

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

Regular Meeting Minutes  
Thursday, April 3, 2014

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

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

Absent: Alejandro, Zamora (Silva excused himself from the meeting at 8:00 p.m.)

PLEDGE OF ALLEGIANCE: Brietigam

ORAL COMMUNICATIONS – PUBLIC: Mr. Craig Durfey asked that the May 1<sup>st</sup> Traffic Study Session be widely broadcast to the community as the City of Santa Ana was being sued over fatality issues, and he submitted a letter "Business, Transportation, and Housing Agency" from Secretary Brian Kelly in regard to traffic safety and pointed out paragraphs four, five and six regarding pedestrian safety. He also mentioned that tourism was essential and with the proposed Anaheim marathon the City should nourish pedestrian safety. He also submitted an article on the Tustin Downtown El Camino Street revitalization, similar to Garden Grove's Re:Imagine project with pedestrian safety in mind. Also, he added that with the proposed high density of the Brookhurst Triangle, the parking garages would be located on the cycle track encumbering traffic flow by density and circulation; that students at Taft Street and Trask Avenue block the intersection for westerly traffic flow with no crosswalk protection for those students; and that a pedestrian, bicycle, walking and car studies should be done to encourage calming measures.

MARCH 20, 2014 MINUTES:

Action: Received and filed.

Motion: Margolin Second: Brietigam

Ayes: (5) Brietigam, Lazenby, Margolin, Nguyen, Silva

Noes: (0) None

Absent: (2) Alejandro, Zamora

PUBLIC HEARING – SITE PLAN NO. SP-005-2014, CONDITONAL USE PERMIT NO. CUP-005-2014 - For property located at 12867 Garden Grove Boulevard, northwest side of Garden Grove Boulevard and Haster Street.

Applicant: Geunwoo Yun (Holiday Inn Express and Suites)

Date: April 3, 2014

Request: Site Plan and Conditional Use Permit approval to allow the expansion of an existing hotel, Holiday Inn Express and Suites, to include the construction of a new 1,106 square foot meeting/conference facility and a new 1,594 square foot outdoor patio on the east side of the hotel building. The City of Garden Grove has determined that this project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Staff report was read and recommended approval. An amendment to Condition No. 45 included adding the numbers SP-005-2014 and CUP-005-2014.

Commissioner Brietigam asked if 2,700 square feet total was being added. Staff replied yes, and that the original 213 parking spaces, considered overparked by 9 spaces, would be reduced to the required 111.

Commissioner Silva asked staff to explain the red concrete slab. Staff stated that the slab was an outdoor patio area, however, the area was not used and would be built over.

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

Mr. Robert Olivas approached the Commission and stated that he lived next to the hotel; that the noise level was high at night; that buses idle early in the morning with smoke coming over the wall; that the activity level may get worse with people walking around in groups, looking in cars, and with weddings during which people drink; that people may get belligerent and get hurt; and that parking was bad.

Mr. Geuwoo Yun, the applicant, was aware of the noise issues around the pool; that the owner for the last ten years has had no complaints; that there was a plan for a parking lot gate on each side to deter unwanted parking; that a fence was planned to surround the property to deter people from walking in; that two concerns when the hotel was built, were not to bother the neighbors or the hotel guests; that they would try to manage the noise; that the business hours would be reduced to 9:00 p.m. Monday through Thursday and 10:00 p.m. Friday and Saturday; and that the business trend has changed from business guests to family-oriented which required family space.

Commissioner Brietigam asked if the building intent was for breakfast

only. Mr. Yun responded that the plan was to rent the space for business meetings and small wedding events as the occupancy was only 50.

Chair Lazenby asked for the gate and fence time table. Mr. Yun replied that the installation should be by December. Chair Lazenby asked for the gate and fence to be included in the conditions of approval.

Chair Lazenby asked if outdoor music was allowed. The applicant said no per the conditions.

Chair Lazenby asked the applicant if he had read and agreed with the conditions of approval. He replied yes.

Ms. Jackie Walburn approached the Commission and asked if sustainable developments were considered for Garden Grove, such as solar or carbon negative impacts? The Chair suggested that this topic should have been brought up during oral communications.

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

Commissioner Brietigam commented that Mr. Olivas' concerns were valid and that communication could help remedy issues such as the bus noise and the exhaust issue and pointed out Condition No. 17.

The Chair reopened the public hearing.

