take a look at 10544 Perch as extensive work is being done. Commissioner Gaston also stated that there is a tremendous amount of lighting at Living Waters that could be an issue.

ADJOURNMENT

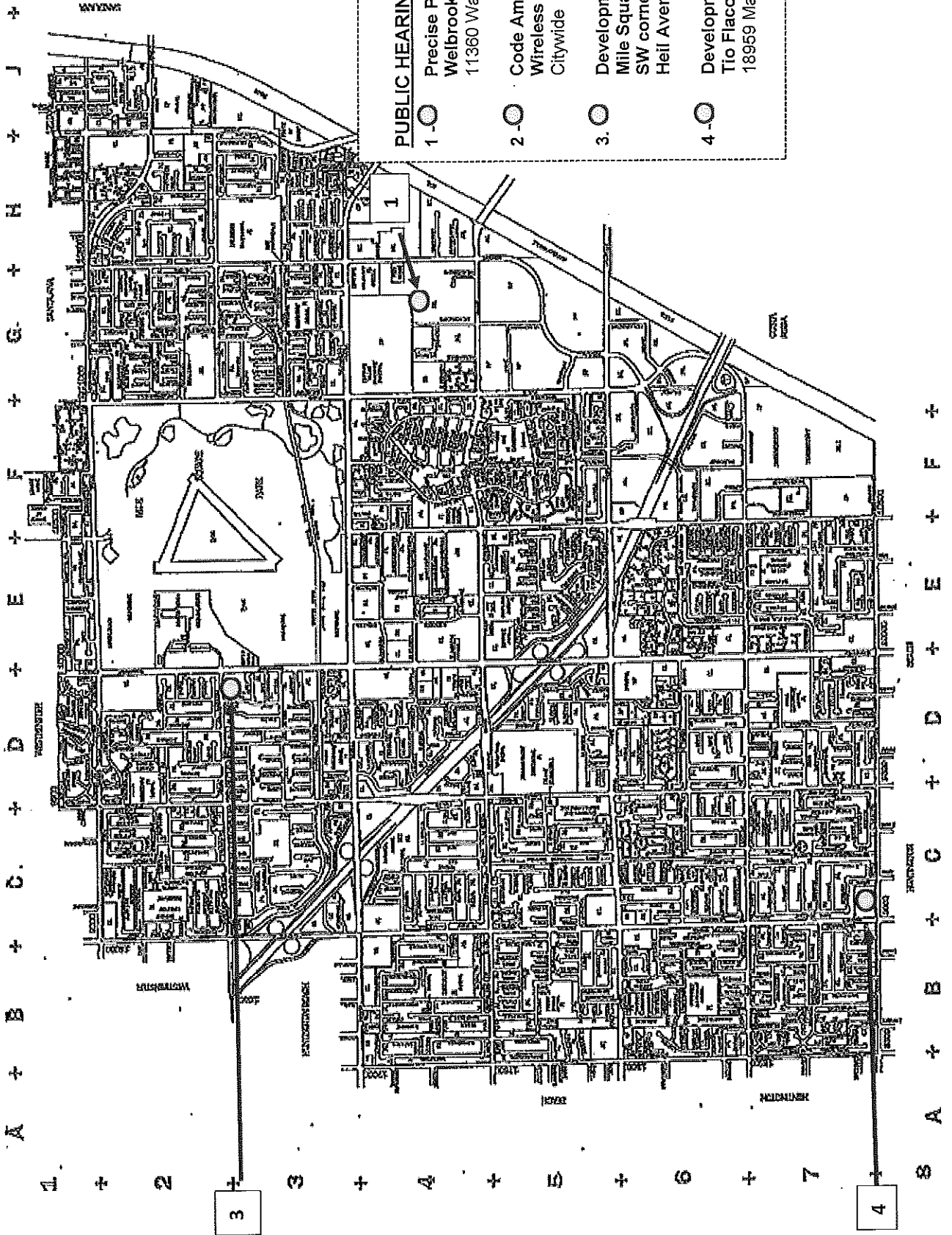
Commissioner McVicker made a motion to adjourn the meeting at 6:50 p.m. to the next Planning Commission meeting scheduled for January 11, 2017.

APPROVED:

Chairperson

Secretary

Planning Commission Meeting – January 11, 2017



PUBLIC HEARING/AGENDA ITEMS:

- 1-○ Precise Plan No. 539 -
Welbrook Senior Living
11360 Warner Avenue
- 2-○ Code Amendment 16-03
Wireless Communications
Citywide
- 3-○ Development Review No. 15-07 -
Mile Square Plaza
SW corner of Brookhurst Street and
Heil Avenue
- 4-○ Development Review No 16-11 -
Tio Flacos Tacos
18959 Magnolia Street