

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
APRIL 6, 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, LECONG, PAK, PIERCE
ABSENT: CHI.

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Karl Hill, Planning Services Manager; Paul Wernquist, Urban Planner; Maria Parra, Associate Planner; Keith Jones, Public Works Director; Greg Blodgett, Economic Development Project Manager; Judith Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Pak moved to approve the Minutes of March 16, 2006, seconded by Chair Jones. The motion carried with the following vote:

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

PUBLIC HEARING: VARIANCE NO. V-139-06
APPLICANT: DEMETRIO GOVEA
LOCATION: SOUTH SIDE OF DANIEL AVENUE, WEST OF WEST STREET AT 11962 DANIEL AVENUE
DATE: APRIL 6, 2006

REQUEST: To allow a new single-family home to encroach into the front setback. The site is in the R-1 (Single-Family Residential) zone.

Staff report was read and recommended approval.

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

Mr. Marco Armada, the applicant's representative and drafter of the plans, approached the Commission and stated that construction started when the plans were approved by the City; that measurements were taken from the street, not the property line; that there was no sidewalk, which caused confusion; that an inspector approved the foundation location and construction started; that another inspector came and measured the property and stated the setbacks were not correct and subsequently issued a stop order; that since then, the owner has tried to get a Variance; and that the owner does not want a sidewalk, and wishes to have grass all the way to the curb.

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

Commissioner Pak asked Mr. Armada if the same construction company would complete the project? Mr. Armada replied that the applicant is the owner/builder and that he is responsible for completing the project.

Chair Jones noted for the record that two letters were written in support of the Variance from the Rodriguez Residence and Rowena Earnest.

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

Vice Chair Margolin commented that normally he would not support such a project, however, other neighboring residences were not complying with code; and that unfinished, the project is an eyesore.

Commissioner Callahan expressed his support based on the history of the City taking the land to widen West Street.

Commissioner Pak expressed his support seeing that there were no plans to widen Daniel Street and asked staff if there was a condition regulating any protrusions that might occur from the patio onto Daniel Street.

Staff replied that Condition No. 3 addresses setback reductions.

Commissioner Lecong asked staff if this case would set a precedent.

Staff replied that Variances are viewed on a case-by-case basis as each property is unique, and that the precedent is for this property only in that the future owners will enjoy the property entitlements.

Vice Chair Margolin commented that a precedent has been set in that there are other houses in the vicinity that are nonconforming.

Commissioner Pak stated that it was good that the balcony is in the front because if it was in the back there would be a privacy issue.

Commissioner Pierce expressed his support stating that the project would be an improvement.

Chair Jones agreed and commented that the improvement would add value.

Chair Jones moved to approve Variance No. V-139-06, seconded by Commissioner Callahan, pursuant to the facts and reasons contained in Resolution No. 5543. The motion carried with the following vote:

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

PUBLIC HEARING: NEGATIVE DECLARATION
PLANNED UNIT DEVELOPMENT NO. PUD-111-06
SITE PLAN NO. SP-393-06
VARIANCE NO. V-138-06
TENTATIVE TRACT MAP NO. TT-17022
DEVELOPMENT AGREEMENT
APPLICANT: LV DEVELOPMENT, INC.
LOCATION: WEST SIDE OF NELSON STREET, NORTH OF STANFORD AVENUE AT 12661
NELSON STREET
DATE: APRIL 6, 2006
REQUEST: To change the zoning of the 1.3 acre property to Planned Unit Development Residential (PUD-R); Variance approval to deviate from the minimum three acre lot size requirement for a residential Planned Unit Development; Site Plan approval to construct 12 two-story and three-story single-family detached homes; Tentative Tract Map approval to create the subdivision to allow for the sale of the homes on individual lots; and a Development Agreement. The site is in the CCSP-PR 11 (Community Center Specific Plan-Peripheral Residential PR 11) zone.

Chair Jones moved to continue the case to May 4, 2006, seconded by Commissioner Lecong. The motion carried with the following vote:

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

PUBLIC HEARING: SITE PLAN NO. SP-392-06
DEVELOPMENT AGREEMENT
APPLICANT: HEWSON PROPERTIES/ GARDEN GROVE, LLC
LOCATION: EAST SIDE OF GILBERT STREET, NORTH OF CHAPMAN AVENUE AT 11900
GILBERT STREET
DATE: APRIL 6, 2006
REQUEST: To construct a one-story, 12,411 square foot office building on an approximately 47,819 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.

Staff report was read and recommended approval. Staff also commented with regard to the turning movements in and out of the access on Gilbert Street and that the City would remove the possible left-turn-in and left-

turn-out maneuvers due to liability issues which would limit the access to a right-turn-in and right-turn-out only.

Chair Jones asked staff who owns the street at the signal between Costco and 24-Hour Fitness? Staff replied that the road was owned by Mr. Hughs.

Vice Chair Margolin asked staff if the sewer had capacity. Staff replied that there would be a short-term improvement upstream of the project to reduce the flow and that would allow the capacity to tie into the sewer, and that the permanent improvement would occur in two years.

Vice Chair Margolin asked staff if the GSA building would be a new building, in addition to the existing building, or would GSA move to this new building? Staff replied that GSA would move.