Mr. Yun mentioned that a six-foot high fence around the patio would block people from spilling out into the parking lot area.

Vice Chair Margolin asked where the guests come from? The property manager approached the Commission and stated that the guests have changed from business to family-oriented from all different states, and that sixty percent come for Disneyland, with about forty-five percent from business from overseas and out of state.

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

Chair Lazenby reiterated that the gate and fence should be included in the conditions.

Action: Resolution No. 5814-14 adopted as amended.

Motion: Brietigam Second: Margolin

Ayes: (5) Brietigam, Lazenby, Margolin, Nguyen,  
Silva  
Noes: (0) None  
Absent: (2) Alejandro, Zamora

PUBLIC HEARING – GENERAL PLAN AMENDMENT NO. GPA-2-13(A), AMENDMENT NO. A-172-13 – For property located at 8141, 8151, and 8171 Lampson Avenue (Assessor Parcel Nos. 131-471-07, 26, 28, and 29), north side of Lampson Avenue, midpoint between Beach Boulevard and Dale Street.

Applicant: Diane K. Hall Trustee (Alexis, Amber & Ariana Hall)

Date: April 3, 2014

Request: A request that the City of Garden Grove amend its General Plan land use map and zone map in conjunction with the proposed annexation of the "Carmel-Lampson Island" into the City of Garden Grove. The approximately one acre site is fully improved with an integrated multi-family residential project built in 1989, which consists of three, two-story residential buildings containing a total of 20 apartment units, and is served by two driveway approaches for ingress and egress purposes from Lampson Avenue. The site is currently located within the unincorporated area of the County of Orange and within the City of Stanton's sphere of influence. The owners of a majority of the property within the Carmel-Lampson Island have filed an application with the Orange County Local Agency Formation Commission (LAFCO) to concurrently amend the spheres of influence of the cities of Stanton and Garden Grove and to approve the annexation of the property into the City of Garden Grove. The proposed General Plan Amendment would amend the City of Garden Grove's official General Plan land use map to include the Carmel-Lampson Island with a General Plan land use designation of "Medium Density Residential." The proposed Zone Change Amendment would amend the City's official zone map to "pre-zone" the Carmel-Lampson Island site R-3 (Multiple-Family Residential). The Planning Commission will consider making a recommendation to the City Council concerning these proposed land use actions. The proposed action includes a recommendation that the City Council determine the project to be exempt from the California Environmental Quality Act pursuant to Sections 15319 and 15061(b)(3) of the State CEQA guidelines. The current County of Orange zoning designation is R-2 (Multi-Family Dwelling District) and the proposed City pre-zoning designation is R-3 (Multiple-Family Residential).

Staff report was read and recommended approval.

Commissioner Brietigam asked if any standards were not being met in regard to safety and liability for the City. Staff replied that per the site

plan, the site is short on a few parking spaces, the setbacks from the drive aisle and parking spaces were not met; that public works visited the site and did not see concerns; that the site looks well maintained and the street improvements were included; that with the project being built in the 1980's, the earthquake standards were better than prior to the 1970's.

Commissioner Nguyen asked for the benefits of the annexation. Staff responded that tax dollars would be brought in and that annexations did not occur that often.

Commissioner Silva asked if the County would walk away from the site. Staff said that the County's interest was to incorporate the areas into cities so the cities could better govern the properties as the County would prefer not to have the pockets so as to not patrol or maintain them.

Chair Lazenby asked if there is a cost to the City to take over the property. Staff explained there is no direct cost as the property owner would cover all the Local Agency Formation Commission (LAFCO) fees and Planning staff costs. Future costs would be the provision of municipal services to the property that were not provided currently.

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

Ms. Amber Hall, the applicant, approached the Commission and stated that the property had always identified with the City of Garden Grove; that the mailing address and zip code were Garden Grove; the property was serviced by Garden Grove Disposal; and that the building attracts families that want their children to attend the City schools.

Vice Chair Margolin asked for the number of tenants and what is the longest time for a tenant? Ms. Hall replied that the property is one-hundred percent occupied with the longest tenant since 1998 and that the residents were aware they were in an unincorporated area.

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

Commissioner Nguyen commended the property owners for choosing Garden Grove.

Action: Resolution No. 5801-13 adopted.

Motion: Silva Second: Margolin

Ayes: (5) Brietigam, Lazenby, Margolin, Nguyen, Silva  
Noes: (0) None  
Absent: (2) Alejandro, Zamora

The Chair called a recess at 7:55 p.m. The meeting reconvened at 8:00 p.m.

