

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
AUGUST 16, 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: CHAIR CHI, VICE CHAIR PIERCE
COMMISSIONERS BANKSON, BEARD, BRIETIGAM,
NGUYEN, PAK

ABSENT: None.

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

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Vice Chair Pierce moved to approve the Minutes of August 2, 2007, seconded by Commissioner Pak. The motion carried with the following vote:

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

Chair Chi made the suggestion to take the Public Hearing Items out of order to hear Item D.1. prior to Item C.1.

Commissioner Pak moved to approve the request, seconded by Commissioner Brietigam. The motion carried with the following vote:

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

CONTINUED
PUBLIC HEARING: NEGATIVE DECLARATION

PLANNED UNIT DEVELOPMENT NO. PUD-119-07
SITE PLAN NO. SP-427-07
VARIANCE NO. V-161-07

APPLICANT:
LOCATION:

ALBERT GHARIBIAN
NORTHWEST CORNER OF THE INTERSECTION OF KNOTT STREET AND
CHAPMAN AVENUE AT 6961 AND 6941 CHAPMAN AVENUE

DATE:

AUGUST 16, 2007

REQUEST:

To rezone a commercial development from C-1 (Neighborhood Commercial) to a Commercial Planned Unit Development to allow an automatic car wash operation, a Site Plan to construct the car wash facility, and a Variance to allow a commercial PUD on less than five acres. The site consists of two lots that include a corner building used for automotive businesses, a multi-tenant commercial building, and a fast-food pad building.

Staff report was read and recommended approval. Two letters of concern were written by Alfonso Trozzi and John Vairo of Perrys Pizza.

Commissioner Bankson asked staff if the car wash would be open to the public. Staff replied yes, along with a hand detailing business.

Chair Chi asked staff that if the property continued in its current zoning would the parking requirements change? Staff replied that the parking requirements would remain the same and that the parking is three spaces per bay and every 250 square feet of office allows for another space; that vacuuming would take place outside; that the finish drying would take place at the end of the conveyor belt; and that the cars are allowed to stack.

Commissioner Brietigam commented that there is a 15-horsepower drying machine and asked staff if the machine is in compliance. Staff replied that a certain type of dryer is conditioned as well as a noise reduction package; that the machine would meet the City noise ordinance; and that the residents are 120 feet away and past the multi-tenant building to the north.

Commissioner Pak asked staff if the operators would add more cars later. Staff deferred the question to the applicant, and that the addition of more cars is not a specific condition.

Commissioner Brietigam asked staff to clarify the length of the north wall. Staff explained that the north sound wall stops short and would not block driver's views.

Commissioner Bankson asked staff to clarify where the used water would drain to. Staff explained that the water would be recycled.

Chair Chi asked staff to clarify the construction access. Staff explained that there is no specific condition for encroachment into the northern neighbor's property during construction; that a measured plan of the site was done; that there would be a 19'-0" space for parking; and that the construction materials must be contained on the project site unless a construction easement was issued from the adjacent property.

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

Mr. Adrian Van Rijs, the applicant's representative, Mr. Albert Gharibian, the applicant, and Mr. Kelvin Peggins, the car wash consultant, approached the Commission and stated that they had concerns with Condition Nos. 6a, 12, 15, 21, 33, and 44.

Chair Chi asked Mr. Rijs to clarify the car wash flow of cars. Mr. Rijs stated that the flow would be from the Chapman Avenue entrance, across the front of the building and into the vacuuming area to the right, then the cars would go through the tunnel on the conveyor belt and exit to the left of the building and be in line for drying. Mr. Rijs further stated that the drying equipment would be so powerful it would not take long to dry the cars and that the overflow cars would be between the tunnel exit and the Chapman Avenue entrance.

Commissioner Brietigam asked Mr. Rijs to state the height of the wall behind the car wash. Mr. Rijs stated that the wall would be a 10'-0" high block wall.

Mr. Peggins added that the building would be 14'-0" high and the car wash door would be 10'-0" high, the same as the wall height; that the overflow has three spaces to use; and he agreed that the area would be tight.

Commissioner Beard asked Mr. Gharibian to state the number of cars per day coming in for smog checks. Mr. Gharibian stated approximately ten cars per day and two cars per day for detailing.

Commissioner Pak asked Mr. Peggins to describe the results of the meeting that took place with Alfonso Trozzi. Mr. Peggins stated that he described the noise wall, the building's insulation to reduce sound, and the noise reduction package.

