

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE  
GARDEN GROVE, CALIFORNIA

THURSDAY  
SEPTEMBER 3, 2009

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: COMMISSIONERS BEARD, BONIKOWSKI, BUI, CABRAL,  
ELLSWORTH, KIRKHAM, TRAN

ABSENT: NONE

ALSO PRESENT: Omar Sandoval, Assistant City Attorney; Susan Emery, Community Development Director; Karl Hill, Planning Services Manager; Erin Webb, Senior Planner; Allison Mills, Neighborhood Improvement Senior Project Manager; Sid Ashrafnia, Associate Civil Engineer; Sergeant Kevin Boddy, Police Department; Veronica Tam, Housing Element Consultant; Judith Moore, Recording Secretary

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

ORAL COMMUNICATIONS: None.

APPROVAL OF MINUTES: Vice Chair Kirkham moved to approve the Minutes of August 6, 2009, seconded by Commissioner Cabral. The motion carried with the following vote:

AYES: COMMISSIONERS: BEARD, BONIKOWSKI, BUI, CABRAL,  
KIRKHAM, TRAN

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: ELLSWORTH

Due to a conflict of interest, Vice Chair Kirkham recused himself from the discussion of SP-452-09.

CONTINUED PUBLIC HEARING: SITE PLAN NO. SP-452-09  
APPLICANT: MJM PROPERTIES, INC.  
LOCATION: EUCLID STREET, NORTH OF ORANGEWOOD AVENUE AT 11301 AND 11251  
EUCLID STREET  
DATE: SEPTEMBER 3, 2009

REQUEST: To expand an existing mobile home park (El Dorado) by adding nine (9) new mobile home spaces, in conjunction with a Lot Line Adjustment to consolidate three parcels into a single parcel in the R-3 (Multiple Family Residential) zone.

Staff report, and revisions to the Conditions of Approval, were read and recommended approval.

Commissioner Ellsworth asked staff to clarify the sewer options. Staff responded that the first option was for the owner to wait until the sewer improvements were made, and the second was for the owner to tie into the Euclid Street line. The owner's decision was to create the mobile home sites and wait for the sewer improvements to occur in approximately 18 months.

Commissioner Cabral asked Staff if the City had responsibility toward the owner should the sewer improvements be delayed. Staff replied that the improvements are scheduled, but are tentative, and that the owner is aware of the risks.

Chair Beard asked Staff to clarify the tandem parking. Staff replied that two parking spaces are required for each unit, in a tandem configuration, along with 39 guest spaces for the site.

Chair Beard asked Staff to clarify if the tenants on site were notified, as some tenants did not know about the nine-unit project or the meeting.

Staff responded that property owners within a 300' radius who are on record with the county assessor's office, were noticed; and that notices were delivered to the property manager on site with the direction to post the notices and distribute them to tenants.

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

Mr. Daryl Christian, the applicant's representative, approached the Commission and described the project. He added that the existing farm house has been vacant; that he has received complaints and calls from the Police Department regarding the vandalized house; and that the owner would assume the risk regarding the sewer improvement timeframe.

Chair Beard asked Mr. Christian if the owner had read and agreed with the Conditions of approval. He replied yes.

Commissioner Cabral asked if the stored recreational vehicle (RV) belongs to a resident. Mr. Christian replied yes, and that the storage area cannot be seen as the area is walled in by chain-link fence; that per the conditions, the cul-de-sac opening needs to be widened for fire access, which may cause a wall to be removed; and that the storage area would be closed down due to vandalism from the park.

Commissioner Cabral asked if the owner is working with the resident who owns the RV. Mr. Christian commented that the owner is in communication with the resident.

Commissioner Bui asked the applicant to clarify the use for the empty slabs for the next 18 months. Mr. Christian replied that development would not occur until sewer improvements were completed; that a possible use would be for the Fire Department to do a controlled burn of the existing house, or for Police Department training.

Mr. Mel McGaughy, the applicant, approached the Commission and stated that the demolition of the existing house is primarily due to the concerns with vandalism; that the storage area would be closed whether or not the project is approved; that the RV has not been bothered yet; and that there has been discussion with Mr. Kirkham regarding future arrangements for the RV.

