

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
DECEMBER 2, 2004

CALL TO ORDER: The work session of the Planning Commission was called to order at 6:30 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR JONES, VICE CHAIR CALLAHAN, COMMISSIONERS BARRY, BUTTERFIELD, HUTCHINSON AND KELLEHER

ABSENT: Commissioner Nguyen.

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Community Development Director; Karl Hill, Senior Planner; Noemi Bass, Assistant Planner; Maria Parra, Assistant Planner; Lieutenant Frank Hauptmann, Police Department; Dan Candelaria, Civil Engineer; Judy Moore, 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 JONES, VICE CHAIR CALLAHAN, COMMISSIONERS BARRY, BUTTERFIELD, HUTCHINSON AND KELLEHER

ABSENT: Commissioner Nguyen.

ALSO PRESENT: Doug Holland, Deputy City Attorney; Susan Emery, Community Development Director; Karl Hill, Senior Planner; Noemi Bass, Assistant Planner; Maria Parra, Assistant Planner; Lieutenant Frank Hauptmann, Police Department; Dan Candelaria, Civil 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 Butterfield and recited by those present in the Chamber.

ORAL COMMUNICATION: None.

APPROVAL OF MINUTES: Commissioner Butterfield moved to approve the Minutes of November 18, 2004, seconded by Vice Chair Callahan. The motion carried with the following vote:

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| AYES: | COMMISSIONERS: | BUTTERFIELD, CALLAHAN, HUTCHINSON, JONES, KELLEHER |
| NOES: | COMMISSIONERS: | NONE |
| ABSENT: | COMMISSIONERS: | NGUYEN |
| ABSTAIN: | COMMISSIONERS: | BARRY |

PUBLIC
HEARING: CONDITIONAL USE PERMIT NO. CUP-147-04
APPLICANT: CONOCO PHILLIPS COMPANY
LOCATION: SOUTHEAST CORNER OF KNOTT AVENUE AND LAMPSON AVENUE AT
12512 KNOTT AVENUE
DATE: DECEMBER 2, 2004

REQUEST: Conditional Use Permit approval for a person-to-person transfer of an alcoholic beverage control (ABC) Type "20" (Off-Sale Beer and Wine) License for "Circle K", an existing convenience store. The site is in the M-P (Industrial Park) zone.

Staff report was reviewed and recommended approval. One letter of opposition was written by Gloria Parent.

Commissioner Butterfield asked staff if police problems occurred at this location. Staff replied no.

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

Ms. Christine Price, the representative from Tait & Associates for the applicant, Conoco Phillips, approached the Commission.

Chair Jones asked Ms. Price if she had read and agreed with the conditions of approval. Ms. Price replied yes.

Commissioner Hutchinson asked how long the current management has been at this location.

Ms. Price replied that the facility was built as a gas station in 1971 and was converted to a Circle K store in 1986.

Commissioner Hutchinson asked if beer and wine had been sold at this location since 1986. Ms. Price replied yes.

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

Commissioner Hutchinson moved to approve Conditional Use Permit No. CUP-147-04, seconded by Commissioner Kelleher, pursuant to the facts and reasons contained in Resolution No. 5470. The motion received the following vote:

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

PUBLIC
HEARING: SITE PLAN NO. 359-04

DEVELOPMENT AGREEMENT

APPLICANT:

PAUL I. KIM

LOCATION:

NORTHWEST CORNER OF GARDEN GROVE BOULEVARD AND GILBERT STREET AT 9465 GARDEN GROVE BOULEVARD

DATE:

DECEMBER 2, 2004

REQUEST:

To construct a 13,045 square foot, two-story office building for general office and medical uses, on a 37,125 square foot site. The first floor is 4,270 square feet with eleven (11) covered parking spaces; the second floor is 8,775 square feet of floor area. The site is in the OP (Office Professional) zone.

Staff report was reviewed and recommended approval.

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

Mr. Paul Kim, the applicant/architect, approached the Commission and stated that he had read and agreed with the conditions of approval with the exception of No. 54 which states: "In accordance with City codes, all second story windows, located on the north (rear) and west (interior side) sides of the building shall incorporate view obscuring window treatments. All proposed window locations and treatments shall be reviewed and approved by the Community Development Department, Planning Services Division."

Mr. Kim stated that instead of opaque glass installed on the second floor west and north windows, which would protect the privacy of residents, he would like to plant Italian cypress trees at 5'-0" on center. The proposed trees would grow 30 to 40 feet tall and their density would provide a screen.

Staff commented that if the trees are trimmed or not properly maintained, the full screen would not be attained.

Commissioner Hutchinson commented that the trees would not provide the proper screening for several years.

Mr. Kim commented that the west side (rear) windows would require interior blinds against the afternoon sun, and with the blinds closed the view would be obscured. Also, if 24-inch tree boxes were planted, the tree screen would be effective in one to two years.

Commissioner Butterfield asked what types of offices were on the second floor. Mr. Kim replied the second floor would have a mix of medical and general offices. He also commented that the windows on the north and west sides would look down on garages and/or a block wall.