Chair Chi asked Mr. Gharibian where the employees would park. Mr. Gharibian stated that the employees would park off-site on the Chapman side west of the property; that he is the only employee that has a car and that he can park his car at a mechanic shop across the street.

Commissioner Brietigam asked the applicant for the number of car wash employees. Mr. Gharibian replied five.

Mr. Alfonso Trozzi, representing his mother, Maria Trozzi, approached the Commission and stated that his two main issues of concern were the noise and the wall; that he did visit a similar car wash; that he wants to work with Mr. Gharibian; that the wall would obstruct his tenant's views; that parking is a concern; and that he would like to see a car wash door to lessen the noise.

A representative from the adjacent liquor store approached the Commission and voiced his concern with the wall limiting his visibility.

Mr. Peggins stated that the visibility for the tenants located behind the car wash would be the same.

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

Chair Chi then re-opened the public hearing at the request of Commissioner Bankson.

Commissioner Bankson asked Mr. Trozzi to clarify his opposition to the 10'-0" wall. Mr. Trozzi stated that the wall would wrap around the car wash and that visibility would be blocked from Knott Street, especially for drivers sitting at the signal; also, that tenants would have to look out at a wall.

Mr. Rijs agreed that the wall extends 15'-0" from the car wash, but that the wall should not be a concern. Also, he noted that the hours of operation were restrictive in that not enough time is allowed for people to get their cars washed after work.

Commissioner Bankson asked staff to describe the new block wall. Staff stated that a condition could be added to use an attractive split-face wall. Mr. Peggins stated that currently, Perrys Pizza does not have good visibility.

Staff stated that Condition No. 50 would allow an additional Perrys Pizza monument sign on Chapman Avenue to give better the business better visibility.

Commissioner Pak asked Mr. Rijs if other car wash hours of operation have been researched in the City. Mr. Rijs replied no.

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

Staff stated that Condition No. 6 is a standard condition with regard to new utility equipment; that Condition No. 12 is a standard condition for traffic mitigation fees for new development or intensification of an existing development based on how much traffic is projected and a fee is paid to mitigate that; that the one-time, standard development impact fee has been adopted by the City Council by resolution; that the fee goes to a traffic fund for street and traffic improvements; that Condition No. 15 addresses the four driveway approaches that would be removed, along with the standards for the new approaches on Chapman Avenue and Knott Street, and that the existing sidewalk needs to be removed and replaced; that Condition No. 21 states that the existing bus pad needs to be removed and relocated due to the new driveways; that Condition No. 33 addresses the noise measurements that are done with sensitive receptors per the noise ordinance; that Condition No. 44 addresses limiting the monument sign to one, as there would be enough area on the building for better visibility car wash signage; that the corner cut-off dedication would prohibit a permanent monument sign; that the hours of operation are standard; and that a parking space could be used for an additional free-standing Perrys Pizza sign.

Commissioner Brietigam expressed his concerns that the project was too tight and did not fit the community; that the monument signs do not fit the residential area; that there should be a need to change zoning; that

there are other local car washes; that parking would be an issue, especially with no employee parking; and that typically, strip malls located behind other businesses fail due to visibility issues.

Commissioner Beard agreed that the area is too small for a variance; that the wall is needed for noise reduction, however, the tenants do not want the wall; and that there are traffic concerns.

Vice Chair Pierce commented that the project would make the area better especially with the additional landscaping.

Commissioner Pak hoped that the applicants understood the conditions they had concerns with and commented that the project would be an improvement.

Commissioner Bankson suggested adding a condition to provide an attractive split-face wall in lieu of a standard block wall.

Chair Chi commented that Perrys Pizza currently does not have good visibility, however, the car wash may bring more business to the overall site.

Commissioner Bankson asked staff if the legal notices were sent out in a 500-foot radius as there were no residents present to object to the request. Staff replied yes.

Vice Chair Pierce moved to adopt the negative declaration, recommend Planned Unit Development No. PUD-119-07 to City Council, and approve Site Plan No. SP-427-07 and Variance No. V-161-07, with an amendment to Condition No. 50 that the block wall shall be a 10'-0" decorative split-face wall, seconded by Commissioner Pak, pursuant to the facts and reasons contained in Resolution Nos. 5607 (PUD) and 5608 (SP/V). The motion received the following vote:

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

PUBLIC HEARING:	TENTATIVE PARCEL MAP NO. PM-2007-158
APPLICANT:	BKM DEVELOPMENT COMPANY, LLC
LOCATION:	NORTHWEST CORNER OF LAMPSON AVENUE AND WESTERN AVENUE AT 7465 LAMPSON AVENUE
DATE:	AUGUST 16, 2007
REQUEST:	To convert two previously approved properties, that are developed with two multi-tenant industrial buildings and that are part of a four parcel

industrial complex, into industrial condominiums. The purpose is to allow the individual ownership of the tenant spaces and to have the complex continue to operate as an integrated multi-tenant industrial complex. The site is in the PUD-105-71 (Rev. 90) zone.

