

M I N U T E S

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE  
GARDEN GROVE, CALIFORNIA

THURSDAY  
MAY 6, 2004

CALL TO ORDER: The work session of the Planning Commission was called to order at 6:30 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR JONES, VICE CHAIR CALLAHAN, COMMISSIONERS BARRY, BUTTERFIELD, HUTCHINSON, KELLEHER, AND NGUYEN

ABSENT: NONE

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Community Development Director; Maria Parra, Planning Intern; Paul Wernquist, Associate Planner; Noemi Bass, Assistant Planner; Robert Fowler, Police Department; A. J. Holmon, Environmental Compliance Division/Public Works-Streets; Judy Moore, Recording Secretary; and Teresa Pomeroy, Department Secretary.

CALL TO ORDER: The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers of the Community Meeting Center.

PRESENT: CHAIR JONES, VICE CHAIR CALLAHAN, COMMISSIONERS BARRY, BUTTERFIELD, HUTCHINSON, KELLEHER, AND NGUYEN

ABSENT: NONE

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Community Development Director; Maria Parra, Planning Intern; Paul Wernquist, Associate Planner; Noemi Bass, Assistant Planner; Robert Fowler, Police Department; A.J. Holmon, Environmental Compliance Division/Public Works-Streets; Judy Moore, Recording Secretary; and Teresa Pomeroy, Department Secretary.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of the United States of America was led by Vice Chair Callahan and recited by those present in the Chamber.

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Barry moved to approve the Minutes of April 15, 2004, seconded by Commissioner Nguyen. The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, BUTTERFIELD, CALLAHAN,  
HUTCHINSON, JONES, KELLEHER,  
NGUYEN  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: NONE

CONTINUED  
PUBLIC

HEARING: CONDITIONAL USE PERMIT NO. CUP-133-04  
APPLICANT: STELLA JUN  
LOCATION: NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF MAGNOLIA  
STREET AT 8851 GARDEN GROVE BOULEVARD, SUITE 106  
DATE: MAY 6, 2004

REQUEST: To allow an existing karaoke studio (karaoke 25SI) to operate under a State Alcoholic Beverage Control Type "42" (On-Sale Beer and Wine – Public Premises, Bar, Tavern) License. The site is in the C-2 (Community Commercial) zone.

Staff report was reviewed and recommended approval with amendments to Conditions of Approval Nos. 10, 13, 28 and 34.

Condition No. 10 to read, "All doors and windows of the individual karaoke studio rooms, shall remain clear and unobstructed, and shall provide complete visibility into the rooms at all times. No items including plants, curtains, stickers, blinds or shades shall be placed in the area of doors and windows of the studio rooms."

Condition No. 13 to read, "There shall be no customers in or about the facility between the hours of 2:00 a.m. and 3:00 p.m."

Condition No. 28 to read, "No areas of the establishment shall be used for adult entertainment activity at any time as outlined in Garden Grove Municipal Code Section 9.08.070. Any dancing in the establishment, at any time, that is of an adult business nature, as outlined in Garden Grove Municipal Code Section 9.08.070, is strictly prohibited."

Condition No. 34 to read, "No more than fifty percent (50%) of the total exterior window area and exterior clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the exterior windows and doors of the establishment."

Chair Jones opened the public hearing to receive testimony in favor of or in opposition to the request.

Mr. Andy Quach, the representative, approached the Commission. He thanked the Commission and referred to Condition No. 11, stating that all 'dimmer switches' had been removed from the property. Regarding Condition No. 8, which states the applicant must install a central camera monitoring system, he asked the Commission for 90 days to install the camera system.

Commissioner Butterfield commented that since a karaoke studio selling alcohol is a first for the City, a review period might be in order. Staff

responded that six months would be a good length of time for a general review.

Mr. Quach stated that if at any time the Conditional Use Permit was questioned, he would not be opposed to the Planning Commission reviewing the permit.

Commissioner Barry asked staff if the camera system to be installed would be a 'functioning' camera system. Staff replied that the system would be an operable camera system.

Commissioner Butterfield asked if Mr. Quach, and the applicant, had read and agreed to all of the conditions. Mr. Quach replied yes.

There being no further comments, the public portion of the hearing was closed.

Commissioner Barry moved to approve Conditional Use Permit No. CUP-133-04, with the amended conditions as recommended by staff, seconded by Commissioner Butterfield, pursuant to the facts and reasons contained in Resolution No. 5408. The motion received the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

PUBLIC HEARING:	CONDITIONAL USE PERMIT NO. CUP-136-04
APPLICANT:	NANG DIEP
LOCATION:	SOUTHWEST CORNER OF KATELLA AVENUE AND FRALEY STREET AT 9562 KATELLA AVENUE
DATE:	MAY 6, 2004
REQUEST:	A conditional use permit to allow an existing market, Buena Vista Market, to operate with an original ABC Type "20" (Off-Sale Beer and Wine) License. The site is in the C-1 (Neighborhood Commercial) zone.

Staff report was reviewed and recommended approval.

