

RESOLUTION NO. 5868-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING TENTATIVE PARCEL MAP NO. PM-2016-164 FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LAMPSON AVENUE AND INDUSTRY STREET, AT 7180 LAMPSON AVENUE AND 12570 INDUSTRY STREET.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on November 3, 2016, does hereby approve Tentative Parcel Map No. PM-2016-164 to subdivide an existing 3.3-acre parcel located at 7180 Lampson Avenue and 12570 Industry Street, currently identified as Parcel No. 215-011-02, into two separate parcels consisting of 79,638 square feet and 66,052 square feet, respectively.

BE IT FURTHER RESOLVED in the matter of Tentative Parcel Map No. PM-2016-164, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Russell Fenton, owner of the subject property.
2. The applicant is requesting Tentative Parcel Map approval to subdivide an existing 3.3-acre parcel into two separate parcels. Lot 1 will be 79,638 square feet in area and Lot 2 will be 66,052 square feet in area.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that this project is categorically exempt from CEQA pursuant to Article 19, Section 15315, Minor Land Divisions, of the of the CEQA Guidelines (14 Cal. Code Regs., Section 15303).
4. The property has a General Plan designation of Industrial and is zoned M-P (Industrial Park). The site is currently improved with two existing freestanding industrial buildings.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 3, 2016, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on November 3, 2016.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 are as follows:

FACTS:

The subject property is located at the southeast corner of Lampson Avenue and Industry Street and is zoned M-P (Industrial Park) with a General Plan Land Use designation of Industrial. The property is developed with two freestanding industrial buildings. The properties to the east, south, and west, across Industry Street, are zoned M-P and are developed industrially. The properties to the north, across Lampson Avenue, are zoned PUD-105-71 Rev. 90 and are also developed industrially.

In 1979, the two freestanding industrial buildings were constructed on the property. The building located at 7180 Lampson Avenue is approximately 39,290 square feet in size and the building located at 12570 Industry Street is approximately 37,688 square feet in size. Both buildings are utilized as warehousing and distribution facilities. At the time the structures were built, a Site Plan application was not required for new buildings in the M-P zone, however, the buildings complied with all applicable Municipal Code provisions at the time of construction. Both buildings were constructed on one parcel, but developed in such a manner that each has its own vehicular access, loading areas, and site landscaping.

Tentative Parcel Map No. PM-99-142 was previously approved by the City of Garden Grove on July 7th, 1999, to subdivide the existing 3.3-acre site into two parcels, Parcel 1 and Parcel 2, however, the final parcel map was not prepared nor filed for record. Therefore, the entitlements have expired.

FINDINGS AND REASONS:

The proposal meets the required findings under section 9.40.060 (Tentative Maps – Findings Required).

1. The proposed map is consistent with the City's General Plan in that the subdivision of the existing parcel into the proposed new parcels is consistent with the State Subdivision Map Act. Conditions of Approval require that the two (2) new parcels maintain shared access and parking. The project is consistent with the existing General Plan designation of Industrial.
2. The design and improvement of the proposed two-lot subdivision is consistent with the M-P (Industrial Park) zone, Title 9 of the Garden Grove Municipal Code, and the General Plan provisions for location, proximity to similar uses, lot width, and overall depth.
3. The site is physically suitable for the existing development and complies with the spirit and intent of the M-P (Industrial Park) zone and Title 9 of the City's Municipal Code.

4. The project is categorically exempt from the California Environmental Quality Act (CEQA).
5. The design of the subdivision is not likely to cause problems to the public health, safety, and welfare, and the two (2) new parcels in conjunction with the existing parcel will continue to operate as one integrated development as required by the existing and proposed conditions of approval.
6. The design of the subdivision will not conflict with the easements of record or easements established by court judgment acquired by the public-at-large for access through or use of property within the subdivision; if such easements exist, then alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.
7. The design and improvements of the subdivision are suitable for the existing site improvements, and the subdivision can move forward in compliance with the applicable zoning regulations.
8. The design and improvement of the proposed subdivision are suitable for the proposed project and the subdivision will be in compliance with the applicable zoning regulations.
9. The design of the subdivision, to the extent feasible, does have allowance for future passive or natural heating and cooling opportunities.
10. The proposed subdivision of the existing parcel will have no effect on the housing needs of the region and of the public service needs. Furthermore, the character of the subdivision is compatible with the design of existing structures in the general area. The proposed subdivision will not cause a need for additional housing in the area. The existing buildings and businesses will continue to operate as an integrated development.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Tentative Parcel Map No. PM-2016-164 does possess characteristics that justify the request in accordance with the Garden Grove General Plan and the Garden Grove Municipal Code.

- 2. In order to fulfill the purpose and intent of the Municipal Code, and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Tentative Parcel Map No. PM-2016-164.

Adopted this 3rd day of November, 2016

ATTEST:

/s/ JOHN O'NEILL
CHAIR

/s/ JUDITH MOORE
SECRETARY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on November 3, 2016, by the following vote:

AYES:	COMMISSIONERS:	(4)	BARKER, KANZLER, O'NEILL, ZAMORA
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(3)	MARGOLIN, NUYGEN, PAREDES

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is November 24, 2016.