

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
OCTOBER 15, 2009

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: COMMISSIONERS BEARD, BONIKOWSKI, BUI, CABRAL,
ELLSWORTH, KIRKHAM, TRAN

ABSENT: NONE

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Lee Marino, Senior Planner; Erin Webb, Senior Planner; Chris Chung, Assistant Planner; Alana Cheng, Planning Intern; Grant Raupp, Administrative Analyst; Sid Ashrafnia, Associate Civil Engineer; Sergeant Kevin Boddy, Police Department; Judith Moore, Recording Secretary

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Vice Chair Kirkham moved to approve the Minutes of October 1, 2009, seconded by Commissioner Cabral. The motion carried with the following vote:

AYES: COMMISSIONERS: BEARD, BONIKOWSKI, BUI, CABRAL,
ELLSWORTH, KIRKHAM

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: TRAN

CONTINUED PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-149-09
CONDITIONAL USE PERMIT NO. CUP-269-09

APPLICANT: DAVIS ALEXANDER
LOCATION: EAST SIDE OF BROOKHURST STREET, BETWEEN CHAPMAN AVENUE AND
LAMPSON AVENUE AT 12196 BROOKHURST STREET

DATE: OCTOBER 15, 2009

REQUEST: To amend the BCSP-BCC (Brookhurst Chapman Specific Plan-Brookhurst Chapman Commercial) zone to allow a Children's Learning Center with Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 2,018 square foot Children's Learning Center, Trung Tam Giao Duc & Luyen Thi. The site is in the BCSP-BCC (Brookhurst Chapman Specific Plan-Brookhurst Chapman Commercial) zone.

Staff report was read and recommended approval.

Vice Chair Kirkham asked staff to clarify the reason for including the aerial photos in the staff report. Staff replied that the photos indicate the location of the protection bollards at the rear of the building.

Vice Chair Kirkham also asked if the classes would cease at 8:30 p.m. Staff replied yes, per Condition No. 9.

Chair Beard asked if the bollards are in the Conditions and if lighting is adequate for the exterior rear area of the building. Staff replied yes, that the bollards would be included and that they do not know if the lighting is adequate, however, lighting requirements are noted in Condition No. 17.

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

Reverend Dr. David Huynh, the applicant's representative, approached the Commission.

Chair Beard asked Mr. Huynh if the applicant had read and agreed with the Conditions of approval. He replied yes.

Chair Beard asked Mr. Huynh how many students could be tutored at one time. Mr. Huynh replied that the 88 students is the maximum; however, at the moment they only have 20; and that each session would have 10 to 15 students.

Commissioner Ellsworth asked the applicant at what time the last person would be gone. The applicant replied that the hours of operation are from 7:00 a.m. to 9:00 p.m. and that Davis Alexander would supervise the children in the waiting area while others are tutored.

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

Staff added that a condition regarding the bollards would be added.

Commissioner Tran asked staff to clarify the length of the application process. Staff replied that this case was unique in that requests for information, complicated conditions, and the remand of the case back to staff by City Council, regarding restrooms, no outside activity, and hours of operation, added to the standard processing time.

Vice Chair Kirkham moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-149-09 to City Council, and approve Conditional Use Permit No. CUP-269-09, seconded by Chair Beard, pursuant to the facts and reasons contained in Resolution Nos. 5696(A) and 5697(CUP). The motion received the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, KIRKHAM, TRAN
NOES:	COMMISSIONERS:	NONE

ABSENT: COMMISSIONERS: NONE

Due to a conflict of interest, Vice Chair Kirkham recused himself from the following discussion.

CONTINUED

PUBLIC HEARING:

SITE PLAN NO. SP-452-09

APPLICANT:

MJM PROPERTIES, INC.

LOCATION:

EUCLID STREET, NORTH OF ORANGEWOOD AVENUE AT 11301 AND 11251
EUCLID STREET

DATE:

OCTOBER 15, 2009

REQUEST:

To expand an existing mobile home park (El Dorado) by adding nine (9) new mobile home spaces, in conjunction with a Lot Line Adjustment to consolidate three parcels into a single parcel in the R-3 (Multiple Family Residential) zone.

Staff report was read and recommended approval. Two letters of concern were submitted anonymously, along with one additional letter by Richard Butera, and one aerial view of the Edison easement. Staff also provided contact information, to be posted within the mobile home park, for the Ombudsman with the Department of Housing and Community Development (HCD).

Commissioner Bui asked Staff if the City has any jurisdiction over the inadequacy of electricity for air conditioning for the mobile home park. Staff responded that the issue falls under Title 25 – the jurisdiction of the HCD, and is for the state to address; that the new mobile home sites will have 100 amps and that the existing 50 amps are from the 1950's.

Staff added that Title 25 is similar to a building code for manufactured homes; that the distribution, placement of the homes, utilities, electricity, sewer on property, water, road conditions, setbacks, installation and operation are part of Title 25, however, the City has jurisdiction over the sewer outside of the park.

Commissioner Cabral asked staff for the crime data for the mobile home park area. Staff replied that there are service calls to the property for various incidents; that the farmhouse is a haven for local gangsters and its subsequent removal would be beneficial.

Chair Beard asked Staff to clarify the role of the HCD Ombudsman. Staff replied that complaints are taken and distributed to the proper departments for action to be taken by the responsible parties.

