

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
AUGUST 4, 2011

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.

Commissioners Brietigam, Pak, and Silva were excused from the meeting due to property interests within the proposed Mixed Use zones.

PRESENT: COMMISSIONERS BUI, CABRAL, DOVINH, LAZENBY
ABSENT: BRIETIGAM, PAK, SILVA

ALSO PRESENT: James Eggart, Assistant City Attorney; Lee Marino, Senior Planner; Erin Webb, Senior Planner; Laura Stetson, Hogle-Ireland; John Kaliski, Urban Studio; Judith Moore, Recording Secretary

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Commissioner Dovich moved to approve the Minutes of July 7, 2011, seconded by Vice Chair Cabral. The motion carried with the following vote:

AYES: COMMISSIONERS: BUI, CABRAL, DOVINH, LAZENBY
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: BRIETIGAM, PAK, SILVA

PUBLIC HEARING: NEGATIVE DECLARATION
GENERAL PLAN AMENDMENT NO. GPA-1-11(A)
AMENDMENT NO. A-160-11
AMENDMENT NO. A-161-11

APPLICANT: CITY OF GARDEN GROVE
LOCATION: VARIOUS AREAS IN THE CITY OF GARDEN GROVE
DATE: AUGUST 4, 2011

REQUEST: A request for Planning Commission recommendation to City Council for the adoption and implementation of Mixed Use Regulations and Development Standards (Chapter 9.18 of the Land Use Code), along with focused amendments to the General Plan Land Use policy map and changes to the Zoning Map to achieve consistency with the City of Garden Grove's General Plan. The Land Use Code text amendments and zone changes are intended to implement the General Plan, which was comprehensively updated in 2008. The focused amendments to the General Plan Land Use policy map are proposed to reflect refined policy considerations that have

emerged through the process of analyzing the Zoning Map in relation to the Mixed Use applications near or next to designated Mixed Use land use designations. The proposed project consists of changes to regulatory documents that guide the development of properties citywide. The project will not directly result in any new construction.

The proposed project will affect all properties with a current General Plan Land Use designation of Civic Center Mixed Use, Residential/Commercial Mixed Use 1, Residential/Commercial Mixed Use 2, Residential/Commercial Mixed Use 3, and Industrial/Residential Mixed Use 2, located in various areas throughout the City.

Additionally, the General Plan Land Use designation of specific parcels, generally located on Garden Grove Boulevard and along the north and south sides of Chapman Avenue, west of Brookhurst Street, east of Gilbert Street, are proposed to be designated as follows with the appropriate zoning applied:

General Plan Land Use designation changing from Light Commercial to Residential/Commercial Mixed Use 2:

9561 Chapman Ave.	APN#132-402-36	9845 Chapman Ave.	APN#132-402-12
9885 Chapman Ave.	APN#132-402-38	9917 Chapman Ave.	APN#132-402-34
9741 Chapman Ave.	APN#132-402-37	11971 Brookhurst St.	APN#132-402-09
9591 Chapman Ave.	APN#132-402-16		APN#132-402-20
9665 Chapman Ave.	APN#132-402-18		APN#132-402-02
9755 Chapman Ave.	APN#132-402-13	9852 Chapman Ave.	APN#133-111-20
9862 Chapman Ave.	APN#133-111-50	9872 Chapman Ave.	APN#133-111-47
12031 Brookhurst St.	APN#133-111-04	12055 Brookhurst St.	APN#133-111-51
12105 Brookhurst St.	APN#133-111-52	12152 Brookhurst St.	APN#133-111-06
12181 Brookhurst St.	APN#133-111-24,54	12221 Brookhurst St.	APN#133-111-32
	APN#133-111-42		APN#133-111-02
	APN#133-123-01		APN#133-111-34

General Plan Land Use designation changing from Light Commercial to Residential/Commercial Mixed Use 2:

9564 Garden Grove Blvd.	APN#098-222-04	9622 Garden Grove Blvd.	APN#098-222-24
9630 Garden Grove Blvd.	APN#098-222-36,39	9628 Garden Grove Blvd.	APN#098-222-35,38
9626 Garden Grove Blvd.	APN#098-222-37	9656 Garden Grove Blvd.	APN#098-222-06
9636 Garden Grove Blvd.	APN#098-222-16	9672 Garden Grove Blvd.	APN#098-206-01
13041 Galway St.	APN#098-206-02	13061 Galway St.	APN#098-206-03
13091 Galway St.	APN#098-206-04	9473 Larson Ave.	APN#098-222-13
13091 Galway St.	APN#098-222-22		
9471 Larson Ave.	APN#098-222-12	13101 Verner Dr.	APN#098-222-18
13051 Benton St.	APN#099-052-53		APN#099-052-30
10672 Garden Grove Blvd.	APN#099-052-39	10652 Garden Grove Blvd.	APN#099-052-20
10642 Garden Grove Blvd.	APN#099-052-51	10622 Garden Grove Blvd.	APN#099-052-54

