

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
APRIL 3, 2003

CALL TO ORDER: The work session of the Planning Commission was called to order at 6:00 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR BUTTERFIELD, VICE CHAIR JONES,
COMMISSIONERS BARRY, CALLAHAN, FREZE,
HUTCHINSON, NGUYEN

ABSENT: NONE

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Planning Services Manager; Karl Hill, Sr. Planner; Rosalinh Ung, Urban Planner; George Allen, Traffic Engineer; Dan Candelaria, Civil Engineer; Bill Murray, Engineering Services Manager; Sergeant Robert Fowler; and Teresa Pomeroy, Recording Secretary.

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: CHAIR BUTTERFIELD, VICE CHAIR JONES,
COMMISSIONERS BARRY CALLAHAN, FREZE,
HUTCHINSON, NGUYEN

ABSENT: NONE

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Planning Services Manager; Karl Hill, Sr. Planner; Rosalinh Ung, Urban Planner; George Allen, City Engineer; Tony Aquino, Associate Engineer; Sergeant Robert Fowler; and Teresa Pomeroy, Recording Secretary.

PLEDGE OF
ALLEGIANCE:

The Pledge of Allegiance to the Flag of the United States of America was led by Chair Butterfield and recited by those present in the Chamber.

ORAL

COMMUNICATION: Ms. Connie Margolin, President of the Chamber of Commerce, approached the Commission. She expressed pride in Brandywine Development projects that are in the City and confidence in her associate Ms. Donna Chessen.

Ms. Verla Lambert approached the Commission. She commented that she understood that the State is requiring cities to provide housing, however, she is against creating higher density with the small lot developments. She expressed concern about higher density having a negative impact on water

and life quality.

Mr. Harry Pearce approached the Commission. He commented on the lack of standards written for the small lot developments. He expressed concern that the residential planned unit developments that are gated communities with private streets, will require residents to pay association fees on top of property taxes, and not be provided comparable city services as properties with just residential zoning. He stated that there should be a moratorium put on all planned unit developments in order for standards to be developed.

APPROVAL OF
MINUTES:

Commissioner Hutchinson moved to approve the Minutes of March 20, 2003, with an amendment, seconded by Commissioner Callahan. The motion carried with the following vote:

AYES: COMMISSIONERS: BARRY, BUTTERFIELD, CALLAHAN, FREZE,
HUTCHINSON, JONES, NGUYEN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

CONTINUED
PUBLIC
HEARING:

NEGATIVE DECLARATION
GENERAL PLAN AMENDMENT NO. GPA-4-02
PLANNED UNIT DEVELOPMENT NO. PUD-146-02
SITE PLAN NO. SP-318-02
VARIANCE NO. V-296-02
TENTATIVE TRACT MAP NO. TT-16449
DEVELOPMENT AGREEMENT

APPLICANT:
LOCATION:

JOHNSTON REAL ESTATE
SOUTHEAST CORNER OF CHAPMAN AVENUE AND NUTWOOD
STREET AT 10510 CHAPMAN AVENUE

DATE:

APRIL 3, 2003

REQUEST:

To allow a change to the General Plan designation from OP (Office Professional) to LMDR (Low Medium Density Residential) and rezone an approximate 1.78 acre site from OP to Residential Planned Unit Development. Also a request for a Variance to deviate from the required minimum lot size, a Site Plan to construct 16 single-family homes, a Tentative Tract Map for a 20-lot subdivision and a Development Agreement.

Commissioner Barry asked if the applicant returned with a new design as previously requested. Staff stated that the applicant did provide a site plan, but that it did not meet with staff's support. The applicant has worked with staff for the past 14 months, and several design reviews were done to evaluate the project, however, due to council policy the designs were rejected as it featured access off of Chapman, which is a major arterial street.

Commissioner Barry commented on the unanimous vote by the Planning Commission for the applicant to revise the site plan at the previous meeting, as the Commission was not satisfied with what was proposed. Their ability to assess another plan has been frustrated by staff's decision to reject a revised site plan, thereby not providing what the Commission has asked for.

Commissioner Freze questioned staff about the council policy on discouraging access from major arterial streets. George Allen, Traffic Engineer, noted that it is a management edict to combine and eliminate as many points of ingress and egress off of major streets due to traffic hazards. This policy has been in effect for about a year and a half, and they have been doing their best to eliminate or combine all points of ingress and egress off of major streets for new residential projects.

