

ZONING ADMINISTRATOR MEETING MINUTES

Garden Grove City Hall
11222 Acacia Parkway
Third Floor Training Room

July 28, 2005, 9:00 a.m.

Those present: Susan Emery, Zoning Administrator
Paul Wernquist, Urban Planner
Maria Parra, Assistant Planner
Robert Fowler, Police Department
Dan Candelaria, Engineering
Judy Moore, Recording Secretary

The meeting was called to order at 9:00 a.m. by Susan Emery, Zoning Administrator.

VARIANCE NO. V-127-05

APPLICANT: Khue Van Nguyen
LOCATION: 8261 Central Avenue

REQUEST: To allow a 663 square foot patio cover to deviate from the required rear yard setback. The site is in the R-1 (Single Family Residential) zone.

Staff reviewed the report and recommended approval.

The Zoning Administrator asked the applicant, Mr. Khue Van Nguyen, if he had any questions and if he had read and agreed with the conditions of approval. Mr. Nguyen stated that he had read and agreed with the conditions of approval. With no further comments or questions, the Zoning Administrator approved Variance No. V-127-05, pursuant to the facts and reasons contained in Decision No. 1474.

CONDITIONAL USE PERMIT NO. CUP-166-05

APPLICANT: Tuan Nguyen
LOCATION: 14942 Bushard Street

REQUEST: To allow a modification to the conditions of approval for CUP-122-03 for limited live entertainment at the Quan He Pho Restaurant. The site is in the C-1 (Neighborhood Commercial) zone.

Staff reviewed the report and recommended approval. One letter of concern was written by Laurie Knox, regarding noise, parking, and traffic.

The Zoning Administrator asked the applicant, Mr. Tuan Nguyen, and Mr. Joe Mah, the applicant's representative, if they had any questions and if they had read and agreed with the conditions of approval. Mr. Mah stated that they had read and agreed with the conditions of approval.

With no further comments or questions, the Zoning Administrator approved Conditional Use Permit No. CUP-166-05, pursuant to the facts and reasons contained in Decision No. 1473. The Zoning Administrator also advised the case planner to send Ms. Knox a copy of the Conditions of Approval.

CONDITONAL USE PERMIT NO. CUP-163-05

APPLICANT: Verizon Wireless

LOCATION: 13091 Galway Street

REQUEST: To allow a telecommunications facility that includes a 60 foot high mono-pine and a 380 square foot equipment cabinet to be installed on St. Anselm Episcopal Church property. The site is in the C-2 (Community Commercial) zone.

Staff reviewed the report and recommended approval with revisions to delete Condition 'P', and to modify Condition 'X'.

The Zoning Administrator asked the applicants if they had any questions and if they had read and agreed with the Conditions of Approval. The applicant's representative, Mr. Dean Brown of The Planning Consortium, stated that the applicant had read and agreed with the Conditions of Approval with exceptions. Mr. Brown stated that Condition 'L' states that a trash enclosure must be installed prior to the issuance of permits for the telecommunications facility and he wondered if the trash enclosure could be installed at the same time as the construction of the facility. Staff replied yes.

Mr. Brown also commented that, adjacent to the Church's parking lot, there are two closed restaurants located at 9628 and 9630 Garden Grove Boulevard, which have poor trash conditions behind them. He further stated that he is willing to build the required trash enclosure for the Church; however, the real trash problem is being created by the restaurant properties and he suggested the current owners of the restaurant properties be contacted with regard to the trash removal.

The Zoning Administrator explained that though the restaurant properties were not part of this application, Code Enforcement staff would be sent out to check on the restaurant's property maintenance.

Mr. Brown also cited Condition No. T(2) and stated that facility would not be 'on-air' in 2006, and could the condition date be modified to January 1, 2007. Staff replied yes.

Mr. Brown also asked if having a third party to measure the radio frequency emissions each year was a requirement. Staff replied yes, and the Zoning administrator suggested keeping Condition T(2) as written, and that if a future problem arises with the yearly inspections, the applicant should contact the Community Development Director.