Commissioner Pak asked staff to explain what would help prevent cars from running into the building, especially near the glazed front entrance, if there is no barrier in the front of the building?

Staff replied that a raised curb/sidewalk, acting as a bumper, would be one preventive to help stop cars from colliding with the building.

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

The applicant's representatives, Mr. Dave Lord with the Hewson Company, and Mr. AJ Wilder with Wolcott Architects, approached the Commission.

Chair Jones asked Mr. Lord if he had read and agreed with the Conditionals of Approval.

Mr. Lord replied yes. He also asked staff if matching the aesthetics of the north and south elevation to look like that of the west elevation was required, in that the mesh fence to the south, and the block wall on the north elevation, partially block the south elevation.

In addition, Mr. Lord asked the Commission to re-consider revising the plan to include an additional 320 square feet of landscaping; that the front would be bermed with additional landscaping to the north side, along with mesh fence on the south boundary; that the project has 52 parking spaces, though only 50 are required by code; and that there would be approximately 30 part-time employees in the facility at one time.

Vice Chair Margolin commented that traffic would be unique and asked Mr. Lord if only 22 parking spaces would then be left for client use. Mr. Lord replied yes.

Commissioner Callahan concurred with Vice Chair Margolin and cited that he too had several unsatisfactory parking experiences at the existing GSA building.

Mr. Lord commented that the new GSA building would be a destination with no ancillary businesses to interfere with parking; that they had tried to get an easement access to the Promenade Shopping Center, but were

unsuccessful; and that they would like to reduce the compact parking spaces from 13 to 10.

Chair Jones asked Mr. Lord what type of clientele comes into GSA.

Mr. Joel Hewson approached the Commission and stated that people come in to get social security checks, and that demographics are done for each project area.

Chair Jones asked Mr. Lord to clarify his question with regard to the aesthetics of the north, south and west elevations.

Mr. Lord replied that the north and south elevations are not visible to the public and that matching the west elevation would be an additional cost.

Staff explained that the southwest corner of the building is the primary entrance, and due to the building being 'flat', it is important that the north and south elevations be textured to match the west. Staff also stated that the height of the building would project above the 6'-0" high fence.

Commissioner Pak asked if any loading or unloading would occur?

Mr. Wilder stated that only trucks, similar to UPS or Office Max delivery trucks, would deliver goods in hand-held boxes.

Chair Jones asked Mr. Lord if he had questions with regard to the 'right-turn-in, right-turn-out' issue. Mr. Lord replied that if the improvement was necessary, he would accept it.

Staff interjected that the City is addressing the issue with Mr. Hughs to hopefully gain access to the Costco driveway.

Commissioner Pak asked Mr. Lord if adequate emergency exits were included for the project. Mr. Lord replied yes, however, there is limited access for security reasons.

Commissioner Pak asked if Gilbert Street could be widened into the parking lot to make a right-turn lane. Mr. Lord replied that there is not enough property frontage.

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

Vice Chair Margolin asked staff for their view on the parking issue. Staff replied that the parking complies with code for Office Professional buildings, and in fact, is over-parked by two spaces.

Vice Chair Margolin commented that though there are parking concerns, the project is an improvement, with better visibility, and he would support it. Commissioners Callahan, Pierce, Lecong, and Pak agreed, with Commissioner Pak commenting that the project is a nice addition for senior citizens.

Chair Jones also agreed that there are parking and traffic concerns, and though the project is not perfect, he expressed his support. Chair Jones then re-opened the public hearing.

Mr. Joel Hewson approached the Commission and asked for clarification on the raised median. Chair Jones stated that the driveway is too close to the intersection and is a liability.

Mr. Merle Eide approached the Commission and asked if the Costco parking lot could be used for the GSA parking. Chair Jones stated that the City does not own the Costco parking lot.

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

Commissioner Pak moved to recommend the Development Agreement to City Council, and approve Site Plan No. SP-392-06, seconded by Commissioner Callahan, pursuant to the facts and reasons contained in Resolution No. 5540. The motion carried with the following vote:

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

ITEMS FOR
CONSIDERATION:
DATE:

ADOPTION OF CODE OF ETHICS
APRIL 6, 2006

REQUEST:

An annual acknowledgement for the City's Code of Ethics for Public Officers and Employees.

MATTERS
FROM
COMMISSIONERS:

Commissioner Margolin asked staff if there was an update on the Stanford Street issue with regard to a neighbor's construction, and whether or not it was legally permitted. Staff replied that Code Enforcement had not yet investigated the matter but would soon.

Commissioner Pak commented that while Susan Emery, the Community Development Director, is in Korea, she will attend a meeting with Planners with regard to the increase in population in our sister city of Anyang, due to newly developed 25 story condominiums.

MATTERS
FROM STAFF:

Staff stated that a 'hand-out' and a workshop is being prepared for the Commissioners with regard to the Brown Act; that Commissioner Chi would attend the two-day water inspection facilities trip; and staff read a

brief description of future Agenda items for the May 4, 2006 Planning Commission meeting.

ADJOURNMENT: The meeting was adjourned at 8:25 p.m.

JUDITH MOORE
Recording Secretary