Commissioner Hutchinson commented, however, that office workers would have a view of residential back yards.

Mr. Kim replied that on weekends, the offices would be empty when the backyards were used.

Mr. David Webb, a resident living diagonal to the property, approached the Commission and expressed his concerns for the protection of his

privacy with regard to the second story window glass and the cypress trees. He noted that during his eight years on the property, his twenty year old cypress trees have not filled in, and he also does not want to see clear glass in the second story windows.

Chair Jones asked how many second floor windows would be obscure. Staff replied fifteen windows on the west and two on the north.

Chair Jones asked staff if there was any other mechanism to obscure the windows and let sunlight filter through.

Staff cited that in similar developments fixed down-sight louvers had been installed; however, the louvers detracted from the building's original architectural design. Also, staff noted that with medical offices on the second floor, patients would like privacy.

Commissioner Kelleher commented that the glass would not be opaque, but obscure, in that the glass would obscure vision but not sunlight. Staff agreed.

Commissioner Hutchinson commented that future tenants may want to see out the window; however, the project has to be compatible with the neighborhood.

Vice Chair Callahan commented that one solution would be to install clear glass in the upper lights of the windows.

Chair Jones reiterated that Condition No. 54 states that mitigating measures must be applied and approved by the Community Development Department to ensure that the second story windows are obscured.

Commissioner Hutchinson commented that if trees are ultimately chosen they must not be trimmed, and if louvers or obscure glass are chosen the items must be permanent.

Staff commented that landscaping was not the best method to provide obscurity, and that obscure glass or the option of fixed louvers must be on the construction drawings before a building permit could be issued.

Mr. Kim agreed and stated he would work with the Planning Division.

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

Commissioner Butterfield moved to recommend the Development Agreement to City Council and to approve Site Plan No. SP-359-04, seconded by Commissioner Hutchinson, pursuant to the facts and reasons contained in Resolution No. 5469. The motion received the following vote:

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

PUBLIC

HEARING: NEGATIVE DECLARATION
TENTATIVE PARCEL MAP NO. PM-2004-279
SITE PLAN NO. SP-360-04
DEVELOPMENT AGREEMENT
APPLICANT: GDC OIP, INC.
LOCATION: NORTHWEST CORNER OF LAMPSON AVENUE AND WESTERN AVENUE AT
7465 LAMPSON AVENUE
DATE: DECEMBER 2, 2004

REQUEST: Tentative Parcel Map approval to subdivide the existing 5.3 acre site into three lots; Site Plan approval to construct two new industrial buildings with Parcel No. 1 building to be approximately 15,023 square feet in size, and Parcel No. 2 building to be approximately 39,072 in size; and, to renovate the existing 45,636 square foot industrial building on Parcel No. 3 by adding 1,200 square feet to the existing building.

Staff report was reviewed and recommended approval.

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

Mr. Gary Guzman, a representative from GDC OIP, INC., approached the Commission.

Chair Jones asked Mr. Guzman if he had read and agreed with the conditions of approval. Mr. Guzman replied yes.

Commissioner Butterfield asked Mr. Guzman if he was aware of Condition No. 45 which states: "Sewer system in this location is near capacity. Any business that uses processed water will not be permitted. Only two bathrooms per unit, as shown on proposal plans, will be allowed."

Mr. Guzman replied yes, he knew of the condition and that a sewer study was completed and signed off by staff.

Commissioner Butterfield asked what the building's uses would be. Mr. Guzman replied that uses would be primarily light industrial, some warehouse distribution, and light manufacturing.

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

Vice Chair Callahan moved to adopt the Negative Declaration, recommend the Development Agreement to City Council, and to approve Tentative Parcel Map No. PM-2004-279 and Site Plan No. SP-360-04, seconded by Commissioner Butterfield, pursuant to the facts and reasons contained in Resolution No. 5471. The motion received the following vote:

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

ITEM FOR
CONSIDERATION: DIAMOND PLAZA
APPLICANT: HANSON LE

LOCATION: SOUTHWEST CORNER OF EUCLID STREET AND BUSINESS CENTER
PARKWAY. ASSESSOR'S PARCEL NUMBER 099-181-83

DATE: DECEMBER 2, 2004

REQUEST: To construct a 15,980 square foot commercial/ office building in
the Planned Unit Development No. PUD-104-81 zone.

Staff report was reviewed.

Commissioner Butterfield asked what type of offices would be located
on the second floor. Staff replied office and retail.

Chair Jones asked what type of uses would be in the building.

Staff replied the uses would be as outlined in Planned Unit Development
No. PUD-104-81, which allows commercial and industrial uses.
Commercial uses would front Euclid Street, and industrial uses would be
located in the buildings behind.

Chair Jones commented that the project looked good. No action was
taken.

MATTERS
FROM

COMMISSIONERS: Commissioner Butterfield asked for clarification of the selection process
for the upcoming Planning Commission appointments.

MATTERS

FROM STAFF: None.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

JUDITH MOORE
Recording Secretary