Commissioner Silva recused himself from the following discussion due to a conflict of interest as he and his wife own property along the 22 Freeway.

PUBLIC HEARING – PLANNED UNIT DEVELOPMENT NO. PUD-104-70 (REV. 2014),  
CONDITIONAL USE PERMIT NO. CUP-379-14 - For property located at 12821 Knott  
Street, northwest corner of Knott Street and Acacia Avenue.

Applicant: Jeff Luzzi (Next Level)

Date: April 3, 2014

Request: To amend the PUD-104-70 (Planned Unit Development) zone to allow a 59'-0" tall electronic reader board sign, subject to Conditional Use Permit approval. Also, a request for Conditional Use Permit approval to allow the applicant to retrofit an existing, legal 50'-0" tall pole sign (double-sided with an existing sign area of 190 square feet), with a new 59'-0" tall freeway oriented sign (double-sided with a 394 square foot electronic reader board) that will display on-premise advertisements. Total proposed sign area is 562 square feet. The subject site is currently improved with an existing indoor sports facility, Next Level Sports Complex, and is in the Planned Unit Development No. PUD-104-70 zone. The project is exempt pursuant to CEQA Section 15311 – Accessory Structures, and Section 15061 – Review for Exemption.

Staff report was read and recommended approval. One letter of support was submitted, one letter of concern was submitted, and 14 letters of opposition were submitted. Staff added language to Resolution No. 5804-14 and the conditions of approval that clarified that the sign was associated with the permitted indoor sports facility.

Commissioner Nguyen asked staff to explain the term "freeway-oriented" and if the sign was fixed or rotating. Staff explained that the fixed sign would be angled to face the 22 Freeway adjacent to the property; that the small part of the "V" shape would face the freeway directly with one signage side to be angled toward eastbound traffic and one signage side to be angled toward westbound traffic.

Commissioner Nguyen asked that if only one board faced the freeway there would be less glare impact for businesses and residences located behind the sign. Using the example of the Hyundai sign, staff

explained that if the sign face was parallel to the freeway, east and west traffic would not see the sign. Commissioner Nguyen understood, however, the term "freeway-oriented" was not helpful.

Commissioner Brietigam asked if the neighborhood meeting's mitigation efforts included reduction of the sign's size to lessen the impact to residents. Staff concurred that one issue was the sign's size (approximately 46' wide versus 25' wide).

Commissioner Nguyen pointed out on Page 2 of the staff report that September 19, 2014 should be September 19, 2013. Staff agreed.

Commissioner Nguyen addressed the on-site advertising and asked that if a Nike store opened on site, could Nike advertise on the sign? Staff referred to Condition No. 15 citing the sign's restrictions, which state that "should the applicant/operator of the indoor sports facility on the site wish to utilize the name of an off-premises corporate or other sponsor in conjunction with advertising on the reader board sign of a limited duration on site event (i.e., an Orange County regional basketball tournament), the applicant/operator may do so provided: (1) the sponsor name appears on the sign face concurrently with information concerning the promoted event; (2) the advertising appears no more than ten (10) days prior to the event and no later than the date upon which the event concludes; and (3) at any time that the sponsor's name or information appears on the sign, a minimum of thirty percent (30%) of the sign face shall be utilized for the event promoted and no more than seventy percent(70%) of the sign face shall be devoted to the sponsor."

Staff also added that the owner could not promote sole corporate advertising on the display as the intent was not sole corporate advertising and that the business was Next Level Sports Complex, not the Nike store. A Nike store would be an incidental business to the main business, and hypothetically, if Nike opened a store inside the facility, they might be able to utilize the sign; however, there would be two separate businesses on the property, and only if the sign applied to both businesses, would the sign be allowed to be used by both businesses. For example, if the current business owner, as part of their current business, wanted to sell Nike shoes, the current Municipal Code would not allow them to advertise Nike on the big sign. If Nike moved in opening its own store, which may require other land use approvals as this Conditional Use Permit does not provide for that, then theoretically, Nike could potentially utilize the sign as well as the indoor sports facility business, though Nike may need to come back to modify the Conditional Use Permit.

Staff further added that the proposed language of the Planned Unit Development (PUD), which is the zoning for the property, says that the

sign shall be used in conjunction with an indoor sports facility and be limited to that. Any change may require a zoning code PUD amendment to accommodate such a request. The proposed added language on the "yellow" addressed what would happen to the sign if the use changed.

