

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
OCTOBER 19, 2006

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 MARGOLIN,
COMMISSIONERS CALLAHAN, CHI, PAK, PIERCE
ABSENT: COMMISSIONER LECONG

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Paul Wernquist, Urban Planner; Maria Parra, Associate Planner; Dan Candelaria, Civil Engineer; Judith Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Pak moved to approve the Minutes of September 21, 2006, seconded by Vice Chair Margolin. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG
ABSTAIN:	COMMISSIONERS:	CHI

PUBLIC HEARING: AMENDMENT NO. A-128-06
APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE
DATE: OCTOBER 19, 2006

REQUEST: Consideration of an ordinance to establish waste reduction and recycling regulations for large events and venues.

Staff report was read and recommended approval.

Vice Chair Margolin asked staff if businesses potentially affected had been notified of the changes to reduce waste. Staff replied no; that this is a minimum requirement of what the law already provides; that this action must be adopted by the City Council; and that meeting with community groups to discuss waste reduction strategies would be a good idea.

Chair Jones commented that the regulations apply to both for-profit and non-profit organizations.

Commissioners Pak and Chi agreed that staff needs to look into the physical impact of the changes.

Staff clarified that the amount of recycled materials needs to be reported to the state annually; that the Amendment was publicly noticed in the newspaper; that a list of known groups and organizations could be notified as to what to expect prior to the City Council meeting; and that the Sanitation District might be able to assist with the events.

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

Mr. Charles Mitchell, Chairman of the Sanitary Advisory Commission, approached the Commission and agreed that notification was lacking and asked if the larger commercial enterprises such as Costco would be affected.

Staff pointed out that the regulation applies to community events such as the Strawberry Festival and large venue recycling applies to commercial enterprises; that the added paragraph in Section 9.08.060 is Item 4; and that Section 9.16.470 would be a new addition to the code.

Commissioner Chi asked staff how event attendance is tabulated. Staff replied that during the application process an estimate of attendance is required as public safety and traffic control is affected.

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

Vice Chair Margolin moved to recommend the approval of Amendment No. A-128-06 to City Council, with the suggestion that staff give advance notification to organizations that might be affected by the newly established waste reduction and recycling regulations prior to the City Council meeting, pursuant to the facts and reasons contained in Resolution No. 5570, seconded by Commissioner Chi. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, CHI, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG

PUBLIC HEARING:	SITE PLAN NO. SP-411-06
APPLICANT:	VUONG THOI
LOCATION:	WEST SIDE OF TAFT STREET, SOUTH OF FRANCES AVENUE, BETWEEN CENTURY BOULEVARD AND TRASK AVENUE AT 13311 TAFT STREET
DATE:	OCTOBER 19, 2006

REQUEST: To construct a two-story residential duplex on a 7,200 square foot lot. The total duplex living area will be 4,622 square feet, and each unit will have an attached two-car enclosed garage. The site is in the R-3 (Multiple-Family Residential) zone.

Staff report was read and recommended approval.

Commissioner Pak asked staff if the alleyway was an easement or a public thoroughfare. Staff replied that the alley would be publicly owned and maintained.

Chair Jones asked staff to clarify the open space on the front unit. Staff indicated that the front area would be the private open space and that a gate or opening would be conditioned for access to the rear unit.

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

Mr. Vuong Thoi, the applicant, approached the Commission.

Chair Jones asked Mr. Thoi if he had read and agreed with the Conditions of Approval. Mr. Thoi replied yes.

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

Commissioner Callahan moved to approve Site Plan No. SP-411-06, seconded by Commissioner Pak, and pursuant to the facts and reasons contained in Resolution No. 5571. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, CHI, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG

PUBLIC HEARING: SITE PLAN NO. SP-412-06
TENTATIVE PARCEL MAP NO. PM-2006-121
APPLICANT: BRYANT PHAM AND VALERIE & CHARLES TRINH
LOCATION: SOUTHEAST CORNER OF CHAPMAN AVENUE AND 9TH STREET AT 11512 CHAPMAN AVENUE
DATE: OCTOBER 19, 2006

REQUEST: To subdivide an existing 30,866 square foot lot into three (3) parcels, and to construct a two-story, single-family home on each lot. The site is in the R-1 (Single-Family Residential) zone.

Staff report was read and recommended approval. One letter of concern was written by Lloyd Jones.

Commissioner Chi asked staff if there were plans to relocate the 1917 home. Staff replied no.

Vice Chair Margolin asked staff to clarify the word 'minimize' with regard to windows facing the neighbor's property. Staff stated that windows might be combinations of high, obscure, or fixed to help minimize intrusion.

