

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
AUGUST 21, 2003

CALL TO ORDER: The work session of the Planning Commission was called to order at 6:30 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR BUTTERFIELD, VICE CHAIR JONES,
COMMISSIONERS BARRY, CALLAHAN, NGUYEN
ABSENT: COMMISSIONERS FREZE AND HUTCHINSON

ALSO PRESENT: Doug Holland, Deputy City Attorney, Susan Emery, Planning Services Manager, Dan Candelaria, Civil Engineer; A.J. Holmon, III, Environmental Services Coordinator; Erin Webb, Senior Planner; Karl Hill, Senior Planner; Noemi Bass, Assistant Planner; Sergeant Robert Fowler; and Teresa Pomeroy, Recording Secretary.

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 BUTTERFIELD, VICE CHAIR JONES,
COMMISSIONERS BARRY, CALLHAN, NGUYEN
ABSENT: COMMISSIONERS FREZE AND HUTCHINSON

ALSO PRESENT: Doug Holland, Deputy City Attorney, Susan Emery, Planning Services Manager, Dan Candelaria, Civil Engineer; Erin Webb, Senior Planner; Karl Hill, Senior Planner; Noemi Bass, Assistant Planner; Sergeant Robert Fowler; and Teresa Pomeroy, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF
MINUTES:

Commissioner Callahan moved to approve the Minutes of July 17, 2003, seconded by Commissioner Nguyen. The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, BUTTERFIELD, CALLAHAN, JONES,
NGUYEN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: FREZE AND HUTCHINSON

APPROVAL OF
MINUTES:

Commissioner Nguyen moved to approve the Minutes of August 7, 2003, seconded by Commissioner Barry. The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, BUTTERFIELD, CALLAHAN, JONES,
NGUYEN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: FREZE AND HUTCHINSON

CONTINUED
PUBLIC
HEARING:

SITE PLAN NO. SP-325-03
DEVELOPMENT AGREEMENT

APPLICANT:
LOCATION:

G&W BUILDERS INC.
THE TERMINUS OF WEST STREET NORTH OF WESTMINSTER AVENUE
AT 13781 WEST STREET

DATE:

AUGUST 21, 2003

REQUEST:

To allow the expansion of an existing 2,570 square foot industrial warehouse by an additional 8,606 square feet on a 21,762 square foot site. The site is located in the M-1 (Industrial) zone.

Staff report was reviewed and recommended approval of the Site Plan, and that the Planning Commission recommend approval of the Development Agreement to City Council.

Staff noted the amended conditions of approval that would allow an increase in the building setback to 20 feet in order to meet the Fire Department and California Building Code requirements.

Chair Butterfield noted a letter from Milton Hughes that raised concern about the lowering of property values by constructing the warehouse using metal. Also, a letter was provided to the Commission from Mr. Fred Schroeder that raised parking issues.

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

Mr. George Heilder, property owner and applicant, approached the Commission. He stated that he has owned the subject property since 1974, and the company is moving from their current location at the street frontage on Westminster Avenue to the subject site. He commented that auto

dismantling and parts are considered dirty and unsightly, however, he operates a clean and organized business and that when the addition is complete, it will be the best-looking building on the street.

Vice Chair Jones asked whether they plan to utilize street parking as well as loading and unloading at the street, and noted that there is a lot of activity on this street.

Mr. Heilder responded that his business does not contribute to the street parking or activity, noting that a traffic study was submitted to illustrate that their business does not impact this street. Vice Chair Jones asked about the type of vehicle used for deliveries. Mr. Heilder stated that they have a 16-foot stake bed truck that delivers parts in the morning and returns in the evening. He stated that they do some retail and have employees, although they are a small business, the study shows that they need to provide eleven parking spaces, and they have 20.

Commissioner Barry asked if they have considered using masonry rather than metal for their new building. Mr. Heilder responded that they did consider the masonry building, but that the metal construction was more affordable.

