

M I N U T E S

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE  
GARDEN GROVE, CALIFORNIA

THURSDAY  
SEPTEMBER 2, 2004

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 JONES, VICE CHAIR CALLAHAN, COMMISSIONERS BARRY, BUTTERFIELD, HUTCHINSON, KELLEHER, AND NGUYEN

ABSENT: Commissioner Kelleher.

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Community Development Director; Glen Krieger, Planning Services Manager; Erin Webb, Senior Planner; Maria Parra, Assistant Planner; Robert Fowler, Police Department; Dan Candelaria, Civil Engineer; George Allen, Traffic Engineer; Mark Uphus, Project Engineer; Keith Jones, Public Works Director; Judy Moore, 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 JONES, VICE CHAIR CALLAHAN, COMMISSIONERS BARRY, BUTTERFIELD, HUTCHINSON, KELLEHER, AND NGUYEN

ABSENT: Commissioner Kelleher.

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Community Development Director; Glen Krieger, Planning Services Manager; Erin Webb, Senior Planner; Maria Parra, Assistant Planner; Robert Fowler, Police Department; Dan Candelaria, Civil Engineer; George Allen, Traffic Engineer; Mark Uphus, Project Engineer; Keith Jones, Public Works Director; Judy Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Callahan moved to approve the Minutes of August 5, 2004, seconded by Commissioner Barry. The motion carried with the following vote:

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

CONTINUED  
PUBLIC  
HEARING:

NEGATIVE DECLARATION  
GENERAL PLAN AMENDMENT NO. GPA-4-04  
PLANNED UNIT DEVELOPMENT NO. PUD-104-04  
SITE PLAN NO. SP-349-04  
TENTATIVE TRACT MAP NO. TT-16732  
DEVELOPMENT AGREEMENT

APPLICANT:  
LOCATION:

D. R. HORTON  
SOUTH SIDE OF CHAPMAN AVENUE, EAST OF HARBOR BOULEVARD AT  
12662 CHAPMAN AVENUE.

DATE:

SEPTEMBER 2, 2004

REQUEST:

To change the General Plan Land Use designation, from Recreational Commercial to Medium High Residential, with an increase of the maximum density range from 42 to 48 dwelling units per acre, and a rezoning to Planned Unit Development. Also, a Site Plan approval to develop the 4.56 acre lot with a four story condominium development with 220 units and two level parking. A Tentative Tract Map is also proposed for the sale of the units. The site is in the HCSP-TCB (Harbor Corridor Specific Plan-Tourist Commercial B) zone.

Staff report was reviewed and recommended approval. One letter from Justin Choi was written in favor of the request. Three letters of opposition were written by Joe Caggiano, Pat Seraballs, and Bobbie and Barbara Fernandez of the Garden Grove Home Owner's Association. One petition was written from Somerset residents in opposition to the request.

Commissioner Hutchinson asked staff for clarification of the code regarding the number of units allowed per acre.

Staff replied that the number of units per acre is found in the General Plan versus the Zoning Code, which implements the General Plan. Staff has identified parameters that reflect the goals of the General Plan. Based on these parameters, staff felt the amendment of the Land Use Designation, text to increase the number of units from 42 per acre to 48, could be supported. A Variance, which was not required in this case, cannot be applied for from a General Plan.

Commissioner Barry asked if the discussion could be held and a continuance made. Staff encouraged the public hearing to proceed, and that the case could be continued to the next meeting. The Commissioners agreed.

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

Mr. John Myree, representative of D. R. Horton, approached the Commission and apologized that the latest information given to the Commissioners should be regarded as supplemental only. He also commented the concerns from the neighborhood meeting regarded traffic, density and school issues. He also stated that the City

Manager and staff supported the proposed density and that the design criteria came from the City Manager and staff as part of the International West plan.

Commissioner Barry asked, if indeed, the number of units proposed was a City proposal. She also asked whether 42 units, instead of 48, would be a problem.

Mr. Myree responded that the project was designed for 48 units. A 42 unit per acre project would be a completely different project. These units would sell for between \$400,000 and 500,000 dollars. The typical buyers would be empty nesters, single people, and couples without children.

