

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
NOVEMBER 6, 2008

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: COMMISSIONERS BANKSON, BEARD, BRIETIGAM,
KIRKHAM, NGUYEN, PAK
ABSENT: PIERCE

Commissioner Nguyen joined the meeting at 7:05 p.m.

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Karl Hill, Planning Services Manager; Maria Parra, Urban Planner; Chris Chung, Assistant Planner; Dan Candelaria, Traffic Engineer; Sergeant Kevin Boddy, Police Department; Judith Moore, Recording Secretary

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Commissioner Brietigam moved to approve the Minutes of October 16, 2008, seconded by Commissioner Kirkham. The motion carried with the following vote:

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

CONTINUED PUBLIC HEARING: CONDITIONAL USE PERMIT NO. CUP-239-08
APPLICANT: TRONG DUONG
LOCATION: SOUTH SIDE OF WESTMINSTER AVENUE BETWEEN FLOWER STREET AND HOPE STREET AT 10212 WESTMINSTER AVENUE
DATE: NOVEMBER 6, 2008

REQUEST: Conditional Use Permit approval to operate an existing restaurant, Ngoc Hue Restaurant, with an original Alcoholic Beverage Control Type "41" (On-Sale, Beer and Wine) License. The site is in the C-1 (Neighborhood Commercial) zone.
Commissioner Kirkham moved to continue the case to the December 4th, 2008 Planning Commission meeting, seconded by Commissioner Bankson. The motion received the following vote:

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

PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-144-08
CONDITIONAL USE PERMIT NO. CUP-250-08
APPLICANT: PRINCIPIA ENTERPRISE, LLC
LOCATION: SOUTH SIDE OF TRASK AVENUE, BETWEEN MAGNOLIA STREET AND
GILBERT STREET, AT 9140 TRASK AVENUE, SUITE 2
DATE: NOVEMBER 6, 2008

REQUEST: To amend Planned Unit Development No. PUD-107-06 to allow a Children's Learning Center with Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 2,180 square foot Children's Learning Center, Excelsius Academy. The site is in the Planned Unit Development No. PUD-107-96 zone.

Staff report was read and recommended approval.

Commissioner Kirkham asked staff to clarify the parking. Staff explained that the main entrance is off of Trask Avenue close to the 22 Freeway entrance; that a drop-off and pick-up area has been provided for ease of access and reciprocal access is to be maintained; that the In 'n Out Burger driveway removal would be a part of the Magnolia Street widening and freeway improvements.

Vice Chair Pak asked staff if there could be a right-turn ingress for this project. Staff replied not at this time.

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

Ms. Gina Nga Le, the applicant, approached the Commission and described the project.

Vice Chair Pak asked Ms. Le if she had read and agreed with the Conditions of Approval. Ms. Le replied yes.

Commissioner Beard asked Ms. Le for the number of students in the Center. Ms. Le replied that for Garden Grove, the maximum number would be 40 students with four teachers and one administrative staff member.

Vice Chair Pak asked if transportation would be provided. Ms. Le replied no; that there would be drop-off and pick-up in the reception area.

Vice Chair Pak commented that there is a need for the Learning Center service in the Garden Grove community.

Commissioner Bankson asked Ms. Le for the student's age range. Ms. Le replied 10 to 18 years old; and that with the tutoring service, children would improve their learning skills and be more confident.

Vice Chair Pak asked if the teachers are certified to work with the students. Ms. Le replied that the teachers are certified and come from the local school district.

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

Commissioner Beard moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-144-08 to City Council, and to approve Conditional Use Permit No. CUP-250-08, seconded by Commissioner Brietigam. The motion received the following vote:

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

PUBLIC HEARING:	SITE PLAN NO. SP-433-07
	CONDITIONAL USE PERMIT NO. CUP-218-07
APPLICANT:	LOS ALAMITOS CONGREGATION OF JEHOVAH'S WITNESSES
LOCATION:	SOUTH SIDE OF LAURELTON AVENUE BETWEEN BELGRAVE AVENUE AND ST. MARK STREET AT 5852 BELGRAVE AVENUE
DATE:	NOVEMBER 6, 2008
REQUEST:	Site Plan and Conditional Use Permit approval to allow the demolition of an existing 3,147 square foot religious building and to reconstruct and operate a 4,176 square foot religious building on an existing 39,000 square foot lot in the R-1 (Single-Family Residential) zone.

