

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
MARCH 1, 2007

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: VICE CHAIR MARGOLIN,
COMMISSIONERS CALLAHAN, PAK, PIERCE
ABSENT: Chair Jones and Commissioner Chi.

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Karl Hill, Planning Services Manager; Lee Marino, Senior Planner; Dan Candelaria, Civil Engineer; Sergeant Kevin Boddy, Police Department; Gus Castellanos, Community Services-Contract Compliance; Judith Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Pak moved to approve the Minutes of January 18, 2007, seconded by Vice Chair Margolin. The motion carried with the following vote:

AYES: COMMISSIONERS: CALLAHAN, MARGOLIN, PAK, PIERCE
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: JONES, CHI

ITEM FOR CONSIDERATION: RESOLUTION AFFIRMING DENIAL OF SITE PLAN NO. SP-415-07, AMENDMENT NO. A-130-07, AND THE ADOPTION OF THE NEGATIVE DECLARATION

Resolutions affirming denial of Site Plan No. SP-415-07 and Amendment No. A-130-07 were reviewed.

Commissioner Pierce moved to approve the denial of Site Plan No. SP-415-07 and Amendment No. A-130-07, seconded by Commissioner Pak, pursuant to the facts and reasons contained in Resolution Nos. 5580 (Amendment) and 5581 (Site Plan). The motion received the following vote:

AYES: COMMISSIONERS: CALLAHAN, PAK, PIERCE,
MARGOLIN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: CHI, JONES

PUBLIC
HEARING:

NEGATIVE DECLARATION
SITE PLAN NO. SP-418-07
TENTATIVE TRACT MAP NO. TT-17130
VARIANCE NO. V-154-07
DEVELOPMENT AGREEMENT

APPLICANT:
LOCATION:

HUNG THE QUACH, M.D.
WEST SIDE OF HOPE STREET, SOUTH OF WESTMINSTER AVENUE AT
14051 AND 14061 HOPE STREET

DATE:

MARCH 1, 2007

REQUEST:

Site Plan approval to construct an eighteen (18) unit condominium development in conjunction with a request for Variances from City Code for reduced parking and reduced side-yard setback, with a Tentative Tract Map to reconfigure two existing lots into a one-lot subdivision for the purpose of selling each unit as a condominium. The site is in the R-3 (Multiple-Family Residential) zone.

Staff report was read and recommended approval. Staff also made a correction to the staff report, Page 1, Project Statistics Table, Building Setback/Code Requirements column: Revise north setback from 11'-3" to 10'-0" and south setback from 14'-0" to 11'-3". Staff clarified that Condition of Approval No. 17 (Water Services Division) requires a sewer line from the project along Hope Street to Westminster Avenue at an estimated cost of \$250,000; and that the cost would be borne by the applicant/developer.

One letter was written in opposition to the project by Ronald Calkins.

Commissioner Pak asked the size of the new sewer line. Staff responded that it would include a separate 8-inch sewer line to serve the site only and that the line would connect to a 15-inch sewer main in Westminster.

Vice Chair Margolin asked staff if the parking would be random. Staff replied that each unit would have two garage spaces - one within the driveway, and five open spaces at the rear of the project. The driveways are double-wide but only one space is then counted.

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

Mr. Hung The Quach, the applicant, approached the Commission and stated that the property is in a rural area; that the existing property is difficult to maintain; that the community is dense and good priced homes are needed to rent or buy; and that the project is good for the beauty of the City.

Commissioner Callahan asked the applicant to state the completion date of the project. Mr. Quach replied 12 months to two years from now.

Mr. William Melton approached the Commission and stated that he lives in a two-story condominium project; that a three-story building might not be an appropriate use for the site, however, condominiums would be a good use; that his association agreed that the five extra parking spaces were acceptable; that the Variance was not justified under the circumstances; that a better solution would be to decrease the center driveway width from 25'-0" to 24'-0" to create two, 12-foot travel lanes, and increase the north setback by 3 inches; that Condition No. 37, with regard to noise conditions, needs to be modified to state that construction activity on Saturday shall be limited to interior construction only; and that on Sunday and Federal Holidays, no construction shall occur.