Staff report was read and recommended approval. One letter of opposition was written by W.G. Wells Co. on behalf of four adjoining property owners (Construction Concepts, Design Services, Industrial Investors, Lanvesco).

Commissioner Brietigam asked staff if the owners had a shared parking and access agreement. Staff replied that the agreement, as well as the maintenance of the areas, is a part of the CC & R's.

Chair Chi asked staff to explain the difference between commercial and residential condominiums. Staff deferred Chair Chi to the applicant.

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

Mr. Brian Malliet, of BK Development, approached the Commission.

Chair Chi asked Mr. Malliet if he had read and agreed with the conditions of approval. Mr. Malliet replied yes.

Chair Chi asked Mr. Malliet if he had read the opposition letter from W.G. Wells Co.. Mr. Malliet replied no, and was given a copy of the letter to read.

Chair Chi asked Mr. Malliet to explain the CC & R's voting rights. Mr. Malliet responded that the warehouse facility vote is based on square footage; that the elected positions are determined by square footage; that the procedure works well; that the industrial association is different from a residential association; that the members are registered with community development; that neighbors usually work out their own problems; and that the board usually works with issues in common areas and makes certain that reserves are collected.

Commissioner Pak asked Mr. Malliet if a management association would be put in place. Mr. Malliet stated that an association management company would be hired before they would leave the project.

Chair Chi asked Mr. Malliet to clarify the types of tenants for the industrial condominiums. Mr. Malliet stated that uses would be scrutinized, such as no businesses with heavy parking, no automobile, woodworking or boat businesses; and that they look for higher standards.

Commissioner Brietigam asked Mr. Malliet to clarify the incentive to buy an industrial condominium. Mr. Malliet stated that the purpose is flexibility for small entrepreneurial companies; and that there are smaller uses now due to the larger manufacturers moving out.

Commissioner Pak asked Mr. Malliet to state the asking price for the 45,000 square foot building and the smaller sizes. Mr. Malliet stated that

the 45,000 square foot building would be \$1.65 per foot, and the 5,000 square foot building would be \$2.15 per foot.

Commissioner Beard asked Mr. Malliet to state the types of tenants that are currently interested in the condominiums. Mr. Malliet cited a drapery company, a custom woman's clothing company, a medical manufacturer, and a lab testing company.

Commissioner Pak asked Mr. Malliet if each unit would have an air conditioning unit, heater, and alarm. Mr. Malliet replied yes, except for the common fire suppression system.

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

Commissioner Pak noted that there could be issues with shared parking and asked staff if the indemnification for the City clause would be included as a condition. Staff replied yes.

The Commissioners agreed that the project would be an improvement to the industrial area; that the use was innovative; and that typically, people that own property take more care of the property than people who lease.

Commissioner Brietigam moved to approve Tentative Parcel Map No. PM-2007-158, seconded by Commissioner Beard, pursuant to the facts and reasons contained in Resolution No. 5609. The motion received the following vote:

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

**MATTERS FROM
COMMISSIONERS:**

Commissioner Pak asked staff to address the sidewalk/street crack on Acacia Parkway and Linda Lane. Staff replied that the matter would be looked into.

Commissioner Bankson cited that the crosswalk at Orangewood Avenue and Dolan Street has potholes in it and that it is a tripping hazard. Staff replied that the matter would be looked into.

Commissioner Beard asked staff for a General Plan Update timeframe. Staff replied that completion would be no later than March of 2008, with a community meeting to be held some time in December.

Vice Chair Pierce asked for an update on the Wal-Mart public hearing. Staff replied that the public hearing would either be the second meeting in September or the first meeting in October.

Chair Chi asked staff for an update on the Brookhurst Triangle. Staff replied that the developer pulled out as he had concerns that there would not be a market for the units.

Commissioner Brietigam apologized for missing the last meeting.

MATTERS
FROM STAFF: None.

ADJOURNMENT: The meeting was adjourned at 9:10 p.m.

JUDITH MOORE
Recording Secretary