

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE  
GARDEN GROVE, CALIFORNIA

THURSDAY  
DECEMBER 1, 2005

CALL TO ORDER: The study session of the Planning Commission was called to order at 6:00 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR CALLAHAN, VICE CHAIR JONES, COMMISSIONERS BARRY, CHI, LECONG, MARGOLIN, PIERCE  
ABSENT: NONE.

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Senior Planner; Erin Webb, Senior Planner; Jay Jarrin, Senior Planner; Paul Wernquist, Urban Planner; Maria Parra, Associate Planner; Robert Fowler, Police Department; Dan Candelaria, Civil Engineer; 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 CALLAHAN, VICE CHAIR JONES, COMMISSIONERS BARRY, CHI, LECONG, MARGOLIN, PIERCE  
ABSENT: NONE.

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Senior Planner; Erin Webb, Senior Planner; Jay Jarrin, Senior Planner; Maria Parra, Associate Planner; Robert Fowler, Police Department; Dan Candelaria, Traffic Engineer; Keith Jones, Public Works Director; Judith Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Barry moved to approve the Minutes of November 17, 2005, seconded by Vice Chair Jones. The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, CALLAHAN, CHI, JONES, LECONG, MARGOLIN, PIERCE  
NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

PUBLIC HEARING: SITE PLAN NO. SP-381-05  
APPLICANT: A VAN BUI  
LOCATION: SOUTHWEST CORNER OF FLOWER STREET AND 15<sup>TH</sup> STREET AT 14121 FLOWER STREET.  
DATE: DECEMBER 1, 2005

REQUEST: To construct two (2) detached, two-story multiple-family units with a combined living area of 6,750 square feet, with each unit having an attached two-car garage, located on an 11,225 square foot lot improved with an existing single-family home. The site is in the R-3 (Multiple-Family Residential) zone.

Staff report was reviewed and recommended approval.

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

Mr. Thomas Nguyen, the project engineer, approached the Commission and stated that the project's design meets the code requirements.

Commissioner Barry asked Mr. Nguyen if he had read and agreed with the conditions of approval including the revised Condition No. 15. Mr. Nguyen replied yes.

Vice Chair Jones asked Mr. Nguyen if the units would be rented. Mr. Nguyen replied that the owner would live in one unit and their family members would live in the other unit.

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

Commissioner Barry moved to approve Site Plan No. SP-381-05, seconded by Commissioner Margolin, pursuant to the facts and the reasons contained in Resolution No. 5523. The motion carried with the following vote:

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

PUBLIC HEARING: NEGATIVE DECLARATION  
SITE PLAN NO. SP-382-05  
CONDITIONAL USE PERMIT NO. CUP-175-05

TENTATIVE PARCEL MAP NO. PM-2005-260  
APPLICANT: ALEX CUEVAS  
LOCATION: NORTHEAST CORNER OF BROOKHURST STREET AND TRASK AVENUE AT  
13482 BROOKHURST STREET.  
DATE: DECEMBER 1, 2005

REQUEST: Site Plan and Conditional Use Permit approval to construct a service station with a 2,900 square foot convenience store (Arco AM/PM), a 968 square foot automatic car wash, and to allow the business to continue to operate with a Type "20" (Off-Sale Beer and Wine) Alcoholic Beverage Control License. Also, Tentative Parcel Map approval to consolidate two (2) parcels into one (1) parcel. The existing Arco AM/PM service station will be demolished to facilitate the proposal. The site is in the C-2 (Community Commercial) zone.

Staff report was reviewed and recommended approval with a modification to the crime statistics portion of the staff report which states that the mini-mart is not located in a high-crime district, and that it is located in an area with an over-concentration of Alcoholic Beverage Control Licenses.

Staff referred to Condition No. 17 and stated that the project area has a sewer capacity deficiency; that the condition notes the requirements required of the developer; the developer has the option to conduct a sewer study for capacity; and that since this condition was applied, a City study verified there is a deficiency, therefore, per the Waste Discharge Requirements set by the State Water Board, the car wash and other plumbing fixtures cannot be added that would increase flows into the sewer.

Staff explained that the sewer deficiency information had just become available and that for the developer to adhere to the discharge requirements, the development would have to be scaled back because the sewer replacement by the City would not be scheduled for six to seven years from now. Staff commented that one option would be that the developer would front the money to pay for the improvements and that when the project is scheduled, the City would reimburse the money.

Chair Callahan asked staff if there would be a recycling system installed.

Staff replied that the recycled water would still need to be disposed of.

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

Mr. Alex Cuevas, the applicant, approached the Commission and stated that he had read and agreed with the conditions of approval. He also commented that with regard to the sewer deficiency, he would reduce the two existing buildings to one building and add the car wash.