Mr. Brown also commented that Verizon Wireless coordinates with the Orange County Sheriff's Coroner's office, the Communications Division, and that once entitlement is obtained, the City would get a letter stating that Verizon Wireless does not interfere with the Emergency Broadcasting System. Mr. Brown then expressed his thanks to staff for their assistance.

With no further comments or questions, the Zoning Administrator approved Conditional Use Permit No. CUP-163-05, pursuant to the facts and reasons contained in Decision No. 1471 with the following amendments: modify Condition 'X' to reduce the 48-inch box size to 36-inch; modify Condition 'T(2)' to revise the January 1, 2006 date to January 1, 2007; delete Condition 'P' in its entirety; and modify Condition 'L' with regard to trash enclosures to read "prior to, or concurrently with,..."

CONDITIONAL USE PERMIT NO. CUP-165-05

MINOR MODIFICATION NO. MM-102-05

APPLICANT: Steve Langford Architects, Inc.

LOCATION: 9100 Trask Avenue

REQUEST: To allow a modification to PUD-107-96 for a 500 square foot addition to an existing 7,379 square foot restaurant, and to add a screened mechanical and refrigeration area of 361 square feet. In addition, a person-to-person transfer of an ABC Type "41" (On-Sale General, Eating Place) License for the Chateau Brodard is requested. The site is zoned Planned Unit Development No. PUD-107-96.

Staff report was reviewed and recommended approval.

The Zoning Administrator asked if the applicants were present. The applicant's representative, Mr. Max Yasami of Steven Langford Architect, Inc., stated that he had several issues with the Conditions of Approval. Mr. Yasami cited Condition No. 46 with regard to flaring the eave overhangs of the porch gable roof and displayed sketches showing alternatives. Staff commented that the alternatives would be reviewed. The Zoning Administrator commented that Condition No. 46 is in place for consistency of design purposes, and for flexibility in negotiations during the processing of plan elevations.

Mr. Yasami also desired to address the project's colors, though staff commented that they would work with Mr. Yasami on color approvals after the hearing.

Mr. Yasami asked for clarification of Condition No. 10 with regard to the construction of two new driveway approaches, and the relocation of two fire hydrants and one streetlight on the site. Staff explained that the existing driveways are not City standard and that the driveway approach reconstructions are a traffic safety issue in that the flares are required for easier access into and out of the site. Staff further commented that this is a standard condition for all new developments and redevelopments to improve access.

Mr. Steve Langford, the applicant, questioned the added cost of the improvements. Staff replied that the hydrants and streetlight needed to be relocated so as to not interfere with the new driveway approaches. Staff also commented that the cost of a hydrant is approximately a few thousand dollars, and for the cost of a streetlight, staff suggested Mr. Langford contact Southern California Edison.

The Zoning Administrator commented that the requirements for the driveway, hydrants, and streetlight are standard conditions and advised the applicant that if the costs were too high, he could appeal and the issues would be reviewed again.

Mr. Yasami addressed the pylon (pole) sign at the rear of the site and questioned its removal. The Zoning Administrator stated that it is the City's standard policy to remove pole signs that are no longer in use. The Zoning Administrator further stated that an appeal, with regard to pole signs, would go to the Planning Commission.

Maria Parra, the case planner, indicated that staff would work with the applicant with regard to signage at the rear of the building along the freeway.

Mr. Langford asked staff if the rear sign had to be non-illuminated. Staff replied that only the rear sign's channel letters could be illuminated, not the back panel. Staff referred the applicant to Condition No. 57(b) and stated that staff would assist with the design and size of the signage. Staff also added that roof signs are not allowed.

Mr. Langford asked staff if a 'site-line' study was an option. The Zoning Administrator replied yes.

Sergeant Robert Fowler asked for clarification with regard to the second floor exterior stair exit, in that it was not shown on the original floor plan. Staff commented that the floor plans and elevations have since been modified and the exit would be included as part of the building.

With no further comments or questions, the Zoning Administrator approved Conditional Use Permit No. CUP-165-05 and Minor Modification No. MM-102-05, pursuant to the facts and reasons contained in Decision No. 1472, with an additional comment that the applicant is welcome to work with staff on the signage, driveway, and roofing materials issues.

With no further public comments, the meeting was adjourned at 9:40 a.m.

Judy Moore
Recording Secretary