

RESOLUTION NO. 5998-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING AMENDMENT NO. A-029-2020 TO REZONE A PROPERTY LOCATED AT 8932 KATELLA AVENUE, ASSESSOR'S PARCEL NO. 132-041-21, FROM O-P (OFFICE PROFESSIONAL) TO C-1 (NEIGHBORHOOD COMMERCIAL).

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on August 20, 2020, does hereby recommend adoption of an ordinance approving Amendment No. A-029-2020 to rezone a property located at 8932 Katella Avenue (Assessor's Parcel No. 132-041-21) from O-P (Office Professional) to C-1 (Neighborhood Commercial).

BE IT FURTHER RESOLVED in the matter of Amendment No. A-029-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by David N. Alagband, with authorization from the property owner, Gilles Sensenbrenner.
2. A request to rezone a property located at 8932 Katella Avenue (Assessor's Parcel No. 132-041-21) from O-P (Office Professional) to C-1 (Neighborhood Commercial).
3. The subject site has a General Plan Land Use Designation of Light Commercial and is currently zoned O-P (Office Professional).
4. The Planning Commission hereby determines that this project is exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
5. Existing land use, zoning, and General Plan Land Use designation of the areas included in this Code Amendment and in their vicinity have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on August 20, 2020, 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 of August 20, 2020, and considered all oral and written testimony presented regarding the project; and

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

FACTS:

The subject site is improved with an existing multi-tenant center, located on the south side of Katella Avenue, west of Magnolia Street. The center is comprised of eight (8) tenant spaces of approximately 12,080 square feet of commercial/office space. The center includes a "barber/beauty shop" use and five (5) general office uses. Two (2) of the eight (8) suites are vacant.

The subject property is zoned O-P (Office Professional) with a General Plan Land Use Designation of Light Commercial. The property is adjacent to C-1 (Neighborhood Commercial) zoned properties to the east developed with commercial retail uses, PUD-109-96 (Residential Planned Unit Development) zoned properties to the south developed with small-lot subdivision single-family dwellings, and an O-P (Office Professional) zoned property to the west developed with a residential care facility. Across Magnolia Street, to the east, is a C-1 zoned property developed with a multi-tenant commercial retail shopping center. An additional multi-tenant commercial retail shopping center is located at the northeast corner of Katella Avenue and Magnolia Street, located within unincorporated land of the County of Orange. Across Katella Avenue, to the north of the subject property, are multiple properties located within the jurisdictional boundaries of the City of Stanton and unincorporated land of the County of Orange developed with commercial retail uses, an apartment complex, and a gas station.

Pursuant to a request filed by the previous property owner, in 1998, the City of Garden Grove approved Amendment No. A-190-98, which rezoned the subject property from C-1 (Neighborhood Commercial) to O-P (Office Professional), and also approved Amendment No. A-191-98, which amended Title 9 of the Municipal Code to allow "ambulance service" uses in the O-P zone, subject to approval of a Conditional Use Permit. Concurrently, the City also approved Conditional Use Permit No. CUP-427-98 to allow the operation of an ambulance service business on the subject property. According to business license records, the ambulance service business closed its operation in 2004.

FINDINGS AND REASONS:

1. The proposed zone change Amendment is internally consistent with the goals, policies, and elements of the General Plan. The subject site has a General Plan Land Use Designation of Light Commercial (LC). The LC Land Use Designation includes a variety of retail service establishments, including restaurants, and is implemented through both the C-1 (Neighborhood Commercial) and C-2 (Community Commercial) zoning districts. Accordingly, rezoning the subject site from O-P (Office Professional) to C-1 would be consistent with the Light Commercial General Plan Land Use Designation and the associated goals and policies of the General Plan.

2. The proposed zone change Amendment, rezoning the subject property from O-P (Office Professional) to C-1 (Neighborhood Commercial), will ensure a degree of compatibility with surrounding properties and land uses. The proposed C-1 zoning designation is consistent with the existing zoning patterns in the surrounding area, which includes other C-1 zoned properties and various multi-tenant commercial retail shopping centers. Analysis and findings of a trip generation memo, prepared by a professional consulting firm, RK Engineering Group, Inc., who specializes in traffic engineering, concluded that under the proposed C-1 (Neighborhood Commercial) zoning, the expected trip generation forecasts to result in minimal increase in trips with no significant traffic impact on the surrounding traffic circulation system. The subject property has sufficient land and parking area for the uses permitted under the C-1 zone, and the application of the appropriate Title 9 provisions for site landscaping, parking, vehicular and pedestrian access, noise, and other requirements applicable to those uses permitted in the C-1 zone will ensure that the proposed rezone will have a reasonable degree of compatibility with surrounding uses and will not adversely affect the public health, safety, and welfare.

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. The zone change Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.2 (Zone Change). The proposed zone change Amendment will rezone a property located at 8932 Katella Avenue (Assessor's Parcel No. 132-041-21) from O-P (Office Professional) to C-1 (Neighborhood Commercial).

Adopted this 20th day of August 2020

ATTEST:

/s/ JEREMY LEHMAN
CHAIR

/s/ JUDITH MOORE
RECORDING 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 August 20, 2020, by the following vote:

AYES:	COMMISSIONERS:	(5)	LE, LEHMAN, LINDSAY, PEREZ, SOEFFNER
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	RAMIREZ

/s/ JUDITH MOORE
RECORDING 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 September 10, 2020.