Commissioner Brietigam recused himself from the discussion.

Staff report was read and recommended approval.

Commissioner Bankson asked staff to verify that no changes in construction have occurred since the original approval. Staff replied yes.

Vice Chair Pak asked staff to explain the noticing error. Staff replied that notices were indeed sent out, however, the error was later discovered that due to a computer glitch, the parcel list that was generated and used for noticing was incorrect; therefore, the notices that were sent went to a different area of Garden Grove.

Commissioner Beard asked staff if the meeting was noticed in the newspaper and if the neighborhood meeting was a result of the noticing error. Staff replied yes to both; that the error was brought to the City's attention during the beginning of construction, in that several residents stated that they did not receive a notice; that a neighborhood meeting was then conducted for residents to express their concerns regarding this project, as well as the Montessori school and traffic in the area; that a noticing error happens less than 1% of the time, however, in the past, people have called to alert the City that they have received notices that do not pertain to them; and that the noticing system is good, except for this particular situation.

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

Mr. Woody Kist, the applicant's representative, approached the Commission and described the project. He stated that the Kingdom Hall project has moved forward; that they are complying with the City; that they are permitted to work on Sunday, but chose not to during heavy construction so as not to bother the neighbors; that they did work Saturdays; that the building is demolished and grading is complete along with the concrete slab; that during demolition, measures were taken to abate dust in the air and debris by using a watering-down process; that he would like to move forward with the new parking lot approach of 25'-0" wide driveway on Laurelton Avenue; that two car lengths would be lost on the street; that if the new driveway was not approved, the new parking lot would need to be reconfigured and four parking lot spaces would be lost; that emergency vehicles had difficulty maneuvering through the alleyway; that the alley is dangerous especially with regard to line of sight; that over 200 cars use the alley per day for the Montessori school; and that congregants often have to wait in line for access to their site from the alley.

Commissioner Kirkham asked the applicant how long he has owned the property and to explain why the alley is the only entrance to the property.

Mr. Kist replied they have owned the property since mid 1974-75 and that the alley was the entrance to the parking lot prior to the Montessori school being built.

Commissioner Beard asked the applicant if there would be an increase in the congregation. Mr. Kist responded that the French speaking congregation has about 50 to 60 people; the English speaking congregation has about 130 people; and the Spanish congregation has about 110 people; that the meetings are on Sundays from 9:30 a.m. to 5:00 p.m.; that during the week, the Tuesday, Wednesday, and Thursday meetings begin at 7:30 p.m. and end at 10:00 p.m. with the chatter gone by 10:30 p.m.

Vice Chair Pak asked the applicant if he had read and agreed with the Conditions of Approval. Mr. Kist replied yes.

Mr. Kris Maher approached the Commission and commented that the project would be a benefit to the neighborhood and that safety would be improved.

Mr. Greg Beard approached the Commission and expressed his concern that the noticing process needs to be corrected; that the congregation would increase; that street parking is an issue; that the dust and possible asbestos were being watered down; that people should know if the proper procedures were followed for asbestos abatement; that if dump trucks could navigate the alleyway, so could emergency vehicles; that the dumping of an excavator at 10:30 p.m. shook his house and swimming pool and there could be damage to his home as well as others; that at 6:45 a.m. a trench plate came down the alley; that the site identification sign that is required per Condition No. 37, is not there; that the residents are policing the construction; that a new pole and transformer had been installed in the alley that could have been undergrounded; that the

Montessori school employees park on the street leaving limited parking for the apartment residents; that swarms of termites flew in the air during demolition; that Laurelton Avenue is a cut-through street; that the Conditional Use Permit indicated that the congregation was not expected to grow; and that there is no parking in front of his house for four hours on Sundays.

Mr. Eric Dupre approached the Commission and expressed that he had to deal with car traffic in the alley; that the alley should not have been intended to be the access for Montessori school; that parking would be taken up on the residential street; that the neighborhood used to be quiet; that the employees and congregation should have sufficient parking; that termites swarmed his house; that he is a contractor and must provide reports for asbestos abatement and termite reports for things that are released into the atmosphere; that his walls are damaged from construction truck traffic; that he now has another pole and a transformer in his back yard and this is a fire danger; that trucks unload materials as early as 5:00 a.m.; and that the zone seems to be more commercial than residential.

