

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
NOVEMBER 3, 2011

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: VICE CHAIR CABRAL
COMMISSIONERS BRIETIGAM, DOVINH, PAK, SILVA
ABSENT: CHAIR BUI AND COMMISSIONER LAZENBY

ALSO PRESENT: James Eggart, Assistant City Attorney; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Ed Leiva, Police Sergeant; Dan Candelaria, Traffic Engineer Supervisor; Monica Robledo, Associate Engineer; Judy Moore, Recording Secretary

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Commissioner Brietigam moved to approve the Minutes of September 15, 2011, seconded by Commissioner Pak. The motion carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, CABRAL, DOVINH, PAK, SILVA
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: BUI, LAZENBY

PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-162-11
CONDITIONAL USE PERMIT NO. CUP-339-11
APPLICANT: ALDEN MANAGEMENT GROUP
LOCATION: SOUTHEAST CORNER OF THE INTERSECTION OF WESTERN AVENUE AND LAMPSON AVENUE AT 12552 WESTERN AVENUE
DATE: NOVEMBER 3, 2011

REQUEST: To amend Title 9 of the City of Garden Grove Municipal Code to allow sports facility uses in the M-P zone, in conjunction with a Conditional Use Permit approval for the new use. The applicant proposes to use 65,000 square feet of an existing 81,000 square foot warehouse building as a sports facility, with eight basketball/volleyball courts. Progressive Power Group, Inc. (PPG), a solar installation company, will utilize the building's remaining 16,000 square feet, with 8,000 square feet for office space and 8,000 square feet for warehouse space. The site is in the M-P (Industrial Park) zone.

Staff report was read and recommended approval. Condition of Approval No. 2 was revised. Six letters of opposition from business owners in the vicinity of the project stated concerns of increased traffic, safety, security, littering, and property damage, were written by Joe Ruffino, Mike Farrell, Spencer Hurtt, Roman Horecsko, Maggie Guevara, and Robert Marrujo. One letter of support was written by Kim Huy, Director of Community Services, City of Garden Grove.

Commissioner Dovich expressed his concern as to whether or not an emergency services plan would be provided in case of on-site sport injuries.

Staff stated that though health problems were not anticipated, the facility would be close to care facilities.

Commissioner Brietigam added that two fire stations were nearby for emergency situations.

Commissioner Pak echoed the concern that CPR, first aid, and a defibrillator should be nearby, along with staff that would have the proper training.

Commissioner Brietigam asked if juvenile leagues would be a part of the activities. Staff replied that the three groups targeted for the facility were adults, youths, and the high schools.

Commissioner Silva asked staff to clarify Condition Nos. 14 and 15 regarding gaming and adult entertainment. Staff responded that these were standard conditions as a safeguard for an additional level of protection as some businesses that do not do well look for other types of activities.

Commissioner Silva asked staff to clarify Condition No. 9 regarding no tournament play as this activity would typically be a part of a sports facility. Staff explained that the applicant did not wish to include tournament play at this time, however, he may consider tournaments in the future; that parking for league and tournaments was different, as typically, the parking need would increase with tournament play; also, that Condition No. 9 could be changed in the future, subject to staff approval.

Commissioner Pak asked if MAP and PPG would share office space. Staff replied that the office was for PPG and that Ross Butcher, the owner of PPG, was a partner of MAP Sports Facility and that office work could overlap.

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

Mr. Marty Walker, the applicant, approached the Commission and was asked by Vice Chair Cabral if he had read and agreed with the Conditions of Approval. Mr. Walker replied yes.

Commissioner Brietigam asked the applicant if there would be an emergency plan in place, especially with a defibrillator for a margin of safety. Mr. Walker responded that a defibrillator would be mandatory as well as staff being trained in first aid; that two hospitals and a fire

department were near the sports facility location; also, that tournaments would be considered as a potential customer.

Commissioner Dovich recommended the applicant let the area hospitals and fire department know that their sports facility existed for quicker service in an emergency; and in the future, the hospitals and fire departments should be informed as to when a tournament would take place.

The applicant agreed and stated that informing the proper emergency facilities should be mandatory.

Commissioner Pak asked the applicant to clarify the rates. Mr. Walker replied that the rates would be between \$40-55 per hour; that paid parking had not been looked into; that handicap parking was mandatory; that a security person or a parking control person would be in the parking lot similar to the American Sports Center in Anaheim; and that a staff person would walk the facility on a semi-regular basis to monitor what was being brought into the facility.