General Plan Land Use designation changing from Light Commercial to Residential/Commercial Mixed Use 3:

10602 Garden Grove Blvd.	APN#099-052-56	13062 Cypress St.	APN#099-052-46
10562 Garden Grove Blvd.	APN#099-052-55	10502 Garden Grove Blvd.	APN#099-051-46
10510 Garden Grove Blvd.	APN#099-051-27	10526 Garden Grove Blvd.	APN#099-051-52
10524 Garden Grove Blvd.	APN#099-051-53	10552 Garden Grove Blvd.	APN#099-051-30
13031 Cypress St.	APN#099-051-54	13041 Cypress St.	APN#099-051-29
13051 Cypress St.	APN#099-051-08		

General Plan Land Use Designation changing from Civic Institution to Residential/Commercial Mixed Use 1:

10422 Garden Grove Blvd. APN#099-051-51

General Plan Land Use designation changing from Medium Density Residential to Residential/Commercial Mixed Use 3:

13061 Cypress St. APN#099-051-09

General Plan Land Use designation changing from Residential/Commercial Mixed Use 2 to Residential Commercial Mixed Use 3:

10702 Garden Grove Blvd.	APN#099-082-23	13011 Century Blvd.	APN#099-082-01
13032 Benton St.	APN#099-082-48	13042 Benton St.	APN#099-082-49
13031 Nelson St.	APN#099-082-02	13041 Nelson St.	APN#099-082-03

Staff report was read and recommended approval and staff added that the Initial Study and Negative Declaration were published, posted at the County, and circulated from June 30th to July 20th for public review.

Ms. Laura Stetson of Hogle-Ireland presented an overview of the project stating that the previously approved General Plan was the foundation for the draft zoning regulations that included a vision for the development and design standards that would be part of the City's zoning code in order to raise the quality of development and allow for land use flexibility.

Ms. Stetson also mentioned that a website, called 'ggzoningupdate.com', was available to read material on the Mixed Use Zone; that the community wanted to keep Garden Grove the same and protect the single-family neighborhoods, however, they also agreed that certain areas needed attention and these areas were designated Mixed Use; and that the Mixed Use vision was flexibility for development.

The presentation included a zone map with an explanation of the following zoning terms: Residential/Commercial Mixed Use 1 (GGMU-1: Garden Grove Blvd. High Intensity), Residential/Commercial Mixed Use 2 (GGMU-2: Garden Grove Blvd. Low Intensity and NMU: Neighborhood Mixed Use), Residential/Commercial Mixed Use 3 (GGMU-3: Garden Grove Blvd. Moderate Intensity), Civic Center Mixed Use (CC-1: Civic Center East, CC-2: Civic Center Main Street, CC-3: Civic Center Core, CC-OS: Civic Center Open Space), Industrial/Residential Mixed Use 2 (AR: Adaptive Reuse Mixed Use).

Ms. Stetson noted that General Plan Amendments could be used for Mixed Use Adjustments to the General Plan in order to include additional areas of Mixed Use, such as five areas that need to be expanded along Garden Grove Boulevard, along with fringe areas for Neighborhood Mixed Use, and on Chapman Avenue; that property owners could keep what they own, however, flexibility would allow owners and developers to change in the future; and that the sign code was changed to allow tall monument signs in the Mixed Use area.

Mr. John Kaliski expressed that the new standards would focus on pedestrian friendly developments that connect with existing residential communities such as creating Mixed Use destinations and nurturing a boulevard's identity with setbacks, landscaping and pleasurable walking environments along with buildings of different heights in specific zones, noting that the new development standards would include 'bulk and mass standards', 'setback standards', 'building and parking standards', and 'building at sidewalk standards'.

Mr. Kaliski added that the Civic Center Mixed Use opportunities included realizing a 'main street' by way of establishing a town center that would mix residential, retail, and civic/institutional uses, and storefronts, along with enhanced open space.

He cited that Neighborhood Mixed Use standards would include focus areas outside of Garden Grove Boulevard near Chapman Avenue, Valley View Street, Brookhurst Street, and Katella Avenue for flexible Mixed Use for the majority of the one-story shopping centers; that the reuse of the existing areas with different building heights and open areas could create village centers with brand retailing, locally owned businesses and live-work residential units.

