

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

November 9, 2004

6:55 p.m.

Council Chamber

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

Councilman Tran absent.

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 California Gold Soccer Club, U.S. National Champions of the 2004 Veterans Cup held in Hawaii.

ACTION: Recognized.

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

- 2.a. Martin Lemire and Pretty Gedeon addressed the Council concerning excessive debris and rodents in tree wells located at the west end of

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
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Anzio Street, property located at the City Villas Apartments. This problem has been ongoing since last June, and the manager and property owners have refused to respond to contacts made.

ACTION: Mayor asked for a report on the situation to see if this can be cleaned up.

- 2.b. Pretty Gedeon addressed the Council concerning the same trees on Anzio Street, additionally expressing concern that the cable wire might break or the trees might fall over during high winds and cause injuries.
- 2.c. J. Tilman Williams addressed the Council concerning banners that are hanging across city streets advertising a church event, commenting that the Crystal Cathedral was told they could not have signs hanging to advertise their event, citing separation of church and state. He also inquired what the cost was to the city to hang the banners.
- 2.d. Robin Marcario addressed the Council, congratulating the successful candidates. She commented on the \$2.45 million in park grants recently received for the Buena Clinton Family Resource Center.

3. WRITTEN COMMUNICATIONS:

- 3.a. Request from Linda Rogers, Member of the 2004-05 Orange County Grand Jury, to speak regarding the Grand Jury's recruitment effort.

ACTION: Information provided.

RECESS: 7:34 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 7:36 p.m.

4. CONSENT ITEMS: (It is recommended that Items 4.a. through 4.e. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)

- 4.a. Award of Contract to Gardner Tractor Service for the trimming of oleander bushes at various locations for 2004-05. (Estimated cost: \$33,465.00)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
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ACTION: Awarded.
(4 Ayes. Tran absent.)

- 4.b. Award of Contract to Mike Prlich & Sons, Inc., for the repair of a water valve at the intersection of Lampson Avenue and West Street.
(Estimated cost: \$28,000.00)

ACTION: Awarded.
(4 Ayes. Tran absent.)

- 4.c. Agreement with the County of Orange for Animal Control services.

ACTION: Approved.
(4 Ayes. Tran absent.)

- 4.d. Approval of warrants.

ACTION: Approved.
(4 Ayes. Tran absent.)

- 4.e. Approval of waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.
(4 Ayes. Tran absent.)

5. PUBLIC HEARINGS: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

- 5.a. APPEAL OF CONDITIONAL USE PERMIT NO. CUP-140-04 – Bok Soon Sin is requesting approval to allow an existing restaurant, Hanuri Restaurant, to operate with an original State Alcoholic Beverage Control Type "41" (On-Sale Beer and Wine, Public Eating Place) License. The site is located on the east side of Galway Street, north of Garden Grove Boulevard, at 12942 Galway Street, Units B and C.

On August 5, 2004, the City Planning Commission, pursuant to Resolution No. 5442, denied CUP-140-04. On August 25, 2004, an appeal was filed by the appellant, and public hearing on the case was ordered by the City Council to be held this date.

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
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ACTION: Hearing held. Resolution No. 8617-04 adopted, denying the appeal and upholding the Planning Commission decision.

(3 Ayes. Rosen voted no, and Tran absent.)

- 5.b. 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. (*Staff requested that this item be continued to November 23, 2004.*)

ACTION: Continued to November 23, 2004.

- 5.b.1. General Plan Amendment No. GPA-5-04, proposing to amend the General Plan land use map changing the land use 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.b.1 (a). Resolution approving General Plan Amendment No. GPA-5-04

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

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

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
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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.b.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.b.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

- 5.b.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.b.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

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
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PLACE, AT 11248 WESTMINSTER AVENUE, PARCEL
NOS. 100-190-32 AND 100-190-33

6. COMMISSION/COMMITTEE MATTERS:

None.

7. ITEMS FOR CONSIDERATION: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

- 7.a. Resolution approving an application for a 2004/05 Waste Tire Playground Cover Grant from the California Integrated Waste Management Board.

ACTION: Resolution No. 8618-04 adopted.
(4 Ayes. Tran absent.)

- 7.b. Discussion regarding proposed amendment to Agreement with the Union of Vietnamese Students Association for coordination of the Tet Festival.

ACTION: Subcommittee to meet to discuss and then bring back results to Council.
(4 Ayes. Tran absent.)

8. ORDINANCES PRESENTED FOR SECOND READING:

- 8.a. ORDINANCE NO. 2641 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT A-116-04, AN AMENDMENT TO TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE ADDING SECTION 9.12.120 RELATING TO THE ADOPTION OF THE GILBERT STREET OVERLAY ZONE

ACTION: Ordinance passed.
(4 Ayes. Tran absent.)

- 8.b. ORDINANCE NO. 2642 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT A-115-04, REZONING PARCELS OF LAND LOCATED ON THE EAST SIDE OF GILBERT STREET,

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
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BETWEEN LAMPSON AVENUE AND GARDEN GROVE BOULEVARD,
PARCEL NUMBERS 133-391-01, 02, 03, 04; 133-381-01, 02, 03, 04
AND 133-381-40

ACTION: Ordinance passed.
(4 Ayes. Tran absent.)

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

- 9.a. Councilman Leyes congratulated Councilman Dalton, Councilman Rosen, and Councilman Tran on their successful election. He praised Mayor Broadwater for his able leadership and for his impressive campaign for Supervisor. He also thanked his supporters, noting that he still has two years left of his term as Councilman. Additionally, he also noted that the meeting of the West Garden Grove Residents Association will be meeting tomorrow evening to discuss the recent flooding in their area. And lastly, he noted that Thursday is Veterans Day, and he expressed his personal gratitude to veterans and their families.
- 9.b. Councilman Dalton encouraged residents to apply for City Commission appointments by contacting the City Clerk's office for forms.
- 9.c. Councilman Rosen also encouraged residents to apply for a seat on one of the City Commissions, noting that each Councilman chooses someone to sit on each commission. He also noted that on November 23 he will vote to continue the Tricon Development matter, to be listed on the Agency agenda on November 23, until the new Council is seated. Lastly, he thanked the candidates who ran and stuck to the issues at hand. He also encouraged residents to contact him either by phone or by e-mail with their questions or comments.
- 9.d. Mayor Broadwater spoke about the election and his campaign. He also reviewed some past history of our country, noting that George Washington held a secret meeting for 90 days.

10. CLOSED SESSION:

None.

11. ADJOURNMENT: 8:40 p.m.