Ms. Nancy Eves, a resident of El Dorado, approached the Commission and expressed her concerns regarding noticing and the closure of the storage area; that there are other vehicles in the storage area such as trailers and boats; that the residents need a voice regarding the storage area; that the residents only have access to the area by way of an appointment with the manager; and that she pays \$40 per month to park her trailer.

Mr. McGaughy stated that he was unclear as to the number of RV's or vehicles in the storage area; that the area cannot be controlled due to the fence and is a liability with children coming over the fence; that protection of the area is limited; and that the original intent was to close the area six months ago.

Chair Beard asked the applicant if he had similar facilities with storage areas. Mr. McGaughy replied yes; that of the two others he has, only one has a storage area remaining; that he has tried to follow protocol with noticing for this project; that this project was prompted to be more timely by the Police Department; and that he would follow guidelines for noticing.

Commissioner Cabral asked if the front office has a bulletin board for posting important information for the mobile home park. The applicant replied that the manager would post items of interest to the residents; that the majority of the new development would be off the property at this point; and that the vandals are frightening the residents living in the mobile home park.

Commissioner Cabral suggested posting an additional notice regarding the storage area being closed; and acknowledged that there is frustration, however, this is a private property.

Commissioner Bonikowski added that management could mail notices to each resident alerting them of issues pertaining to the mobile home park and its future development.

The applicant agreed that noticing of the residents may not have been handled properly, however, he felt that he had complied with noticing.

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

Staff explained that the issues of rentals and the storage area are not under the City of Garden Grove's jurisdiction; that those issues are under landlord/tenant law, a private civil issue, and that the landlord could close the storage area whenever he wants to as long as State rules are followed.

Chair Beard added that the Planning Commission does have jurisdiction over the noticing, the Site Plan, and Lot Line Adjustment.

Commissioner Tran commented that the Planning Commission does have certain authority to assist in serving the public.

Staff agreed, stating that the authority is limited by the Municipal Code and State Law; that quasi-judicial actions by the Planning Commission require reasons for denial of applications, however, reasons are not required for legislative actions, which are privy to the City Council only; that a resolution by the Planning Commission must state facts supporting the Commission's decisions; and that the noticing issue would be an appropriate reason to continue or deny the case, however, the Planning Commission does not have the authority to deny the application on the basis of the residents not wanting the owner to close the RV storage.

Chair Beard clarified that the notification process did occur, however, in this situation all of the residents should have been notified and that there may be more testimony. He also liked the project, especially the demolition of the house to decrease vandalism.

Commissioner Cabral commented that she also heard complaints that were not under the City's jurisdiction; that the Commission's focus is the Site Plan and Lot Line Adjustment; and that she would not support a continuance based on the re-notification issue.

Commissioner Ellsworth asked Staff if there were Police Department issues involving vandalism and gang activity. Staff said they were not aware of issues, however, the matter could be looked into.

Chair Beard asked Staff for input on an additional noticing. Staff replied that a full re-noticing would need to occur that would include mailing a notice to each of the 140 spaces.

Commissioner Cabral expressed her concern that a precedent may be set due to the property manager not doing due-diligence and that now the City would be covering the cost for the re-noticing.

Chair Beard moved to continue the case to the October 15, 2009 Planning Commission meeting in order for the project to be re-noticed, including the noticing of each resident in the mobile home park, and to bring back Police Department crime data regarding the storage area and the existing vacant farm house. The motion was seconded by Commissioner Tran and received the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, ELLSWORTH, TRAN
NOES:	COMMISSIONERS:	CABRAL
ABSENT:	COMMISSIONERS:	KIRKHAM

Vice Chair Kirkham rejoined the meeting at 7:47 p.m.

PUBLIC HEARING:	GENERAL PLAN AMENDMENT NO. GPA-2-09(A) HOUSING
APPLICANT:	CITY OF GARDEN GROVE
LOCATION:	CITYWIDE
DATE:	SEPTEMBER 3, 2009

REQUEST:

To revise the Housing Element of the City of Garden Grove General Plan. The request is to update the existing Housing Element for the planning period of 2008 to 2014.

Staff report was read and recommended approval. Staff also presented a Power Point presentation on the subject.