Vice Chair Margolin asked if the sign face images could be divided with different advertising with various fonts and brightnesses? Staff stated that the rectangular area was the LED display that could be broken into two or thirds, though not at different brightnesses. The copy/still image would flip and change at the same time in a minimum eight seconds. Staff pointed out sign illustrations on Page 6 of the staff report for examples.

Commissioner Brietigam was asked by residents if live video would stream from a game inside the facility? Staff answered that Caltrans would not allow moving and blinking images on the sign.

Commissioner Nguyen asked if Next Level would advertise their own activities and businesses at the site? Staff replied yes, and that outside businesses could not be advertised. If Nike were a sponsor for a limited time activity, Nike could advertise that activity as a sponsor.

Commissioner Brietigam asked how the conditions would be enforced. Staff responded that enforcement was based on complaints with Code Enforcement responding.

Chair Lazenby noted that he had walked the site and asked if there were restrictions on the sign's degree of focus regarding the focal point of the LED for spillover light. He also noted that Condition No. 12 addressed the dimming at night as well as a single image between 10:00 p.m. and 7:00 a.m. Staff said that a condition could be added that stipulates the level of light.

Commissioner Nguyen noted that Condition No. 15 only addressed off-premises corporate sponsors and did not address on-premise corporate. Staff concurred that on-premise corporate could be advertised, as the only on-site business being operated there was an indoor sports facility, with no other business to be operated there, which was a defined use in the PUD.

Commissioner Nguyen asked what would happen if Next Level sublet a part of the property to Nike? Staff stated that a sublet was not proposed or contemplated and would be problematic especially to the use of the sign.

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



Mr. Jason Brennan, the applicant, approached the Commission.

Commissioner Nguyen asked the applicant if Next Level had the intent to sublet the property to a larger corporate entity to advertise for them. Mr. Brennan replied no, that the sign's purpose was to increase the daily occupancy; that they have twenty-seven percent occupancy with 15 sports programs, and they are open seven days a week; that they want to attract larger corporations for the long term investments; that there has been no devaluation in the area of the Hyundai sign; that the light dissipation would happen on Next Level property at about 500 feet to the west; that residents closest to the sign would not see the sign; that Next Level was not attempting to bring in Nike; and that the attempt was to help the community as a whole.

Commissioner Nguyen noted that the sign was much improved from the previous sign.

Vice Chair Margolin asked for the sign's revenue projection. The applicant said that Next Level pays \$850,000 in rent and the sign would attract people; that with the Anaheim Convention Center expansion bringing in more sports events they do not want to lose current business; that they recognize the parking issues and try to help; and that there would be more visibility from the 22 Freeway.

Vice Chair Margolin asked if only Next Level events would be advertised. The applicant replied yes, they would only advertise on-premise activities; that they have had community meetings; that there were no complaints about the sign posts; that the traveling light would not light resident's backyards nor be flashing or distracting on the freeway as Caltrans had requirements to abide by; and that they want a solution that works for everyone.

Vice Chair Margolin commented that there had been improvements, yet there were still issues.

Commissioner Brietigam commended the community involvement and noted that five to six houses would see the sign and that a mitigation effort could be a wall to block the view on Wild Goose Street.

The applicant stated he would not be opposed, however, the property owner would need to be contacted.

Chair Lazenby asked the applicant if he had read and agreed with the conditions of approval. He replied yes.

Mr. Craig Durfey asked that the sign be postponed for the reason of cognitive distraction; that he challenges the location due to the 22

Freeway curve from Beach Boulevard heading west and suggested the area of the Ford Dealership; that he supported the business; that students cross to Pacific High School in that area and the sign would be within 1,000 feet of a school; and that the circulation of the church should be considered.

Ms. Maureen Blackmun asked that if the property owners do not own the sign, who does? She added that it is unclear who owns the property the sign is located on; that notifications of the neighborhood meeting should include social media to bring more people in; that there were four previously approved signs and now there would be five; that Council Member Jones said the City should work on a citywide comprehensive plan for the number of signs, and who gets them, between Valley View Street and Harbor Boulevard; that Placentia had a ballot initiative to propose to control their five, Fullerton proposes four to five, as well as Anaheim; and that the City needs to look long term.

