

GARDEN GROVE PLANNING COMMISSION
Community Meeting Center, 11300 Stanford Avenue, Garden Grove, CA 92840

Regular Meeting Minutes
Thursday, June 19, 2014

CALL TO ORDER: 7:08 p.m.

ROLL CALL:

Chair Lazenby
Vice Chair Margolin
Commissioner Alejandro
Commissioner Brietigam
Commissioner Nguyen
Commissioner Silva
Commissioner Zamora

Absent: None.

Others present: James Eggart, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Lee Marino, Senior Planner; Maria Parra, Urban Planner; Kamyar Dibaj, Engineer; Chris Lawton, Police Department; Ana Neal, Administrative Aide; Judith Moore, Recording Secretary

PLEDGE OF ALLEGIANCE: Silva

ORAL COMMUNICATIONS – PUBLIC: Mr. Craig Durfey stated that Air Quality Management funds were available for bike racks and that the City may miss the opportunity to take advantage of such funds for alternative transportation and that the community needs to support the funding. To generate community interest, he suggested that the OCTA, the Commission, and the school board create a bicycle sports team so the City could go to Caltrans to establish grants before 2017.

MAY 15, 2014 MINUTES:

Action: Received and filed.

Motion: Margolin Second: Zamora

Ayes: (6) Alejandro, Brietigam, Lazenby, Margolin, Silva,
Zamora

Noes: (0) None

Abstain: (1) Nguyen

Absent: (0) None

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-339-11 REV. 2014. For property located at 12552 Western Avenue at the southwest corner of the intersection of Western Avenue and Lampson Avenue.

Applicant: The Maps Sports Facility

Date: June 19, 2014

Request: To modify the approved plans and Conditions of Approval for an existing indoor sports facility, Map Sports Facility, approved under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy. The site is in the M-P (Industrial Park) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Action: Pursuant to Staff's request, the public hearing was opened and was continued to the July 17, 2014 Regular Planning Commission meeting at 7:00 p.m.

Motion: Brietigam Second: Alejandro

Ayes: (7) Alejandro, Brietigam, Lazenby, Margolin, Nguyen, Silva, Zamora

Noes: (0) None

Abstain: (0) None

Absent: (0) None

PUBLIC HEARING – SITE PLAN NO. SP-466-12, VARIANCE NO. V-195-12, (REF: TENTATIVE PARCEL MAP NO. PM-2011-107, AMENDMENT NO. A-163-12 AND GENERAL PLAN AMENDMENT NO. GPA-1-12(A)). For property located at 9721 E. 11th Street, northwest corner of 11th Street and Kerry Street.

Applicant: Bilkis Vashi, Nargis Kher, and Nafisa Mahida

Date: June 19, 2014

Request: To re-approve Site Plan No. SP-466-12 and Variance No. V-195-12, originally approved in conjunction with Tentative Parcel Map No. PM-2011-107, to allow the subdivision of a 24,000 square foot lot into four (4) parcels. Site Plan No. SP-466-12 will allow the construction of one single-family home on each lot; Variance No. V-195-12 will allow the parcels to deviate from the minimum lot width requirement and to allow one of the parcels to deviate from the 6,000 square foot minimum lot size requirement. Site Plan No. SP-466-12 and Variance No. V-195-12 were originally approved on January 19, 2012, but have expired. The request is to re-institute the entitlements as originally approved. The site is in the R-1 (Single-Family Residential) zone. The City of Garden Grove recognizes a previously adopted Negative Declaration.

Action: Public Hearing held. Speaker: Mr. Bilal Vashi, the

applicant.

Action 1: Motion to adopt proposed Resolution No. 5820-14 with the following revision: Revise Section 4(a) on page 7 to read: "Site Plan No. SP-466-12 and Variance No. V-195-12 shall expire and be null and void if not exercised by June 19, 2015." The motion failed with a 3-3 vote with Chair Lazenby abstaining.

Motion: Brietigam Second: Silva

Ayes: (3) Brietigam, Margolin, Silva
Noes: (3) Alejandro, Nguyen, Zamora
Abstain: (1) Lazenby
Absent: (0) None

Action 2: Resolution No. 5820-14 adopted as proposed.

Motion: Zamora Second: Alejandro

Ayes: (6) Alejandro, Brietigam, Margolin, Nguyen, Silva, Zamora
Noes: (0) None
Abstain: (1) Lazenby
Absent: (0) None

Chair Lazenby called a five minute break at 7:45 p.m.

At 7:52 p.m., Commissioner Silva recused himself from the following matter and left the room for the duration of the meeting due to having a financial interest in Kaye's Kitchen on Main Street.

PUBLIC HEARING – AMENDMENT NO. A-008-2014, CONDITIONAL USE PERMIT NO. CUP-012-2014. For property located at 12951 Main Street, west side of Main Street, third lot north of Garden Grove Boulevard.

