NOTICE AND CALL OF SPECIAL MEETING

OF THE

GARDEN GROVE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a special meeting of the Garden

Grove Planning Commission is hereby called to be held on Thursday,

March 17, 2016, at 6:00 p.m. in the Council Chamber, of the Garden

Grove Community Meeting Center, 11300 Stanford Avenue, Garden

Grove, CA 92840.

Said Special Meeting shall be held to discuss the attached

Agenda.

DATED:

March 10, 2016

John O'Neill

full o'Nin

Chair



#### AGENDA -

#### GARDEN GROVE PLANNING COMMISSION

#### SPECIAL MEETING

### MARCH 17, 2016

# COMMUNITY MEETING CENTER 11300 STANFORD AVENUE

#### REGULAR SESSION - 6:00 P.M. COUNCIL CHAMBER

ROLL CALL: CHAIR O'NEILL, VICE CHAIR KANZLER

COMMISSIONERS BARKER, MARGOLIN, PAREDES, ZAMORA

## SELECTION OF CHAIR AND VICE CHAIR

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

# PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. ORAL COMMUNICATIONS PUBLIC
- B. <u>APPROVAL OF MINUTES</u>: January 28, 2016
- C. <u>STUDY SESSION HISTORIC PRESERVATION</u>
- D. <u>PUBLIC HEARING(S)</u> (Authorization for the Chair to execute Resolution shall be included in the motion.)
  - D.1. SITE PLAN TIME EXTENSION NO. SP-016-2014TE1

APPLICANT: RAZAN AMMARI

LOCATION: SOUTHEAST CORNER OF BROOKHURST STREET AND LAMPSON AVENUE AT 12502 BROOKHURST STREET

REQUEST:

To approve a one-year time extension for the approved entitlement under Site Plan No. SP-016-2014 for the construction of a new, approximately 2,447 square foot, one-story building on a lot improved with an existing, approximately 1,755 square foot, medical office building. The site is in the O-P (Office Professional) zone. The City of Garden Grove recognizes a previous exemption from CEQA.

STAFF RECOMMENDATION: Approval of time extension.

- E. <u>MATTERS FROM COMMISSIONERS</u>
- F. MATTERS FROM STAFF
- G. <u>ADJOURNMENT</u>

I, JUDITH MOORE, being duly appointed the Recording Secretary for the Garden Grove Planning Commission HEREBY CERTIFY that the Los Angeles Times, Korea Times, Excelsior, Orange County Register, Garden Grove Journal, Orange County News, Viet Bao, Nguoi Viet, and Korea Daily Newspaper were notified that a Special Meeting of the Garden Grove Planning Commission has been called by the Chair for Thursday, March 17, 2016, at 6:00 p.m. in the Council Chamber, Garden Grove Community Center, 11300 Stanford Avenue, Garden Grove, CA 92840.

I FURTHER CERTIFY that I caused to be posted a copy of the notice calling for the Special Meeting in the exterior display cases of City Hall at 11222 Acacia Parkway and the Community Meeting Center at 11300 Stanford Avenue, Garden Grove, CA 92840, and on the City's website.

JUDITH MOORE Recording Secretary

# GARDEN GROVE PLANNING COMMISSION Courtyard Center, 12732 Main Street, Garden Grove, CA 92840

Special Meeting Minutes Thursday, January 28, 2016

CALL TO ORDER: 7:00 p.m.

#### **ROLL CALL:**

Chair O'Neill
Vice Chair Kanzler
Commissioner Mai
Commissioner Margolin
Commissioner Paredes
Commissioner Zamora

Absent: Mai

PLEDGE OF ALLEGIANCE: Led by Commissioner Paredes.

ORAL COMMUNICATIONS – PUBLIC – Mr. Tony Flores asked if Commissioner Mai had resigned from the Commission and if not, cited several reasons why Mai would be ineligible to continue as a Commissioner in the City of Garden Grove. He also questioned the status of planning cases which included Mai's vote. Chair O'Neill responded that the issue would be resolved at the next City Council meeting.

## December 3, 2015 MINUTES:

Action: Received and filed.

Motion: Margolin Second: Zamora

Ayes: (5) Kanzler, Margolin, O'Neill, Paredes, Zamora

Noes: (0) None

Absent: (1) Mai

PUBLIC HEARING - CONDITIONAL USE PERMIT NO. CUP-058-2016. FOR PROPERTY LOCATED AT 9741 CHAPMAN AVENUE, THEATER BUILDING WITHIN PROMENADE SHOPPING MALL, NORTHWEST OF THE INTERSECTION OF BROOKHURST STREET AND CHAPMAN AVENUE.