Commissioner Freze asked whether this concern was ever mentioned in any of the staff reports, as he was unfamiliar with this policy. Mr. Allen noted there was discussion of this issue during the work session held for the Planning Commission.

Commissioner Callahan expressed his view that Chapman Avenue appeared slightly wider near this proposed site and would be able accommodate ingress and egress.

Mr. Allen noted that ingress and egress would require a left turn in and a left turn out, and would create a minimum of 12 conflict points where accidents could occur.

Commissioner Barry asked about installing a sign. Mr. Allen noted that this would be an enforcement problem. Commissioner Barry suggested using a cement berm that would direct traffic. She noted that this policy is not written in the code and asked whether there would be a problem if they voted to create a point of access off of Chapman Avenue.

Doug Holland noted that the Commission could do that and suggested that if that were to occur, the Commission would need to make very specific findings and rationale in the event it was appealed.

Commissioner Freze asked whether there was a stacking study done for northbound traffic. Mr. Candeleria noted that during peak times two to three cars would stack at the signal that cleared after a green light.

Doug Holland noted that Commissioner Nguyen has familiarized herself with this project and will therefore be eligible to vote on the project.

Mr. Johnston, the applicant, approached the Commission. He noted that they did do a traffic study and designed a plan for access off of Chapman Avenue, as the Commission requested. He also clarified to the general audience that whenever developing a potential site, developers review with staff all of the requirements, suggestions and guidelines. Once those have been established, an architect is hired. The architect strives to

come within a reasonable degree of meeting the requirements. After this phase, the property is then acquired, and at that time the developer will make a financial commitment. This proposed project meets nearly all of the city requirements, and is not strictly a small lot development as it meets the minimum requirements for front yard setback and parking. An establishment of a homeowner's association would not compromise the homeowner's access to city services but would provide a form of self-governance in terms of property maintenance issues. These are not apartments, condos or have zero lot lines; there are just 16 homes proposed to replace a 20,000 square foot medical facility that has not been occupied to capacity in the last ten years. He expressed his appreciation for the review of this project and that they have a well thought-out and planned project. They have worked for months with the city staff, and they attempted to create access off Chapman Avenue, however, he would prefer to keep the access to Nutwood only in order to eliminate the potential for cut-through traffic. He thanked the Commission for their time and consideration.

Commissioner Barry asked about the revised plan. Mr. Johnston provided an alternative site plan, and explained the features of the design that illustrated egress off of Chapman Avenue, and noted that this design met fewer city standards in terms of street frontage and would overburden the existing alleyway that is being used by the Boys & Girls Club.

Commissioner Barry noted that she prefers this plan and suggested that one home be removed, to create a green belt, and install a gate to access the homes, which would eliminate potential for cut-through traffic, as well as excess traffic onto Nutwood Street. She expressed that although this is an excellent proposal, these suggestions would improve the project.

Mr. Allen stated that a gate would need to have 35 feet from the gate to the property line.

Vice Chair Jones stated that he doesn't like the alleyway access and commented that this revised plan appears to be a sub-rate plan.

Mr. Johnston stated that the Commission requested a redesign, and he considers himself a professional as well as the people who work for him.

Commissioner Nguyen asked whether this redesign would be a problem for the Fire or Police Departments to access in emergencies.

Sergeant Fowler stated that neither agency favors any type of dead end street situations such as this proposed plan would create. They look for the ability to enter on one side and exit on the other and in a tight situation it is very difficult. Gated communities are a concern, as the Knox box is always a problem for emergency access; also, the only other concern would be a situation where traffic is forced down the alleyway because of the childcare center.

Commissioner Barry suggested that the house on the top right be removed.

Commissioner Freze agreed with Commissioner Barry that lot number four be removed.

Commissioner Hutchinson thanked Mr. Johnston for providing the traffic study, and expressed understanding for the city policy to not utilize major arterials for access and asked if there were provisions to put in a right-turn only on A Street. Mr. Johnston stated that was an excellent suggestion.

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

Mr. Harry Pearce approached the Commission and stated that this project is a perfect example for the need to develop standards for residential Planned Unit Developments. He noted that a Planned Unit Development needs to provide three acres and this proposal doesn't have enough land. He expressed doubt that four findings could be made to approve a variance for the project.