Mr. Dan Withee, the project architect, approached the Commission and described similar projects, and walked the Commissioners through the illustrated booklets provided, highlighting the mezzanine areas, balconies, roof line, corridors, elevators, setbacks, tree buffers, recreation areas, pool area and parking to code. He also stated the Fire Department reviewed the plans several times and commented that there are two parking spaces for each unit and they are to be used only for parking and not storage, the other spaces would be used for visitors.

Commissioner Butterfield asked for clarification on the pool and recreation room sizes. Mr Withee replied the pool size is 20' by 40' and the recreation room is 2,700 square feet in total with a club room, restrooms and kitchenette.

Commissioner Butterfield asked for clarification on the 'hammerhead'. Mr. Withee explained that the 'hammerhead' or turn-around is for the Fire Department and will be maintained as a green-belt.

Commissioner Hutchinson expressed his concern that the mezzanine/loft areas might be closed in and used as bedrooms.

Commissioner Barry asked how many school-aged children are expected to live in the 220 development. Mr. Withee cited a similar 220 development with only three children.

Commissioner Barry asked if there are recreational green-belts. Mr. Withee responded that there is no child space except for the recreation building and the green-belted fire-lane areas.

Commissioner Butterfield asked for clarification on the type of trees for the project and the location of root barriers. Mr. Withee referred to Condition No. 45, and staff stated the trees would be evergreen.

Mr. Denis Bilodeau, the traffic and civil engineer from DKS Associates, approached the Commission and stated that he prepared the traffic and parking study. Four intersections were cited as having potential negative impact problems. Manual traffic counts were performed to determine peak hours and only one intersection, at Chapman Avenue and Willowbrook, was determined to have problems. The result would be to create a four-way intersection with a signal. In a 2001 survey, a traffic signal was warranted at Willowbrook; however, a signal at Somerset was not. A new study has been commissioned for Somerset

when school is back in session. Mr. Bilodeau also referred to the 'trip-generation' hand-out, which showed trip generation rates for different types of developments. The residential rate showed favorably.

Commissioner Hutchinson commented that the trip generation rates have discrepancies. Hotel or store use traffic would be spread out throughout the day, whereas the residential peak hours would move as many cars by people going and coming from work.

Commissioner Barry also stated that the traffic study is not a true reflection of the traffic reality and that studies need to be conducted on more than one day. She also asked if the signals would be timed.

Staff replied that the Willowbrook signal and the Chapman/Harbor signal would be directly interconnected. Staff also recommended that the developer assist in paying for a traffic analysis for timing from Chapman Avenue at Interstate 5 to the west side of town. This is not a condition, but a result of the neighborhood meeting comments.

Commissioner Barry asked if the final count of parking spaces had been defined from a final site plan. Staff responded that the number of spaces has been determined with the final site plan.

Commissioner Barry also commented that a letter from Pat Seraballs, stated the traffic study did not incorporate the impact of the Little League activities at the adjacent park.

Commissioner Nguyen asked staff to confirm that a mid-week day traffic study is the same standard used by the City. Staff replied yes.

Ms. Linda Crowe, an Anaheim resident, approached the Commission and expressed her support of the project, especially the modern and innovative design, and commented that more condominiums and a signal are needed. She also commented that Crystal Cathedral traffic did not come down her way.

Commissioner Hutchinson commented to Ms. Crowe that her complex is town homes, which are different from condominiums, and that traffic is different for each project. He also commented that the Crystal Cathedral traffic does cause congestion in her area.

Mr. Bruce Crowe, an Anaheim resident, approached the Commission and expressed his support of the project. He also agreed a signal was needed.

Ms. Darlene Holloway, an Anaheim resident, approached the Commission and expressed her support of the proposal. She also stated a traffic signal is needed.

Mr. Scott Hermance, a Garden Grove resident, approached the Commission and expressed his support of the project. He commented that the project would improve property values and the appearance of the neighborhood.

Mr. Joe Caggiano, a Garden Grove resident, approached the Commission, and handed the Commission a Somerset Town Home resident petition with 117 names. The petition, opposing the project,

had already been submitted to City Council. He also stated that traffic and parking were his main concerns, and that D. R. Horton said their company would look into seeing if a signal at Somerset was warranted. He commented that, because of the traffic danger, residents use the Ascot exit instead of Somerset. He also expressed his concern that D. R. Horton and the City did not include Somerset in meetings until it was too late, and that the commercial side of the property development has not been looked into.

