

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
NOVEMBER 3, 2005

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, AND MARGOLIN

ABSENT: COMMISSIONER LECONG

ALSO PRESENT: Jason Retterer, Deputy City Attorney; Karl Hill, Senior Planner; Jay Jarrin, Senior Planner; Rick Wagner, Police Department; George Allen, Traffic Engineer; Judith Moore, Recording Secretary.

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

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Chair Callahan moved to approve the Minutes of October 20, 2005, seconded by Commissioner Chi. The motion carried with the following vote:

AYES: COMMISSIONERS: CALLAHAN, CHI, JONES, MARGOLIN

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: LECONG

ABSTAIN: COMMISSIONERS: BARRY

PUBLIC HEARING: NEGATIVE DECLARATION
PLANNED UNIT DEVELOPMENT NO. PUD-109-05
SITE PLAN NO. SP-378-05
DEVELOPMENT AGREEMENT

APPLICANT: KAISER FOUNDATION HOSPITALS
LOCATION: EAST SIDE OF EUCLID STREET, SOUTH OF CHAPMAN AVENUE AT 12092 EUCLID STREET.

DATE: NOVEMBER 3, 2005

REQUEST:

To change the zoning of the property from CCSP-HD (Community Center Specific Plan-Hospital District) to Planned Unit Development to add a three-story, 44,737 square foot medical office building to be attached to an existing medical office building of 44,407 square feet for a total building area of 89,144 square feet; and to increase the number of parking spaces on the site.

Staff report was reviewed and recommended approval.

Commissioner Barry asked if all expenses are to be borne by the Applicant/Developer unless otherwise specified. Staff replied yes.

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

Ms. Barbara Shipnuck, the applicant's representative, approached the Commission.

Chair Callahan asked Ms. Shipnuck if she had read and agreed with the conditions of approval. Ms Shipnuck replied yes and that the only issue was in regard Condition No. 15 with the design and build of the left turn lane, and that prior to the issuance of the building permit, she would like to post a bond for the full amount, and that she would work with City staff on the design in conjunction with developing a site for the building, since the turn lane would not be used until the building is completed.

Staff stated that the delay of installing the left turn pocket would become a difficult task to accomplish and that the installation of the pocket usually coincides with completion of the grading because of the equipment available to perform the work.

Ms. Shipnuck agreed to work with staff on the coordination of the left turn pocket.

Mr. Randy Regier, the architect, approached the Commission.

Commissioner Chi asked Mr. Regier if concerns were addressed at the neighborhood meeting. Mr. Regier replied yes and stated that several issues were addressed included rotating the building, providing less glazing along the east side with opaque film up to six feet, providing cut-off light fixtures, utilizing and improving the large landscaping, the east side to be staff parking only to reduce traffic flow, providing increased security on site during hours of operation, and construction staying within the stated hours allowed.

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

Commissioner Margolin commented that the property does need to be developed and expressed his support for the project.

Commissioner Barry moved to adopt the Negative Declaration, to recommend the approval of Planned Unit Development No. PUD-109-05 and the Development Agreement to City Council, and to approve Site Plan No. SP-378-05, with an amendment to the conditions of approval that added Condition No. 44 which shall read "All Conditions of Approval shall be implemented at the applicant's expense, except where specified in the individual condition." The motion was seconded by Vice Chair Jones, pursuant to the facts and the reasons contained in Resolution Nos. 5516 (PUD/Development Agreement) and 5517 (Site Plan). The motion carried with the following vote:

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

**PUBLIC
HEARING:**

NEGATIVE DECLARATION
GENERAL PLAN AMENDMENT NO. GPA-4-05(A)
AMENDMENT NO. A-123-05
SITE PLAN NO. SP-379-05
CONDITIONAL USE PERMIT NO. CUP-171-05
DEVELOPMENT AGREEMENT

**APPLICANT:
LOCATION:**

LAM NGUYEN
SOUTHEAST CORNER OF CHAPMAN AVENUE AND NUTWOOD STREET AT
10510 CHAPMAN AVENUE.