Applicant: Kurtis Gibson
Date: June 19, 2014

Request: To amend the CC-2 (Civic Center – Main Street) zone to allow an art gallery/retail business to include a Tattoo Art Studio as a portion of the business, subject to a Conditional Use Permit (CUP). The art gallery/retail business shall inhabit the storefront and front portion of the tenant space. The Tattoo Art Studio shall be limited to one-third of the gross floor area. The site is in the CC-2 (Civic Center – Main Street) zone. The project is exempt pursuant to CEQA Section 15303 – New Construction or Conversion of Small Structures (from one use to another).

Action: Public Hearing held. Speakers:

Mr. Kurtis Gibson, the applicant.

Nine (9) speakers in opposition of the applicant's request included Jim Schierberl, Scott Weimer, Peter Katz, Dan Collins, David Ahern, John Holm, Craig Durfey, Maureen Blackmun, and Charles Mitchell.

Thirty-eight (38) speakers in favor of the applicant's request included Shannan Fuqua, Brian Spaulding, Lee Ann Chavez, Elizabeth Stocks, Sarah Rodriguez, Cory Stocks, George Hart, Pat Weaver, Jay Crane, Hooshang Faramand, Crystal Cervantes, Dowie Crittenden, Barbara Gearhart, Krystin Gibson, Alida Abrahamsen, Kai Reiss, Josh McIntosh, Gunner Barrera, Rachel Barrera, Celia Gotts, Aaron Mills, Bobby Hammock, Janvier Vargas, Rebecca Mills, Celia Quiggle, Cheryl Smyth, Geoffry Reinberg, Tori Cree, Dani Cree, Angelina Sheffield, John Quiggle, Eric Weintraub, Mira Zimet, Whitney Bagg, Mike Cree, Kip Smith, Desiree Smith, Stewart Bagg.

Submissions included a Garden Grove Downtown Business Association Resolution dated June 12, 2014 recommending the Planning Commission and City Council uphold the Main Street Commission's denial to amend the zoning and allow an Art Gallery to include a Tattoo Art Studio as part of the business; three letters of opposition from Maureen Blackmun of the Garden Grove Neighborhood Association dated April 14, 2014, May 5, 2014, and May 8, 2014; the Holm Report by John and Adrienne Holm documenting concerns about the proposed business along with research regarding the previous business location in Huntington Beach; an email in opposition from Lisa Spencer; a letter of support from resident Deborah Wilkinson; a 13 name petition of support from the Main Street business owners; a 282 name petition of support from Main Street for Black Umbrella; a petition fact sheet; an on-line 702 name petition of support; a questionnaire with responses by James Hendron, supervisor of the Environmental Health Division regarding questions about the previous Huntington Beach business; a letter of support from Zlaket's Meat Market; a letter of support from Dowie Crittenden; and a First Amendment Center article against the ban on tattoo parlors dated September 10, 2010.

Chair Lazenby called for a break between 10:18 p.m. and 10:29 p.m.

Action: The Commissioners unanimously voted (i) to not follow Staff's recommendation to deny the applicant's request, (ii) to re-open the Public Hearing and to continue it to the July 17, 2014 Regular Planning Commission meeting at 7:00 p.m., and (iii) to direct Staff to bring back a Resolution recommending approval of the requested Code Amendment to the City Council and a proposed Resolution for approval of a Conditional Use Permit with associated conditions of approval for the Planning Commission's consideration.

Motion: Brietigam Second: Zamora

Ayes: (6) Alejandro, Brietigam, Lazenby, Margolin, Nguyen, Zamora

Noes: (0) None

Abstain: (0) None

Absent: (1) Silva

MATTERS FROM COMMISSIONERS: Vice Chair Margolin asked for an update on the McMahons store that closed on Brookhurst Street and Garden Grove Boulevard. Staff responded that there was interest to fill the space with another furniture store. Vice Chair Margolin also requested a Study Session on updating Codes. Staff agreed to a Study Session and mentioned that review and updates to the code occurred regularly and that Main Street was a protected area with recent Conditional Use Permits, and that the ultimate authority was the City Council.

Commissioner Brietigam commented that the City's on-line agendas were difficult to find on the City's website and suggested that navigation to the agendas be more conveniently located on the home page.

Chair Lazenby noted that Brookhurst Triangle was moving quickly. Staff responded that the project was in plan check for the vacant area to the north and that a subterranean parking structure was included.

MATTERS FROM STAFF: Staff gave a brief description of future agenda items.

Commissioner Brietigam asked if the MAP Sports Facility parking concerns were being monitored on the weekends as he had a near miss with a jaywalker. Staff replied that they were unaware of weekend monitoring except that the Fire Department had recently responded, and that the facility charges for parking.

Commissioner Alejandro asked if any Study Sessions were scheduled. Staff replied that none were scheduled until October.

ADJOURNMENT: At 11:30 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, July 3, 2014, at 7:00 p.m. in the Garden Grove

Council Chamber, 11300 Stanford Avenue, Garden Grove.

Motion: Brietigam Second: Margolin

Ayes: (6) Alejandro, Brietigam, Lazenby, Margolin, Nguyen,
Zamora

Noes: (0) None

Absent: (1) Silva

Judith Moore, Recording Secretary