Commissioner Barry expressed her view that the metal building would not contribute to efforts to enhance the city's image and would be unattractive.

Mr. Heilder responded that the site would be very nicely maintained. He commented that this property is in the city's redevelopment plan, and has the potential to become another use entirely.

Chair Butterfield asked about the type of trees they plan to use for their landscaping. Mr. Heilder indicated his preference for crape myrtle.

Chair Butterfield asked how the metal building would be kept cool.

Mr. Randy Rose, General Manager for G&W Builders, approached the Commission. He pointed out that the Orange County Transit uses metal buildings on the site directly adjacent, commenting that the buildings look fine.

Mr. Mike Rear approached the Commission, and introduced himself as the General Contractor for the project. He commented that there would not be increased traffic or activity from the addition, noting that the parts will be stored in the metal building. The building exterior will have ribbed panels, which is an architectural feature. His company built most of the metal buildings at Disneyland, and he does not think that these buildings are substandard. He noted that the building would have skylights and insulation.

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

Chair Butterfield expressed support for the request and commented that the building would be located at the far end of the industrial cul de sac.

Commissioner Callahan noted that his concerns have been addressed and expressed support for the request.

Vice Chair Jones agreed that the concerns have been addressed, and commented on the sensibility of using the metal construction in order to cut costs as the property is in the redevelopment plan.

Commissioner Barry noted that the redevelopment plan is about enhancing the city's image and does not think that metal buildings are appropriate.

Commissioner Nguyen agreed that the metal buildings are not attractive, however, landscaping and maintenance should help. She expressed support for the project with an added condition for a review for maintenance.

Doug Holland stated that there could be a condition placed for a three- year review for maintenance on the property.

Vice Chair Jones moved to approve Site Plan No. SP-325-03, with an amendment to condition S that the site will provide a 20 foot setback to meet the Fire Department and California Building Code requirements, and to provide a three year review of the Site Plan for building and property maintenance, and recommended approval of the Development Agreement to City Council, seconded by Commissioner Callahan; pursuant to the facts and reasons contained in Resolution No. 5374 and authorized the Chair to execute the Resolution. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BUTTERFIELD, CALLAHAN, JONES, NGUYEN
NOES:	COMMISSIONERS:	BARRY
ABSENT:	COMMISSIONERS:	FREZE, HUTCHINSON

PUBLIC
HEARING: AMENDMENT NO. A-101-03
APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITY WIDE
DATE: AUGUST 21, 2003

REQUEST: A proposal to amend the City of Garden Grove Municipal Code (Title 9), Section 9.08.050, subpart 44 (Second Units) and Section 9.08.030, Table 1 (Land Use Matrix). The amendment will bring the Municipal code into compliance with the State Assembly Bill No. 1866, by eliminating the requirement for discretionary review for second unit proposals and authorizing ministerial approval. Second units will be subject to all City development standards and conditions contained in the ordinance.

Staff report was reviewed with a recommendation that the Planning Commission recommend approval to City Council.

Commissioner Barry asked staff whether the proposed standards are separate from the assembly bill allowing ministerial approval for second units. Staff stated yes.

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

Mr. Tony Flores approached the Commission. He provided copies of the city's legal notification for the amendment that was published in the Garden Grove Journal on August 14, 2003. He noted that there was not enough time between the date of publication and the public hearing, and also that there was not enough time for the Negative Declaration.

Doug Holland noted that the original notification was published in the Garden Grove Journal on July 31, 2003, thereby meeting the 20-day requirement. However, there was an amendment to the notification and the item was re-advertised on August 14, 2003. Also, this item is exempt pursuant to the California Environmental Quality Act, and to have published the notification advertising the Negative Declaration would be considered to be in substantial compliance.