Mr. Mike Baginski, who owns the professional office building to the south, stated that he would take the brunt of the sign; that the sign faces his building and would face down the 22 Freeway and to homes to the west; that he likes the sign idea and that Garden Grove gets ten percent, but the sign was not directly next to the freeway, it would be off the freeway; that the applicant was just renting; that his building was valued at six million dollars and he may lose three million dollars in value as the type of tenants would change; that the staff report has a discrepancy with regard to CEQA (California Environmental Quality Act) in that the project was not exempt for minor structures and the sign would affect everyone in the area; that on Page 4, paragraph 4, the sign should not be viewable from nearby residences, however, approximately 200 to 250 residences could see the existing sign, which was a third the size; that on Page 13, paragraph 2, there was no compatibility between land uses by lighting up a professional office building 24 hours a day; that on Page 18, paragraph 3, there would be parking issues as the applicant was only thirty percent occupied with an already huge parking problem; that the applicant has a full time guard on the weekends to prevent parking in neighborhoods and leases spaces from the church on Saturdays; that his tenants come in on Saturdays and Sundays and with his open parking lot, people avoid the charged parking and come into his lot; that the sign is three times larger than the existing sign, ten feet higher and faces his building; that the applicant brought a light-spill diagram to the community meeting that showed the spill circle encompassing his building; that light spill was similar to the emergency vehicle flashing lights; that the sign should be in a different location, such as an industrial area, as the light flash every eight seconds would be disturbing; that the sign would flash for the next thirty or forty years devaluing his property and nearby homes; and that he would like to deny the request and find a

different location.

When Commissioner Nguyen asked what size of sign would be appropriate, Mr. Baginski said that the size was not the issue, the flash of the light was the main problem.

Commissioner Nguyen then asked Mr. Baginski what a compromise for the two businesses would be. Mr. Baginski replied that he likes the Next Level type of business as his son uses a similar facility in Anaheim, and has had his car towed because he parked in a neighborhood area to avoid paying the parking charge; that Next Level was thirty percent occupied with parking problems already; that he had been approached to rent parking spaces, but he could not; that 250 homes could see the existing sign; and that the applicant probably did not state in his conditional use permit that he would charge for parking, otherwise he would have had opposition.

Mr. Herman Van Twist cited traffic concerns that cell phone usage was nearly the same number as drunk drivers; that drivers would be distracted by the signage; that pedestrians on Knott Street, through Acacia Avenue made U-turns in the neighborhood because they could not park there; that there were major accidents at Acacia Avenue and Knott Street; that the sign would bring more traffic and cars and more burglary for motor vehicles; and that he fears the cars would flow into his neighborhood.

Mr. Tony Flores stated that Next Level had a good business; that traffic, parking, and distracted driving were concerns; that the Chapel was leasing parking stalls; that the number of electronic reader board signs along the freeway was growing; that 'obstruction pollution' was a problem and samples could be seen in cities such as Commerce and Bell; that the 22 Freeway should not be cluttered as the method is dated; that people are using Twitter, Instagram, Emails, Facebook and texting; that if the sign was vital to the business why did other businesses not have a 59' sign; that he has seen Commissioner Brietigam's comments on the subject on Facebook; that the Garden Grove Municipal Code 2.02.069d3 refers to a prejudgment, prejudice or bias and the Commissioner's comments could be construed as a prejudgment, prejudice or bias; and that if Commission Brietigam needed to recuse himself, there would not be a proper quorum to push the item through.

Ms. Kathleen Jack asked for the business return rate from the sign and how many more people does Next Level need to break even. She stated that profit would need to be in the thousands of dollars; that traffic is a major problem; that she has been told to \*\*\*\* off by patrons that parked in front of her house; that there were not enough parking spaces for the current number of patrons; that Next Level

should have structured parking; that no one wants patrons parking on Brady Street; that the fences behind the homes on Dumont Street, facing Brady Street, were only four feet tall and could be jumped over; that the sign location was not appropriate, by not being close enough to the freeway, but too close to their homes; that the sign would jeopardize their quality of life with a flashing sign from morning to night; and that how could the sign be approved with so much dissent among the people who would be affected by it?

The applicant stated that Next Level never paid the church for parking services, though they have traded parking; that parking was filled most weekends when at maximum capacity, though they were open seven days a week; that the concern was not building the weekend wholesale business from third parties who rent tournaments, it was building the personal retail business with programs, which was the vacancy percentage; that 35-52 weekends a year were at capacity and parking spilled into public streets; that the streets were monitored, but occasionally cars would get by; that in regard to Mr. Baginski's building, photographs taken show cars were isolated; and that Next Level did not want to make the parking issue the sign issue.

