

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
MARCH 16, 2006

CALL TO ORDER: The study session of the Planning Commission was called to order at 6:00 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR JONES, VICE CHAIR MARGOLIN, COMMISSIONERS CALLAHAN, CHI, LECONG, PAK

ABSENT: COMMISSIONER PIERCE

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Paul Wernquist, Urban Planner; Joe Polisar, Police Chief; Kevin Raney, Police Department; Patrick Thrasher, Police Department; Bruce Prince, Police Department; Robert Fowler, Police Department; Moon Lim, Volunteer Planning Intern; Judy Moore, Recording Secretary.

1. Alcoholic Beverage Control Licenses:
Item discussed.
2. Conditional Use Permits:
Item not discussed.
3. Brief description of future agenda items:
Description moved to Regular Session at 7:00 p.m under Matters From Staff.

CALL TO ORDER: The regular meeting of the Planning Commission was called to order at 7:20 p.m. in the Council Chambers of the Community Meeting Center.

PRESENT: CHAIR JONES, VICE CHAIR MARGOLIN,
COMMISSIONERS CALLAHAN, CHI, LECONG, PAK

ABSENT: COMMISSIONER PIERCE

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Paul Wernquist, Urban Planner; Robert Fowler, Police Department; Dan Candelaria, Civil Engineer; Moon Lim, Volunteer Planning Intern; Judith Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF

MINUTES: Commissioner Chi moved to approve the Minutes of March 2, 2006, seconded by Vice Chair Margolin. The motion carried with the following vote:

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

ITEM FOR CONSIDERATION: RESOLUTION AFFIRMING APPROVAL OF CONDITIONAL USE PERMIT NO. CUP-180-06

DATE: MARCH 16, 2006

Resolution affirming approval was reviewed and staff recommended amending Condition of Approval No. 16 by adding that at the request of the City, an audited statement shall be provided by the applicant with regard to the gross sales of alcoholic beverage sales not exceeding the 35% of the sales of food. Staff stated that this is a standard condition.

With the public hearing remaining open from March 2, 2006, Chair Jones asked if there was further testimony in favor of or in opposition to the request.

Ms. Juliet Nguyen, the applicant, approached the Commission.

Chair Jones asked Ms. Nguyen if she had read and agreed with the Resolution and Conditions of Approval. Ms. Nguyen replied yes and asked if Condition Nos. 5 and 6 needed to be met before she was granted her CUP.

Staff replied yes, that the applicant must include compliance with Condition Nos. 5, 6, and 37 prior to the issuance of the CUP. Staff pointed out that the 'maintenance deficiencies' in No. 37 that needed to be corrected included: a portion of the garage is closed during business hours, there are trash and signage issues, and illegal businesses operating on the property such as illegal storage of taxi-cabs and other illegal vehicle storage.

Staff also reiterated that the CUP runs with the land and that property maintenance conditions are a standard requirement; also, that the owner is made aware that the property must be in compliance with code before the tenant can receive the CUP.

Commissioner Chi asked staff if discussions have taken place with regard to the property maintenance. Staff replied that Code Enforcement has been working with the property owner and that the issues must be resolved regardless of the CUP.

Ms. Nguyen commented that as a tenant she should not be penalized by not getting her CUP because the property owner does not make the corrections.

Staff explained that the CUP is a benefit to the property owner; however, the City does not want to issue benefits when City laws have not been complied with, and that when the property owner comes into compliance, the City will provide the benefit. Staff further commented that the City is actually protecting the tenant, the public, and residents by requiring that the property meets code, and that since the CUP runs with the land, if the tenant moves, the landlord can bring in another tenant under the same CUP to continue the business.

Mr. Fred Llano, the property owner/landlord, approached the Commission and stated that the tenant had misrepresented herself for the CUP process, in that the applicant would not sign a letter he drafted on February 17, 2005. Mr. Llano then requested his name be withdrawn from the original application; that the violations were minor; that the taxi-cab company has a few vehicles that are parked on his property; that he is not aware of other illegal businesses; that some of the trash issues are caused by the tenant's own patrons; and that he has a gardening and maintenance crew come out once a week.

Staff then stated that if the intent of the property owner, Mr. Llano, is to formally and clearly withdraw his authority for the tenant to proceed with the application, by asking to remove his signature from the application, the case would be withdrawn.

Staff additionally explained that even though the case would be withdrawn, if the property owner was still in violation of the code, Code Enforcement staff would continue to monitor the property until compliance was gained; that if an agreement could be made between the owner and the tenant, the case could be continued off-calendar with a re-advertisement; and that if the case was formally withdrawn the applicant could reapply and pay the fees again.