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

Commissioner Barry moved to recommend approval of Amendment No. A-101-03 to City Council, seconded by Commissioner Callahan, pursuant to the facts and the reasons contained in Resolution No. 5375 and authorized the Chair to execute the Resolution. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, JONES, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	FREZE, HUTCHINSON

PUBLIC HEARING:	NEGATIVE DECLARATION SITE PLAN NO. SP-326-03 DEVELOPMENT AGREEMENT
APPLICANT:	CHOCO REALTY CORP.
LOCATION:	SOUTH SIDE OF CHAPMAN AVENUE EAST OF NUTWOOD STREET AT 10602 CHAPMAN AVENUE
DATE:	AUGUST 21, 2003
REQUEST:	To construct a new two-story 13,760 square foot medical office building and provide related improvements on an approximate one-acre site. The site is located in the OP (Office Professional) zone.

Staff report was reviewed and recommended approval of the Site Plan and a recommendation of approval of the Development Agreement to City Council.

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

Ms. Phylis Nelson, representative for the applicant, approached the Commission. She stated that 18 months ago, Choco Realty purchased the site, and since that time they have been working with staff. This project is in collaboration with several other groups, including the Boys and Girls Club,

Healthy Smiles of Orange County and the Children and Family Commission of Orange County. Their goal is to serve the medical and dental needs of the children living in Garden Grove. The Boys and Girls Club has worked closely with the Garden Grove Unified School District in tracking children's health needs in the community, and there has been a determination that there is a need to provide this type of service.

The Children and Family Commission is funding both capital and operating costs for these programs as part of the commitment for the health and school readiness for the children. Children's Hospital has been providing medical services for almost 40 years, and operates a 92-bed facility in Orange, a 56-bed acute hospital in Mission Viejo, and several primary care clinics. The medical services include well child care, immunizations, specialty care referrals, and education on childhood safety. The projected number of patient visits is 9,000 a year, and served by a staff of 15 medical and support personnel. Typical hours of operation for services are 8:00 a.m. to 6:00 p.m., Monday through Friday, and half or full days on Saturdays. Healthy Smiles for the kids of Orange County is a nonprofit organization that would operate the dental center. Healthy Smiles would be the first of its kind in Orange County and will provide oral health treatment and preventative education for kids. Preventative education would utilize a learning lounge concept where visitors would learn good brushing techniques as well as good nutrition. The dental office will provide service five days a week and will have two dentists, two hygienists and two assistants, additional clerical staff and outreach staff. The goal is to provide approximately 30 to 40 dental appointments each day. The learning center is designed to be interactive for preschoolers and utilized for field trips. There is a 15-member board for the dental initiative that will hold conferences on the second floor. Choc is the only hospital to provide facilities near a Boys and Girls Club and the children who attend the Boys and Girls Club would have complete access to the facility. Choc would also serve as a referral to the Boys and Girls Club. They plan to remove and replace the existing landscaping and to demolish the building.

Chair Butterfield asked how patients are billed. Ms. Nelson stated that patients would be charged on a sliding scale.

Chair Butterfield asked whether the applicant has read and accepts the conditions of approval. Ms. Nelson stated yes.

Doug Holland noted that Commissioner Callahan would not be participating in the discussion, as he owns property within 500 feet of this site, and in the official action, he will be counted as absent.

Ms. Dorothy Hendrickson of Supervisor Chuck Smith's office approached the Commission. She expressed her gratitude on behalf of Supervisor Smith for the support of this project by the school district and the Boys and Girls Club. She stated that the center will serve thousands of children in the community and is an innovative approach to providing health services to kids. She noted that the center would also provide working parents with a facility to leave their children who suffer from asthma. She expressed that the Commission's support is valued.

Ms. Bonnie Marco approached and introduced herself as the landscape architect for the project. She noted that the applicant is having the existing landscaping removed, however, the mature trees that are on the site will be salvaged and moved to another location.

Ms. Pat Halberstadt of the Boys and Girls Club approached the Commission. She expressed her pride with participating in this high quality project, and stated that it is fortunate to have this organization in Garden Grove.