Commissioner Nguyen referred to Condition No. 12 and stated that the description seemed contradictory to the earlier sign direction question: "The face of the electronic reader board sign shall be angled away from the adjacent residents located to the west of the site so that the face of the sign is directed more in line with the SR-22 Garden Grove Freeway right-of-way."

The applicant stated that the "V"-shaped sign widens at the open end so that the reader boards were directed down the freeway; that the open end faced the neighborhood; that the sign would face more southwest with the residents more northwest; and that the board angles had not been determined yet.

Commissioner Brietigam asked for the cost of the sign. The applicant replied approximately \$500,000. The cost would be prohibitive for most other businesses.

Mr. Ted Howard, the sign designer approached the Commission.

Commissioner Brietigam asked if the LED could be focused to the freeway and not to the businesses. Mr. Howard replied yes, that the 12" x 12" squares with shutters could be angled up and down to direct light to shine in different areas; that there may be ancillary glow; that the eight second refresh could be soft and not flashing; that lumen capacity during the day would be 6,500 and 6,000 at night; that people would see the sign, but with no direct light into their house; and that after 100', the light was not as intense.

Commissioner Nguyen asked if the electronic reader board could be controlled electronically. Mr. Howard replied that controls were onsite only and that they have a 24-hour service contract.

Chair Lazenby asked if the sign had focus degrees and if the sign angle goes down the freeway. Mr. Howard stated that the "V" shape was based on the Radio Shack sign to be viewed from both freeway directions.

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

Vice Chair Margolin noted that the sign was top heavy and asked if the sign was earthquake sturdy and had any earthquake faults been determined. Staff responded that the matter would be reviewed by the Building Division when the sign was submitted for plan check prior to permits.

Vice Chair Margolin then stated that Next Level wants the sign, however, revenue from a parking structure would be a secure revenue source when charging for parking, as no one knows how much revenue would come from the new sign; and that the sign was not a smart business move.

Commissioner Brietigam addressed the ownership change and asked if a new business would need a new CUP. Staff responded that the CUP runs with the land, however, the sign would run with the use; that another sports facility business could use the sign; that if the use was different, the sign could not be used and a PUD amendment would be required.

Commissioner Brietigam asked if staff would be a part of determining the angle of the sign. Staff replied yes, to comply with Condition No. 12.

Commissioner Brietigam stated that the City should look at weekend traffic mitigation efforts. He also asked the City Attorney for protocol on posting comments on Facebook. The City Attorney asked Commissioner Brietigam if he had prejudged the matter or based his decision on the testimony given. Commissioner Brietigam stated that his Facebook comments were specific to the community meeting telling people to come and voice their concerns and that he did not take a position one way or the other. He pointed out that the applicant had met with the community and worked with City staff. He did not prejudge the matter and would base his decision on testimony given at the meeting. The City Attorney then stated that there was no conflict of interest.

Commissioner Nguyen asked how this 390 square foot reader board compares to the other three City reader boards. Staff replied that the Hyundai sign was similar in size with a different angle.

He then mentioned that he did not use social media and that there should be an alternative announcement for people who do not use social media. He also stated that the applicant substantially reduced the sign size; that helping the residents would be helpful; that the conditional language was too broad to accommodate the residents and applicant; and that the sign should be angled away from the residents.

Commissioner Brietigam asked staff to clarify the CEQA comment in regard to the project being exempt. Staff responded that the project must comply with CEQA and that certain projects that were exempt were called categorical exemptions; that staff had determined the project to be a Class 11 exemption of which on-premises signs were included; that the project was a retrofit of an existing sign, an accessory to the commercial building, and a minor structure instead of major; that the conditions address the electronic component, limiting the light output during nighttime hours, address glare, and the static image at night; that the sign applies to the PUD and not other areas and was limited to the property and a specific use; that the sign was not a billboard and there was no evidence of environmental impact; and that the Class 11 exemption applied and the City was not required to do an Initial Study.

Chair Lazenby visited the site and several of the businesses and only one business was opposed.

Vice Chair Margolin stated that Next Level already had inadequate parking for the twenty-seven percent of occupancy; that if the sign would bring in more new business, where would patrons park; and that the project needed more parking.