Ms. Carolyn Rowland approached the Commission. She commented that Garden Grove is unique because of larger lot sizes. She agreed with Mr. Pearce that standards need to be developed and is concerned that these types of housing projects will become tenements in the future.

Mr. Tony Rector approached and expressed concern about timely notification. He thought that the median would block the people coming out of the apartments and questioned the viability of the traffic study.

Chair Butterfield informed Mr. Rector that the median would not be long enough to affect the apartment building. Staff noted that the parking study was done during peak hours during the week.

Mr. Rector asked about landscaping for the perimeter wall along Chapman Avenue. Staff stated there would be a landscape setback adjacent to the block wall.

Ms. Maureen Blackman approached the Commission and expressed concern about the timeliness for receiving notices. She asked why the city is promoting higher density projects and asked how she could get the message out that she would like to see less density.

Chair Butterfield suggested that Ms. Blackman contact city council to express her views.

Mr. Jose E. Ruiz approached the Commission and stated that although he lives in Midway City, he owns property in Garden Grove. He expressed concern about how this will affect the value of his property and thought that this project is too dense.

Ms. Cheryl Fotia approached the Commission and expressed concern about high density and thought that the number of homes for this project should be reduced and the size of the backyards increased. The city is called Garden Grove because of the large lots with gardens and beautiful backyards. Clausen Street is used for cut-through traffic and when she backs out of her driveway and shuts the gate to her chain link fence, cars are honking at them to get moving. She complained about poor water pressure in the late afternoon and thought that this project will tax the city's resources. She commented that she hates to see the trend of small lot development continuing.

Commissioner Hutchinson asked why she put up a chain link fence as this could be a traffic hazard and the city does not encourage the use of chain link, as it is unaesthetic.

Ms. Fotia stated that her chain link fence opens sideways, therefore it is not a traffic hazard, and many of her neighbors have installed fencing because of crime. She stated that she is seeing more of the small lot-projects, and she misses the old Garden Grove. She stated that many of the long-term residents feel the same way, and this project will compromise quality of life for the residents.

Mr. Johnston approached the Commission. He stated that they really do want to be a good neighbor, and noted that there is a medical facility on this property that has the potential to create five times more traffic than what this proposal would generate. He pointed out that this neighborhood has a variety of housing stock that includes condos and apartments. This project proposes single-family detached homes that are a midway contribution to help solve the housing shortage. He expressed pride for this project.

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

Doug Holland noted that he wanted the Commission to be aware that as Mr. Johnston indicated, he has worked with staff on this project. However, staff only has the ability to work within the scope of their authority, and make recommendations to the Commission. Ultimately the city council has to act on the entitlements for a zone change and general plan amendment. He read from the municipal code land use list of the types of activities that would be allowed for this site as it is currently zoned.

Commissioner Hutchinson commented that he understands why access off of Chapman would not be practical because of safety concerns, although not having this additional access may increase traffic. However, there is a townhouse complex nearby that works well in the neighborhood. This development will not take anything away from this neighborhood and should not make much difference. He noted that some homebuyers don't want big lots, and this site currently has a large asphalt parking lot. He expressed his support for the project.

Vice Chair Jones expressed the need to be cognizant of the overall growth of the city and to find creative ways to accommodate that growth. He commented that he liked the plan that was originally submitted and would not like to see cut-through traffic onto Chapman Avenue. This use makes a lot more sense than perhaps a drug rehab facility, which would not require entitlements and would generate more traffic.

Commissioner Callahan pointed out that between 1991 and 2000, the city acquired 7,000 new residents and in that time frame only 700 units have been built. This indicates that there is significant overcrowding. He appreciates this proposed project's high quality construction and superior roofing material, as well as the aesthetics. He has spoken with the neighbors and they have expressed to him that they are satisfied that this project will be single family homes as opposed to something that would be high density.

