

M I N U T E S

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE  
GARDEN GROVE, CALIFORNIA

THURSDAY  
MAY 20, 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; Karl Hill, Senior Planner; Erin Webb, Senior Planner; Greg Brown, Project Manager Economic Development; Bill Murray, City Engineer; Dan Efebo, Real Property Agent; Judy Moore, Recording 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; Karl Hill, Senior Planner; Erin Webb, Senior Planner; Greg Brown, Project Manager Economic Development; Bill Murray, City Engineer; Dan Efebo, Real Property Agent; Judy Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Hutchinson moved to approve the Minutes of May 6, 2004, seconded by Commissioner Butterfield. The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER, NGUYEN

NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: NONE

PUBLIC HEARING: TENTATIVE PARCEL MAP NO. PM-2003-244  
APPLICANT: IRENE E. VERMEULEN c/o JAMES OKAZAKI  
LOCATION: SOUTHEAST CORNER OF VALLEY VIEW STREET AND CHAPMAN AVENUE  
AT 6052 CHAPMAN AVENUE  
DATE: MAY 20, 2004

REQUEST: To allow the subdivision of a 1.53-acre lot to create a 26,302 square foot lot and a 40,687 square foot lot. The site is improved with a single-story, multi-tenant commercial building and a freestanding fast food restaurant, and is in the C-2 (Community Commercial) zone.

Staff report was reviewed and recommended approval.

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

Mr. Jim Gillin, representative of the applicant, approached the Commission.

Commissioner Hutchinson asked if one of the two lots would be sold. Mr. Gillin stated no.

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

Commissioner Butterfield moved to approve Tentative Parcel Map No. PM-2003-244, seconded by Commissioner Kelleher, pursuant to the facts and reasons contained in Resolution No. 5429. 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-138-04  
APPLICANT: JOSE LOPEZ  
LOCATION: WEST SIDE OF HARBOR BOULEVARD, SOUTH OF LAMPSON AVENUE AT  
12563 HARBOR BOULEVARD  
DATE: MAY 20, 2004

REQUEST: To allow an existing restaurant, La Barca Mariscos and Mexican Food, to operate with an original Alcoholic Beverage Control Type "41" (On-

Sale Beer and Wine) License. The site is Planned Unit Development No. PUD- 121-98

The case was not heard due to the applicant's withdrawal of the project.

PUBLIC  
HEARING:

NEGATIVE DECLARATION  
GENERAL PLAN AMENDMENT NO. GPA-2-04  
AMENDMENT NO. A-111-04  
SITE PLAN NO. SP-342-04  
VARIANCE NO. V-111-04

APPLICANT:  
LOCATION:

VERNON ENTERPRISES  
SOUTHWEST CORNER OF CHAPMAN AVENUE AND HASTER STREET AT  
12972 CHAPMAN AVENUE

REQUEST:

A General Plan Amendment and Zone Change to allow the property to be changed to commercial zoning; and Site Plan approval to construct a 9,500 square foot building with a Variance to deviate from the landscape setback requirements. The site is in the R-1-7 (Single Family Residential) zone.

Staff report was reviewed and recommended approval.

Commissioner Butterfield asked about the location of the trash enclosure. Staff replied the trash enclosure would be located in front of the building.

Commissioner Barry expressed concern about the traffic hazards of the left turn exits from the parking lot and increased traffic. Staff replied that the applicant would post signs for left turns and that driveway locations had been studied.

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

Mr. Tom Fisher, representative of the applicant, approached the Commission and thanked the Commission.

Chair Jones asked Mr. Fisher if the applicant had read and agreed with the conditions of approval. Mr. Fisher stated yes.

Commissioner Kelleher asked if the public would have access to the rear area doors. Mr. Fisher stated that the doors are not a public access, nor a fire exit.

Commissioner Kelleher expressed concern about criminal activity during night hours in the rear area, noting the eight foot wall, and that the wall was only six feet from the building. Mr. Fisher stated that the proposed wall landscaping would prohibit people from entering that area as well as screen the area from neighbors. He also stated the area would be well lit with special shielded lights.

Commissioner Barry asked if two right turn driveways would be acceptable. Mr. Fisher stated the applicant wants one right and one left driveway.

Ms. Lori Hayes, a representative of Green's Glass, approached the Commission and stated that painted double lines would limit turns and that the driveways would be approved by Safety.

Commissioner Butterfield asked what the adjacent two buildings would be. Ms. Hayes stated that one would be a retail space and one would be an office space.

Commissioner Butterfield stated there should be a condition that the rear doors remain closed to limit noise. Staff read Condition No. 43 which stated the doors should remain closed.

Commissioner Hutchinson asked if the existing tenants would use the new location. Ms. Hayes replied not necessarily.

Commissioner Kelleher asked why the 'south' space needed a roll-up door. Mr. Fisher replied the doors are for unloading and stocking and that vehicles would not be outside the building.

Commissioner Butterfield asked if the applicant would expand the business. Mr. Fisher stated no.