Commissioner Callahan commented that the corner property is a reminder of Garden Grove's earlier rural days and that the new homes would give the neighborhood an updated appearance.

Staff added that the 8'-0" wide sidewalk offset along Chapman Avenue would help with sight visibility concerns; that the northwest corner wall would be at the back of the sidewalk; that the properties are set back to accommodate the future intersection widening; and that on 9th street, the corner parking is not restricted.

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

Mr. Dung Sam, the applicant's representative, approached the Commission and stated that the applicant had read and agreed with the Conditions of Approval.

Commissioner Chi asked Mr. Sam if the homes were to be demolished. Mr. Sam replied yes, unless there is someone who wants to move the 1917 home, however, the home is not in good shape.

Chair Jones asked staff if a neighborhood meeting had been conducted with regard to the homes. Staff replied no.

Mr. Howard Dudley approached the Commission and stated that the smaller house facing 9th Street was moved to the site years ago; that he had concerns with regard to the red curb, three-car garages with people living in them, the site line from the second floor, future added rooms with no restrictions, and parking.

Chair Jones asked staff to clarify the granny unit square foot requirements. Staff stated that the use of the net developable lot area square footage would not allow the construction of a second unit; and that a second story addition would be allowed with window restrictions.

Chair Jones added that the red curb parking violations and garage living are code enforcement issues and that the Code Enforcement division is now under the Police Department.

Ms. Rosa Labra approached the Commission and expressed her concerns with parking, the house sizes, high density, student capacity at schools, and the rural appearance of the neighborhood.

Commissioner Callahan added that the school board has their own authority to regulate education and that property owners can develop their property to its best use.

Ms. Carol Garner approached the Commission and asked how the 1917 house was deemed insignificant. Staff replied that the 'guide' reviewed

places houses from high significance to worthy of note, and that designations are based on the architecture of the buildings.

Ms. Garner asked if the City had a historic preservation plan. Staff replied that the Historical Society monitors older structures; that the historical analysis was prepared approximately 20 years ago, with the survey covering over 100 houses and structures.

Ms. Garner added that part of progress is preserving our past and that salvage rights should be mandated.

Commissioner Pak cited the Stanley House on Euclid Street was a house saved for historical purposes, and is much older; and that there is still time to research the existing 1917 home.

Mr. Donald Ton, Ms. Leila Atallah, and Mr. Charles Mitchell approached the Commission and expressed their concerns with regard to privacy issues from the second floor windows, traffic, compatibility, landscaping, the history of the existing houses, and that the new homes would be entertainment homes with parking issues.

Staff responded that the applicant must comply with the condition to minimize visibility from the second story windows and that the number of parking spaces are per the R-1 zone requirement.

Commissioner Chi asked staff if the shared driveway would be red curbed. Staff replied yes, to keep the driveway clear.

Mr. Lloyd Jones, a member of the Garden Grove Historical Society, approached the Commission and expressed his concerns with regard to the increase in traffic, the number of houses proposed, and neighborhood safety.

Commissioner Chi asked Mr. Jones if he would facilitate between the owners of the 1917 house and the developer. Mr. Jones replied yes.

Ms. Kay Parcel approached the Commission and expressed her concerns with regard to accidents at the intersection, traffic, parking, visibility, and the proposed driveway location.

Staff added that the most safe location for a driveway is the road less traveled, and that in this case would be 9th Street; that the driveway needed to be as far away from the intersection as possible; that there is enough maneuvering room that the new residents do not need to back out of their driveway onto 9th Street; that there is more concern for traffic on major streets such as Chapman Avenue, as the traffic has higher speeds.

The applicant approached the Commission and stated that he believes the driveway configuration is the safest; that traffic would not be hindered at the corner; that the second story window in the family room is located in a high ceiling area; that the balcony is located 50 feet away from the property line; and that if necessary, he would be willing to work with staff to mitigate the issues.

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

Commissioner Chi asked staff to clarify the height of the block wall surrounding the property. Staff responded that a 7'-0" high block wall is conditioned at portions along 9th Street and that within the front setback the wall is restricted to 36 inches high for visibility purposes.

Vice Chair Margolin stated that as long as the code is correct, the parking is a first come, first serve issue, and that privacy issues should be maintained.

Commissioner Pierce commented that the three new houses would improve the neighborhood. Vice Chair Margolin agreed.

Chair Jones commented that impacts occur with change and though mansionization is an issue, he has no reservations about the project.

