

ZONING ADMINISTRATOR MEETING MINUTES

Garden Grove City Hall
11222 Acacia Parkway
Third Floor City Council Conference Room

September 22, 2011, 9:00 a.m.

Those present: Susan Emery, Zoning Administrator
Karl Hill, Planning Services Manager
Erin Webb, Senior Planner
Alana Cheng, Administrative Analyst
Ed Leiva, Police Department
Tom Keller, Fire Department
Judy Moore, Recording Secretary

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

CONDITIONAL USE PERMIT NO. CUP-331-11
APPLICANT: Frank Bitar
LOCATION: 11531 Westminster Avenue
DATE: September 22, 2011

REQUEST: Conditional Use Permit approval of a "Vehicle Storage Yard" land use for the operation of a towing and storage business, Hyeland Towing, that will use 12,071 square feet of open rear yard for vehicle storage and 233 square feet of office space within an existing 1,570 square foot building. The site has an existing tenant, Cali's Motor Sport Wheels & Tires, which currently uses the entire building and 5,280 square feet of separately fenced-off rear yard area. The site is in the M-1 (Limited Industrial) zone.

Staff report was read and recommended approval.

The Zoning Administrator opened the public hearing and asked staff to clarify the project's access and commented that the access areas were to remain clear.

Staff asked for clarification of the existing gate. Mr. Robert Shipley responded that the gate was manual rolling with a lock and chain; that the new gate would be similar; and that for access, the Fire Department would cut the chain.

The Zoning Administrator asked the applicant, Mr. Frank Bitar, if he had read and agreed with the Conditions of Approval. Mr. Bitar replied yes.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Conditional Use Permit No. CUP-331-11, subject to the recommended conditions, and pursuant to the facts and reasons contained in Decision No. 1638-11.

CONDITIONAL USE PERMIT NO. CUP-332-11
VARIANCE NO. V-193-11
APPLICANT: Fresh & Easy Neighborhood Market (Farhad Yazdianian)
LOCATION: 12942 Harbor Boulevard
DATE: September 22, 2011

REQUEST: Conditional Use Permit approval to allow a new 4,405 square foot market, Fresh & Easy Neighborhood Market, to operate with an original State Alcoholic Beverage Control Type "20" (Off-Sale, Beer and Wine) License, in conjunction with a sign Variance request from Section 9.16.340.A Signs: Specific Design Standards, of Title 9 of the

Zoning Administrator Minutes

Municipal Code, to increase the number of monument signs permitted by City code in order to add an additional monument sign to the retail center. The site is in the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone.

The applicant submitted a letter to withdraw the case from the agenda.

CONDITIONAL USE PERMIT NO. CUP-333-11
INTERPRETATION OF USE NO. IOU-107-11
APPLICANT: Anh-Tuan La
LOCATION: 12072 Knott Street
DATE: September 22, 2011

REQUEST: Interpretation Of Use approval, in conjunction with a Conditional Use Permit request, to determine if an 'academic tutoring center' would be permitted to be established, subject to Conditional Use Permit approval, within a 2,500 square foot tenant space in a multi-tenant building. The site is in the Planned Unit Development No. PUD-105-71 Rev. '90 zone.

Staff report was read and recommended approval.

The Zoning Administrator opened the public hearing and asked if the tobacco shop was open and expressed her concern with older high school students at the tutoring center finding their way into the tobacco shop during down time.

The applicant's representative, Mr. Minh Huynh, replied yes, that the shop was open; that a staff member would always be in front of the facility; that students would not be able to leave the facility or be outside until their parents pick them up; that for older students, communication with their parents would include a form stating that the students were to stay in the facility; and, that the parents would be responsible for making sure their children were home on time.

Staff added that a storage room was large enough to be converted to a second restroom.

Staff emphasized several conditions of approval including Condition No. 29, that a permit would be required for any temporary banners; Condition No. 20, that any outdoor activities would require a special event permit; and Condition No. 21, that no areas of the premises may be rented out, used for private parties, or for day care.

The Zoning Administrator asked if "1-Up Tutoring" had other facilities. Mr. Huynh replied no, that his experience included four years at the Discovery Learning Center in Santa Ana.

The Zoning Administrator asked where the students would be coming from. Mr. Huynh replied that parents should park where it would be convenient, but preferred the side of Arby's where the parents would park and walk their child to the center, or they could park in front of the dry cleaners, or the tutoring facility, to avoid blocking incoming traffic; that there was no arrangement with the school district, however, there may be referrals in the future; that the lease was for 18 months; and that the number of students would be less than 50, possibly 40 maximum with students numbering approximately 20 as the goal was for a small center.

Staff added that if the number of students was 50 or over, changes would need to be made for life safety.

Zoning Administrator Minutes

Staff asked the applicant to identify the drop-off and pick-up area. The applicant, Mr. Tuan La pointed out the area on the plan to be in front of the reception area and stated that a non-tutor staff member would be in front to direct traffic in order to avoid the obstruction of cars coming into the center; that there was no designated space as the parents would park and walk their child into the center to be signed-in; and, that students needed to be signed-out.

Staff reinforced that parents should be notified in written form about parking and walking their child in, and to avoid any double-parking so as not to block the drive aisle.

Mr. Huynh added that during evening hours, the Arby's parking area was nearly empty as their peak hours were for breakfast and lunch.

Staff added that the project parking was figured using trade school requirements.

The Zoning Administrator asked the applicant's representative if he had read and agreed with the Conditions of Approval. Mr. Huynh replied yes.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Interpretation of Use No. IOU-107-11 and Conditional Use Permit No. CUP-333-11, subject to the recommended conditions, and pursuant to the facts and reasons contained in Decision No. 1640-11.

COMMENTS BY THE PUBLIC

None.

The meeting was adjourned at 9:25 a.m.

Judy Moore
Recording Secretary