

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center  
11300 Stanford Avenue

November 23, 2004

6:45 p.m.

Council Chamber

ROLL CALL: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,  
MAYOR PRO TEM DALTON, MAYOR BROADWATER

*Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the City Clerk, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing. Additionally, any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office to arrange for special accommodations. (City Council Manual of Procedures, Section D)*

INVOCATION: Les Jones, Deputy City Manager.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

1. PRESENTATIONS:

1.a. Community Spotlight: Recognition of the Burns Family and the Volunteers who participated in the Extreme Makeover Home Edition Project.

2. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency, and Sanitary District Oral Communications.)

3. WRITTEN COMMUNICATIONS:

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CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE

4. CONSENT ITEMS: (It is recommended that Items 4.a. through 4.f. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)
  - 4.a. Proclamation designating November 28, 2004, as Extreme Makeover Home Edition Day in Garden Grove.
  - 4.b. Award of Contract to Andersen's Door Service for the replacement of the rear apparatus door at Fire Station #5, 12751 Western Avenue. (Estimated cost: \$5,985.00)
  - 4.c. Agreement with the State of California to acquire all necessary right-of-way for the widening of State Route 22.
  - 4.d. Approval of Final Progress Payment and Acceptance of Contract as complete for the City Hall First Floor Carpet Project.
  - 4.e. Minutes of the Regular Meeting of the City Council held August 24, 2004.
  - 4.f. Approval of warrants.
  
5. PUBLIC HEARINGS: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)
  - 5.a. Joint Public Hearing with the Garden Grove Agency for Community Development to consider an amendment to the sublease agreement with the City of Garden Grove for the Agency's leased building at 11277 Garden Grove Boulevard.
  - 5.b. Substantial Amendment No. 1 to the 2004/05 Housing and Community Development Action Plan.

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- 5.c. DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-357-04, initiated by Pacific Cities Real Estate Group, to construct 42 two-story, single-family homes on a 4.62-acre site located on the south side of Katella Avenue at 9212 through 9432 Katella Avenue.

On October 7, 2004, the City Planning Commission, pursuant to Resolution No. 5459, recognized the previously adopted negative declaration and approved SP-357-04 and recommended approval of the Development Agreement. Public hearing on the case was ordered by the City Council to be held this date.

- 5.c.1. ORDINANCE NO. \_\_\_\_\_, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN PACIFIC CITIES REAL ESTATE GROUP (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF KATELLA AVENUE, AT 9212 THROUGH 9432 KATELLA AVENUE, PARCEL NOS. 132-071-09, 10, 11, 13, 31, 32, 33, 34, 35, 36 & 37

- 5.d. GENERAL PLAN AMENDMENT NO. GPA-5-04; AMENDMENT NO. A-113-04; AMENDMENT NO. A-112-04; AND DEVELOPMENT AGREEMENT, initiated by Ard Keuilian and the City of Garden Grove, proposing to construct a 115,377 square foot, three-story mini-warehouse and storage facility on a 74,407 square foot lot, a portion of which is located in the City of Santa Ana and proposed to be annexed to the City of Garden Grove. The subject site is located on the south side of Westminster Avenue, west of Parsons Place, and on the west side of Parsons Place, south of Westminster Avenue.

On September 16, 2004, the City Planning Commission, pursuant to Resolutions No. 5452, No. 5454, No. 5455, and No. 5456, recommended approval of A-113-04, GPA-5-04, and A-112-04, and public hearing on the case was ordered by the City Council to be held this date. (Continued from meeting of November 9, 2004.)

- 5.d.1. General Plan Amendment No. GPA-5-04, proposing to amend the General Plan land use map changing the land use

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designation of an approximately 2.25 acre area from light commercial to industrial. Also, a request to provide an industrial land use designation to a land-locked 27,522 square foot parcel of land use proposed to be annexed from the City of Santa Ana to the City of Garden Grove.

5.d.1 (a). Resolution approving General Plan Amendment No. GPA-5-04

5.d.2. Amendment No. A-113-04, proposing to delete the requirement for mini-storage facilities to be located adjacent to freeways.

5.d.2 (a) ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-113-04, AN AMENDMENT TO TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE, SECTION 9.08.050.51, SPECIAL OPERATING CONDITIONS AND DEVELOPMENT STANDARDS, DELETING THE REQUIREMENT THAT MINI WAREHOUSE AND STORAGE BUILDINGS BE LOCATED CONTIGUOUS WITH A FREEWAY RIGHT-OF-WAY

5.d.3. Amendment No. A-112-04, requesting a pre-zone of a portion of the property to be annexed into the City of Garden Grove to the M-1 (Limited Industrial) zone.