Commissioner Nguyen thanked the residents for coming to the meeting. She commented that owning a home is the American dream and her family accomplished this goal in Garden Grove. If there wasn't the demand for housing, the developer would not be here and this is an opportunity to provide the city with revenue that is used to provide city services. There is a lot of work in maintaining a larger lot and there is a demand for small lots as indicated by the quick sales of these developments. She expressed support for the original plan that does not have access off of Chapman Avenue, noting her experience on the traffic commission and the numerous complaints about congestion from people who live along Chapman Avenue. She expressed her appreciation for the ability of the city's traffic engineering staff to make a professional evaluation, and that this plan would actually reduce traffic issues on Chapman. The medical building is vacant and ugly and this project will beautify the area.

Commissioner Freze stated that he preferred to have the project have access off of Chapman. He noted that they evaluate each project on its own merit and that the surrounding properties are considered. He thought that this would have a low impact on traffic, although there will be some traffic stacking. Overall, however, this project is well designed and he appreciated the developer providing an alternate design. He noted that many of the younger homebuyers spend more time working and don't have time to maintain yards. The other small lot properties in the city were sold before they were completed. State law requires that cities provide housing in the community and this project will not have a negative impact to the neighborhood.

Commissioner Barry agreed with the comments from the other Commissioners, however, she would prefer that the project provide access off of Chapman, and removal of lot number four. She commented that she likes the project, however, she will vote against it due to the traffic and density concerns.

Chair Butterfield noted that she has lived in Garden Grove prior to the city's incorporation. Since that time, there has been a lot of change in the community, and change is something that has to be accepted. The Commissioners work very hard for their city without compensation and they strive to achieve what will be best for the city. At one time, the medical facility was very busy with lots of traffic and it has been underused for the last eight years or more. This has the potential to be a site for a very busy medical office or convalescent hospital that would have a significant impact to the neighbors. This is a perfect project for this area and it won't generate any more traffic than it did as a fully functioning medical office building.

Commissioner Hutchinson asked if there was a provision to condition a center median and to add a right turn only sign at street "A" in the project. Doug Holland stated that they could add these requirements in their motion.

Vice Chair Jones moved to adopt the Negative Declaration and approve Site Plan No. SP-318-02, Variance No. V-296-02 and Tentative Tract Map No. TT-16449, with an amendment to the conditions to require a median and a right turn only sign on street A, and recommend approval of the General Plan Amendment No. GPA-4-02, Planned Unit Development No. PUD-146-02 and a Development Agreement, seconded by Commissioner Hutchinson, pursuant to the facts and reasons contained in Resolution Nos. 5337 and 5338 and authorized the Chair to execute the Resolutions. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BUTTERFIELD, CALLAHAN, FREZE, HUTCHINSON, JONES, NGUYEN
NOES:	COMMISSIONERS:	BARRY
ABSENT:	COMMISSIONERS:	NONE

PUBLIC
HEARING:
APPLICANT:
LOCATION:

MODIFICATION TO CONDITIONAL USE PERMIT NO. CUP-572-01
TRAILS END RV STORAGE
EAST OF WESTERN AVENUE SOUTH OF CHAPMAN AVENUE
NORTH OF LAMPSON AVENUE ON SOUTHERN CALIFORNIA EDISON
EASEMENT AND A PORTION OF UNION PACIFIC RAILROAD RIGHT
OF WAY

DATE:

APRIL 3, 2003

REQUEST:

To allow a modification to the conditions of approval to replace an approved five foot wide landscape planter along the east side of Trails End RV storage facility with an eight foot high block-wall. The site is located in the OS (Open Space) zone.

Staff report was reviewed and recommended denial. Staff noted receipt of the letter from the City of Stanton, Community Development Director, which was provided to the Commission that asked that the conditions of approval remain as approved.

Mr. Chuck Siroonian, representative for Trails End RV Storage, approached the Commission. He stated that there have been several attempts to break into other RV storage sites, and they would like to install the wall for security reasons.

Commissioner Barry asked why they did not want the landscaping. Mr. Siroonian indicated that there was a problem installing the irrigation lines because of the railroad tracks and there are drainage issues. They plan to install 30 feet of landscaping off of Lampson and off of Chapman Avenue as well as between the buildings.

Chair Butterfield asked staff about how the irrigation lines could be installed across the railroad tracks. Staff stated that it was presumed that they would use a device to tunnel the lines under the tracks.

Commissioner Barry asked if the entire length of the fence was visible. Staff stated yes, and the abutting residential properties have a view.

Chair Butterfield asked if the type of landscaping was conditioned. Staff stated that they did condition for trees and ground cover that would be acceptable to the Edison Company.