Commissioner Nguyen stated that the applicant did not wish for more parking on the weekend, and that he wanted new business only Monday through Friday, which he could accommodate.

Chair Lazenby stated that a directional sign with LED would likely have have little or no effect on the residences, in fact, he lived down the street from a similar sign.

Commissioner Brietigam stated that the language "on-site corporate" be added to the conditions of approval and that the City work on the angle to mitigate the glow for less impact to residences.

Commissioner Nguyen reiterated that the applicant's focus was only for

the current business and would limit the sign advertising to promotion instead of on-site and off-site sponsors; and that the City should work with the applicant to determine the sign angles.

Action: Resolution Nos. 5804-14 (PUD) and 5805-14 (CUP) adopted as amended per the yellow.

Motion: Nguyen Second: Brietigam

Ayes: (3) Brietigam, Lazenby, Nguyen

Noes: (1) Margolin

Absent: (3) Alejandro, Silva, Zamora

The Chair called for a recess at 9:45 p.m. The meeting reconvened at 9:55 p.m.

ITEM FOR CONSIDERATION - CONSIDERATION OF PROPOSED RESOLUTION RECOMMENDING APPROVAL OF AMENDMENT NO. A-006-2014 PURSUANT TO PLANNING COMMISSION ACTION OF MARCH 20, 2014

Applicant: City of Garden Grove

Date: April 3, 2014

Staff read the added language, Page 4, Item 4, to the revised proposed resolution in regard to the Harbor Boulevard Sign Program Overlay:

"4. The Planning Commission recommends that the City Council approve Amendment No. A-006-2014 and adopt the Ordinance attached hereto as Exhibit "A", subject to a recommendation that the City Council consider revising the Ordinance to include a process through which property owners may request relief from strict application of the Sign Standards where an existing sign made nonconforming by the Ordinance has significant historical significance and/or where replacement of an existing sign made nonconforming by the Ordinance with a sign conforming to the Sign Standards will result in the sign being significantly less visible from the public right of way."

Action: Resolution No. 5811-14 adopted as amended.

Motion: Brietigam Second: Margolin

Ayes: (4) Brietigam, Lazenby, Margolin, Nguyen

Noes: (0) None

Absent: (3) Alejandro, Silva, Zamora

ITEM FOR CONSIDERATION - REVIEW OF THE CODE OF ETHICS

Commissioners reviewed and acknowledged the Code of Ethics governing the Planning Commission.

MATTERS FROM COMMISSIONERS: Commissioner Brietigam asked if the Donation

Collection Bin item would come before the Planning Commission at the next meeting. Staff replied yes.

Vice Chair Margolin asked for an update of the old McMahons furniture store on the northeast corner of Brookhurst Street and Garden Grove Boulevard. Staff replied that there was interest to demolish and recycle the site into a commercial use though nothing was solidified.

Chair Lazenby asked for an update on the Galleria. Staff met with prospective developers, investors, and architects of the site and that a calendar was being put together with dates of events for entitlements to be redone, for plans to go into plan check, and to commence construction to redo the facility to be more marketable for the area, such as cutting back commercial square footage and increasing the number of dwelling units; and that a notice to tear down the building had been issued through the Board of Appeals if they do not act in a timely manner.

Vice Chair Margolin asked if the City would retain the cost of the steel if the project was torn down. Staff responded that this was unknown.

Commissioner Nguyen expressed that he would not be able to attend the April 17<sup>th</sup> Planning Commission meeting, and may also miss the May 1<sup>st</sup> meeting.

Chair Lazenby asked if a pedestrian traffic study was done for the Chapman Avenue/Gilbert Street area because there was no crosswalk. Staff recommended that Traffic Engineering staff could better answer the question.

MATTERS FROM STAFF: Staff stated that one of the two items for the April 17<sup>th</sup> meeting, the MAPS Facility item, had been withdrawn and that the other item would be the Donation Collection Bins.

ADJOURNMENT: At 10:05 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, April 17, 2014, at 7:00 p.m. in the Garden Grove Council Chamber, 11300 Stanford Avenue, Garden Grove.

Motion:	Margolin	Second:	Brietigam
Ayes:	(4)	Brietigam, Lazenby, Margolin, Nguyen	
Noes:	(0)	None	
Absent:	(3)	Alejandro, Silva, Zamora	

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Judith Moore, Recording Secretary