Mr. Les Eve approached the Commission and commented that he had mixed feelings about the project; that the Montessori school cleaned his pool after construction; that he saw termites; that the trash area should be moved toward the building; that the alley has a lot of traffic; that congregation chatter ends about 10:30 p.m.; that he would like a cut-through at both openings so traffic would not bunch up; and that the pick-up of children at the Montessori school is a problem and is noisy with car alarms and fast driving.

Mr. Ryan Fremgen approached the Commission and stated that he would like to see the documentation for asbestos abatement for the demolition; that watering down is not a good asbestos removal method; that he also saw termites; that he has splatter on his house that needs to be dealt with; and that parking is an issue.

Mr. Bob Owens approached the Commission and stated that his interest is the safety, health and welfare of citizens; that it is possible City Hall has asbestos in it; that he went by the site and saw a skip loader dump material into a truck and a white cloud came out; that he headed up a naval ship yard asbestos survey that indicated that 32% out of 8000 people were affected by asbestos; that the demolished church had not been inspected properly for asbestos; that illegal removal could constitute a jail sentence due to asbestos being deadly; that asbestos abatement contractors need to be certified; that the apartments across the street from the church had asbestos; that residents did not get the project notices; and that to protect the community, the City needs to follow through in checking for asbestos in the older building projects.

Mr. Tony Flores approached the Commission and stated that the noticing was not done properly for this project and others; that the Montessori school is 5856 Belgrave Avenue, which is adjacent to the project address of 5852 Belgrave Avenue and that the noticing process needs to be revamped; that per the California Environmental Quality Act (CEQA) the project is exempt, however, under Title 19, Section 15303 – New Construction or Conversion of Small Structures, Class C, of which this

project falls under, the Act states that a project is exempt if it does not exceed 2,500 square feet in floor area indicating that this project would not be exempt as this project is 3,960 square feet in floor area; that asbestosis has a seven to ten year manifestation period and that needs to be looked into; and that Garden Grove needs districts, each with its own representation.

Ms. Rita Jones approached the Commission and expressed her concerns about parking, traffic, the demolition without her knowledge; that a sign on the site could help with notification problems; that the asbestos scare is a concern; and that two other residents that could not attend this meeting had traffic concerns.

Mr. Charles Jones approached the Commission and related his concerns with traffic and the cut-through traffic to the Westgate Shopping Center; that parking is his primary concern; that the street cannot take more cars; that there is running of the stop sign and speeding on the street: that white lines were painted on the street near the stop sign, however, this does not help the issues on his side of the street as safety is a concern; and that projects should be looked at carefully.

Mr. Robert Latta approached the Commission and stated that all of the concerns are valid; that he has attended the Congregation since 1974; that traffic has increased citywide; that when the congregation grows, it splits into other places to meet; that there is a concern for the neighborhood and how they feel about the project; that they have worked hard to address off-site parking and other aspects; that the previous building was old and not useful and was to be replaced by a new structure that would add to the community; and that the congregation is willing to work with the community, however, what has transpired is done.

Ms. Elaine Steele approached the Commission and stated that the workers do work on Sunday; that they park down the street and walk into the back; that the cranes are creating trouble; that the alley now has to be redone by the City; that school buses also pick up children from the neighborhoods; and that Commissioners and staff need to go out and look at these project sites before decisions are made.

Ms. Robin Marcario approached the Commission and stated that communication is important; that neighborhood meetings are a great way to have open dialog; that meetings should be held before the public hearings so questions could be answered; and that people need to be better informed to alleviate the discontent.

Mr. John Berkers approached the Commission and stated that his main concern is that he has asthma; that he had a licensed contractor remove the popcorn ceiling from his home; that he did see the termites; and that the traffic is more of a concern than the parked cars.

Ms. Rita Jones reapproached the Commission and asked staff for the neighborhood's choices now that the former church had been demolished.

Vice Chair Pak responded that the proposal is to construct a 4,176 square foot building.

Staff added that the old building would be replaced by the new building with the additional parking and access point; that the Planning Commission has the authority to approve the project; and that if this application were to be denied, the applicant would have the opportunity to apply for a different type of use.

Vice Chair Pak added that the purpose of this hearing is for the public to voice their concerns.

Staff further added that the Planning Commission's decision is final, however, the case could be appealed to City Council; that a denial requires supportive findings; and that this application is a recommendation for approval.

Mr. Tony Flores reapproached the Commission and stated that the notice did not describe the public hearing as an opportunity for opinions only, and he then read the November 6, 2008 notice aloud.

