

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
JANUARY 21, 2010

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: COMMISSIONERS BEARD, BONIKOWSKI, BUI, TRAN
ABSENT: CABRAL, ELLSWORTH
VACANCY: ONE

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Lee Marino, Senior Planner; Maria Parra, Urban Planner; Sid Ashrafnia, Associate Civil Engineer; Sergeant Ed Leiva, Police Department; Judith Moore, Recording Secretary

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Commissioner Bonikowski moved to approve the Minutes of December 3, 2009, seconded by Commissioner Tran. The motion carried with the following vote:

AYES: COMMISSIONERS: BEARD, BONIKOWSKI, BUI, TRAN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: CABRAL, ELLSWORTH
VACANCY: COMMISSIONERS: ONE

PUBLIC HEARING: AMENDMENT NO. A-153-10
APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE
DATE: JANUARY 21, 2010

REQUEST: To amend Title 9 of the Garden Grove Municipal Code, Sections 9.12.40.090H, Ground Cover; 9.12.40.090L, Substitute Landscaping; 9.16.40.070H Ground Cover; and 9.16.40.070L, Substitute Landscaping, to allow artificial turf within the R-2 (Limited Multiple Residential), R-3 (Multiple-Family Residential), O-P (Office Professional), C-1 (Neighborhood Commercial), C-2 (Community Commercial), C-3 (Heavy Commercial), M-1 (Limited Industrial), M-P (Industrial Park), and O-S (Open Space) zones, subject to special standards.

Staff report was read and recommended approval.

Commissioner Bui asked staff if the artificial turf would be installed by certified professionals only, as the cost could be a burden to residents. Staff stated that in the R-1 zone, the turf for single-family homes could be

installed by the homeowner provided the manufacturer's requirements are followed; that turf in commercial and industrial zones, in addition to apartment and condominium areas, have a higher traffic use and therefore the turf should be installed correctly; that if the turf is not installed correctly, this could lead to a code enforcement problem; and, that most landscape contractors have licenses, however, certification for installation is not by the manufacturer, only that a contractor has been trained to install the turf.

Commissioner Bui asked staff to clarify the involvement of the Apartment Association of Orange County regarding the guidelines. Staff responded that early on, staff researched other Orange County communities and at that time, only Buena Park and Anaheim had artificial turf codes; that approximately half of the cities did not allow turf, though the remainder allowed turf on a case-by-case basis; and that Westminster and other cities now allow turf.

Commissioner Tran agreed that only residents of single-family homes should be able to install the turf themselves; however, multi-family homes and commercial/industrial areas should have professional installations.

Chair Beard asked staff to clarify the eight-year warranty regarding fading turf. Staff explained that the industry standard is eight years, however, in Arizona, some installations have not faded in ten to twelve years; and that overall, turf has improved, however, turf does require regular maintenance.

Commissioner Bui asked staff what would happen if turf was damaged by cigarette butts? Staff responded that the turf would melt before burning and there would be holes, and that owners would be required to maintain the turf, otherwise, the deterioration would be a property maintenance issue.

Commissioner Tran asked if turf has any known dangers. Staff replied that recent studies show that there is no chemically toxic danger, but if the turf is not installed correctly, there could be sport or other injuries; and that the City would not be liable.

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

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

Chair Beard agreed that a licensed professional is a good idea for multiple-family, and commercial/industrial areas.

Commissioner Tran moved to recommend approval of Amendment No. A-153-10 to City Council, with corrected typographical errors, seconded by Commissioner Bui, pursuant to the facts and reasons contained in Resolution No. 5704. The motion received the following vote:

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| AYES: | COMMISSIONERS: | BEARD, BONIKOWSKI, BUI, TRAN |
| NOES: | COMMISSIONERS: | NONE |
| ABSENT: | COMMISSIONERS: | CABRAL, ELLSWORTH |

VACANCY: COMMISSIONERS: ONE

PUBLIC HEARING: SITE PLAN NO. SP-445-08 TIME EXTENSION
VARIANCE NO. V-179-08
PLANNED UNIT DEVELOPMENT NO. PUD-122-08
TENTATIVE TRACT MAP NO. TT-17299
APPLICANT: VT DESIGN SPECIALTIES, INC. (VINNIE TRAN)
LOCATION: SOUTH SIDE OF TRASK AVENUE, EAST OF YOCKEY STREET AT 8802
TRASK AVENUE
DATE: JANUARY 21, 2010

REQUEST: To approve a one-year time extension for the approved entitlements under Site Plan No. SP-445-08 and Variance No. V-179-08 for the construction of a small lot, single-family residential subdivision. The site is in the Planned Unit Development No. PUD-122-08 zone.

Staff report was read and recommended approval.

