

MINUTES

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

THURSDAY
SEPTEMBER 20, 2012

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, LAZENBY, SILVA
ABSENT: BUI, PAK

ALSO PRESENT: James Eggart, Assistant City Attorney; Karl Hill, Planning Services Manager; Lee Marino, Senior Planner; Ed Leiva, Police Sergeant; Tony Aquino, Associate Engineer; Greg Brown, Senior Project Manager; Judy Moore, Recording Secretary

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

ORAL COMMUNICATIONS: Mr. Josh McIntosh approached the Commission and noted that three development projects were approved for the City of Garden Grove by the State Finance Board and that the concern was that the projects would have a parking structure, however, several hotels on Harbor Boulevard that were supposed to have parking structures, do not; that several hotels and restaurants share parking lots, which creates problems; that most locals do not go to the Harbor Boulevard restaurants due to the parking; and, that for public safety and quality of life, the parking issues should be addressed.

Vice Chair Cabral asked staff if the three new projects would be brought forward to the Planning Commission or Traffic Commission. Staff responded that the items had been processed with entitlements; that the Department of Finance had approved that the projects continue; and, that City staff could speak to those who have concerns regarding any impacts.

APPROVAL OF MINUTES: Commissioner Lazenby moved to approve the Minutes of August 16, 2012, seconded by Commissioner Dovich. The motion carried with the following vote:

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

PUBLIC HEARING: SITE PLAN NO. SP-469-12
TENTATIVE TRACT MAP NO. TT-17461

DEVELOPMENT AGREEMENT NO. DA-186-12
APPLICANT: THE OLSON COMPANY
LOCATION: NORTH SIDE OF TRASK AVENUE, EAST OF NEWHOPE STREET AT 11631
AND 11641 TRASK AVENUE
DATE: SEPTEMBER 20, 2012

REQUEST: Site Plan to construct a 17-unit single-family residential small-lot subdivision and a Tentative Tract Map to reconfigure and subdivide the three existing lots into 17 separate lots. A Development Agreement is also included. The site is in the R-3 (Multiple-Family Residential) zone.

Staff report was read and recommended approval.

Commissioner Brietigam asked staff for the size of the setback on Trask Avenue. Staff responded that the front yard living space must be a minimum of 15'-0" from the front property line; and that when the sides of the homes are adjacent to a major street, the homes must have a 10'-0" setback to a development wall, plus the additional 10'-0" for a total of 20'-0".

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

Mr. John Reekstin, the applicant's representative, approached the Commission and stated that the project would be the fourth community in Garden Grove.

Vice Chair Cabral asked Mr. Reekstin if he had read and agreed with the conditions of approval. Mr. Reekstin replied yes.

Commissioner Dovich asked Mr. Reekstin for the location of the other three properties. The applicant replied that they built Phases One and Two of Sycamore Walk, and the Mosaic Walk community at Palm Street and Harbor Boulevard.

Vice Chair Cabral thanked the applicant for meeting with the community members and asked if the residents were satisfied with the window corrections. Mr. Reekskin responded that from the two meetings, the residents were satisfied and any further concerns could still be addressed by meeting with property owners to help further mitigate if necessary.

Commissioner Lazenby asked for the average cost of the units. The applicant replied in the mid to high \$400,000's as there were good signs in the residential market.

Commission Dovich asked for the project timeline. The applicant replied that hopefully, the vertical construction of the first phase would be completed in July with move-ins also in July.

Ms. Peggy Bergin approached the Commission and stated that her concerns were the access traffic on Trask Avenue as traffic would be increased, and also limited parking spaces for residents and guests. She also stated that there were too many brick walls along Trask Avenue, however, the project was nice looking.

Mr. Josh McIntosh approached the Commission and stated that he brought along the preliminary draft of the Initial Recognized Obligations schedule for the City. He noted that Sycamore Walk was considered a debt and

asked for an explanation of the \$100,000 fee for ground water and soil monitoring. He wondered if the fee could be waived onto the developer to build in the City versus the taxpayers paying the fee.

Commissioner Silva asked if the play area equipment was designed using calculations on capacity utilization. Staff deferred to the applicant.

The applicant noted that the play area equipment was determined depending on the anticipated buyers; that the landscape plan was reviewed by staff for the needs of the buyers and the open space requirements; and, that equipment chosen was durable, looks good, and was safe.