Mr. Bob Owens reapproached the Commission and stated that the object is not to stop the building of the church; that the system has broke down; that the west end area is highly condensed; and that the community needs complete communication along with a working relationship when the quality of life may be affected.

Mr. Greg Beard reapproached the Commission and agreed that the intent is not to stop the building of the church; that the neighborhood needs beautification and the neighbors want to be notified; that the driveway, alley, power pole, overhead wires, noise from security, the stop sign, and the marks on the public street are an issue; and that the church could have initiated a neighborhood meeting, however, they did not.

Mr. Woody Kist reapproached the Commission and stated that the old building was a simple construction of post and beam; that the roof was wood with no attic or duct work; that the walls were stucco on slab; that he did not see termites on the site and could not speak for the swarming; that the alley trucks could have used a new approach and some equipment was offloaded on the street; that early deliveries were addressed with the exception of one evening delivery; that there is no objection to trucks on the street before 7:00 a.m., however, there was no offloading until 7:00 a.m.; that they have the right to work on Sundays, however, they chose not to do heavy construction work on Sundays; that his trucks, as well as trash trucks and public works vehicles all use the alley; that there have been near misses because of alley traffic; that they want to eliminate those dangers by parking on-site; that a number of trucks were on-site to remove concrete debris and the area was hosed down; that several notices did arrive at a townhouse just east of the alley; that workers were asked to park away from the neighborhood to be shuttled to the work site; that the demolition is done; and that they want to continue to work with neighbors and the building will be an improvement.

Commissioner Nguyen asked the applicant for the number of members per meeting. Mr. Kist replied that the number depends on which congregation meets; that when the congregation grows, that congregation splits and goes to another building; that there are families that would take only one car.

Commissioner Nguyen asked the applicant if there was a termite report prior to demolition. Staff replied that there was no termite report required, however, the building site was inspected after demolition.

Commissioner Beard asked for the number of people attending at one time. The applicant replied that the largest group would be the English-speaking group, which would be approximately 135-140 people; that there is a memorial once a year at which approximately 180 people would attend.

Commissioner Beard asked the applicant if an asbestos report was done. The applicant replied that the city did not require an asbestos report, however, other cities have required reports; and that the drywall construction walls had been painted over many times.

Vice Chair Pak asked the applicant if the new transformer and pole were required. The applicant replied that the power poles run down the alley, down Laurelton, west to Mr. Beard's house; that the new pole was installed by Southern California Edison approximately two feet from the existing pole; that when the alley is redone, there will be no obstruction; and that the Edison transformer was required to alleviate the load drop in the building when the air conditioner was turned on.

Vice Chair Pak asked for the name of the General Contractor on the project. The applicant replied that the project is 'owner/builder'; that owner/builders are not required to have licenses; that many of the volunteers working on the building have contractor specialties; that the congregant services are temporarily being held in a neighboring Kingdom Hall; that there were no termites visible to him on his site visits; and that termites are everywhere.

Mr. Eric Dupre reapproached the Commission and stated that the transformer is on the church property; that the load drop was small; that the original pole was unobtrusive and the new pole is a cross style; that the work should have been undergrounded; that the applicant denies there were termites; that trucks are unloading at 5:00 a.m. instead of the required 7:00 a.m.; and that this problem needs to be addressed.

Commissioner Beard asked if there is a termite abatement process.

Mr. Dupre added that as a contractor, he is required to pull a permit to inspect for termites before demolition and an asbestos abatement is required; and that the applicant should not be exempt from that.

Mr. Bob Owens reapproached the Commission and stated that though they do not need a contractor's license there could have been asbestos in the old building; that City Hall should also be inspected; that buildings built up to 1975 have asbestos; that there is no documentation stating that there was no asbestos on the site; and that the applicant seems to be exempt from contractor laws.

Ms. Elaine Steele reapproached the Commission and stated that she had spoken to members of the congregation who said that the old building was being torn down due to termite infestation; that the applicant has said that

they were not working on Sunday, then said that they were working on Sundays; and that if the applicant did not need a contractor license as owner/builder, anyone could build on their house without a license.

Mr. Greg Beard reapproached the Commission and stated that the fire trucks could get into the alley to use the alley fire hydrant in case of fire; that the case will be appealed; that the partial permits have been issued to demolish and construct foundations; that there should not be an increase of congregation cars on the street; and that there should be a project sign.

