

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
SEPTEMBER 18, 2008

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 BANKSON, BEARD, KIRKHAM, NGUYEN,
PAK, PIERCE

ABSENT: COMMISSIONER BRIETIGAM

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Karl Hill, Planning Services Manager; Lee Marino, Senior Planner; 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 Beard and recited by those present in the Chamber.

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Commissioner Beard moved to approve the Minutes of September 4, 2008, seconded by Commissioner Kirkham. The motion carried with the following vote:

AYES: COMMISSIONERS: BANKSON, BEARD, KIRKHAM,
NGUYEN, PAK, PIERCE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: BRIETIGAM

PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-142-08
CONDITIONAL USE PERMIT NO. CUP-242-08

APPLICANT: HAITHAM A. BUNDAKJI
LOCATION: EAST SIDE OF BROOKHURST STREET, NORTH OF STANFORD AVENUE AT
12620 TO 12732 BROOKHURST STREET

DATE: SEPTEMBER 18, 2008

REQUEST: A request by the city of Garden Grove to rezone the properties located at 12620, 12630, 12642, 12666, 12672, 12682, 12692, and 12732 Brookhurst Street, from OP (Office Professional) to C-1 (Neighborhood Commercial), in order to provide consistency between the General Plan Designation and the zoning. In conjunction with the request, the property owner of 12672 and 12682 Brookhurst Street is requesting Conditional Use Permit approval to expand an existing childcare facility. The proposed expansion includes combining both lots for parking and circulation, modifying the southerly property's building to accommodate such use, and expanding the play areas on these two lots.

Staff report was read and recommended approval.

Vice Chair Pak asked staff if the single ingress/egress on Brookhurst Street would be wide enough for cars to enter and exit at the same time. Staff replied yes.

Commissioner Beard asked staff to confirm that, due to the median, there would be no left turns on Brookhurst Street. Staff replied yes.

Commissioner Bankson asked staff to clarify the Office Professional Use. Staff responded that the existing daycare use is nonconforming, however, prior to the zone change to Office Professional, the General Plan Land Use Designation was Light Commercial, which allowed the daycare facility to be conforming to the General Plan Land Use designation.

Vice Chair Pak asked staff to confirm that the other six O-P properties that would be changed to C-1 would be conforming. Staff replied yes, that the current uses are already allowed in the C-1 zone; and that in some instances, C-2 properties could be downgraded to C-1's, and the uses would be considered legal nonconforming.

Vice Chair Pak disclosed that he had a conversation with Mr. Bundakji, the applicant, and Karl Hill and Steve Jones, with regard to ownership and reciprocal parking for the 12672 and 12682 properties; and that recently, a quick-claim deed from the applicant's brother to the applicant had been signed and notarized for the 12672 property, however, the quick-claim has not been recorded at the County Recorder's office.

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

Mr. Haitham Bundakji, the applicant, approached the Commission and submitted for their review, the notarized convenience deed, the quick-claim deed from his brother, and a power of attorney. The documents were then returned to the applicant.

Chair Pierce asked the applicant if he had read and agreed with the Conditions of Approval. Mr. Bundakji replied yes.

Ms. Sang Ah Rhee, the business operator, approached the Commission.

Commissioner Beard asked Ms. Rhee to state the hours of operation. Ms. Rhee replied that the hours are 7:30 a.m. to 6:00 p.m. Monday through Friday.

Mr. Nhan Ban Nguyen and Mr. Joseph Pellerin, approached the Commission and expressed that Children of Light is one of the best schools there is; that there are impressive performances and concerts; and that there is a difference in education.

Mr. John Han, the general contractor, approached the Commission and commented that the building would be renovated with new landscaping, a new parking lot, a new HVAC, and a new performance hall; and that his client has a heart for this project.

Commissioner Kirkham asked Mr. Han to describe the barrier between the schoolyard and the street. Mr. Han replied that a tubular fence would be installed.

Staff added that the fence would be situated fifteen feet from the property line; that one facility already has the playground in front; that the State and County do not have other requirements with regard to types of barriers; and that the cars would be traveling away from the development.

Ms. Thanh Ly approached the Commission and expressed that the school fits into her schedule as a working mother and that while her children attend they receive art education.

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

Commissioner Bankson asked staff to clarify if the school is required to be inspected once a year under its Conditional Use Permit. Staff replied that typically only alcohol CUP's require the one-year review, however, if problems were to arise, Code Enforcement would be sent out; that a State license is required and unannounced inspections would be done; and that regular inspections would be performed by the Fire Department with regard to safety issues.

Vice Chair Pak asked staff if there are designated parking areas for drop-off and pick-up of children. Staff replied that there is not a specific area, however, this would occur mainly in the front parking lot.

Commissioner Beard commented that this project would provide consistency to the General Plan zoning; and that there is a need for pre-school childcare.

Commissioner Kirkham agreed that this type of school is necessary; and that it is good the school is expanding.

Vice Chair Pak commented that the testimony is an indication that the children will have a place to grow and that he supports the project.

Commissioner Nguyen commented that the children are the future of the country and that education is important.

Commissioner Beard moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-142-08 to City Council, and approve Conditional Use Permit No. CUP-242-08, seconded by Commissioner Bankson. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, BEARD, KIRKHAM, NGUYEN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM

MATTERS FROM
COMMISSIONERS:

Commissioner Beard asked staff to clarify the timeline for the Buddhist Temple. Staff responded that an application through the public hearing process would be required to rezone the property in order to allow the Temple; that by State law, the application would be considered by Planning Commission; that staff would meet with the architect Monday to review the entitlement package; and that the Planning Commission could see the project possibly in November or December.

Commissioner Nguyen asked staff for clarification of the fire code for new buildings. Staff responded that the 2007 Edition of the Building Code has additional provisions for restaurants and other buildings to include fire sprinkler systems; that standards vary depending on the type of occupancy uses; and that specific regulation questions should be directed to the Building Services Division.

MATTERS
FROM STAFF:

Staff read a brief description of future Agenda items for the October 2, 2008 Planning Commission meeting.

ADJOURNMENT:

Chair Pierce moved to adjourn the meeting at 7:40 p.m., seconded by Commissioner Bankson. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, BEARD, KIRKHAM, NGUYEN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM

JUDITH MOORE
Recording Secretary