Vice Chair Kirkham asked Staff if additional senior housing would be developed in the City. Staff replied that recently, three senior housing projects were completed on Garden Grove Boulevard; that nothing is planned currently, however, there have been inquiries regarding a site on Valley View Street; and that there is no plan for senior housing in the Brookhurst Triangle.

Vice Chair Kirkham asked Staff to clarify the program for the homeless and lower-income. Staff responded that the City Council just approved a development agreement with Jamboree Housing to provide affordable housing, however, this project was not included in the draft Housing Element.

Vice Chair Kirkham asked Staff to clarify the parking standards in Program 10 of the Housing Element. Staff stated that having a high parking space requirement is a cost factor in development and must be considered; and that a former Planning Commission raised our parking standard requirements based on facts for the City of Garden Grove.

Vice Chair Kirkham asked Staff to clarify the inventory locations for properties. Staff responded that in the General Plan, Garden Grove Boulevard densities were upgraded, with other areas being mixed-use, and that for the purpose of meeting RHNA, specific sites chosen to demonstrate feasibility were those owned by the Agency, in order to use less staff resources for providing detailed information.

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

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

Commissioner Ellsworth commended Staff for an excellent Housing Element.

Chair Beard asked Staff to clarify the units per acre for low-density. Staff responded that 30 units per acre would be moderate density.

Chair Beard asked if the State promotes high density. Staff responded that cities encourage a higher density ratio; that the Century Triangle would be higher density; and the Brookhurst Triangle would have approximately 50 units per acre.

Staff added that the City's RHNA obligation is a planning goal, not a production goal, however, a majority of housing production has been completed already.

Commissioner Tran asked Staff to clarify how much the Housing Element cost. Staff replied that a portion of development fees is paid into a General Plan fund and that the cost was approximately \$50,000.

Commissioner Cabral asked Staff if our programs are similar to other city's programs. Staff stated that certain Housing Element programs are required by State Law, however, an annual report is required for all programs; and, that some programs are competitive for funds.

Commissioner Cabral asked Staff to clarify if the sewers were aligned with the required housing production goals. Staff responded that sewer deficiencies would take precedence over the housing production.

Vice Chair Kirkham moved to recommend approval of General Plan Amendment No. GPA-2-09(A) Housing to City Council, seconded by Commissioner Ellsworth, pursuant to the facts and reasons contained in Resolution No. 5692. The motion received the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, KIRKHAM, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

**MATTERS FROM  
COMMISSIONERS:**

Commissioner Tran expressed his wish for more construction permits in the city.

Commissioner Ellsworth noted that the Orange County Wine Festival, a fundraiser for the Boys and Girls Club, would take place on Saturday, September 26, 2009 at Kiwanis Land.

Vice Chair Kirkham related that the Concerts in the Park have been great and commended the Garden Grove Community Foundation as the event brings in a lot of Garden Grove residents. He also mentioned that an Elvis concert on Main Street was very successful; and that for the record, he had no discussion with the owner of the Mobile Home Park on Euclid Street today.

Commissioner Cabral also expressed that the Concerts in the Park were phenomenal.

Commissioner Bui commented that he also liked the concerts on Main Street and hopes for an entertainment district with more activity.

Commissioner Bonikowski agreed that the Main Street business owners are happy and doing better.

Chair Beard agreed that the Concerts in the Park are great. He then asked Staff if any landscaping improvements were targeted for Lampson Avenue. Staff replied no.

Chair Beard asked Staff about the Lampson Avenue and Springdale Street convalescent rehab facility. Staff commented that the project is nearly finished and will look good upon completion.

MATTERS FROM  
STAFF:

Staff stated that the September 17, 2009 Planning Commission would be canceled due to lack of business; that there would be Planning Commission meetings on October 1<sup>st</sup> and 15<sup>th</sup>; and, that the second Brookhurst Triangle neighborhood meeting is scheduled for Wednesday, September 16, 2009 at the CMC from 7:00 to 9:00 p.m. Commissioners are welcome to attend as long as there is no Brown Act violation.

ADJOURNMENT:

Chair Beard moved to adjourn the meeting at 8:45 p.m., seconded by Vice Chair Kirkham. The motion received the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, KIRKHAM, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

JUDITH MOORE  
Recording Secretary