Vice Chair Pak asked the applicant if he had read and agreed with the conditions of approval. Mr. Kist replied yes.

Mr. Tony Flores reapproached the Commission and stated that per the CEQA requirements, the floor area exceeds 2,500 square feet.

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

Commissioner Kirkham commented that copies of the parcel lists and notices could be included with the Planning Commission packets; and that this meeting's notice should be for opinion only.

Staff explained that the notice for this hearing was the same as the original noticing for December 6, 2007; that the building has been demolished since that time; that the applicant did pull a demolition permit that includes an acknowledgement with regard to asbestos issues and that they declared that there was no asbestos in the building; that they proceeded under a sworn affidavit that they could continue without asbestos removal; that only a foundation permit has been issued; and that there is a condition of approval that a project sign be erected that includes contact information.

Commissioner Kirkham expressed that neighborhood meetings are good for these types of large projects as residents have a right to know what is going on.

Commissioner Beard asked staff if it is a violation of the conditional use permit if the applicant has not complied with the requirements regarding sound, equipment, and times.

Staff replied yes, that Condition No. 32, could be revised, such as eliminating the allowance for work on Sundays and Federal Holidays and that there would no deliveries before 7:00 a.m.

Commissioner Nguyen stated that the Commissioners are the last to see the staff reports; and that both sides need to be educated.

Commissioner Bankson stated that an owner has the right to be owner/builder on their house, however, they must abide by all codes and have inspections; that the City inspector should have made note that there was no sign on the project; that Commissioners receive their packets one week ahead of time to study the projects and visit the sites; that the Fire Department reviews the plans regarding fire hydrants; that the new, larger building would be more functional as the old building was outdated;

that there is not a congregation that doesn't grow; that he sympathizes with the delivery noise; that perhaps construction parking in the neighborhood could be alleviated with permitted parking; and that the existing alley driveway is a danger and perhaps could be alleviated using one-way circulation.

Commissioner Beard asked staff if the apartment parking used to be less stringent, as the area is underparked and there would always be a problem. Staff replied yes.

Commissioner Bankson added that the applicant is constructing a building where there was a building; that if they grow, they will split; and that during construction, offsite shuttling of employees does occur.

Commissioner Kirkham asked staff if there is a city inspector on the property. Staff replied yes; that two inspectors indicated that the site is secured properly and clean; that there are no problems anticipated with this development; that if there are equipment and material drop-off issues, the phone number for the Garden Grove Police Department non-emergency line could be provided in order to ask for the watch commander; and that an inspector sat at the site at 6:30 a.m. one morning and did not see any concerns.

Commissioner Kirkham visited the site one Sunday morning and no workers were on site, however, he did notice muddy run-off water in the alley that could be from the site.

Staff agreed that there was water in the alley, however, it was not determined where the water came from.

Commissioner Bankson added that Southern California Edison makes the transformer design decisions and that undergrounding would need to occur in whole areas.

Vice Chair Pak asked staff to clarify the 2,500 square foot floor area requirement for CEQA exemption. Staff explained that this development replaces an existing building; that the new building is not that much larger than the old building; that the issue is determining whether or not there is an impact with the additional size of the building; that CEQA is used to determine if replacement buildings, that have the same use, have impacts; and that if there are impacts, there needs to be recorded evidence and additional review that there are new impacts; and that there needs to be viable mitigation measures that can be imposed on the new construction or use.

Vice Chair Pak asked staff for the time frame for the residents to appeal the project if it is approved.

Staff replied that per code, any interested party could appeal the project within 21 days of the hearing; that if there is an appeal and the applicant commences the construction, the applicant assumes the risk that the City Council may overturn or change the conditions or the approval and that any work done that is inconsistent with any changes would need to be redone.

Recess from 9:45 to 9:50 p.m.

Staff thanked Mr. Tony Flores for his submission of a copy of the CEQA Regulation and stated aloud that the full exemption for exempted projects is as follows:

Section 15303 Subsection C – Exemptions include but are not limited to a store, motel, office, restaurants, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

Commissioner Beard stated that the noticing was in error; that typically people would have monitored the project from the first day; that a better building would be built; that any large building would first need communication with area residents; that there is a termite issue; that asbestos is out there since pre-1974; and that parking would be a continuous problem.

