

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
NOVEMBER 4, 2010

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

PRESENT: COMMISSIONERS BUI, CABRAL, ELLSWORTH, PAK
ABSENT: BEARD, BONIKOWSKI
VACANCY: ONE

Commissioner Beard joined the session at 6:50 p.m.

ALSO PRESENT: James Eggart, Assistant City Attorney; Susan Emery, Community Development Director; Maria Parra, Urban Planner; Ed Leiva, Police Sergeant; Judy Moore, Recording Secretary.

ITEM FOR
DISCUSSION:

ALCOHOLIC BEVERAGE SALES FOR TYPE "20" AND "21" LICENSES

Discussed Alcoholic Beverage Control Type "20" and "21" Licenses pertaining to the sales of alcoholic beverages in relation to size and quantity of the alcoholic products for off-site consumption.

CALL TO ORDER: The regular meeting of the Planning Commission was called to order at 7:10 p.m. in the Council Chambers of the Community Meeting Center.

PRESENT: COMMISSIONERS BEARD, BUI, CABRAL, ELLSWORTH, PAK
ABSENT: BONIKOWSKI
VACANCY: ONE

Commissioner Bonikowski joined the meeting at 7:15 p.m.

ALSO PRESENT: James Eggart, Assistant City Attorney; Susan Emery, Community Development Director; Maria Parra, Urban Planner; Sergeant Ed Leiva, Police Department; Judith Moore, Recording Secretary

Karl Hill, Planning Services Manager, joined the meeting at 7:20 p.m.

PLEDGE OF
ALLEGIANCE:

The Pledge of Allegiance to the Flag of the United States of America was led by Commissioner Pak and recited by those present in the Chambers.

ORAL
COMMUNICATIONS: None.

APPROVAL OF

MINUTES: Commissioner Ellsworth moved to approve the Minutes of October 21, 2010, seconded by Commissioner Pak. The motion carried with the following vote:

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

CONTINUED
PUBLIC HEARING:

NEGATIVE DECLARATION
AMENDMENT NO. A-157-10

APPLICANT:
LOCATION:
DATE:

CITY OF GARDEN GROVE
CITYWIDE
NOVEMBER 4, 2010

REQUEST:

To amend Title 9 of the Garden Grove Municipal Code Section 9.04.060 (Definitions), Sections 9.08.020.030, 9.12.020.030, and 9.16.020.030 (Uses Permitted), and Section 9.16.020.050 (Special Operating Conditions and Development Standards), introducing new definitions and uses relating to Emergency Shelter (Homeless), Transitional Housing, and Supportive Housing.

Staff report was read with a recommendation for approval and a new overlay zone map was presented, which indicated the boundaries for emergency shelter locations.

Vice Chair Bui asked for clarification of the map's blue strip area along Harbor Boulevard. Staff responded that the area is an M-1 zone, however, the area is not a part of the overlay zone; and that the overlay zone would allow emergency shelters.

Commissioner Pak asked if Westminster Avenue is the dividing street between Garden Grove and Santa Ana. Staff replied yes.

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 Cabral moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-157-10 with an amendment to the resolution, to City Council, seconded by Vice Chair Bui, pursuant to the facts and reasons contained in Resolution No. 5725. The motion carried with the following vote:

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

PUBLIC HEARING:

SITE PLAN NO. SP-410-06 TIME EXTENSION
TENTATIVE TRACT MAP NO. TT-17035

DEVELOPMENT AGREEMENT

(REF. PLANNED UNIT DEVELOPMENT NO. PUD-116-06)

APPLICANT:

CYNTHIA CIRCLE DEVELOPMENT L.P.

