

GARDEN GROVE PLANNING COMMISSION  
Council Chamber, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes  
Thursday, May 19, 2016

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair O'Neill  
Vice Chair Kanzler  
Commissioner Barker  
Commissioner Margolin  
Commissioner Nuygen  
Commissioner Paredes  
Commissioner Zamora

Absent: None.

PLEDGE OF ALLEGIANCE: Led by Chair O'Neill.

ORAL COMMUNICATIONS – PUBLIC – None.

April 21, 2016 MINUTES:

Action: Received and filed.

Motion: Margolin Second: Barker

Ayes: (7) Barker, Kanzler, Margolin, Nuygen, O'Neill, Paredes,  
Zamora

Noes: (0) None

The following item was taken out of order:

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, CONDITIONAL USE PERMIT NO. CUP-073-2016 FOR PROPERTY LOCATED AT 13272 GARDEN GROVE BOULEVARD, SOUTH SIDE OF GARDEN GROVE BOULEVARD, EAST OF FAIRVIEW STREET.

Applicant: Heaven's Gate Funeral Home, Inc.

Date: May 19, 2016

Request: Conditional Use Permit approval to operate a new funeral home, within an existing approximately 19,460 square foot office building, which will include a mortuary and crematory.

Action: The case was re-noticed and moved to the Thursday, June 2, 2016 Planning Commission Meeting.

Staff welcomed new Planning Commission Lac Tan Nuygen.

CONTINUED PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, SITE PLAN NO. SP-022-2016, CONDITIONAL USE PERMIT NO. CUP-065-2016, LOT LINE ADMJUSTMENT NO. LLA-011-2016, AND DEVELOPMENT AGREEMENT NO. DA-002-2016 FOR PROPERTY LOCATED AT 10641 GARDEN GROVE BOULEVARD, 10661 GARDEN GROVE BOULEVARD, AND 10662 PEARL STREET, NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET. PEARL STREET PROPERTY IS CONTIGUOUS TO NORTH SIDE OF GARDEN GROVE BOULEVARD PROPERTIES AND FRONTS ON SOUTH SIDE OF PEARL STREET, WEST OF NELSON STREET.

Applicant: Tony Lam  
Date: May 19, 2016

Request: Site Plan and Conditional Use approval to construct a four-story, 10-unit, work-live mixed-use development on three separate properties, in conjunction with a Lot Line Adjustment to consolidate three properties into one. A Development Agreement is also included.

Action: Public Hearing held. Speaker(s): Joe Dovich

Action: Recommended adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program to City Council and approved Resolution Nos. 5857-16 and 5858-16.

Motion: Zamora Second: Margolin

Ayes: (7) Barker, Kanzler, Margolin, Nuygen, O'Neill, Paredes, Zamora

Noes: (0) None

PUBLIC HEARING – INTERPRETATION OF USE NO. IOU-109-2016, CONDITIONAL USE PERMIT NO. CUP-069-2016. FOR PROPERTY LOCATED AT 12882 VALLEY VIEW STREET, NORTH SIDE OF GARDEN GROVE FREEWAY (SR-22), EAST SIDE OF VALLEY VIEW STREET.

Applicant: Shoreline Ambulance  
Date: May 19, 2016

Request: Pursuant to the requirements of Planned Unit Development No. PUD-105-76, a request for an Interpretation of Use to determine compatibility between the proposed ambulance service and the existing Planned Unit Development No. PUD-105-76, in conjunction with a

Conditional Use Permit request to operate a new 3,600 square foot ambulance service business, Shoreline Ambulance, within an existing facility located at 12882 Valley View Street, Suites 12, 13, and 14. The site is in the PUD-105-76 (Planned Unit Development) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Action: This item was withdrawn by the applicant.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-071-2016 FOR PROPERTY LOCATED AT 9802 KATELLA AVENUE, SOUTH SIDE OF KATELLA AVENUE, WEST OF THE INTERSECTION OF KATELLA AVENUE AND BROOKHURST STREET AT 9802 KATELLA AVENUE.

Applicant: Golden Sea Restaurant and Banquet  
Date: May 19, 2016

Request: Conditional Use Permit approval to operate an existing 9,120 square foot restaurant/banquet facility, Golden Sea Chinese Seafood Restaurant and Banquet, with live entertainment and an original State Alcoholic Beverage Control Type “47” (On-Sale, Distilled spirits, Beer and Wine, Eating Place) License. The site is in the C-2 (Community Commercial) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Action: Public Hearing held. Speaker(s): Bert Ashland

Action: Resolution No. 5862-16 was approved.

Motion: Margolin Second: Kanzler

Ayes: (7) Barker, Kanzler, Margolin, Nuygen, O’Neill, Paredes, Zamora

Noes: (0) None

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-074-2016 FOR PROPERTY LOCATED AT 9901 CHAPMAN AVENUE, NORTH SIDE OF CHAPMAN AVNEUE, BETWEEN BROOKHURST STREET AND DALE STREET.