Commissioner Butterfield asked if the applicant or property owner was aware of the maintenance problem. Staff replied yes, and that Code Enforcement has assisted in cleaning the site.

Mr. Robert Neunuebel, the representative, approached the Commission and stated that the applicant will abide by the conditions of approval.

Commissioner Butterfield asked if the applicant understood the conditions and asked how long the business was in operation. Mr. Neunuebel replied yes, and that the business was seven years old.

Commissioner Nguyen asked staff about the crime rate for the area. Staff replied that crime occurs at the northern end of the area and that the Police Department stands neutral.

There being no further comments, the public portion of the hearing was closed.

Commissioner Barry and Commissioner Nguyen agreed that the convenience of another liquor license in the area is not needed.

Commissioner Butterfield asked how long the market had been in operation. Staff replied there has been a market at that site since 1969.

Commissioner Callahan stated that he would rather see a small business flourish in the area, than a corporate business.

Commissioner Barry stated that a review period would be a good idea. Staff replied that at least a year would be required.

Commissioner Barry stated Condition No. 37 should read, "One year from the date of approval, and every three years thereafter."

Commissioner Barry moved to approve Conditional Use Permit No. CUP-136-04, with the amended conditions as recommended by staff, seconded by Chair Jones, pursuant to the facts and reasons contained in Resolution No. 5423. The motion received the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

PUBLIC  
HEARING:  
APPLICANT:  
LOCATION:

SITE PLAN NO. SP-341-04  
PETER D. NGUYEN  
EAST SIDE OF MONROE STREET, SOUTH OF GARDEN GROVE  
BOULEVARD AT 13102 MONROE STREET

REQUEST:

To allow construction of a two-story duplex on a 10,219 square foot lot. The site is in the R-3 (Residential Multiple Family) zone.

Staff report was reviewed and recommended approval with deletion of Condition No. 17.

Commissioner Barry asked staff what the distance is between the two garage doors. Staff replied approximately 30 feet and that the standard drive aisle width is 25 feet.

Commissioner Butterfield asked staff about the deletion of Condition No. 17. Staff replied that a sewer line was found to connect to for the project's sewer capacity, and further commented that the old sewer system is still being inventoried.

Mr. Peter D. Nguyen, the applicant, approached the Commission and requested approval for the project.

Chair Jones asked if Mr. Nguyen read and agreed with the conditions of approval. Mr. Nguyen replied yes.

Commissioner Hutchinson asked Mr. Nguyen about living arrangements in the proposed duplex. Mr. Nguyen stated that he will live in the back unit and his parents will live in the front unit.

There being no further comments, the public portion of the hearing was closed.

Commissioner Butterfield moved to approve Site Plan No. SP-341-04 with the deletion of Condition No. 17 as recommended by staff, seconded by Commissioner Barry, pursuant to the facts and reasons contained in Resolution No. 5422. The motion received the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

PUBLIC  
HEARING:

GENERAL PLAN AMENDMENT NO. GPA-1-04

REQUEST:

The City of Garden Grove is proposing to adopt a new element of the General Plan entitled the "Storm Water and Urban Water Run-off Element."

Staff report was reviewed and recommended that the Planning Commission recommend approval to City Council.

There being no further comments, the public portion of the hearing was closed.

Commissioner Butterfield moved to recommend approval of General Plan Amendment No. GPA-1-04 to City Council, seconded by Chair Jones, pursuant to the facts and reasons contained in Resolution No. 5424. The motion received the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

ITEM FOR  
CONSIDERATION: RESOLUTION NO. 5420  
DATE: MAY 6, 2004

REQUEST: A resolution to deny Conditional Use Permit No. CUP-135-04.

Commissioner Butterfield moved to adopt Resolution No. 5420 to deny Conditional Use Permit No. CUP-135-04, seconded by Commissioner Barry, pursuant to the facts and reasons contained in Resolution No. 5420. The motion carried the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

ITEM FOR  
CONSIDERATION: RESOLUTION NO. 5419  
DATE: MAY 6, 2004

REQUEST: A resolution to deny Site Plan No. SP-336-03.

Commissioner Hutchinson moved to adopt Resolution No. 5419 to deny Site Plan No. 336-03, seconded by Commissioner Nguyen, pursuant to the facts and reasons contained in Resolution No. 5419. The motion carried the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

MATTERS  
FROM

COMMISSIONERS: Two abandoned corner house lots were discussed, one at Robert and Chapman, and one at Orangewood and Dale. Also discussed, with regard to business license status, was the Oasis Carwash located on Euclid and Trask. Staff recommended that code enforcement check all of these areas.

Commissioner Butterfield discussed her field trip with the Orange County Water District.

MATTERS

FROM STAFF:

A sewer study session was announced for 6:30 p.m., on Thursday, June 3, 2004, in the Founder's Room at the Community Meeting Center. An item was added to the agenda to discuss the re-zoning of the Gilbert Street properties.

The Community Visioning Workshop was announced for Wednesday, May 19, 2004, from 4:00 to 8:00 p.m. at the Community Meeting Center.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

JUDITH MOORE  
Recording Secretary