Commissioner Callahan moved to approve Site Plan No. SP-412-06 and Tentative Parcel Map No. PM-2006-121, seconded by Commissioner Pak, pursuant to the facts and reasons contained in Resolution No. 5572. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, CHI, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG

PUBLIC HEARING: MINOR MODIFICATION NO. MM-103-06
(REF. SITE PLAN NO. SP-374-05)
APPLICANT: CITY OF GARDEN GROVE
LOCATION: EAST SIDE OF LORNA STREET, NORTH OF GARDEN GROVE BOULEVARD
AT 12922 LORNA STREET
DATE: OCTOBER 19, 2006
REQUEST: A Minor Modification to an approved Site Plan (SP-374-05) to construct five townhouses on a 16,137 square foot lot. The request is to remove the requirement from the conditions of approval to place the utilities underground. The site is in the R-3 (T) (Multiple-Family Residential Transition) zone.

Staff report was read and recommended approval.

Commissioner Callahan asked staff to explain what has changed since the time the undergrounding of the applicant's utilities was approved. Staff replied that the applicant has spoken to the Engineering Department with regard to the difficulties to underground the utilities; and that the Engineering Department has agreed to leave the utilities not undergrounded; and that the applicant has a letter of support from Edison.

Chair Jones commented that the undergrounding should not have been included as a condition the first time around as the project was less than six units, however, staff had decided to leave the undergrounding condition in at that time.

Chair Jones asked staff for an update on the undergrounding issue. Staff replied that an attorney is preparing a draft ordinance to amend the undergrounding requirements.

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

Mr. Nhien (Henry) Dong approached the Commission and commented that he would like the power pole on the corner of the property fence to remain in place due to the cost of removal.

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

Commissioner Pak moved to approve Minor Modification No. MM-103-06 (Ref. SP-374-05), seconded by Commissioner Callahan, pursuant to the facts and reasons contained in Resolution No. 5576. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, CHI, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG

ITEM FOR
CONSIDERATION: GENERAL PLAN CONFORMITY
APPLICANT: CITY OF GARDEN GROVE
LOCATION: 11215 WESTMINSTER AVENUE
DATE: OCTOBER 19, 2006

REQUEST: Determination by the Planning Commission, per Government Code 65402, for the requirement for the finding of General Plan consistency concerning the sale of surplus City owned property.

Staff report was read and recommended approval.

Chair Jones moved to approve the General Plan Conformity, seconded by Vice Chair Margolin, pursuant to the facts and reasons contained in Resolution No. 5577. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, CHI, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG

ITEM FOR
CONSIDERATION: GENERAL PLAN CONFORMITY
APPLICANT: CITY OF GARDEN GROVE
LOCATION: NORTHEAST CORNER OF GARDEN GROVE BOULEVARD AND GROVE AVENUE

DATE: OCTOBER 19, 2006

REQUEST: Determination by the Planning Commission, per Government Code 65402, for the requirement for the finding of General Plan consistency concerning the vacation of a portion of old Grove Avenue.

Staff report was read and recommended approval.

Chair Jones moved to approve the General Plan Conformity, seconded by Commissioner Callahan, pursuant to the facts and reasons contained in Resolution No. 5578. The motion carried with the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, CHI, JONES, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	LECONG

MATTERS
FROM

COMMISSIONERS: Vice Chair Margolin asked staff if the Home Depot store met with the Steve Sheldon Group with regard to making 150 parking spaces available.

Commissioner Chi responded that the Main Street Association met with the manager of Home Depot and an arrangement was made.

Vice Chair Margolin addressed the illegal political signs on medians and poles and stated that people abuse the sign privilege.

Staff stated that those putting up the signs must be caught red-handed; that due process is a lengthy process for making changes in the system; that options could be to allow the signs only during a certain period of time or no signs on public right-of-ways; that signs do cost money; and that by the time papers were filed, the election would be over.

Vice Chair Margolin pointed out that the City spends time, money and labor to remove the signs, and in that case they should be left alone.

Commissioner Callahan commented that the reason the City removes signs is that complaints were received.

Commissioner Pak commented that he would like e-mails to let the Commissioners know that they have received mail at City Hall. The other Commissioners agreed.

MATTERS
FROM STAFF:

Staff stated that, due to a lack of Agenda items, the November 2, 2006 Planning Commission meeting would be canceled.

Staff read a brief description of the Agenda items for the November 16, 2006 Planning Commission meeting.

Staff also gave a brief overview on the General Plan Update, stating that a second General Plan Update Community Open House would be held on Wednesday, November 1, 2006 at the Embassy Suites Hotel from 4:30-7:30 p.m.; that the Economic consultant would complete his report by next week; that land use alternatives would be presented; and that eventually, the Planning Commissioners would learn of the land use alternatives.

ADJOURNMENT: The meeting was adjourned at 10:15 p.m.

JUDITH MOORE
Recording Secretary