Ms. Pat Seraballs, a resident of Somerset Town Homes, approached the Commission and expressed her opposition to the project, due to its intensity regarding traffic. She also had concerns regarding the EIR, Crystal Cathedral traffic during special events, office, hotel and restaurant traffic, and the incompatibility of the units to the area ie. no four story developments. She also asked for clarification of the 'appeal' process.

Mr. Edward De Cambra, a resident of Somerset, approached the Commission and expressed his concerns regarding parking, ingress and egress, traffic, and the number of units in the new project.

Ms. Barbara Cossey, a resident of Somerset, approached the Commission and expressed her concerns regarding parking and traffic, especially with regard to dropping children off at school. She also commented that a commercial center would be better.

Dr. Roberta Gregory, a resident of Somerset, approached the Commission and expressed her opposition to the project, especially noting the nine year old Environment Report (EIR).

Ms. Jodi Caggiano, a resident of Somerset, approached the Commission and expressed her concerns with parking, traffic, the signal for the Smoke Tree residents, and that the project is too ambitious for the space, especially with regard to the height. She would rather see a commercial center or a scaled down project.

Ms. Donna McDonald, a resident of Fallingleaf, approached the Commission and expressed her concerns regarding parking.

Ms. Liz Michelson, a resident of Somerset, approached the Commission and expressed her opposition to the project with regard to traffic. She would rather see a commercial center on the property.

Mr. Randolph Dosset, a resident of Somerset, approached the Commission and expressed his concern regarding the traffic study, and that the study was done on a carpool Thursday.

Ms. Vivian Kirkpatrick, a board member of the Garden Valley Home Owner's Association, approached the Commission and submitted a copy of a letter previously submitted to the Planning Commission. She expressed her concerns regarding the nine year old EIR report and roller-hockey parking along Chapman, and in the Harbor Mart parking lot. She also asked for a clarification of the appeals process.

Ms. Robin Marcario approached the Commission and asked if the 'rezoning' meant that a referendum was still possible. Staff replied that a referendum applies to legislative actions and would apply to General

Plan Amendments and rezoning. Referendums are not applicable to variances or subdivision maps or site plans as examples.

Ms. Marcario also noted that in regard to 'noticing', the lack of being informed or included does not foster compromise and consent, but dissent.

Ms. Erica Bruce, a resident of Somerset, approached the Commission and expressed her concern regarding the school traffic, stating there is only one way in and one way out.

Mr. Francisco, a resident of Garden Grove, approached the Commission and expressed his concerns regarding traffic and the overcrowded schools.

Ms. Cheryl Armstrong, a resident of Garden Grove, approached the Commission and expressed her concerns regarding cities creating high-density projects which are the 'ghettos' of the future. She also commented that the project is short-sighted and unsafe, and that the cities need to be more imaginative.

Mr. John Myree, the representative, approached the Commission and stated that most comments regarded traffic, and that D. R. Horton should have notified adjacent neighbors. He stated that a crosswalk and traffic signal would be provided at Willowbrook, and that if warranted, a signal at Somerset. He commented that Chapman is a busy street and existing traffic will not change.

Commissioner Nguyen asked staff if the Somerset traffic signal was warranted, would parking spaces be lost on Chapman. Staff commented that perhaps four would be lost, and that 30 feet of red curb exists.

Staff commented that the history of the site is important with regard to the International West plan, which includes restaurants, hotels and urban housing. Urban housing has a greater density compared to condominiums and town homes. The 4.5 acre development site is a challenge in that the Target shopping center has no interest in working with the City. Staff, in turn, evaluated the most appropriate land use, with the options being retail, hotel or residential. With regard to retail use, no developers were interested due to the lack of frontage and the two intersections. The second alternative use was for a hotel and the site is not desirable for a hotel in terms of marketing and location. Staff related that in terms of present day market demand, the residential development is the most appropriate use, and would support the International West plan. The project would bring more revenue to the City, as well as more people, development impact fees, and over \$200,000 dollars in park fees.

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

Commissioner Hutchinson stated that the complex looks nice and that the parking would not be a problem, however the overall traffic would be a problem. He also commented that whatever development finally goes in, the traffic on Chapman will increase, and he would also like to see fewer units.