Commissioner Silva pointed out that there was only a jungle-gym and a teeter totter, which did not seem like enough play equipment for 17 homes.

Vice Chair Cabral noted that the average size of the homes were between 15-1600 square feet. The applicant added that the space between the homes was 4'-0" on the side for a total of 8'-0" between the homes.

Vice Chair Cabral asked the applicant to clarify the traffic concerns. Staff interjected that a traffic study was not required; that the traffic did not meet the threshold of 50 vehicle trips during the peak hours using the trip generation manuals made available to Engineering for nationwide surveys of developments of this size; that the peak hours were 7:00 a.m. to 8:00 a.m. and 5:00 p.m. to 6:00 p.m.; that the applicant hired consultants to show that environmentally, for the specific exemption status, there would not be an impact to traffic, air quality, water quality, and noise; that the trip generation comparison, based on the ITE Manuals, indicates that the project would generate 144 average daily trips, which would not exceed the threshold, and 13 trips during the peak hours.

Regarding traffic, Commissioner Dovich asked staff if the City would install lights in the area at the driveways along Trask Avenue? Staff replied no, lights were not required.

Commissioner Brietigam thanked the applicant for holding the community meetings and asked if the traffic issue came up at a meeting. The applicant replied no, that the concerns were density; that the residents did not know that the previous entitlements were for a more dense project of 32 units and that this project was lower density; and, that other concerns included line of sight and privacy issues.

Commissioner Brietigam asked staff if the residents parking in the guest parking would be controlled by CC & R's. The applicant replied yes, that a member of Olson's Champion program would attend every quarterly board meeting of the association, and that residents attempting to park in guest parking would be monitored.

Staff added that the City code parking count includes only one driveway space though there was space for two cars, therefore, there were 17 additional spaces that were not part of the parking count.

Commissioner Lazenby asked if there were any hidden costs the City would need to pay after the project was complete. Staff stated that the Development Agreement fee of \$34,000 would partly go to a fire station fee and that there were no environmental fees.

Vice Chair Cabral again thanked the applicant for holding community meetings and though there were traffic concerns, expressed that the project would be a great addition to the City of Garden Grove.

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

Commissioner Lazenby moved to recommend approval of Development Agreement No. DA-186-12 to City Council and approve Site Plan No. SP 469-12 and Tentative Tract Map No. TT-17461, seconded by Vice Chair Cabral, pursuant to the facts and reasons contained in Resolution No. 5781-12. The motion received the following vote:

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

PUBLIC HEARING: SITE PLAN NO. SP-470-12
DEVELOPMENT AGREEMENT NO. DA-187-12
APPLICANT: BRANDYWINE HOMES
LOCATION: EAST SIDE OF DALE STREET, NORTH OF STANFORD AVENUE AT 12662
DALE STREET
DATE: SEPTEMBER 20, 2012

REQUEST: Site Plan approval to construct a 25-unit, three story apartment complex with a 35% affordable housing density bonus for low to moderate income families within the R-3 (Multiple-Family Residential) zone. The project includes both two and three bedroom units and will range in size from 906 to 1,226 square feet. Pursuant to State Law regarding affordable housing projects, the applicant is requesting three waivers from the R-3 zone development standards – residential units within ten feet of a driving aisle; reducing the north side yard setback from ten feet to eight feet; and, allowing a zero yard setback for covered parking along the south property line to exceed the Municipal Code’s maximum of 50%. A Development Agreement is also proposed.

Staff report was read and recommended approval. Staff noted that in the staff report, the number of affordable units was eight, however, per State Law, the number of units should be six units. Also, one letter was written by Nona Margo with affordable housing and parking concerns.

Commissioner Silva asked staff if the six low-income units were at random. Staff replied that the six units were not designated and the affordable housing agreement was for a period of 30 years.

Commissioner Silva asked staff to confirm that the parking spaces were two per unit with either two or three bedrooms. Staff replied yes, per State Law; that the incentive was given automatically as part of the low-income standards allowing only two spaces per unit; and, that if the project were not low-income, two bedrooms would allow for 2.5 spaces and three bedrooms for 3.25 spaces.