Mr. Floyd Pescuma of 12052 Shady Acre approached the Commission. He thanked staff for helping him to understand the project. He commented that he was glad that something would be done with this property, however, he is concerned about the left turn into the property and thought that it would be safer to avoid the left turn off of Chapman Avenue into the project.

Dan Candelaria, Civil Engineer, stated that the entry has been redesigned so that left turn vehicles will be able to utilize the left turn pocket.

Mr. Pescuma noted that there has been a lot of speeding on Chapman and he is very concerned about safety.

Mr. Candelaria noted that the entry has been shifted over to the furthestmost eastern side and noted that the parking has been moved adjacent to the building to avoid walking across the drive aisle.

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

Commissioner Barry noted that about ten years ago, Pat Halberstadt had the idea to have daycare for sick children, which led the Soroptomist organization to create the lollipop lodge. The lollipop lodge enjoyed a briefly successful period, but was subsequently dismantled by another organization. She expressed her pleasure and support for the project.

Commissioner Nguyen expressed her positive attitude about the project.

Vice Chair Jones stated that this is a great addition to the city and noted that there is a concern for traffic and safety, and he appreciates staff's expertise and input for this project.

Chair Butterfield stated that she is delighted that Choc will be in the city and is a real benefit.

Commissioner Barry moved to adopt the Negative Declaration and approve Site Plan No. SP-326-03, and recommend approval of the Development Agreement to City Council, seconded by Vice Chair Jones, pursuant to the facts and reasons contained in Resolution No. 5377 and authorized the Chair to execute the Resolution. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, JONES, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	CALLAHAN, FREZE, HUTCHINSON

PUBLIC HEARING: SITE PLAN NO. SP-327-03
VARIANCE NO. V-104-03
APPLICANT: JOSE PALMA AND JAVIER CARRILLO
LOCATION: EAST SIDE OF NELSON STREET NORTH OF LAMPSON AVENUE AT 12452
AND 12454 NELSON STREET
DATE: AUGUST 21, 2003

REQUEST: To add four bedrooms and an enclosed garage to an existing duplex. A Variance is required in order to waive the 25-foot driveway width requirement and the ten-foot distance between vehicular access ways and residential units in the R-3 zone. The site is located in the R-3 (Multi-Family Residential) zone.

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

The applicants, Javier Carrillo and Jose Palma, approached the Commission. Mr. Carrillo appealed to the Commission to support the project noting that they have been living in their home since 1991 and their family is growing. They enjoy their home and their proximity to the schools for their children. Neither is able to purchase a new home, but would like to improve their property and stay in the neighborhood. Together they have six cars and have not had any parking issues. They thanked the Planning Commission for giving them the opportunity to speak.

Chair Butterfield asked if they have read and accept the conditions of approval. The applicants stated yes.

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

Vice Chair Jones moved to approve Site Plan No. SP-327-03 and Variance No. V-104-03, seconded by Commissioner Barry, pursuant to the facts and reasons contained in Resolution No. 5376 and authorized the Chair to execute the Resolution. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, JONES, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	FREZE, HUTCHINSON

MATTERS
FROM
COMMISSIONERS:

Commissioner Barry asked about plans for the Brookhurst Triangle site. Staff stated that there have been several proposals presented to City Council.

Chair Butterfield questioned the status of the housing development site on Rockinghorse Lane. Staff noted that during remediation a plume was found that was contaminating the ground water and the city is attempting to recover costs associated with this site as well as continuing to submit plans to the county and the Water Quality Board for remediation efforts.

Commissioner Callahan noted poor property maintenance on the south side of Katella Avenue east of Euclid Street between the Kentucky Fried Chicken and the McDonalds. Staff responded that Code Enforcement would be informed and staff would report back to the Commission.

MATTERS
FROM STAFF:

None.

ADJOURNMENT:

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

TERESA POMEROY
Recording Secretary