Chair Jones commented that the City Manager did request higher density for this site as a mechanism to draw certain types of retailers to the International Drive. He also expressed that even though existing retail buildings have failed, a new commercial center would generate more traffic than the residential project. He also thought that the garage parking issue was not a problem.

Commissioner Butterfield agreed that Chapman Avenue is a busy street and this is not unique, especially during peak hours. She commented that a signal at Willowbrook would help with the issue of taking children to school, and that a proposed signal at Somerset is good. She stated that the project is good; however, the general traffic problems cannot be solved, except for the signals.

Commissioner Callahan concurred there are traffic problems; however, after hearing the reasons for turning the project into a residential site, he agreed the project would be an attractive addition to the City and that units would be sold out quickly.

Commissioner Barry commented that developing a residential complex could not be justified without putting in a greenbelt, especially since the park is not a sure thing. She would like a scaled-down project, to keep within code, and a more realistic parking study, especially with regard to visitors. Also, she stated the EIR is nine years old and conditions have changed.

Chair Jones moved to adopt the Negative Declaration, to recommend General Plan Amendment No. GPA-4-04, Planned Unit Development No. PUD-104-04, and the Development Agreement to City Council, and to approve Site Plan No. SP-349-04 and Tentative Tract Map No. TT-16732, with amendments to Condition Nos. 27, 30, 32, 33, 42, 45, 48, 49 and 55, along with amendments to the Development Agreement Item Nos. 9.1 and 9.2, and as amended with exhibits identified as Option 1 (large booklet), incorporating changes to the Site Plan and parking garage layout, seconded by Vice Chair Callahan, pursuant to the facts and reasons contained in Resolution Nos. 5443 and 5444. The motion received the following vote:

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

PUBLIC HEARING:	CONDITIONAL USE PERMIT NO. CUP-143-04
APPLICANT:	XUAN THE NGUYEN
LOCATION:	SOUTH SIDE OF GARDEN GROVE BOULEVARD, BETWEEN COAST STREET AND MONROE STREET, EAST OF BEACH BOULEVARD AT 8342 GARDEN GROVE BOULEVARD, UNITS 6-12.
DATE:	SEPTEMBER 2, 2004
REQUEST:	To allow the operation of an adult day care facility within an existing commercial center. The site is in the R-3 (Multiple Family Residential) zone.

Staff report was reviewed and recommended approval.

Commissioner Barry asked if meals would be served at the establishment. Staff replied the applicant would bring in catered meals.

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

Dr. Herbert Ho, the representative and proposed administrator for the Adult Day Care Center, approached the Commission and stated there would not be a kitchen on the premises and that food would be catered.

Commissioner Butterfield asked how long the owner's have operated the business.

Dr. William Ngo, the applicant, and owner, and geriatrician, approached the Commission and stated he and his wife have owned the property for a year and a half.

Chair Jones asked if Dr. Ngo would be active in the business.

Dr. Ngo replied yes and that his intention is to help the seniors with lower cost adult day care.

Commissioner Butterfield asked if there is a moratorium on the certification of adult day care centers for Medical recipients.

Dr. Ngo replied yes. The moratorium began March 1, 2004. His Garden Grove application to the Department of Health Services, was submitted 12 months before that date due to the waiting list of applicants. Currently, he operates another day care facility in Montebello. The majority of his patients will be Medical, but the facility can serve cash, Medicare and private insurance patients.

Dr. Herbert Ho commented that his main focus is to treat early dementia.

Commissioner Barry asked Dr. Ho to describe a 'geriatrist.'

Dr. Ho commented that it is a doctor to treat the elderly.

Commissioner Butterfield stated that though the applicant can be licensed, he may not be certified to collect on Medical Insurance.

Chair Jones asked if Dr. William Ngo read and understood the Conditions of Approval. Dr. Ngo replied yes.

Ms. Robin Marcario approached the Commission to verify that the facility would not have a kitchen. Commissioner Barry replied that the issue is determined by the State. Staff commented that there is no code requirement regarding the kitchen issue.