Chair Butterfield suggested that using oleander or some type of drought resistant plant.

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

Mr. Danny Manis approached the Commission. He noted that he was one of the neighbors that was originally completely against the request. He noted all of the conditions that were placed on the project made everyone feel more comfortable with the project. He stated that with an eight-foot block wall running adjacent to the railroad tracks, the noise would be even worse as it will bounce off of the wall and directly towards the residential property. He asked that the original agreement be upheld, as the landscaping will make it better for the neighbors.

Commissioner Barry agreed noting that the sound wall adjacent to the 22 freeway has made the noise from freeway traffic louder.

Mr. Scott Nichol approached the Commission. He asked that the Commission keep the original conditions noting that the more recent RV applicant from a few weeks ago stated that they did not have a problem with crime. Also, the conditions require split face block and painted block will be a target for graffiti. Landscaping was discussed at length for the previous application and is required for every new development, why wouldn't it be important for a development that can be seen by adjacent residential properties.

Mr. Steve Harris, Community Development Director for the City of Stanton, approached the Commission. He noted that he faxed a letter to staff in support of the original conditions of approval. He stated that he came to introduce himself and to establish that the City of Stanton would like to work with the City of Garden Grove, and asked that Stanton city staff be able to review the final landscape plan prior to finalizing.

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

Commissioner Hutchinson stated that they worked with the developer and citizens and thought that they came up with a good plan. He does not have a problem with the block wall but would like to see the condition for landscaping remain.

Commissioner Freze commented that they did just approve a similar project just recently and they need to be consistent. If the applicant wants to build a block wall that would be fine, however, the required landscaping needs to be kept.

Commissioner Callahan stated that he is in favor of beautifying the city and would like to keep the condition for landscaping.

Vice Chair Jones concurred with the other Commissioners and stated that he appreciates the City of Stanton coming to the meeting and encouraged staff to share the landscaping plans with City of Stanton staff.

Commissioner Barry stated that she is in favor of the block wall, however, the requirement for landscaping needs to be met in order to mitigate noise.

Commissioner Hutchinson moved to deny the modification to Conditional Use Permit No. CUP-572-01, seconded by Commissioner Barry, pursuant to the facts and the reasons contained in Resolution No. 5354 and authorized the Chair to execute the Resolution. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, FREZE, HUTCHINSON, JONES, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

PUBLIC
HEARING:

NEGATIVE DECLARATION
PLANNED UNIT DEVELOPMENT NO. PUD-100-03
SITE PLAN NO. SP-321-03
TENTATIVE TRACT MAP NO. TT-16498
DEVELOPMENT AGREEMENT

APPLICANT:

TAFT AVENUE COTTAGES ASSOCIATION LLC

LOCATION: EAST SIDE OF TAFT STREET NORTH OF TRASK AVENUE AT 13392 AND 13412 TAFT STREET

DATE: APRIL 3, 2003

REQUEST: To allow a 3.2 acre site to be rezoned Planned Unit Development, subdivide the property into 37 lots, and build 33 single family two story detached homes. The site is located in the R-3 (Multi-Family Residential) zone.

Vice Chair Jones stated that he would not be present during discussion and will not vote due to financial interests.

Staff report was reviewed and recommended approval of the Site Plan and Tentative Tract and that the Commission recommend approval of the Planned Unit Development and Development Agreement to City Council. Staff noted that a neighborhood meeting was held and the applicant submitted a traffic study that concluded that there would not be a significant traffic impact. Staff noted the changes to the conditions of approval that deleted the requirement for a 36 foot curb to curb roadway section for double loaded streets; deletion of a 25 foot minimum curb returns at the intersections of all interior streets; and a redesign of the entry area for vehicles exiting the site; and deletion of a requirement for a gate system. Also, staff received an anonymous letter in opposition to the project.

Chair Butterfield questioned the depth of the sidewalk. Staff noted that the public sidewalk would be four and a half feet wide, which matches the width to the north and the south of the project.

Commissioner Freze asked what would happen to the end of the sidewalk. Staff stated that it would be designed to transition into the existing sidewalk.

Commissioner Freze noted the very large windows on the second story of the condominiums that will be facing this project. Staff stated that the applicant is planning to design the second story windows high, which would give an indirect view.