Staff added that the access could be reviewed along with congregation parking; that if the applicant meets code, it would be difficult for the applicant to go beyond the code, unless an impact that is created by the congregation or construction needs to be mitigated; that the area residents already do not have enough parking in their properties; that if the congregation has sufficient parking for their uses, the Planning Commission is limited as to what could be done; that the applicant is not required to mitigate problems created by third parties; that the required reports are addressed by state law; that regarding building code issues and safety code issues the law states that the city is preempted from local regulations as the same laws apply throughout the state.

Commissioner Beard added that if the citizens had been involved from the beginning, the city could have been alerted; and that the applicant needs to be more diligent with his contractors.

Staff added that violations of the municipal code are misdemeanors and that Code Enforcement could cite violations.

Commissioner Kirkham stated that the noticing problem was not the applicant's fault; that there are options for the project such as modifying conditions relating to the hours of operation and the driveway; and that he does not want to see the project halted.

Staff added that this public re-hearing is for the Planning Commissioners to address testimony relating to concerns, such as revising conditions to eliminate impact concerns.

Vice Chair Pak commented that if there had not been a computer glitch, there might have been a better original hearing and that concerns could be worked out; that the project meets code; and that Southern California Edison could possibly come up with a better solution.

Staff added that the trash enclosure location would be close to the building and that the Sanitation District approves of the location. Also, staff would need to look into the possibility of making the alley a one-way circulation.

Commissioner Bankson commented that he would support the project and that the congregation needs to get the neighborhood engaged in the process; that Condition No. 32 could reflect no deliveries before 7:00 a.m.

Staff added that the word 'delivery' could be added to Condition No. 32 to read, "Hours and days of delivery, construction, and grading shall be..."

Commissioner Kirkham commented that the alley must have two-way circulation due to the Montessori school being at the other end, however, entrance signs could be posted for circulation.

Vice Chair Pak re-opened the public hearing.

Mr. Greg Beard reapproached the Commission and commented that the new driveway would take away public parking; that more cars would park in front of his house and that he would have to deal with the trash.

Mr. Michael Van Dordrecht approached the Commission and stated that he had helped to design the parking lot; that leaving the access to the alley would make four congregation parking spaces lost along with two on the street; that 61 parking spaces are required on the congregation lot, however, they have 62, resulting in one extra parking space; that they previously had 53 spaces; that the neighborhood is helped by nine new congregation parking spaces; and that it would be a detriment to the neighborhood not to have the new approach.

Mr. Bob Owens reapproached the Commission and stated that the hearing was fair, that the church should be built; and that there needs to be better communication.

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

Commissioner Kirkham commented that an owner of a property should have access to his property without having to go through the alley.

Commissioner Bankson moved to approve Site Plan No. SP-433-07 and Conditional Use Permit No. CUP-218-07 with amendments to Condition No. 32, seconded by Commissioner Kirkham. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, KIRKHAM, NGUYEN, PAK
NOES:	COMMISSIONERS:	BEARD
ABSENT:	COMMISSIONERS:	PIERCE
RECUSED:	COMMISSIONERS:	BRIETIGAM

**MATTERS FROM
COMMISSIONERS:**

Commissioner Bankson announced the birth of two granddaughters in the last two and a half weeks.

Commissioner Brietigam pointed out the non-landscaping along Lampson Avenue from Seal Beach and that he would like to see street beautification in that area.

Staff responded that Commissioner Brietigam is welcome to call Keith Jones, the Public Works Director, at any time regarding landscaping improvements, and that there are resources set aside to beautify Lampson Avenue.

Vice Chair Pak welcomed back Sergeant Kevin Boddy who has returned from a cultural leadership training program in Korea. He also stated that he would not be at the November 20th, 2008 Planning Commission meeting.

Commissioner Bankson also stated that he would not attend the November 20th, 2008 Planning Commission meeting.

MATTERS
FROM STAFF:

Staff read a brief description of future Agenda items for the November 20th, 2008 Planning Commission meeting.

Staff related that Commissioner Kirkham invited his fellow Commissioners to become involved in the Garden Grove Tree Lighting Celebration to be held on Tuesday, December 2, 2008.

Staff also related that the annual Planning Commission Holiday Dinner would be held on Thursday, December 18th, 2008.

ADJOURNMENT:

Commissioner Brietigam moved to adjourn the meeting at 10:25 p.m., seconded by Commissioner Beard. The motion received the following vote:

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

JUDITH MOORE
Recording Secretary