

ZONING ADMINISTRATOR MEETING MINUTES

Garden Grove City Hall
11222 Acacia Parkway
Third Floor Training Room

June 23, 2011, 9:00 a.m.

Those present: Susan Emery, Zoning Administrator
Karl Hill, Planning Services Manager
Erin Webb, Senior Planner
Chris Chung, Associate Planner
Alana Cheng, Administrative Aide
Tom Keller, Fire Department
Ed Leiva, Police Department
Judy Moore, Recording Secretary

Susan Emery, Zoning Administrator, called the meeting to order at 9:00 a.m.

CONDITIONAL USE PERMIT NO. CUP-323-11

APPLICANT: Statewide Safety & Signs, LLC (Reuben Pacheco)

LOCATION: 13261 Garden Grove Boulevard

DATE: June 23, 2011

REQUEST: To operate a Contractor's Storage Yard business at 13261 Garden Grove Boulevard. The site was used by the ABC Bus Company for 16 years and most recently by La Mesa RV Center. The site is in the C-3 (Community Commercial) zone.

Staff report was reviewed and recommended approval, and modifications to the Conditions of Approval were also noted, such as a new irrigation system with more trees in six months; the removal of the pole sign in 90 days; to deter graffiti, shrubs would be removed; and obscure slat material would be used for the chain link fence.

The Zoning Administrator opened the public hearing and asked the applicant, Mr. Rueben Pacheco, if he was leasing the property. The applicant replied yes, that he has a five-year option to buy; that he would have sign manufacturing and retail sales of construction materials to contractors; that two facilities would be closed in order to make this facility the super center to be used as a model; that the estimated sales for the first year would be two million dollars; and that the point of sales would be the Garden Grove location.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Conditional Use Permit No. CUP-323-11, subject to the recommended conditions, and pursuant to the facts and reasons contained in Decision No. 1630-11.

CONDITIONAL USE PERMIT NO. CUP-324-11

APPLICANT: Project MotiVate, Inc.

LOCATION: 12345 Westminster Avenue

DATE: June 23, 2011

REQUEST: To allow a mentoring organization for Vietnamese American youth, Project MotiVate, to operate their nonprofit organization at 12345 Westminster Avenue. The proposed organization will be located on the second floor of an existing office building and will lease a classroom area of 2,000 square feet with the proposed hours of operation to be Monday through Thursday from 6:00 p.m. to 9:00 p.m. for study hall and tutoring, along with occasional monthly arts and crafts workshops for two hours on a Saturday or Sunday

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between the hours of 10:00 a.m. and 8:00 p.m. The site is in the C-1 (Neighborhood Commercial) zone.

Staff report was reviewed and recommended approval, with one modification to the conditions of approval to remove Condition No. 7.

Staff recommended that if any large events were to occur, there needed to be an open communication between the applicant and the Police Department in order to assist with traffic and parking issues.

The Zoning Administrator opened the public hearing.

Staff stated that the occupancy limit was 49 persons.

The Zoning Administrator asked the applicant's representative, Ms. Jessy Needham, if she had read and agreed with the Conditions of Approval. The applicant replied yes, and explained that students would be transported by their parents; that study hall would be once a week on Wednesday nights for three hours; that staff meetings had a maximum of ten adults; that monthly weekend events would be limited to 49 persons, staff included, and with students transported by their parents; and that this was a volunteer organization with no activities during the day.

Ms. Christina Lien added that the intent was to expand and that they now have 17 students.

The applicant also added that this would be a pilot office and they were applying for nonprofit status.

Staff further added that if the business did expand in this location, there were conditions that would be addressed through the conditions of approval.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Conditional Use Permit No. CUP-324-11, subject to the recommended conditions, and pursuant to the facts and reasons contained in Decision No. 1631-11.

CONDITIONAL USE PERMIT NO. CUP-325-11

APPLICANT: Moon Sperling

LOCATION: 9618 Garden Grove Boulevard, #125

DATE: June 23, 2011

REQUEST: To operate a new 5,060 square foot spa/health club, MK Wellness Center, within an existing multi-tenant shopping center, AR Galleria. The site is in the C-2 (Community Commercial) zone.

Staff report was reviewed and recommended approval.