Commissioner Silva pointed out that the number of allowable parking spaces was lower than the last approved project. Staff explained that the type of street determines the difference; and, that on major streets such

as Trask Avenue or Garden Grove Boulevard, the parking ratio would be higher.

Commissioner Brietigam asked staff to explain waiving the 10'-0" setback requirement as nearby setbacks vary on Dale street. Staff responded that a street dedication of 20'-0" was required for street widening and that the 20'-0" would occur from the front property line at the ultimate right-of-way line; that the setback to be waived was a side yard setback, not the street-widening Dale Street setback; and, that this project's improvements would align the curb, gutter and sidewalk to the ultimate right-of-way, though there were still sections of Dale Street not yet improved.

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

Mr. Jim Barisic, the applicant, approached the Commission and stated that he would like a two-week continuance in order to understand the code more fully regarding the number of affordable units; and, that one of the waiver requests may be removed.

Commissioner Brietigam asked Mr. Barisic if he was in agreement with the conditions of approval.

The applicant responded yes, however, he requested three code waivers, which required six affordable units instead of the anticipated five.

Mr. Josh McIntosh, a preservationist, approached the Commission and commented that one abandoned home would be removed to create 25 units, which thereby, would erase a part of Orange County history; that there was no guest parking for the development, which would make an already bad situation worse; and, that less apartments were needed as the area was too congested. He also asked if there was a zone change and wondered what Steve Jone's relationship was with developers.

Ms. Brenda Martin, the real estate broker, approached the Commission and stated that the original homeowner did not desert the property; that he and his wife had passed away and the daughter was thrilled to have Brandywine develop the property. She was, however, disappointed that the property was reduced by 20'-0", but understood the progress.

Staff then suggested leaving the public hearing open and also responded that the property had not been re-zoned and remains an R-3 zone consistent with the east side zoning.

Vice Chair Cabral asked staff to address the guest parking. Staff reiterated that the number of spaces was consistent with State Law at providing only two parking spaces.

Vice Chair Cabral asked if the Planning Commission could make parking adjustments. Staff replied no, not to parking.

Commissioner Brietigam asked if the project could be denied. Staff responded that a density bonus project would require specific written findings as required by statute; that reasons for denial would be written into the Resolution for due process and potential challenges by the applicant, who would appeal. Staff also added that if the project had design issues that did not affect the density bonus, the project could be denied; and, that a denial could be problematic if the project were denied

due to standards that could not be met, though the affordable units were not affected.

Commissioners Brietigam and Silva then expressed that the generic denial questions were for clarification purposes only and nothing was implied regarding the project.

There being no further comments, the public portion of the hearing was left open to be continued at the Thursday, October 4, 2012 Planning Commission meeting.

Vice Chair Cabral moved to continue the case to the next regularly scheduled Planning Commission meeting on Thursday, October 4, 2012, seconded by Commissioner Brietigam. The motion received the following vote:

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

**MATTERS FROM
COMMISSIONERS:**

Vice Chair Cabral encouraged the residents to attend the October 4th Planning Commission meeting.

Commissioner Brietigam expressed that grant monies had been assigned to the street improvements on Lampson Avenue and he would like to see a groundbreaking.

Staff mentioned that the contract had been awarded with construction to begin in mid-October with a four-month schedule to improve the median and parkway along Lampson Avenue.

Commissioner Brietigam was doubly pleased to hear the news as this was also his birthday.

Commissioner Dovich asked for a time frame for the street construction on Brookhurst Street and Bushard Street as the traffic flow was interrupted for the businesses. Staff responded that business owners were welcome to contact the City's Public Works Engineering Division and speak to Mark Uphus to get the project duration.

**MATTERS FROM
STAFF:**

Staff read a brief description of future agenda items for the Thursday, October 4, 2012 Planning Commission meeting. Staff also mentioned that the October 18th Planning Commission meeting would include a Study Session on the review of the Housing Element and would begin at 6:30 p.m. and that the Neighborhood Improvement and Conservation Commission (NICC) would also be present.

Vice Chair Cabral mentioned that she would be out of town on October 18th and would not be able to attend that evening.

ADJOURNMENT:

Commissioner Brietigam moved to adjourn the meeting at 8:15 p.m., seconded by Vice Chair Cabral. The motion received the following vote:

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

JUDITH MOORE -Recording Secretary