He then explained the vision of the Adaptive Reuse zone that would include light industrial uses, less residential uses, and more creativity such as the adaptive reuse of a warehouse into shops and offices.

He added that additional general development standards for all Mixed Use zones would include 'building articulation', 'at-grade windows', 'façade length', 'pedestrian orientation', 'setbacks', and 'transitions to residential'.

Ms. Stetson reiterated that the standards were to protect single-family residential areas, but also to have flexibility. She also mentioned that a 'red-lined' copy of the draft Mixed Use code, that included changes such as typographical error corrections, was distributed to Commissioners at the beginning of the meeting.

Commissioner Lazenby asked staff to explain a Negative Declaration. Ms. Stetson stated that a Negative Declaration was a good thing; that subject to California Environmental law, projects, ordinances, and the General Plan were subject to review for any environmental impact as a result of anything being built, and if there were no impacts, this would result in a Negative Declaration.

Commissioner Lazenby asked staff to clarify the purposes of the addresses listed on the agenda pertaining to this case. Staff responded that the addresses were properties added to the Mixed Use zones, as they were originally left out of the General Plan, but now should be considered.

Commissioner Dovinh asked staff to clarify the next phase if the recommendation to City Council is voted yes or no. Staff explained that the Planning Commission was to make a recommendation to City Council to adopt, to not adopt, or adopt with revisions.

Commissioner Dovinh asked staff if parks were encouraged as a part of the Mixed Use vision. Also, if any developers were interested in the Mixed Use flexibility, and what was the website traffic and feedback?

Staff responded that in regard to residential development, the City takes in 'park-in-lieu' fees to enhance parks and/or to acquire new park land, and that this zoning would give standards for developers to use their private property; that to get a park, an action by the City would be required to acquire land and create a new park as the General Plan requirements were different.

Commissioner Lazenby added that the Parks and Recreation Commission was sensitive to putting in parks and green belts.

Staff did not know the number of website hits, however, property owners along Garden Grove Boulevard were interested in Mixed Use and some owners, though not originally part of the Mixed Use areas, wanted to be included for the flexibility. Also, developers such as Olson and Brandywine were interested and waiting for these development standards. Staff added that flexibility limits, such as for building heights, were previously established by the General Plan, however, the General Plan Amendment and Planned Unit Development (PUD) processes would allow for special standards.

Commissioner Dovinh expressed his concern with neighboring city Mixed Use projects that were unsuccessful and caused urban blight, and asked if

affordable housing for seniors and low-income housing was factored into the Mixed Use vision.

Ms. Stetson responded that the developers and owners would make the choices for the type of units such as market rate units or affordable low-income housing. Also, the Conditional Use Permit process would assist with projects that may not be compatible.

Vice Chair Cabral asked staff if there was negative feedback from stakeholders. Mr. Kaliski responded that concerns included over development and uses affecting the quality of life because generally, people were nervous about new development. Ms. Stetson added that without the Mixed Use ordinance, projects would become developments by negotiation.

Vice Chair Cabral emphasized that the plan provides standards for the City and reflects a vision while being able to maintain a type of control.

Chair Bui referred to Section 9.18.020.070 and asked staff to clarify 'C. Changes in Use', when after approval, a mixed-use building shall not be converted to entirely residential use.

Ms. Stetson responded that in certain Mixed Use zones, such as Garden Grove Mixed Use 1, and especially the Neighborhood Mixed Use (NMU), the City would like to keep a commercial presence in a residential area to serve the neighborhood. Also, the minimum requirement would be measured by a percentage, such as a .2 FAR (Floor Area Ratio) for commercial uses; that more information was available in tables 9.18-2 and 9.18-5; and that Item C would be modified for better clarification.

Chair Bui referred to Section 9.18.050, Adult Entertainment Uses, Subsection 9.18.050.040 and asked staff to clarify the distance requirements for a Mixed Use building with residential above an adult entertainment business.

Staff responded that a property owner could ask for a waiver, pertaining only to Residential/Commercial Mixed Use Integrated projects, to allow an adult use in a Mixed Use zone. The City zoning allows for adult entertainment uses, however, not by right as a Conditional Use Permit would be required along with a hearing before the Planning Commission that would consider the distance requirements and other factors such as entrance location.

Ms. Stetson added that adult entertainment businesses were only allowed in the Garden Grove Mixed Use zones along Garden Grove Boulevard and in the C-2 zones, along with Conditional Use Permits, and that the distance from residential areas was 200 feet.