Vice Chair Jones asked Mr. Cuevas if the east wall at the rear could be changed from 8'-0" to 10'-0" in height. Mr. Cuevas replied yes.

Vice Chair Jones asked Mr. Cuevas if he could keep the landscaping to a maximum height of 20'-0" instead of 35'-0". Mr. Cuevas replied yes.

Mr. Rabih Sater, an owner of the project, approached the Commission and expressed his support.

Mr. Steve Schofro, a representative of the car wash company, approached the Commission and stated that there are engineering controls that can be applied to minimize the water usage.

Staff stated that mitigation measures with regard to the sewer deficiency would be open for discussion with the developer.

Mr. Craig Yamasaki, the Arco representative, approached the Commission and agreed that the motion should include a statement that the approval of the car wash would be subject to the mutual satisfaction of the Public Works Director.

Vice Chair Jones pointed out that Condition No. 17 requires a sewer study; however, staff suggested modifying the condition to read as follows: "This area is a tributary to a known sewer capacity deficiency on Trask Avenue, east of Gilbert Street. The developer shall remedy the capacity situation or make modification under the development to the satisfaction of the Director of the Public Works Department prior to issuance of building permits."

Mr. Warren Cannon, the auto repair owner, approached the Commission and expressed his support for the project and also mentioned that he would like to see a 10'-0" high wall on the north side.

Commissioner Lecong asked staff if 10'-0" high walls could legally be built to buffer noise. Staff replied yes, if it is conditioned in the Site Plan.

Mr. Phat Bui, owner of neighboring properties, approached the Commission and expressed his concern with regard to sewage conditions, traffic stacking in front of his property, and the nuisance of litter from the Arco station on his property.

Staff showed Mr. Bui the traffic circulation plan and stated that the number of driveways has been reduced and a double-double yellow stripe on Trask Avenue would help mitigate traffic and that any new drive way would be 'flared'.

Mr. Craig Yamasaki approached the Commission and stated that he would be a good neighbor, that eight trash receptacles would be available and that there would be only two driveways instead of four.

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

Vice Chair Jones and Commissioners Margolin, Pierce and Lecong expressed their support for the project.

Vice Chair Jones moved to adopt the Negative Declaration, and approve Site Plan No. SP-382-05, Conditional Use Permit No. CUP-175-05 and Tentative Parcel Map No. PM-2005-260, with amendments to the crime statistic statement; Condition No. 17; that 10'-0" high walls are acceptable on the north and east walls; and that landscaping shall be kept to a

maximum of 25'-0" in height, seconded by Commissioner Barry, pursuant to the facts and the reasons contained in Resolution No. 5524. The motion carried with the following vote:

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

**PUBLIC**

**HEARING:**

SITE PLAN NO. SP-348-04 (REV. 05)  
CONDITIONAL USE PERMIT NO. CUP-141-04

**APPLICANT:**

GALAXY OIL COMPANY

**LOCATION:**

NORTHWEST CORNER OF HARBOR BOULEVARD AND BANNER AVENUE,  
NORTH OF THE SR-22 FREEWAY AT 13321 HARBOR BOULEVARD.

**DATE:**

DECEMBER 1, 2005

**REQUEST:**

A Modification to Approved Plans to construct a storage area (approximately 1,100 square feet) on the second floor of an approved gas station with convenience market. The site is in the HCSP-TZS (Harbor Corridor Specific Plan-Transition Zone South) zone.

Staff report was reviewed and recommended approval with the addition of Condition No. 9.

Vice Chair Jones asked staff if the area would be used for dry storage. Staff replied yes.

Commissioner Barry asked for a language clarification on the added Condition No. 9. Staff replied that the original Condition No. 13 could be amended in lieu of adding Condition No. 9.

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

Mr. Jim Caiopoulos, the applicant/president of Galaxy Oil, approached the Commission and stated that the storage area would be helpful for storing a range of paper and seasonal products and that he had read and agreed with the conditions of approval including the modification to the original Condition No. 13 from SP-348-04, which adds the word 'refrigerated'.

Mr. Harry Heady, owner of Design Associates, approached the Commission and commented that the project would add to the beautification and safety of the area.

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

Commissioner Barry moved to approve Site Plan No. SP-348-04 (Rev.05) and Conditional Use Permit No. CUP-141-04, with an amendment to the original Condition No. 13, seconded by Vice Chair Jones, pursuant to the facts and the reasons contained in Resolution No. 5525. The motion carried with the following vote:

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

MATTERS  
FROM  
COMMISSIONERS: None.

MATTERS  
FROM STAFF: Staff informed the Commissioners that Dan Candelaria, the staff Civil Engineer, had returned to the City of Garden Grove, and that Maria Parra, from the Planning Division, was promoted to an Associate Planner.

ADJOURNMENT: The meeting was adjourned at 8:20 p.m.

JUDITH MOORE  
Recording Secretary