

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
APRIL 3, 2008

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: CHAIR PIERCE
COMMISSIONERS BANKSON, BEARD, KIRKHAM, NGUYEN
ABSENT: BRIETIGAM, PAK

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Lee Marino, Senior Planner; Paul Wernquist, Urban Planner; Collette Morse, RBF Consulting Senior Project Manager; Judy Moore, Recording Secretary.

THE DRAFT GENERAL PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

1. Discussed how these documents coordinate with each other.
2. Discussed the adoption process.
3. Discussed the role of the Planning Commission.

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: CHAIR PIERCE
COMMISSIONERS BANKSON, BEARD, KIRKHAM, NGUYEN
ABSENT: BRIETIGAM, PAK

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Lee Marino, Senior Planner; Paul Wernquist, Urban Planner; Sid Ashrafnia, Associate Civil Engineer; Sergeant Kevin Boddy, 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 Bankson and recited by those present in the Chamber.

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Commissioner Kirkham moved to approve the Minutes of March 6, 2008,

seconded by Commissioner Beard. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BEARD, KIRKHAM, NGUYEN, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, PAK
ABSTAIN:	COMMISSIONERS:	BANKSON

PUBLIC HEARING: SITE PLAN NO. SP-440-08
VARIANCE NO. V-174-08
APPLICANT: COTTI FOODS
LOCATION: WEST SIDE OF HARBOR BOULEVARD, NORTH OF BANNER DRIVE AT
13291 HARBOR BOULEVARD
DATE: APRIL 3, 2008

REQUEST: Site Plan approval to allow the removal of an existing 1,605 square foot fast food restaurant with a drive-thru, and to construct a new 2,086 square foot fast food restaurant with a drive-thru, in conjunction with Variance approval to allow a deviation in the minimum lot size and minimum lot frontage in the Harbor Corridor Specific Plan-Transition Zone South. The site is in the TZ-S (Transition Zone South).

Staff report was read and recommended approval. One letter of opposition was written by Mrs. Harriet Rasmussen.

Commissioner Beard asked staff if the west side common wall was a shared wall with the residents and does the wall affect this project?

Staff replied that if the wall does not meet current requirements as a zone separation wall, the wall would need to be rebuilt; and that the directional lighting would not affect the residents.

Commissioner Beard asked if the parking would remain the same. Staff replied that because the building would increase in size, the parking would increase; and that there would be no parking behind near Banner Drive.

Commissioner Beard asked if the project has a grease interceptor. Staff replied that due to the age of the restaurant, there may not be a interceptor, if so, the conditioned grease interceptor would be new.

Commissioner Bankson asked staff if the current loud speaker is not in use between 10:00 p.m. and 7:00 a.m. Staff replied no.

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

Ms. Gabriella Marks, the applicant's representative and architect, approached the Commission and stated that the loud speaker is a new menu board and speaker post that would automatically adjust the volume down at night so as not to disturb the residents; that provisions for shielding would be implemented; and that the landscape buffer would be increased along the west property line.

Commissioner Bankson stated that Condition No. 51 specified that the speaker board would not operate between the hours of 10:00 p.m. and 7:00 a.m.

Chair Pierce asked Ms. Marks if she had read and agreed with the Conditions of Approval. Ms. Marks replied yes; however, Condition No. 51 would need to be addressed.

Commissioner Beard asked Ms. Marks for the drive-thru's hours of operation. Ms. Marks replied 24 hours; that the current speaker is standard and would be replaced with an adjustable volume speaker; that this project is a franchise; that the new speaker satisfies the concerns of other communities; and that the speaker would be in a new location.

Staff added that Condition No. 51 could be modified to include that the applicant may have the new speaker system; however, in the event that the new speaker is a nuisance, problematic, or if complaints were received, the provision to institute 'no speaker usage between the hours of 10:00 p.m. and 7:00 a.m.' would be imposed.

Commissioner Beard asked Ms. Marks to clarify why the project is being remodeled. Ms. Marks explained that the current restaurant is outdated; that a new image is needed; that the volume of usage would not increase; that 60 percent of the business is drive-thru; that the added 481 square feet is for storage space; that employees park in the parking lot; that the number of employees varies from four to seven; and that the restaurant has been at this location for over 15 years.

Commissioner Beard asked Ms. Marks if she is aware that the front portion of the property would be taken for the Harbor Boulevard expansion. Ms. Marks replied yes, that there is no parking in that area and that seating outside is a franchise preference.

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

Commissioner Beard commented that with regard to the letter of opposition, the remodel would not have an impact; that the new look and plan would help with circulation; and that he supports the findings.

Commissioner Kirkham agreed that the restaurant has been there over 15 years and would not impact the area; and would fit into the International West area. Chair Pierce agreed.

Commissioner Beard moved to approve Site Plan No. SP-440-08 and Variance No. V-174-08, with an amendment to Condition No. 51, seconded by Commissioner Bankson, pursuant to the facts and reasons contained in Resolution No. 5632. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, BEARD, KIRKHAM, NGUYEN, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, PAK

PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-136-08

APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE
DATE: APRIL 3, 2008

REQUEST: To amend Title 9 of the Garden Grove Municipal Code to establish development standards for the regulation of duplexes and triplexes. The proposed Amendment is intended to establish uniform development standards that will include new setbacks, new building height and building separations, with emphasis on appropriate architectural building design and massing, as well as new parking and driveway design.

Commissioner Beard moved to continue the case to the May 1st, 2008 Planning Commission meeting, seconded by Commissioner Kirkham. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, BEARD, KIRKHAM, NGUYEN, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, PAK

ITEM FOR
CONSIDERATION: ADOPTION OF THE CODE OF ETHICS
DATE: APRIL 3, 2008

REQUEST: An annual acknowledgement for the City's Code of Ethics for Public Officers and Employees.

MATTERS FROM
COMMISSIONERS: None.

MATTERS
FROM STAFF: Staff read a brief description of future Agenda items for the Thursday, May 1st, 2008 Planning Commission meeting.

ADJOURNMENT: Chair Pierce moved to adjourn the meeting at 7:30 p.m., seconded by Commissioner Beard. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, BEARD, KIRKHAM, NGUYEN, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, PAK

JUDITH MOORE
Recording Secretary