Commissioner Barry asked for clarification of Condition No. 2, which read, "Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning regulations or any Federal, State, County and City laws and regulations. Unless otherwise expressly specified, all other requirements of the Garden Grove

Municipal Code shall apply. The applicant shall obtain, and abide by, any necessary permits or licenses required to conduct the use in compliance with applicable laws."

Staff replied that under State law, the facility is not allowed to operate until State approvals are received; however, the language in Condition No. 2 could be modified to read "The applicant shall comply with all applicable laws." Commissioner Barry agreed.

Commissioner Nguyen asked about the regulation of the food and if the County Health Department is aware of this facility's intentions. Staff replied that it is unclear as to when the County Health Department gets involved in the food issues. Staff commented that the main concern of no kitchen on the premises is due to the impact on the sewer because there is no grease receptor.

Dr. Herbert Ho approached the Commission and stated that his Montebello facility has been subject to inspection regarding food. The Department of Health Services will not process his application further until the Planning Commission hearing approval.

Commissioner Barry asked for clarification of Condition No. 24 that reads, "Any pay phone located within 100 feet of the subject tenant space shall be limited to outgoing calls only. This condition of approval shall be completed within 30 days following the approval of this application."

Staff replied that Condition No. 24 language could be modified to read, "Any exterior payphones located on the subject property shall be limited to outgoing calls." Commissioner Barry agreed.

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

Commissioner Butterfield moved to approve Conditional Use Permit No. CUP-143-04, with amendments to Conditions of Approval Nos. 2 and 24, seconded by Commissioner Hutchinson, pursuant to the facts and reasons contained in Resolution No. 5446. The motion received the following vote:

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

PUBLIC HEARING:	NEGATIVE DECLARATION AMENDMENT NO. A-115-04
APPLICANT:	CITY OF GARDEN GROVE
LOCATION:	PROPERTIES ON GILBERT STREET, BETWEEN LAMPSON AVENUE AND GARDEN GROVE BOULEVARD.
DATE:	SEPTEMBER 2, 2004
REQUEST:	To rezone properties, on the east and west sides of Gilbert Street, between Lampson Avenue and Garden Grove Boulevard, from R-1 (Single Family Residential), with a minimum lot size of 7,200 square feet, to R-1 (Single Family Residential), with a minimum lot size of 11,000 square feet. The Gilbert Street addresses proposed to be

included in the rezone are as follows: 12501, 12661, 12751, 12822, 12832, 12842, 12852, 12872, 12892, 12902, 12912, and 12922 Gilbert Street.

Chair Jones excused himself from the discussion and left the dais.

Staff report was reviewed and recommended approval.

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

Ms. Robin Marcario approached the Commission and commended the City's efforts for proposing the Overlay.

Mr. Steve Raganold, chairman of the Central Garden Grove Neighborhood Association, approached the Commission and endorsed the process, which is valuable for the long-term maintenance and character of the community.

Mr. Gerald Tolman approached the Commission and stated he would like the properties on Gilbert to remain single-family residences.

Mr. Hien Nguyen approached the Commission and stated he lives across from the new re-zone area and feels he is a target, because even after submitting plans to the City, to build five houses, he cannot divide his property like the proposed properties across the street.

Mr. Norm Harris, who lives on Gilbert Street, approached the Commission and stated that he does not appreciate being told by those who do not live on Gilbert Street, what to do with his property. He wanted to support Mr. Hien Nguyen's comments citing that Mr. Nguyen's home is run-down.

Mr. Hoan Nguyen, son of Mr. Hien Nguyen, approached the Commission and stated that building five homes on Mr. Hien Nguyen's property would improve Gilbert Street.

Mr. Herb Lieberman, who lives on Homer Way, approached the Commission and commended the efforts of the Neighborhood Meeting. He commented that the lots in the area are larger than what they are zoned for. He cited the lots in Nichols Manor that are a 9,000 square foot minimum and they are 11,000 square feet. He stated that by keeping the minimum at 9,000, the three owners on the West side of Gilbert can use their properties to the fullest extent.

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

Commissioner Butterfield asked staff if Mr. Hien Nguyen's submitted plans would be affected by the Planning Commission's final decision. Staff stated that Mr. Hien Nguyen's plans were submitted as 'conceptual' only, and staff had concerns and probably would have required plan modifications resulting in the reduction of the number proposed.