Staff clarified the layout of the property and rooms noting that some rooms were private by appointment only, and others were for multiple customers.

The Zoning Administrator opened the public hearing.

Staff pointed out that if this facility were to include any massage, the applicant would have to adhere to the massage ordinance.

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The Zoning Administrator asked the applicant to clarify the spa treatments.

Mr. Paul Kim, the applicant's representative and architect, explained that the spa was different and would offer an infra-red treatment that would create inner energy for the body; that spa customers would wear heavy workout clothes and robes and not take showers until five hours after the treatment; that there would be a light snack area; that the rooms would have large glass windows; that some treatments would be by appointment with only one person in a room; that the west side would have a larger infra-red treatment area for male and female customers; that the only area to remove clothes would be the shower area; that Washington, D.C. had spa locations with the infra-red treatment; and that the treatment was common in Korea, but new in America.

Staff asked if the treatment would require a licensed doctor as there would be a concern with patrons wearing heavy garments in combination with a heat treatment. Mr. Kim replied that a license was not required.

The Zoning Administrator asked the applicant how the infra-red treatment would impact a customer's health.

Mr. Kim responded that other wellness centers have different spa rooms with heating pads and Jacuzzis, however, this facility would not have a Jacuzzi or medical doctor.

Ms. Moon Sperling, the owner/operator, added that there would be no machine for the infra-red treatment; that the treatment was common in Korea; that Washington, D.C. had approximately seven infra-red spa facilities; that the infra-red rays have positive energy, as from the sun, but without the sun's effects; that the body absorbs the rays from the heat, which is not hot, but humid; that the heat and infra-red rays were from the heating pads; that the technology was like a boiler system; that initially, they would sell the sweat pant/top uniforms, with people eventually bringing their own; and that the overall intent of the business was to sell the system.

The Zoning Administrator then understood that the intent of the business was to be the point of sale for the infra-red treatment system; that the system would need to be safe; and that the primary intent was to sell this spa equipment so that other spas could have the infra-red treatment.

Ms. Sperling added that some Los Angeles spas have similar infra-red treatments; that people know how good the treatments are; that the large room would be empty, like a gym, with a marble or wood floor with no tables, just benches, and people would sit and talk wearing their sweat clothes as infra-red beams filtered up from the floor with radiant heat and were absorbed through the body; and that the system to be sold would be a boiling system with steam.

Staff asked if the system would require a steam generator. Mr. Kim replied that the concrete in that area would be depressed 6" for an electric gas system.

The Zoning Administrator stated that the case was brought to the Zoning Administrator prematurely as the actual system would need further review by the Planning and Fire Departments to better understand the system, and that drawings or a better description would be sufficient.

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Ms. Jean Kim, the landlord, asked the Zoning Administrator if the case could be approved with the Conditions of Approval in place and then go through plan check at a later date.

The Zoning Administrator responded that further information was needed from the applicant. The Zoning Administrator then closed the public hearing and continued Conditional Use Permit No. CUP-325-11 to the July 28th, 2011 Zoning Administrator meeting, with the additional request that the applicant provide addresses and photos of similar businesses with the infra-red treatment system.

VARIANCE NO. V-190-11

APPLICANT: Nam Tran

LOCATION: 13822 Brookhurst Street

DATE: June 23, 2011

REQUEST: A Variance request, from Section 9.20.050.G of Title 9 of the City of Garden Grove Municipal Code, to exceed the maximum number of tenants permitted on a pylon sign. The site is in the C-2 (Community Commercial) zone.

Staff report was reviewed and recommended approval.

Fire Department staff asked if the added sign impeded any access of driveways. Staff replied no.

The Zoning Administrator asked staff if there was enough room on the existing sign to add the fourth sign. Staff replied yes.

The Zoning Administrator opened the public hearing and asked Ms. Stacie Tran, the applicant and manager of the restaurant, if she had read and agreed with the Conditions of Approval. Ms. Tran replied yes, and stated that the restaurant was doing well.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Variance No. V-190-11, subject to the recommended conditions, and pursuant to the facts and reasons contained in Decision No. 1633-11.

COMMENTS BY THE PUBLIC

None.

The meeting was adjourned at 9:50 a.m.

Judy Moore
Recording Secretary