5.d.3 (a) ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-112-04, PRE-ZONING A PORTION OF A PROPERTY TO BE ANNEXED TO THE CITY OF GARDEN GROVE FROM THE CITY OF SANTA ANA. THE PROPERTY IS LOCATED SOUTH OF WESTMINSTER AVENUE, WEST OF PARSONS PLACE, PARCEL NUMBER 100-190-33

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5.d.4. Development Agreement in Connection with Site Plan No. SP-350-04, to construct a new 115,377 square foot self-storage facility on a 74,407 square foot lot on the subject site.

5.d.4 (a) ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN ARD KEULIAN AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF WESTMINSTER AVENUE, WEST OF PARSONS PLACE, AT 11248 WESTMINSTER AVENUE, PARCEL NOS. 100-190-32 AND 100-190-33

5.e. GENERAL PLAN AMENDMENT NO. GPA-6-04 AND AMENDMENT NO. A-114-04, initiated by Linh Ngoc Nguyen, proposing to construct eight attached three-story town homes on 24,000 square feet of land with a Tentative Tract Map to create the subdivision, and a Variance for the front and street side yard setbacks for the recreation areas and required parking. The applicant is requesting to change the land use designation from Low Density Residential to Low Medium Density Residential to rezone the property from the R-1 zone (Single-Family Residential) to the R-3 zone (Multiple Family Residential).

On September 16, 2004, the City Planning Commission, pursuant to Resolutions No. 5448 and No. 5449, adopted a negative declaration and recommended approval of GPA-6-04, and public hearing on the case was ordered by the City Council to be held this date.

5.e.1. Resolution approving General Plan Amendment No. GPA-6-04.

5.e.2. ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING ZONE CHANGE AMENDMENT NO. A-114-04, CHANGING THE ZONING DESIGNATION FROM R-1-6 (SINGLE

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FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY  
RESIDENTIAL), FOR PROPERTY LOCATED AT THE  
NORTHWEST CORNER OF 11<sup>TH</sup> STREET AND KERRY  
STREET, AT 9721 EAST 11<sup>TH</sup> STREET, PARCEL NO.  
098-631-06

6. COMMISSION/COMMITTEE MATTERS:

- 6.a. Recommendations from the Traffic Commission Meeting of November 2, 2004.
  - 6.a.1. Installation of an all-way stop at the intersection of Bailey Street and Laurelton Avenue.
  - 6.a.2. Placement of a crossing guard at the intersection of Garden Grove Boulevard and Palm Street.
  - 6.a.3. Addition of the intersection of Westminster Avenue and Kerry Street to the Traffic Signal Priority List.
- 6.b. Recommendation from the Traffic Commission Meeting of November 14, 2002, to permanently close Sorrell Street at Trask Avenue with a cul-de-sac as a result of the State Route 22 Widening Project.
- 6.c. Recommendation from the Traffic Commission Meeting of November 16, 2004, to temporarily close Taft Street at the State Route 22 (SR-22) undercrossing just south of Trask Avenue as a result of the SR-22 Widening Project.

7. ITEMS FOR CONSIDERATION:

- 7.a. Award of Contract to Nativ Engineering, Inc., for Project No. 7264-B, Median Improvements on Garden Grove Boulevard from Magnolia Street to Brookhurst Street. (Estimated cost: \$688,888.00)
- 7.b. Acquisition of a right-of-way easement over portions of the real property located at 100 and 300 Alicante Plaza, owned by Atrium Plaza, LLC, for the construction of a right-turn lane at the northwest corner of Harbor Boulevard and Chapman Avenue, Project No. 7135.

8. ORDINANCES PRESENTED FOR SECOND READING:

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9. MATTERS FROM THE MAYOR, CITY COUNCILMEMBERS AND CITY MANAGER:

9.a. Discussion concerning the adoption of a policy relating to the use of eminent domain, as requested by Councilman Leyes.

10. CLOSED SESSION:

11. ADJOURNMENT:

**HAPPY BIRTHDAY GREETINGS TO**  
**COUNCILMAN DALTON**  
**AND**  
**COUNCILMAN ROSEN**