Applicant: Regal Cinemas, Inc. Date: January 28, 2016

Request: Conditional Use Permit approval to operate an existing theater, Regal

Cinemas, with an original Alcoholic Beverage Control Type "47" (On-Sale, General, Public Eating Place) 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): Steve Rawlings, Josh

McIntosh, Mike Barker, Tony Flores

Action:

Resolution No. 5854-16 was approved with an amendment.

Motion:

Zamora

Second:

Margolin

Ayes:

(5) Kanzler, Margolin, O'Neill, Paredes, Zamora(0) None

Noes:

(0) None (1) Mai

Absent: (1)

MATTERS FROM COMMISSIONERS: Commissioner Zamora asked for an update on the street painting near Costco. Staff responded that the City's new Traffic Engineer, Dai Vu, would follow up with her. Zamora then mentioned that the City's online project update list was dated from 2004-2015 with no status of projects indicated. She would like a list of current and future projects, along with updates on larger projects, similar to information found on Huntington Beach's website.

Commissioner Margolin asked for an update on the Chinese Buffet near the Costco property. Staff explained that the property owner was exploring other uses for the site.

Commissioner Paredes expressed that he was happy with the increase in Police and Fire personnel, but was concerned with the low number of Code Enforcement officers. At a future Planning Commission meeting, he would like to see a presentation on the City Budget. He then asked if the City's website could promote events like the Strawberry Stomp 5K to get more runners and sponsors. Finally, he asked for updates from OCTA regarding the Rail Line/Harbor Corridor from Garden Grove to Santa Ana. Staff responded that he would be added to the stakeholder's list.

Commissioner Kanzler asked if Main Street could have the lower decorative street lights all the way down Main Street to make the street more cohesive and appear longer. He would like the cost for such a project and believed there were supporters from West Garden Grove.

Chair O'Neill commented that at a future Planning Commission Meeting, he would like input from the general public on how the Commissioners and/or City could do a better job regarding small tax advantages and what is needed for a better environment, and asked if the information or event could be put on the City's website or social media. Staff responded that the matter would be looked into and added that the Economic Development staff could also be invited.

MATTERS FROM STAFF: Staff announced that the February 4<sup>th</sup> and 18<sup>th</sup> Planning Commission meetings would be cancelled, and that the March 3rd meeting would be a Study Session on Historic Preservation. Staff then announced that City Council had appointed Michael Barker to the Planning Commission.

<u>ADJOURNMENT</u>: At 8:24 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, February 4, 2016, at 7:00 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove.

Motion: Za	imora	Secona:	Kanzier		
Ayes: (5 Noes: (0 Absent: (1		er, Margolin,	O'Neill, Pa	redes,	Zamora

Judith Moore Recording Secretary

# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: D.1.	SITE LOCATION: Southeast corner of Brookhurst Street and Lampson Avenue, at 12502 Brookhurst Street		
HEARING DATE: March 17, 2016	GENERAL PLAN: Light Commercial		
CASE NOS.: Site Plan No. SP-016-2014 Time Extension #1	<b>ZONE:</b> O-P (Office Professional)		
APPLICANT: Razan Ammari	<b>APN:</b> 089-222-36		
PROPERTY OWNER: Same as applicant	CEQA DETERMINATION: N/A		

## **REQUEST:**

The applicant is requesting approval of a one-year time extension for the approved entitlement under Site Plan No. SP-016-2014 for the construction of a new approximately 2,447 square foot, one story building on a lot improved with an existing approximately 1,755 square foot medical office building, located at the southeast corner of Brookhurst Street and Lampson Avenue, at 12502 Brookhurst Street.

#### **BACKGROUND:**

On January 15, 2015, the Planning Commission approved Site Plan No. SP-016-2014 to construct a new approximately 2,447 square foot one-story building on a lot improved with an existing approximately 1,755 square foot medical office building, located at the southeast corner of Brookhurst Street and Lampson Avenue, at 12502 Brookhurst Street. The project scope also included site improvements for a new parking lot and new landscaping. The Planning Commission also approved Variance No. V-009-2014 to allow a deviation from the minimum ten-foot (10'-0") interior side setback to construct the new building and the new trash enclosure to encroach five-feet (5'-0") into the interior side setback.

### **TIME EXTENSION:**

The applicant has indicated in the attached request that she will need additional time to finalize construction plans to submit them for plan check to the City. The applicant has been actively working with the City's Engineering Division to prepare and finalize her submittal of the Water Quality Management Plan, grading plan, and other necessary documents. Additionally, the applicant states in the letter that her

CASE NO. Site Plan No. SP-016-2014 Time Extension #1

original engineer for her project, had unexpectedly left his company without her knowledge. This had caused an unforeseen delay in the project. The applicant expects to submit all necessary plans to the City for review and approval in the coming months.

