

ZONING ADMINISTRATOR MEETING MINUTES

Garden Grove City Hall  
11222 Acacia Parkway  
Third Floor Training Room

January 22, 2009, 9:00 a.m.

Those present: Susan Emery, Zoning Administrator  
Sgt. Kevin Boddy, Police Department  
Mike Bublitz, Fire Department  
Karl Hill, Planning Services Manager  
Maria Parra, Urban Planner  
Chris Chung, Assistant Planner  
Nancy Ragen, Recording Secretary

Susan Emery, Zoning Administrator, called the meeting to order at 8:56 a.m.

SITE PLAN NO. SP-447-09  
APPLICANT: ANTHONY TRAN  
LOCATION: 13161 ALLARD AVENUE  
DATE: January 22, 2009

REQUEST: To construct a 740 square foot room addition to an existing 1,170 square foot residential dwelling unit, Unit No. 1, that is part of a residential fourplex. The site is in the R-3 (Multiple-Family Residential) zone.

Staff report was reviewed. The Zoning Administrator opened the public hearing.

The applicant stated he currently resides in Unit 1 and is expanding it to accommodate his growing family. He has read and is in agreement with all of the conditions.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Site Plan No. SP-447-09, subject to the recommended conditions and pursuant to the facts and reasons contained in Decision No. 1569.

CONDITIONAL USE PERMIT NO. CUP-257-09  
VARIANCE NO. V-181-09  
APPLICANT: HYE VIN LEE  
LOCATION: 9240 GARDEN GROVE BOULEVARD  
DATE: January 22, 2009

REQUEST: Conditional Use Permit approval to operate a 3,944 square foot cosmetology school, ASEL Beauty College, within an existing multi-tenant shopping center. The school will offer cosmetology, manicurist, and esthetician courses, and operate Monday through Friday from 9:00 a.m. to 5:00 p.m. Also, a Variance request to allow the school to deviate from the minimum parking requirement. The site is in the C-2 (Community Commercial) zone.

Staff report was reviewed and noted one letter of opposition from Chavez Law Firm dated January 21, 2009.

Planning Services Manager explained staff's reasons for recommending approval for the proposed project and Variance; namely, the city does not recognize economic concerns to

particular businesses; city looks at uses that are in the zones to determine how it affects the health, safety and welfare for the general community; the applicant has prepared a parking analysis demonstrating they have sufficient parking spaces to handle the business along with the existing businesses; and staff has included Condition No. 33 addressing the parking issue. Staff feels the business is good for this location and meets City's codes.

The Zoning Administrator opened the public hearing.

Mr. Margolin, representing the applicant, distributed letters of support from surrounding businesses in the same shopping center.

The Zoning Administrator echoed the standpoint of the Planning manager that the city is not able to consider business economics in land use decisions, and asked if anyone wanted to speak in favor or in opposition to this application.

Mr. Chavez, the law firm representing Jenny Sim Beauty Salon and Avanti Skin Care, spoke in opposition to the granting of the CUP and Variance. The opposition is based on the proposed beauty college's inconsistent use for the subject location, public safety issues, and the overall beneficial use of land.

Mr. Chavez stated the parking variance would have a detrimental effect on the shops, such as accidents and people being injured. Mr. Chavez specifically mentioned minors using this plaza when attending art and after-school tutoring schools, skateboarders using the parking areas, and claimed that this would be a health and public safety concern.

Two members of the audience expressed opposition to the application.

Ms. Jenny Sim communicated, through a Korean interpreter, that her business would not be able to compete with the beauty college's lower rates, and insufficient parking would turn her patrons away.

The Zoning Administrator expressed a desire to continue the hearing, due to the parking issues, thereby giving both parties an opportunity to study and evaluate the parking analysis or meeting together and come to an agreeable or workable compromise.

Mr. Margolin expressed concern that this item would be appealed, causing more delay and a financial burden to the applicant, and suggested this application be brought directly before the Planning Commission.

With no further comments or questions, the Zoning Administrator closed the public hearing and moved that Conditional Use Permit No. CUP-257-09 and Variance No. V-181-09 be considered by the Planning Commission with the current staff recommendation in place; will offer the assistance of the Planning staff to either set up meetings to help mediate through the parking study issues for which they are available and would avail themselves as needed, or the parties can choose to meet on their own.

CONDITIONAL USE PERMIT NO. CUP-261-09  
APPLICANT: HOA BINH GARDEN GROVE SUPERMARKET, INC.  
LOCATION: 13922 BROOKHURST STREET  
DATE: January 22, 2009

REQUEST: Conditional Use Permit approval to allow an existing 37,400 square foot supermarket, Hoa Binh Garden Grove Supermarket, to operate with a new original State

Alcoholic Beverage Control Type "20" (Off-Sale, Beer and Wine) License. The site is in the C-2 (Community Commercial) zone.

Staff report was reviewed. The Zoning Administrator opened the public hearing.

The Vice President and Manager of the supermarket stated they have read and are in agreement with all of the conditions. A letter from the property owner stating to that fact was submitted to the Zoning Administrator.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Conditional Use Permit No. CUP-261-09, subject to the recommended conditions and pursuant to the facts and reasons contained in Decision No. 1572.

COMMENTS BY THE PUBLIC

None.

The meeting was adjourned at 9:55 a.m.

Nancy J. Ragen  
Recording Secretary