Applicant: Matthew Baca (ALDI, Inc.)  
Date: May 19, 2016

Request: Conditional Use Permit approval to operate an approximately 21,567 square foot grocery store with an original Alcoholic Beverage Control type “20” (Off-Sale, Beer and Wine) License. The site is in the NMU (Neighborhood Mixed Use) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Action: Public Hearing held. Speaker(s): Matthew Baca.

Action: Resolution No. 5861-16 was approved, with an amendment to Condition No. 27 stating that the sales area for alcoholic beverages shall not exceed 5% of the retail sales floor area of the supermarket.

Motion: Zamora Second: Barker

Ayes: (7) Barker, Kanzler, Margolin, Nuygen, O'Neill, Paredes, Zamora

Noes: (0) None

PUBLIC HEARING – INTERPRETATION OF USE NO. IOU-001-2016, CONDITIONAL USE PERMIT NO. CUP-072-2016, FOR PROPERTY LOCATED AT 14241 EUCLID STREET #C101-104, WEST SIDE OF EUCLID STREET, BETWEEN FORBES AVENUE AND BUSINESS CENTER PARKWAY.

Applicant: Huyenz Vuong

Date: May 19, 2016

Request: Conditional Use Permit approval to allow the operation of a 4,647 square foot billiard hall, Duy Tan Billiard, in a portion of the tenant space previously occupied by the Can Restaurant and Club. Also, Interpretation of Use approval to determine the compatibility between the proposed billiard hall and the existing zoning classification. The site is in the PUD-104-81/88 Rev. 90 (Planned Unit Development) zone. The project is exempt pursuant to CEQA Sections 15303 – New Construction or Conversion of Small Structures and 15301 – Existing Facilities.

Motion No. 1:

Action: Public Hearing held. Speaker(s): Michael Bui, Blandina Bryant, Teresa Pinon.

Action: Motion to approve Resolution No. 5860-16 and add a condition to utilize the proposed women's restroom as a 'unisex' restroom. For clarification purposes, the Public Hearing was re-opened and after further discussion regarding a potential cost impact to the applicant, and with no new state or federal laws in place regarding gender classifications of restrooms, the motion was withdrawn.

Motion: Zamora Second: Kanzler

Motion No. 2:

Action: Resolution No. 5860-16 was approved.

Motion: Paredes Second: Margolin

Ayes: (7) Barker, Kanzler, Margolin, Nuygen, O'Neill, Paredes, Zamora  
Noes: (0) None

MATTERS FROM COMMISSIONERS: Commissioner Margolin thanked staff for the Project Development Update handout. Staff mentioned that the update was also online and included cases from both the Zoning Administrator and Planning Commission meetings.

Vice Chair Kanzler asked for an update on the City parking study. Staff responded that the study may be completed by the end of the Fiscal Year.

Commissioner Zamora asked if a burned trash can outside of Doug's Downtown Grill could be replaced. Staff responded that Main Street tenants/owners were responsible for the trash receptacles within the alleyways and that a letter would be sent to the owners.

Commissioner Zamora then asked for an update on the Costco area traffic. Staff stated that Dai Vu in Traffic Engineering was looking into the matter.

Commissioner Paredes noted that the Claws Restaurant burned. Staff responded that an insurance assessment would follow the clean-up to clear the El Pollo Loco drive-thru.

Commissioner Paredes also mentioned that progress had stopped on the Day Care center at Brookhurst Street and Orangewood Avenue. Staff responded that permits had been pulled, however, there may be issues with cost.

Commissioner Paredes then encouraged everyone to participate in the Strawberry Stomp 5K run/walk at the Strawberry Festival to support the Garden Grove kids and exchange program.

Chair O'Neill welcomed Commissioner Nuygen.

MATTERS FROM STAFF: Staff handed out a Municipal Code supplement that included updated ordinances and reminded Commissioners that the Heaven's Gate case would be heard on Thursday, June 2<sup>nd</sup>. The June 16<sup>th</sup> meeting would include a Starbucks case and a review of the Brown Act.

Vice Chair Kanzler noted he would be absent from the June 2<sup>nd</sup> meeting.

Commissioner Paredes asked if responses to concerned citizens reaching out to Commissioners was allowed. Staff responded that it was not illegal, but raised legal issues and was discouraged as the Commission sits in a quasi-judicial capacity similar to a judge, who weighs evidence presented at a public hearing, and not evidence from the applicant or public outside of the meeting. If Commissioners do reach out,

the substance of the conversation must be presented and recorded at the public hearing so that the applicant has a chance to respond or rebut any comments. Also, Commissioners were discouraged from responding to queries on Facebook.

ADJOURNMENT: At 8:45 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, June 2, 2016, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: O'Neill Second: Paredes

Ayes: (7) Barker, Kanzler, Margolin, Nuygen, O'Neill, Paredes, Zamora

Noes: (0) None

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Judith Moore  
Recording Secretary