Chair Jones asked Mr. Llano if he wanted to withdraw the CUP.

Mr. Llano stated that he would withdraw.

PUBLIC HEARING:	NEGATIVE DECLARATION SITE PLAN NO. SP-391-06 TENTATIVE PARCEL MAP NO. PM-2006-102 DEVELOPMENT AGREEMENT
APPLICANT:	BURKE REAL ESTATE GROUP
LOCATION:	NORTHEAST CORNER OF ORANGEWOOD AVENUE AND MONARCH STREET AT 7301 ORANGEWOOD AVENUE
DATE:	MARCH 16, 2006
REQUEST:	To subdivide the approximately 13.1 acre site into five (5) parcels of land. The subdivision will reflect the retention of the existing Saint Gobain Industrial Building of approximately 142,800 square feet on a 9.34 acre parcel (Parcel 1), and will create four (4) new parcels on the north portion of the site with each parcel to be improved with an industrial building that allows for multi-tenant occupancy. The combined four parcels total 3.75 acres, with the combined area of the four new buildings to be 64,034

square feet. The site is in the Irvine Industrial Planned Unit Development zone.

Staff report was read and recommended approval.

Commissioner Lecong asked staff to explain multi-tenant occupancy.

Staff stated that the buildings are designed for one, or more than one tenant, with partitioned spaces for several tenant uses.

Commissioner Pak asked staff to clarify the second emergency access.

Staff stated the emergency access would be located on the Saint Gobain property; that it would channel out to Monarch Street between the two buildings; and that there is sufficient turning radius for trucks and cars.

Commissioner Pak asked staff if the parking exceeding the requirement. Staff replied yes.

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

Mr. William Skinner, the applicant's representative and project architect, approached the Commission and stated that the applicant had read and agreed with the Conditions of Approval.

Vice Chair Margolin commented that the project looked good.

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

Chair Jones expressed his support of the project.

Chair Jones moved to adopt the Negative Declaration, recommend the Development Agreement to City Council, and approve Site Plan No. SP-391-06, and Tentative Parcel Map No. PM-2006-102, seconded by Commissioner Callahan, pursuant to the facts and reasons contained in Resolution No. 5539. The motion carried with the following vote:

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

PUBLIC HEARING:	SITE PLAN NO. SP-392-06
APPLICANT:	HEWSON PROPERTIES/ GARDEN GROVE, LLC
LOCATION:	EAST SIDE OF GILBERT STREET, NORTH OF CHAPMAN AVENUE AT 11900 GILBERT STREET
DATE:	MARCH 16, 2006
REQUEST:	To construct a one-story, 12,500 square foot office building on an approximately 47,000 square foot lot. The building is proposed to be used by the Social Security/ General Services Administration (GSA). The site is

in the BCSP-OE (Brookhurst-Chapman Specific Plan - Office Entertainment) zone.

Chair Jones moved to continue the case to April 6, 2006, seconded by Commissioner Chi. The motion carried with the following vote:

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

MATTERS

FROM

COMMISSIONERS: Commissioner Pak thanked the Commission and staff for their support and stated that he was happy to be on the Planning Commission. He also commented that Susan Emery would be a great Garden Grove representative in Korea.

Chair Jones commented to his fellow Commissioners that the Form 700 documents, from the City Clerk's office, needed to be completed and returned to Ruth Smith by Thursday, March 30, 2006.

Staff added that as a new Commissioner, Commissioner Pak has 30 days from the date he signed on as Planning Commissioner to return his Form 700.

MATTERS

FROM STAFF:

Staff read a brief description of future Agenda items for the April 6, 2006 Planning Commission meeting.

Staff also stated that Karl Hill is the new Planning Services Manager; that with the retirements of Directors Steve Larson, Cal Reitzel and Kathy Porter, there could be departmental reorganizations; that City Council authorized the hiring of RBF Consulting for the General Plan update, and that Erin Webb would take the lead; that the RBF hire would include two sub-consultants, a transportation consultant to develop a traffic model, and an economic development consultant to develop a land-use strategy; that the General Plan is required by law to be updated and that this would be a good opportunity for review of land-use decisions; that the Planning Commission would play a critical role as the land-use amendments would be put before them; that there would be newsletters, workshops, and a web page showing alternatives for the public; and that the General Plan is reviewed every ten years particularly for environmental purposes and current traffic analysis.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

JUDITH MOORE
Recording Secretary