Chair Beard asked Staff to clarify the tandem parking. Staff responded that the configuration for parking spaces is not under the City's jurisdiction, however, the number of parking spaces is, as related to the Site Plan and code; also, that park management could institute rules and regulations for the residents to follow.

Chair Beard asked for the sewer hook-up timeframe. Staff replied that the tentative estimate is fiscal year 2010-2011.

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

Mr. Daryl Christian, the applicant's representative, approached the Commission and stated that the applicant agrees with the Conditions of Approval including the new Condition No. 35; that the 50 amp panels are from the 1950's; that new mobile homes would be per today's code at 100 amps; and that the management team is responsible for the upkeep and maintenance of the mobile home park.

Mr. Richard Butera approached the Commission and expressed his concerns regarding trash being dumped between the retaining walls; people climbing over the fence; parking; RV storage; and evacuation exiting under the health and safety code.

Ms. Joni Roger approached the Commission and expressed her concerns with the safety of people jumping over the fences; activities at the abandoned house; RV storage; and apartment trash.

Ms. Jo Handson approached the Commission and expressed her concerns regarding the park electricity; brown outs; failure to maintain the park; chuck holes; gang problems at Palma Vista; trash; no air conditioning; pool and storage keys; driveways and exiting.

Mr. Dennis Woelful approached the Commission and expressed his concerns relating to the electrical capacity; that he has 100 amps but is not allowed to turn on the air conditioner; and concerns regarding assigned and guest parking spaces.

Mr. Bill Mecham, the property manager, approached the Commission.

Commissioner Tran asked Mr. Mecham if more trees could be planted. Mr. Mecham replied no, that increasing the amperage has been discussed but would be very expensive; that the parking is per the old standards and there is no space for additional parking; that the parking is tandem; that driveways could be extended; and that trees could cause sewer and utility problems.

Commissioner Ellsworth asked if the new owners would have air conditioning restrictions. Mr. Mecham replied that those units would have 100 amps, however, they would not have access to air conditioning; and that nine existing spaces have 100 amps.

Commissioner Cabral asked why air conditioning is not allowed. Mr. Mecham replied that the electrical draw would be too large and that even if residents offered to pay individually, the entire system would need to be revamped.

Chair Beard asked Mr. Mecham to clarify the trash enclosure issues. Mr. Mecham stated that new trash gates are in the design process and would be replaced within the next three to four months and that one new trash container would be installed for the new units.

Chair Beard asked Mr. Mecham to clarify the trash dumping issue. Mr. Mecham described that a former ten-foot wide driveway from Euclid St. to the ranch house has been blocked off; that people going into the mobile home park hop the block wall and the lower four-foot high fence; that

NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: KIRKHAM

Vice Chair Kirkham rejoined the meeting at 8:35 p.m.

PUBLIC HEARING: AMENDMENT NO. A-150-09
APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE
DATE: OCTOBER 15, 2009
REQUEST: To amend Title 9 (Zoning Ordinance) of the Garden Grove Municipal Code, which includes the re-organization of Title 9, the addition of new use definitions, and the correction of typographical errors.

Staff report was read along with a visual presentation and recommended approval.

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

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

Chair Beard asked if Staff made the revisions. Staff replied yes; that other city's formats were reviewed; that the effort took about a year and the new format would be helpful both for the public and Staff; that there would be a new mixed-use section; and that the new format would also be available on line.

Chair Beard moved to recommend approval of Amendment No. A-150-09 to City Council, seconded by Vice Chair Kirkham, pursuant to the facts and reasons contained in Resolution No. 5695. The motion received the following vote:

AYES: COMMISSIONERS: BEARD, BONIKOWSKI, BUI,
CABRAL, ELLSWORTH, KIRKHAM,
TRAN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

MATTERS FROM
COMMISSIONERS: Commissioner Ellsworth congratulated Sergeant Kevin Boddy on his promotion in December to Lieutenant Control Commander, and that everyone is invited to attend the Public Works Open House to be held on Saturday, October 24th, 2009 from 10:00 a.m. until 2:00 p.m.

Vice Chair Kirkham also congratulated Sergeant Boddy and recommended attending the Public Works Open House.

Commissioner Cabral asked Staff if the City charges a fee for solar permits as the City of Anaheim provides funds to residents for solar/green energy.

Staff responded that a valuation fee is charged, however, Garden Grove's fee may be one of the lowest; and that at this time, there is no discussion on green construction.

Commissioner Bonikowski asked Staff to explain the Zoning Administrator's duty regarding alcohol related Conditional Use Permits (CUP's).

Susan Emery, the Community Development Director, explained that she is the Zoning Administrator, a position that is in the Municipal Code; that City Council re-enacted the position about four years ago to move CUP's, that have a recommendation for approval and no controversy, through the process more expediently. Staff added that the hearings are noticed in the same manner as Planning Commission and that decisions of the Zoning Administrator could be appealed to the Planning Commission.

Chair Beard thanked Sergeant Boddy for his assistance with Planning Commission.

**MATTERS FROM
STAFF:**

Staff reported that the next regularly scheduled Planning Commission meeting would be November 5, 2009.

ADJOURNMENT:

Chair Beard moved to adjourn the meeting at 9:00 p.m., seconded by Commissioner Ellsworth. The motion received the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, KIRKHAM, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

JUDITH MOORE
Recording Secretary