LOCATION:

END OF CYNTHIA CIRCLE CUL-DE-SAC ON EAST SIDE OF EUCLID STREET,
NORTH OF WESTMINSTER AVENUE AND SOUTH OF WOODBURY ROAD AT
11031 CYNTHIA CIRCLE

DATE:

NOVEMBER 4, 2010

REQUEST:

To approve a three-year time extension of an approved Development Agreement, which includes Site Plan No. SP-410-06 and Tentative Tract Map No. TT-17035. The project consists of 144 residential units on a 6.82-acre site in the Planned Unit Development No. PUD-116-06 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 Pak agreed that the economy is slow, with construction loans being pulled, and that it is good the project is on hold until all the details are in place.

Commissioner Pak moved to recommend approval of the Time Extension, seconded by Commissioner Bonikowski, pursuant to the facts and reasons contained in Resolution No. 5727-10. The motion carried with the following vote:

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

PUBLIC HEARING:

REVOCATION OF CONDITIONAL USE PERMIT NO. CUP-589-02

APPLICANT:

CITY OF GARDEN GROVE

LOCATION:

NORTHWEST CORNER OF HARBOR BOULEVARD AND CHAPMAN AVENUE
AT 12361 CHAPMAN AVENUE

DATE:

NOVEMBER 4, 2010

REQUEST:

To revoke Conditional Use Permit No. CUP-589-02, which allowed a 10,828 square foot restaurant to operate under a State Alcoholic Beverage Control Type "47" (On-Sale General, Eating Place) License and to have live entertainment in the form of a disc jockey and dancing. The City proposes to revoke CUP-589-02 due to the closure of the business for more than 30 days. The site is in the Planned Unit Development No. PUD-04-82 zone.

Staff report was read and recommended approval, with an amendment to the resolution.

Commissioner Pak asked if the owner of the restaurant was aware of the revocation of the conditional use permit. Staff responded that the City's redevelopment agency is in the process of acquiring the property and the

current and pending property owners have been notified of the revocation. Staff also added that any new operator would be required to apply for a conditional use permit that would include updated standards for this type of establishment.

Commissioner Ellsworth noted that historically, the businesses at this location have required Police Department services.

Commissioner Bonikowski asked staff to clarify the future plans for the site. Staff replied that options include finding a new restaurant operator or remodeling the facility into a different venue; that the Hyatt Hotel was given the first choice to take over the site as it is adjacent to their property, however, at this time, they are not interested, but the option is still open; that so far, all of the restaurant operators at this location have had problems; that the restaurant is overly large without adjacent parking, which consistently lead to flyer parties with bussed-in attendees; that this type of large restaurant use is outdated as current restaurants tend to be smaller in size; and that the primary goal for the site is to find a different use that uses less of the City's resources.

Commissioner Ellsworth agreed that all of the three former operators used an astronomical amount of the City's resources.

Staff added that to keep the last operator, J.C. Fandango, on track, several meetings were held in order to have the operator behave responsibly, and that quite probably, the restrictions contributed to their demise, as they were more of a night club than a restaurant.

Commissioner Pak asked staff if updated entertainment standards would be included in future conditional use permits. Staff replied yes.

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 moved to approve the Revocation of Conditional Use Permit No. CUP-589-02, with an amendment to the resolution, seconded by Commissioner Cabral, pursuant to the facts and reasons contained in Resolution No. 5728-10. The motion carried with the following vote:

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

**MATTERS FROM
COMMISSIONERS:**

Commissioner Pak invited fellow Commissioners and staff to buy tickets to the Garden Grove Sister City's Association's fundraising feast to assist Garden Grove High School students to participate in the annual student exchange program in Garden Grove's sister city of Anyang, Korea.

Commissioner Cabral thanked staff for their time and effort in fulfilling Commission directives, in order to better understand the public hearing items.

Commissioner Bonikowski apologized for joining the meeting late.

MATTERS FROM
STAFF:

Staff read a brief description of the agenda items for the November 18, 2010 Planning Commission meeting.

ADJOURNMENT:

Chair Beard moved to adjourn the meeting at 7:35 p.m., seconded by Commissioner Cabral. The motion received the following vote:

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

JUDITH MOORE
Recording Secretary