DATE:

NOVEMBER 3, 2005

REQUEST:

To amend the General Plan Land Use designation by changing the current designation from OP (Office Professional) to LDR (Low-Density Residential); to rezone the 1.8 acre site to R-1-7 (Single-Family Residential) to allow a religious facility on this site; for Site Plan approval to construct a two-story, 13,000 square foot Buddhist Temple; for Conditional Use Permit approval for the operation of the proposed religious facility.

Staff report was reviewed and recommended denial. Six letters were written in opposition to the request by Marjorie and Joe Reid, Bill and Katherine Lewanda, and four anonymous homeowners.

Commissioner Chi asked staff why there are 11 less parking spaces. Staff replied that the second level assembly area has been removed; however, the building footprint has increased.

Commissioner Chi asked staff what revisions had been made that changed the staff recommendation to denial.

Staff replied that City Council actions on two different land use matters proposing to amend the General Plan had been denied in order to maintain the Office Professional designation.

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

Ms. Van Dao, the applicant's representative, approached the Commission

and stated that the building had been intentionally re-designed in consideration of the surrounding area and that the square footage had been reduced by 2,500 square feet, along with changes in the height, color and landscaping. Ms. Dao also cited the opposite viewpoints between the previous and current staff reports and that the second floor assembly area was removed so that services would be held on the first floor.

Ms. Dao also stated that services during the week would be minimal with approximately 30 members from 7:00 p.m. to 8:30 p.m. at night and that Temple traffic would not interfere with existing traffic on Nutwood Street and Chapman Avenue. With regard to noise, Ms. Dao stated that most of the activities would take place inside the Temple.

Commissioner Barry asked Ms. Dao to explain weekend activities at the Temple. Ms. Dao stated that approximately 100 people would attend Sunday services, and those people would come and go during a 10:30 a.m. to 12:00 p.m. period.

Commissioner Barry asked Ms. Dao to address weddings and funerals. Ms. Dao stated that weddings were typically conducted at home, nuclear family members visit the Temple for prayer, funerals were conducted at the grave sites and the funeral Temple service would be a remembrance with nuclear family members only. Ms. Dao also expressed that shuttling of members would occur only during the three holidays – Chinese New Year, Buddha’s Birthday and Ancestral Remembrance Day.

Commissioner Barry asked Ms. Dao that if membership and services are minimal, why is a 13,000 square foot building required.

Ms. Dao stated that there is a pride in the temple design and cited surrounding temples in the area.

Mr. Lam Nguyen, the architect, approached the Commission and stated that he reduced the building’s square footage, the height and number of parking spaces, and commented that there are three other temples in Garden Grove. He also commented that Buddhists are more individualistic, and that the Temple would be peaceful because of the times of practice.

Mr. Tony Rector approached the Commission and stated that the existing building has been operating as a temple for the last eight months.

Mr. Bill Lewanda approached the Commission and stated that the existing building has been used as illegal living quarters and cited traffic concerns.

Ms. Marge Heard approached the Commission and submitted a petition with 27 names in opposition.

Mr. Mel McQuade approached the Commission and cited traffic and sewer concerns.

Ms. Sabina Aofrate approached the Commission and cited traffic and noise concerns, and that Buddhist training is currently taking place on the existing property.

Ms. Van Dao approached the Commission and stated that a large mass is not 30 people; that the existing medical building does not preserve and enhance the area; that the existing medical office building, if fully rented, would increase traffic; and that monks and nuns do not reside at the Temple. Ms. Dao further commented that per the administrative license, only meetings and discussions are held in regard to Temple matters.

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

Staff clarified that they would be able to work with the applicant should another Temple site be found; however, staff would not assist the applicant in finding another location. Staff also commented that the applicant was issued a business license for office use only.

Commissioner Barry asked staff if there had been any code enforcement violations during the last eight months. Staff replied yes.

Commissioner Margolin expressed his disappointment in the people running the Temple effort and commented that the site should remain Office Professional but be improved.

Commissioner Barry agreed with Commissioner Margolin and cited several concerns including the size of the facility with a minimal amount of members; that staff changed the recommendation based on City Council's comments and a reevaluation; that in the Office Professional zone, 175 people would not come at one time therefore the uses and traffic patterns cannot be compared; that it is not the intent to not let people practice their religion; that the building's architecture does not fit the area; and that the property should remain Office Professional.