Vice Chair Cabral asked staff if Garden Grove had 'bed and breakfast' uses. Staff replied no.

Vice Chair Cabral expressed her concern that people could take advantage of the 14-day minimum stay uses by staying 14 days, leaving for one day, and returning for 14 days.

Ms. Stetson replied that in regard to hotels and motels, no consecutive occupancy shall not exceed 30 days, nor any nonconsecutive occupancy

could exceed 45 days, and that this information could be added to the 'bed and breakfast' information.

Chair Bui referred to Section 9.18.030.080, Bar and Nightclub, Item No. 2 and asked if the main access requirement applied to a first floor bar or nightclub. Ms. Stetson replied yes, that if the bar occurred on the second floor, there would not be a concern if the access would be from an interior corridor.

Staff added that the No. 2 requirement was to protect residential areas by not allowing pedestrian access to or from residential areas.

Commissioner Lazenby asked staff to clarify 'bulk and mass' standards for buildings. Mr. Kaliski explained that the purpose was to avoid large box-type buildings with undifferentiated planes against the sidewalk; that the GGMU-1 and CC2 zones allow buildings against the sidewalk, with modulated setbacks and landscaped ten-foot setbacks behind the sidewalk; that more information was in Table 9.18-2; that zone requirements would include a widened sidewalk, a landscaping requirement with columnar trees, and a boulevard plaza requirement.

Commissioner Lazenby asked if there was a provision to prohibit owners from making residences in the rear of the businesses. Staff replied no, however, standards and building code requirements would need to be met and that a change of use would need to meet Mixed Use standards, including parking requirements.

Vice Chair Cabral referred to Section 9.18.030.200 in regard to the number of garage sales allowed per year, and asked if four garage sales per year for a single-family residence was current. Staff replied yes.

Vice Chair Cabral asked staff if there was an interest in limiting the number of days per year. Staff replied that the reference was for four days total per year.

Commissioner Dovich asked if there was a provision for public art, as murals and sculpture would help to beautify the City. Ms. Stetson replied that there was not a requirement, however, language was included that the plaza areas could include public art.

Staff added that the City has a cultural arts commission; that the General Plan encourages art throughout the City to promote the history, heritage and culture of Garden Grove; and that the General Plan encourages the City to adopt a public art ordinance that charges a fee for commercial and industrial projects; that this code includes a handicraft arts use in the AR zone; and that public art could be asked for in individual projects.

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

Mr. Peter Katz approached the Commission and stated that he was in favor of adopting the ordinance; that City revenue was important; that with the City being built-out, land use would be vertical; that Mixed Use was designed to create urban vitality, reduce traffic and pollution, maximize land-use efficiency, and create ambiance with a sense of history. Also, that architects need flexibility; that park issues and alley lighting need to be addressed before problems arise; that in livable, sustainable open

space areas people tend to spend more money; and that the City would benefit from the ability to create plazas.

Staff noted that the Korean Business District was supportive of the potential for flexibility and change; that architects could improve minimal designs by following the guidelines; that the City has standards for parking lots and alleyways; that there were no changes to the Main Street development standards; and that glazing standards similar to Main Street would be extended to the Civic Center area.

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

Commissioner Dovich expressed his support for the ordinance noting that Garden Grove could be a tourist attraction with open spaces and public art, bike trails, parks, restaurants and cafes, and that culture could be expressed with versatility along with the work/live vision.

Chair Bui commended staff and supported the Mixed Use vision.

Commissioner Lazenby moved to recommend adoption of the Negative Declaration, and approval of General Plan Amendment No. GPA-1-11(A), Amendment No. A-160-11 and Amendment A-161-11 to City Council, seconded by Vice Chair Cabral, pursuant to the facts and reasons contained in Resolution No. 5744-11. The motion received the following vote:

AYES:	COMMISSIONERS:	BUI, CABRAL, DOVINH, LAZENBY
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, PAK, SILVA

MATTERS FROM
COMMISSIONERS: None.

MATTERS FROM
STAFF: Staff read a brief description of future agenda items for the next regular Planning Commission meeting on Thursday, August 18, 2011.

ADJOURNMENT: Chair Bui moved to adjourn the meeting at 9:00 p.m., seconded by Commissioner Dovich. The motion received the following vote:

AYES:	COMMISSIONERS:	BUI, CABRAL, DOVINH, LAZENBY
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, PAK, SILVA

JUDITH MOORE -Recording Secretary