Commissioner Pak asked Mr. Melton if the project's third floor southwest corner would cause a privacy issue at his condominiums. Mr. Melton responded that the third floor sundeck would look over other unit's open private space.

Mr. Michael Waite approached the Commission and expressed his concerns with parking and that there would be congestion with cars; that the surrounding buildings are two-story and that with a three-story building, neighbors would be able to see into the two-story buildings.

Mr. Joseph Kagerer approached the Commission and expressed that his unit would be directly impacted by the three-story windows; that he could not leave his shades open with the new building fifteen feet away; and that a new two-story building would impact him in a similar way in that his patio would be within the line of site.

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

Mr. Quach approached the Commission and stated that both sides of the property, and the front, have commercial buildings; that large, 18-wheel trucks park in front illegally both day and night; that with a higher building angle, less could be seen into a neighbor's house; that as the density grows, the living spaces in the City go up.

Vice Chair Margolin asked the applicant if he had read and agreed with the Conditions of Approval. The applicant replied yes.

Commissioner Callahan asked staff if the privacy issues could be mitigated. Staff replied yes, and although there would be some views into the open space areas, staff would work with the applicant to mitigate the privacy issues.

Mr. Don Inman, the project engineer, approached the Commission and stated that the northeast windows are bathroom windows.

Commissioner Pierce added that exterior construction hours should remain Monday through Friday only, with interior construction allowed on Saturdays.

Commissioner Pak pointed out that the residents should attend City Council and ask that the area with the parked trucks be designated as 'no parking for commercial vehicles'.

Staff added that the truck concerns would be addressed with the Police Department; and that additional on-street parking in front of the site would be available when the curb, gutter and sidewalk was put in.

Commissioner Callahan suggested that signs be posted in the parked truck area that state 'no high-profile parking'.

Commissioner Callahan moved to adopt the Negative Declaration, recommend the approval of the Development Agreement to City Council, and approve Site Plan No. SP-418-07, Tentative Tract Map No. TT-17130, and Variance No. V-154-07, with an amendment to Condition No. 37 to limit exterior construction to weekdays only with interior construction allowed on Saturdays, seconded by Vice Chair Margolin, pursuant to the facts and reasons contained in Resolution No. 5586. The motion received the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	CHI, JONES

PUBLIC
HEARING:
APPLICANT:
LOCATION:
DATE:

AMENDMENT NO. A-132-07
CITY OF GARDEN GROVE
CITYWIDE
MARCH 1, 2007

REQUEST:

To amend Section 9.16.070C of the Title 9 of the Garden Grove Municipal Code regarding the R-3 (Multiple-Family Residential) zone building height requirements and setback distance requirements for one, two, and three story residential structures for multi-family developments adjacent to R-1 (Single-Family Residential) zoned properties.

Staff report was read and recommended approval.

Vice Chair Margolin asked staff if the amendment would be a significant impact to the neighbors. Staff replied that after the computer view analysis, it was determined that the impact would be reduced if all the requirements were met, such as using high windows at the rear of the property and screening trees.

Commissioner Pak asked staff to clarify the impact information for three story buildings. Staff referred the Commissioners to Staff Report Item C-3 and the revised table indicating Building Placement Diagrams.

Vice Chair Margolin 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 Callahan moved to recommend approval of Amendment No. A-132-07 to City Council, seconded by Vice Chair Margolin, pursuant to

the facts and reasons contained in Resolution No. 5587. The motion received the following vote:

AYES:	COMMISSIONERS:	CALLAHAN, MARGOLIN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	CHI, JONES

MATTERS FROM
COMMISSIONERS:

Commissioner Callahan welcomed new staff member Sergeant Kevin Boddy of the Police Department.

Commissioner Pak thanked staff for sending himself and Commissioner Pierce to the Planning Commissioner seminar in Los Angeles.

MATTERS
FROM STAFF:

Staff requested that the current Planning Commissioners remain 'seated' until the new Planning Commissioner appointments have been decided.

ADJOURNMENT:

The meeting was adjourned at 8:30 p.m.

JUDITH MOORE
Recording Secretary