Commissioner Chi asked staff if the Temple hours were limited. Staff stated not specifically; however, the applicant would need community event permits for special occasions to address parking and traffic.

Commissioner Chi stated that if the project were approved, he would advocate limiting the hours of operation so as not to inconvenience the neighbors; an increase in parking; and penalizing the applicant for violations if they are valid. He also felt that, from the land use perspective, the project conforms to the area and that the owner purchased the property with the thought that a religious facility could be built. He further commented that from a cultural perspective, people need to educate themselves.

Vice Chair Jones expressed his view that we should have vision as to where the City should go; that a Temple is a less intense use than an Office Professional building; that Temple traffic would likely not occur at peak times; and that cultural diversity should be embraced.

Chair Callahan agreed Garden Grove is a great City for cultural diversity; however, he could not support the project.

Commissioner Barry moved to deny General Plan Amendment No.

GPA-4-05(A), Amendment No. A-123-05, Site Plan No. SP-379-05, Conditional Use Permit No. CUP-171-05, and the Development Agreement; seconded by Commissioner Margolin, pursuant to the facts and the reasons contained in Resolution of Denial Nos. 5518 (GPA/Amendment) and 5519 (Site Plan). The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, CALLAHAN, MARGOLIN
NOES: COMMISSIONERS: JONES, CHI
ABSENT: COMMISSIONERS: LECONG

PUBLIC
HEARING:

NEGATIVE DECLARATION
AMENDMENT NO. A-124-05

APPLICANT:
LOCATION:
DATE:

CITY OF GARDEN GROVE
CITYWIDE
NOVEMBER 3, 2005

REQUEST:

A request to amend Title 9 (Land Use) of the Garden Grove Municipal Code that relates to parking requirements for residential uses.

Staff report was reviewed and recommended approval.

Commissioner Margolin asked staff if the standard for less than 50, three-bedroom units in a large subdivision and over 50 is based on the size of the development?

Staff replied yes, as well as the number of rooms and whether or not the development is on or off an arterial.

Vice Chair Jones commented that typically, earlier developments have less parking when compared to today's standards.

Commissioner Barry asked staff to explain the differentiation of being 'on' or 'off' an arterial. Staff replied that if 'on' an arterial, there is likely no on-street parking and if 'on' a local street, it is likely that on-street parking is available in addition to on-site parking, which is in the current code.

Staff explained that in the 1980's and 1990's arterials had two lanes in each direction, and when widening these streets the City opted to remove the on-street parking creating through lanes, therefore, an additional .25 parking spaces were added to projects fronting arterials.

Commissioner Barry expressed her concern with the reduction in the number of spaces for developments with over 50 units because the City is already built out; that units should be self-contained; that there are more families in one home; that there is no mass transit; and there should be no reduction in guest spaces.

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

Ms. Robin Marcario approached the Commission and commented that the portion of the parking study for larger developments should be completed on more current developments and that the decision impacts the Brookhurst Triangle and other citywide developments.

Vice Chair Jones commented that smaller developments would see more congestion and warrant an increase on parking spaces, and that larger projects have room for minimal reduction.

Staff explained that covered spaces are "resident" spaces with a garage or car port, and uncovered spaces are "guest" spaces and that "guest" means "unassigned".

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

Commissioner Margolin commented that there should be no reduction in guest parking spaces for the over 50 units. Commissioner Chi concurred.

Commissioner Margolin moved to adopt the Negative Declaration and recommend the approval of Amendment No. A-124-05 to City Council with an amendment to Chart A (Table Comparing Current and Proposed Parking Codes), that there should be no reduction in guest or unassigned parking spaces for the 50 units or more developments; seconded by Commissioner Barry, pursuant to the facts and the reasons contained in Resolution No. 5520. The motion carried with the following vote:

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| AYES: | COMMISSIONERS: | BARRY, CALLAHAN, CHI, MARGOLIN |
| NOES: | COMMISSIONERS: | JONES |
| ABSENT: | COMMISSIONERS: | LECONG |

MATTERS
FROM
COMMISSIONERS: None.

MATTERS
FROM STAFF: Staff read the future agenda items for the November 17, 2005 Planning Commission meeting.

ADJOURNMENT: The meeting was adjourned at 9:50 p.m.

JUDITH MOORE
Recording Secretary