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

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

Commissioner Bui moved to approve the one-year time extension for the approved entitlements under Site Plan No. SP-445-08 and Variance No. V-179-08, seconded by Commissioner Bonikowski, pursuant to the facts and reasons contained in Resolution No. 5705. The motion received the following vote:

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| AYES: | COMMISSIONERS: | BEARD, BONIKOWSKI, BUI, TRAN |
| NOES: | COMMISSIONERS: | NONE |
| ABSENT: | COMMISSIONERS: | CABRAL, ELLSWORTH |
| VACANCY: | COMMISSIONERS: | ONE |

ITEM FOR
CONSIDERATION: GENERAL PLAN CONFORMITY
STREET VACATION NO. SV-118-10
APPLICANT: CITY OF GARDEN GROVE
LOCATION: WALNUT STREET, BETWEEN CENTURY BOULEVARD AND TAFT STREET
DATE: JANUARY 21, 2010

REQUEST: Determination by the Planning Commission per Government Code 65402, for the requirement for the finding of General Plan consistency concerning the vacation of a portion of the Walnut Street right-of-way, located between Century Boulevard and Taft Avenue, to remove the underutilized public right-of-way and thereby facilitate the future development of the area.

Staff report was read and recommended approval.

Chair Beard agreed that the street vacation would be consistent with the adopted General Plan.

Commissioner Bonikowski asked staff to clarify if the auto body shop would be affected by the street vacation. Staff responded that the triangular portion of the street that abuts the property would remain as an access for the auto body shop.

Commissioner Bui moved to approve the General Plan Conformity for Street Vacation No. SV-118-10, seconded by Commissioner Bonikowski, pursuant to the facts and reasons contained in Resolution No. 5703. The motion carried with the following vote:

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| AYES: | COMMISSIONERS: | BEARD, BONIKOWSKI, BUI, TRAN |
| NOES: | COMMISSIONERS: | NONE |
| ABSENT: | COMMISSIONERS: | CABRAL, ELLSWORTH |
| VACANCY: | COMMISSIONERS: | ONE |

MATTERS FROM
COMMISSIONERS:

Chair Beard commented that the selection of Chair and Vice Chair, which is an annual occurrence, could be postponed until all members were present, however, the selections could be acted on at this meeting.

Commissioner Bonikowski and Chair Beard agreed to postpone the selections; however, Commissioner Tran urged the Commission to vote for the Chair at this meeting.

Commissioner Tran moved to select Chair Beard as Chair for another year, and to select the Vice Chair at the next regularly scheduled meeting, seconded by Commissioner Bui. The motion carried with the following vote:

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| AYES: | COMMISSIONERS: | BEARD, BONIKOWSKI, BUI, TRAN |
| NOES: | COMMISSIONERS: | NONE |
| ABSENT: | COMMISSIONERS: | CABRAL, ELLSWORTH |
| VACANCY: | COMMISSIONERS: | ONE |

Commissioner Tran asked staff if the City is assisting the Haiti situation in any way as the number of victims exceeds the population of Garden Grove. Staff expressed that, as of yet, they are not aware of a City assistance program for Haiti.

Chair Beard commented that building codes are in place to help prevent disasters such as we have seen in the tragedy of Haiti; and that our city staff is fair, but firm with applicants regarding building codes.

Staff added that cities amended their building codes after the Northridge earthquake of 1996 after studying destroyed buildings.

Chair Beard asked staff to clarify if there is marijuana clinic in the city, or have there been inquiries? Staff responded that there are inquiries and that City Council approved a resolution prohibiting the clinics; however, there are four to five dispensaries that are illegally established without business licenses; that under state law a person would not be prosecuted if marijuana is used for medical purposes, which requires a doctor's note; that Los Angeles did a clinic experiment, which indicated that crime increases, especially robberies; and that a recent regulation in Los Angeles will cause thousands of clinics to close.

Chair Beard expressed that Gene Kirkham was a great, committed Commissioner, with his head and heart in the right place and that he would be missed. He also thanked fellow Commissioners for selecting him as Chair for another year.

MATTERS FROM
STAFF:

Staff stated that there would be no Planning Commission meeting on February 4, 2010 due to a lack of items; that the February 18th meeting is not set yet, however, staff read a brief description of the two items for the March 4, 2010 meeting.

ADJOURNMENT:

Chair Beard moved to adjourn the meeting at 7:45 p.m., seconded by Commissioner Tran. The motion received the following vote:

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| AYES: | COMMISSIONERS: | BEARD, BONIKOWSKI, BUI, TRAN |
| NOES: | COMMISSIONERS: | NONE |
| ABSENT: | COMMISSIONERS: | CABRAL, ELLSWORTH |
| VACANCY: | COMMISSIONERS: | ONE |

JUDITH MOORE
Recording Secretary