Commissioner Barry asked if there is public parking on Taft Street. Staff stated yes on the school side on Taft Street.

Ms. Donna Chessen, consultant for Taft Cottages Associates, approached the Commission. She commented that she has been very active in the community for many years and expressed her deep attachment to the city. She commented that she is associated with this project because of her confidence in the quality of the product. She noted that they conducted a neighborhood meeting and only five people showed up. One of the concerns expressed at the Neighborhood meeting was for window placement. When they were informed that the windows would have obscured glass, the response was positive. She also went door to door in the vicinity to the site, and the neighbors were enthusiastic about

the proposal. She stated that she is looking forward to this development and feels that it will be a win-win project.

Mr. Jim Barisic approached the Commission and stated that he is very pleased to have a development that fits very well into the community. He noted that he has worked with staff for many months. They conducted research on potential buyers, and noted that 46 percent of the homebuyers for their developments are current residents. They attempt to accommodate the buyer and the needs of the community and also develop a project based on the buyer and the property. He stated that the traffic engineer and consultant planner is available for questions, and that they accept all of the conditions of approval.

Commissioner Freze asked about the deletion of the condition for the 36-foot curb and asked if this provided parking. Mr. Barisic stated that all of the streets have parking on both sides per city standard with two sections that don't provide parking. Staff pointed out on the elevation where parking on the site would be available and that it was acceptable to staff to remove a portion of curb space.

Commissioner Barry asked if public safety had any issues for emergency access. Sergeant Fowler stated that it was acceptable.

Commissioner Barry stated that she likes the project, however, she does not like using an apron of a driveway for guest parking and feels that parking needs to be provided for guests. Because the school is located across the street, more guest parking should be created within the project.

Mr. Barisic stated that he appreciates this, however, they have dispersed the parking throughout the site.

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

Ms. Carolyn Rowland approached the Commission. She stated that the city should create standards in order to prevent the higher density projects. She expressed her view that the homes in the project will not look good, will devalue the property, and she is concerned about the future ramifications. She commented that there needs to be more space between the homes.

Commissioner Hutchinson stated that the development meets city requirements and there is ten feet between these homes. Also, this project will actually increase the value of the property.

Staff pointed out that the current zoning for the property is R-3 (Multi-Family Residential) that would allow for apartments and condominiums. The project will also provide CC&R's which will help to keep property maintenance up.

Commissioner Callahan noted that R-3 zoning allows 23 units per acre.

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

Commissioner Hutchinson felt positive about this project, especially because there are no variances requested, and thought that this will increase the property values.

Chair Butterfield stated that this is a real upgrade for the area and she expressed her support.

Commissioner Nguyen thought that this would help increase the value of the neighboring properties and be a benefit to the community. She expressed her support for the project.

Chair Butterfield moved to adopt the Negative Declaration and approve Site Plan No. SP-321-03 and Tentative Tract Map No. TT-16498 and recommend approval of Planned Unit Development No. PUD-100-03 and a Development Agreement to City Council, with the amendments to delete conditions 9.a., 9.c., 9.d., and U., seconded by Commissioner Hutchinson, pursuant to the facts and reasons contained in Resolution Nos. 5355 and 5356 and authorized the Chair to execute the Resolutions. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BARRY, BUTTERFIELD, CALLAHAN, FREZE, HUTCHINSON, NGUYEN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	JONES

ITEM FOR
CONSIDERATION: ADOPTION OF CODE OF ETHICS
Acknowledged.

MATTERS
FROM
COMMISSIONERS: Commissioner Nguyen expressed her appreciation to staff and commented on staff's professionalism.

Commissioner Freze asked how the school district is notified by the city about housing developments. Staff stated that a notice is mailed to the school district as well as a courtesy call from Planning staff to the district administrators.

Commissioner Barry asked about the temple on Ocean Breeze Drive. Staff stated that the homeowner was required to remove a sign on the home, and Code Enforcement is working with the homeowner to ensure compliance with potential land use concerns.

MATTERS

FROM STAFF: Staff noted that there would be no meeting held on April 17, 2003, and the next Planning Commission meeting will be held on May 1, 2003.

ADJOURNMENT: The meeting was adjourned at 10:35 p.m.

TERESA POMEROY
Recording Secretary