Mr. Andrew Zimbaldi, the property owner's representative, approached the Commission and stated that his primary business was industrial, however, he saw the need for the sports facility and had confidence in Mr. Walker's insight.

Vice Chair Cabral mentioned that one letter of support and six letters of opposition were submitted.

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

Staff revisited Condition No. 9 regarding tournament play and stated that the "one-time addition" phrase for a Special Event permit could be omitted; that parking for tournament play and standard league play was different; that parking for this project was based on league play; that tournament play, such as for volleyball, has four teams per court, which increases the number of persons and the parking requirement; that a parking analysis would allow staff to re-review the parking; that all City departments review Special Event Permits, including Police and Fire; and that if the facility could not handle tournament play, the play could be limited to lessen the impact on adjoining properties.

Staff also added that Condition No. 9 would allow flexibility for special events with a limited number of events per year; and that the CUP could be modified, if for example, the applicant wanted a special event once a month.

Commissioner Brietigam noted that there would be 30 minutes between games. Staff responded that tournament play would have more people; that more specific details for tournament play would be needed; that a Special Event could occur three times per year per the code; and that tournament play could have a set schedule of once per month; and that the applicant would provide more details for their tournament play needs.

Vice Chair Cabral reopened the public hearing and Mr. Walker stated that parents would typically drop children off or children would be a part of a carpool.

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

Commissioner Pak asked staff if the facility would provide food vending machines. Staff responded that the applicant could provide vending machines with packaged food; and that each machine would need to be licensed by the Business License division.

Commissioner Pak asked staff to clarify the entrances. Staff responded that a new curb cut would occur on Lampson Avenue; that the rear west side of the building would have a southerly entrance for the rear parking and the new entrance would be on the warehouse wall, south of the office.

Vice Chair Cabral acknowledged the letters of opposition and stated that Condition Nos. 17 and 19 would address security and graffiti concerns; that the parking was adequate; and that new business in empty buildings was a good idea.

Commissioner Brietigam expressed his support.

Commissioner Brietigam moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-162-11 to City Council, and to approve Conditional Use Permit No. CUP-339-11, with a revision to Condition No. 2, seconded by Vice Chair Cabral, pursuant to the facts and reasons contained in Resolution Nos. 5749-11 (A) and 5750-11 (CUP). Conditional Use Permit No. CUP-339-11 shall not become effective until and unless an Ordinance adopted by the Garden Grove City Council approving Amendment No. A-162-11 in substantially the same form as recommended by the Planning commission becomes effective. The motion received the following vote:

AYES:	COMMISSIONERS:	BRIETIGAM, CABRAL, DOVINH, PAK, SILVA
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BUI, LAZENBY

MATTERS FROM
COMMISSIONERS:

Commissioner Dovich announced that he declared his candidacy for Assembly District 72; that a press release was sent out on November 2nd; that press may seek out the Planning Commissioners; and that he may resign if the campaign interferes with his Planning Commission duties, however, his intent was that he remain a Planning Commissioner until his term expires.

Commissioner Silva asked staff if sports facilities could be located in other areas of the City. Staff responded that only four would be allowed in the industrial park zone; that the City does not anticipate more than are allowed; and that a Planned Unit Development (PUD) zone has its own zoning and the specific plan would need to be changed.

Commissioner Pak asked staff why Conditional Use Permit No. CUP-336-11 was being agendized for the November 17th Planning Commission meeting. Staff responded that the Alcoholic Beverage Control "Type 48" case was first taken to the Zoning Administrator, however, with opposition, the Zoning Administrator opted not to hear the case in order to allow a larger decision body to hear the case.

MATTERS FROM
STAFF:

Staff read a brief description of future agenda items for the next regularly scheduled Planning Commission meeting of Thursday, November 17, 2011.

Staff also added that the Planning Commission Holiday Dinner would be held on Thursday, December 15th with the site to be determined.

ADJOURNMENT:

Vice Chair Cabral moved to adjourn the meeting at 7:50 p.m., seconded by Commissioner Dovich. The motion received the following vote:

AYES:	COMMISSIONERS:	BRIETIGAM, CABRAL, DOVINH, PAK, SILVA
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BUI, LAZENBY

JUDITH MOORE
Recording Secretary