Title 9 of the Municipal Code allows for up to a one-year time extension on an approved Site Plan entitlement. Additionally, the associated Variance (Variance No. V-009-2014) has been approved by the City, is in place, and does not have an expiration date if the project does not move forward.

## **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following actions:

1. Approve the request for a one-year time extension for Site Plan No. SP-016-2014 Time Extension #1.

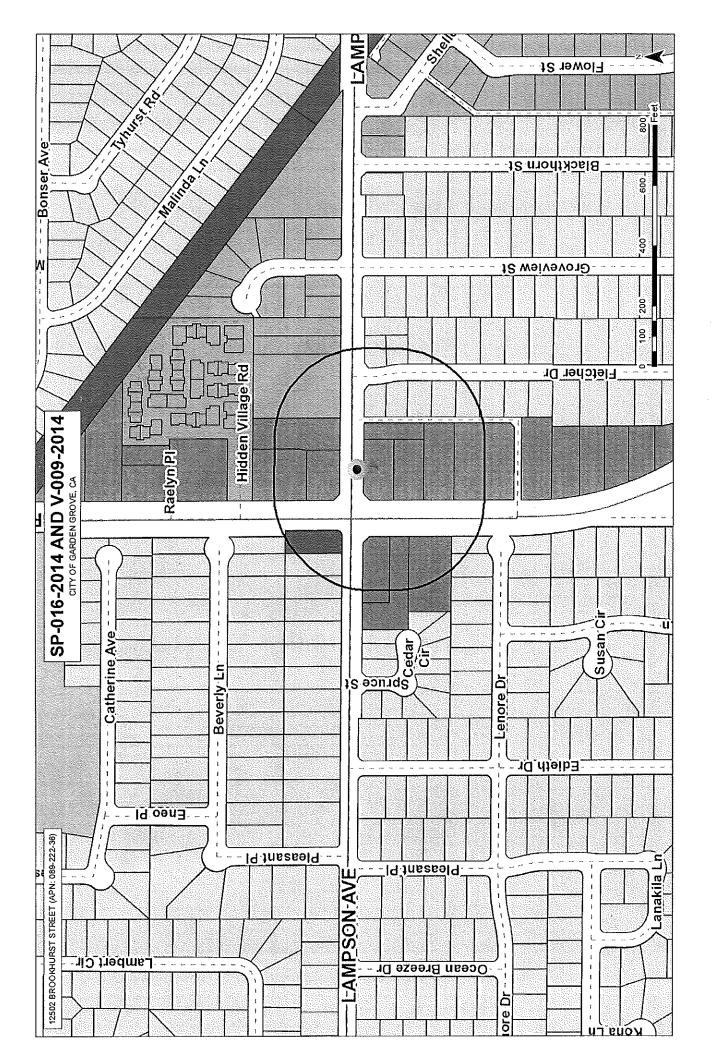
Lee Marino

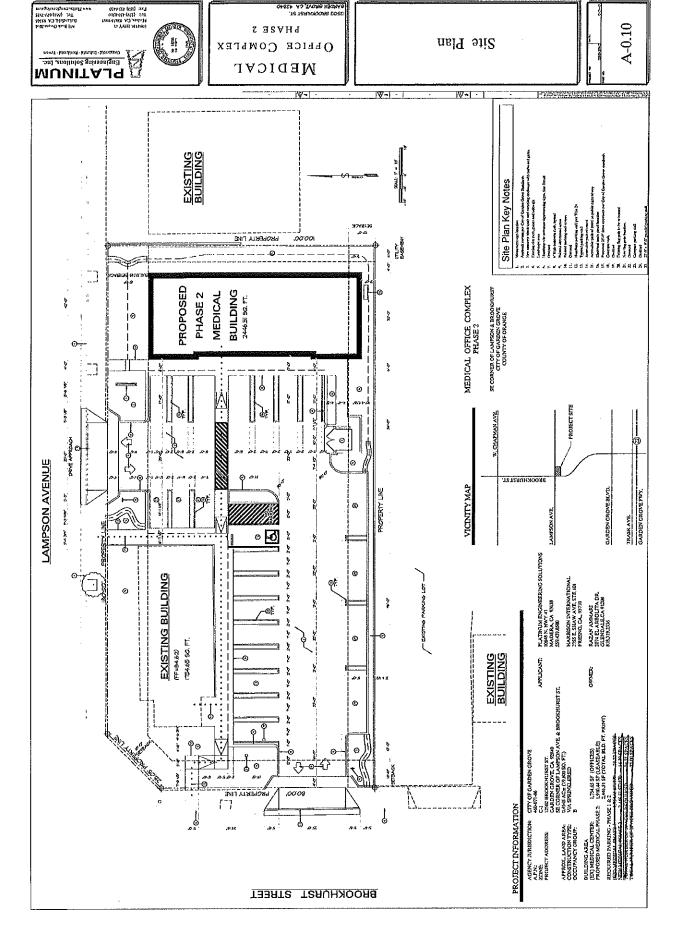
Acting Planning Services Manager

By:

Chris Chung

Associate Planner





#### RESOLUTION NO. 5855-16

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING A ONE-YEAR TIME EXTENSION FOR SITE PLAN NO. SP-016-2014.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on March 17, 2016, does hereby approve a one-year time extension for the approved Site Plan No. SP-016-2014 entitlement for land located on the southeast corner of Brookhurst Street and Lampson Avenue, at 12502 Brookhurst Street, Parcel No. 089-222-36.

BE IT FURTHER RESOLVED in the matter of the time extension for Site Plan No. SP-016-2014, the Planning Commission of the City of Garden Grove does hereby report as follows:

- 1. The subject case was initiated by Razan Ammari.
- 2. The applicant is requesting approval of a one-year time extension for the approved entitlement under Site Plan No. SP-016-2014 for the construction of a new approximately 2,447 square foot, one story building on a lot improved with an existing approximately 1,755 square foot medical office building, located at the southeast corner of Brookhurst Street and Lampson Avenue, at 12502 Brookhurst Street.
- 3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove determined that the proposed project was categorically exempt from CEQA pursuant to Section 15303(c) (New Construction or Conversion of Small Structures) and Section 15305(a) (Minor Alterations in Land Use Limitations) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303 and Section 15305).
- 4. The property has a General Plan Land Use designation of Light Commercial, and is currently zoned O-P (Office Professional). The property is developed with an existing approximately 1,755 square foot medical office building.
- 5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
- 6. Report submitted by City staff was reviewed.
- 7. Pursuant to a legal notice, a public hearing was held on March 17, 2016, and all interested persons were given an opportunity to be heard.
- 8. The Planning Commission gave due and careful consideration to the matter during its meeting of March 17, 2016; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030.9, are as follows:

#### FACTS:

The subject property is a 20,107 square foot lot, located at the southeast corner of Brookhurst Street and Lampson Avenue. The property is developed with an existing approximately 1,755 square foot medical office building, which is currently occupied by a medical business, Lampson Aesthetics Medical Group, Inc. The property has a General Plan Land Use Designation of Light Commercial and is zoned O-P (Office Professional). The property abuts O-P zoned properties to the north, across Lampson Avenue, west, across Brookhurst Street, south, and east.

The subject site's General Plan Land Use Designation, Light Commercial, and the zone, O-P (Office Professional), have not changed since the entitlement's original approval in January of 2015.

On January 15, 2015, the Planning Commission approved Site Plan No. SP-016-2014 to construct a new approximately 2,447 square foot one-story building on a lot improved with an existing approximately 1,755 square foot medical office building, located at the southeast corner of Brookhurst Street and Lampson Avenue, at 12502 Brookhurst Street. The project scope also included site improvements for a new parking lot and new landscaping. The Planning Commission also approved Variance No. V-009-2014 to allow a deviation from the minimum ten-foot (10'-0") interior side setback to construct the new building and the new trash enclosure to encroach five-feet (5'-0") into the interior side setback.

#### FINDINGS AND REASONS:

### Time extension:

 A request for a time extension, including the reasons therefore, has been submitted prior to the permit expiration date, or the hearing body finds that due to special circumstances demonstrated by the property owner or the applicant, a late-filed request should be considered.

The applicant has submitted a timely request to extend the approval of the subject project for one year. The applicant has indicated that additional time will be necessary to finalize construction plans for submittal to the City. The applicant has been actively working with the City's Engineering Division to submit required plans (i.e., Water Quality Management Plan, grading plan) for review.

- 2. There has been no change in the General Plan designation or Zoning of the site that would render the development or use nonconforming.
  - The subject site's General Plan Land Use designation and Zoning designation have not been changed since the project's approval, and therefore, the development will not be rendered nonconforming.
- 3. There are no land use actions or studies currently underway that would have the potential to render the development or use nonconforming.

There are no known studies or actions that would affect the site or proposed development that would possibly render the development nonconforming.

## INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

# BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The Time Extension for the approved Site Plan does possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030.9 (Time Extension).
- 2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the originally approved conditions of approval for Site Plan No. SP-016-2014 and Variance No. V-009-2014 shall remain in effect.