Mr. Scott Olis, a resident in the area, approached the Commission and expressed concerns over the increased traffic dangers and parking problems near Fallingleaf Street.

Commissioner Hutchinson stated the widening of Haster Street improvements are intended to make traffic better and that Mr. Olis' concerns were not directly related to the case at hand.

Commissioner Nguyen suggested Mr. Olis contact the Traffic Commission.

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

Commissioner Hutchinson stated that this type of case is what Variances are intended for and that he is in support of the request. Chair Jones, and Commissioner's Kelleher and Callahan agreed.

Commissioner Butterfield stated that the traffic engineers should be trusted with regard to the driveway locations.

Commissioner Nguyen moved to adopt the Negative Declaration, to recommend approval of the General Plan Amendment No. GPA-2-04 and Amendment No. A-111-04 to City Council, and to approve Site Plan No. SP-342-04 and Variance No. V-111-04, seconded by Commissioner Kelleher, pursuant to the facts and reasons contained in Resolution Nos. 5425 and 5430. The motion received the following vote:

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

PUBLIC  
HEARING:

NEGATIVE DECLARATION  
CONDITIONAL USE PERMIT NO. CUP-137-04  
VARIANCE NO. V-109-04

APPLICANT:  
LOCATION:

LAM NGUYEN  
NORTHWEST CORNER OF BROOKHURST WAY AND ACACIA STREET AT  
BROOKHURST WAY

REQUEST:

To establish a religious facility on a 22,272 square foot site that is currently occupied by a swim school; and a Variance to allow less than the required parking and minimum lot size, as well as side and front yard setbacks. The site is in the R-3 (Multiple Family Residential) zone.

Commissioner Barry moved to postpone the hearing of this case to June 17, 2004, seconded by Commissioner Butterfield. 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:

VARIANCE NO. V-110-04  
CITY OF GARDEN GROVE  
NORTHEAST CORNER OF GARDEN GROVE BOULEVARD AND HARBOR  
BOULEVARD AT 12251 GARDEN GROVE BOULEVARD

REQUEST:

To allow two monument signs on a property with less than the required five acres in response to the right-of-way acquisition for intersection improvements at Garden Grove Boulevard and Harbor Boulevard. The site is in the HCSP-DC (Harbor Corridor Specific Plan District Commercial) zone.

Staff report was reviewed and recommended approval.

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

Mr. Tom Freiberg, a representative of the applicant, approached the Commission and expressed his concern with Item No. 2 on Page 4 of Resolution No. 5427 which reads: "Variance No. V-110-04 shall not become effective unless the traffic signal arch and related structural pillars for the Garden Grove Boulevard and Harbor Boulevard intersection are constructed."

Mr. Freiberg suggested that Item No. 2 be deleted because it did not work with the Settlement Agreement with the City of Garden Grove, with regard to the street widening and visibility issue for Wells Fargo Bank.

Commissioner Hutchinson asked if two monument signs for the bank would be built during the street widening. Mr. Freiberg stated yes, along with the park landscaping, and also the parking area would be relocated for security reasons.

Staff commented that if the street is widened, the arch is required, and with the arch in place a Variance is required for the two signs. Staff also stated that they were not aware of the Settlement Agreement. Staff recommended modifying Item No. 2 to read, "Variance No. V-110-04 shall become effective consistent with the terms of the Settlement Agreement."

Mr. Freiberg stated the new language was acceptable.

Mr. Robert Charles, a resident, approached the Commission and expressed his concern regarding safety from increased traffic during the construction process. A 'counter' study had been done and he asked if the barricades could remain in place to divert the increased traffic during construction.

Staff stated that the Traffic Engineering staff would assist with control measures regarding the back-up traffic and that the length of the construction will be six months.

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

Commissioner Butterfield moved to approve Variance No. V110-04, with the amended Item No. 2 of the Resolution as recommended by staff, seconded by Commissioner Barry, pursuant to the facts and reasons contained in Resolution No. 5427. The motion received the following vote:

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

MATTERS  
FROM  
COMMISSIONERS:

Commissioner Butterfield expressed concern over the infestation of rodents in the palm trees at the Wendy's fast food restaurant on Chapman and Brookhurst. The restaurant manager agreed there was a problem and staff recommended the County Health Department investigate.

Commissioner Butterfield also stated there are unsightly weeds at both ends of the rail road right-of-way at Nutwood and Nelson, and on the

other side too. She suggested flowers or greenery be planted. Also, the post office abutting the area needs upkeep, as well as the weeds at the home on the small triangle lot. Staff stated the issues would be looked into.

Commissioner Hutchinson stated the need for all Commissioners to be on time for the Planning Commission meetings.

Commissioner Barry asked if the fenced-in property at Century and Euclid would be developed. Staff stated the property is privately owned and is a challenge for development due to its configuration.

Commissioner Nguyen asked if the residents at 12271 Hester Place had a permit to build inside their house. Staff stated they would check into the matter.

MATTERS  
FROM STAFF:       None.

ADJOURNMENT:     The meeting was adjourned at 8:25 p.m.

JUDITH MOORE  
Recording Secretary