Commissioner Butterfield asked what are Mr. Hien Nguyen's options. Staff replied that the Planning Commission can recommend that certain

properties have a different designation or alternative minimum lot sizes as well for the entire property.

Commissioner Hutchinson asked if Mr. Nguyen's five lots are as large as the Brandywine lots across the street. Staff replied that the lots were proposed as smaller for a cul-de-sac design. The Brandywine lots are 7,200 minimum and some significantly larger.

Mr. Nguyen stated that three of the lots were approximately 7, 200 square feet, one was 8,100 and one was 9,000.

Commissioner Hutchinson commented that even with 9,000-11,000 square foot lots, Mr. Hien Nguyen could not build his five homes. Staff replied that his lot sizes would have to be evaluated.

Commissioner Barry asked what the Brandywine lot sizes were. Staff replied between 7,200 and 8,999 square feet. The largest lot is less than 9,000 square feet.

Commissioner Callahan asked if the project was approved when would it be effective? Staff replied that the project would be recommended to City Council in October, and if City Council approved the project, the ordinance would be in effect 30 days thereafter.

Commissioner Hutchinson asked staff how many homes on Gilbert Street actually are 11,000 square feet? Staff replied that there are approximately 30 homes between Lampson and Garden Grove Boulevard that average 11,000 square feet or greater.

Commissioner Butterfield asked if the 9,000 square foot minimum lot size would give the property owners more opportunity to develop their property. Staff replied that the 9,000 square feet would give them more opportunity to develop more units. Staff also commented that at the Neighborhood meeting, there was concern for the maintenance of the 15,000 square foot lot sizes and that the larger lot would encourage larger homes that may be less consistent with character of Gilbert Street.

Commissioner Barry asked staff if the Planning Commission had the authority to adjust the lot square footage. Staff replied that Planning Commission had the authority to lower the square footage only.

Commissioner Barry moved to adopt the Negative Declaration, and recommend approval of Amendment No. A-115-04 to City Council with an amendment to reduce the minimum lot size to 9,000 square feet, seconded by Commissioner Butterfield, pursuant to the facts and reasons contained in Resolution No. 5450. The motion received the following vote:

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

PUBLIC HEARING: NEGATIVE DECLARATION  
AMENDMENT NO. A-116-04  
APPLICANT: CITY OF GARDEN GROVE  
LOCATION: PROPERTIES ON GILBERT STREET, BETWEEN CHAPMAN AVENUE AND GARDEN GROVE BOULEVARD.  
DATE: SEPTEMBER 2, 2004  
REQUEST: To amend Title 9 of the Garden Grove Municipal Code to adopt the Gilbert Street Overlay zone for all properties zoned R-1 (Single Family Residential), located adjacent to Gilbert Street, between Chapman Avenue and Garden Grove Boulevard.

Chair Jones excused himself from the discussion and left the dais.

Staff report was reviewed and recommended approval.

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

**Note: All testimony for A-116-04 is the same as that for Amendment No. A-115-04.**

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

Commissioner Barry moved to adopt the Negative Declaration, and recommend approval of Amendment No. A-116-04 to City Council, seconded by Commissioner Butterfield, pursuant to the facts and reasons contained in Resolution No. 5451. The motion received the following vote:

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

MATTERS FROM COMMISSIONERS:

Commissioner Butterfield expressed concerns over City Council's rejection of establishing a casino to the City of Garden Grove, a project which would draw people to the City and bring revenue. Her main concern was that the project was discussed in closed session without any input from the Planning Commission or from further study. She considered the rejection of the casino as an opportunity lost.

MATTERS FROM STAFF:

Staff commented that staff met with Walgreen's representatives to address roof tiles, which in an original letter were described as "harmonious and consistent." The Ralph's Center has the older clay tiles, and Walgreen's has the baked-enamel concrete tiles, which they provide for all their developments. The representative said the tiles would be "similar in appearance."

With regard to the Ralph's Center landscaping along Euclid Street, staff walked the site with the representative and understood that 125 lilies would be planted and irrigation repairs would be made. With regard to

the cell tower, staff related that the tower has been modified to a 'slim' tower, which has a low profile projection.

ADJOURNMENT: The meeting was adjourned at 11:30 p.m.

JUDITH MOORE  
Recording Secretary