

RESOLUTION NO. 2718

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF GARDEN GROVE APPROVING  
PLANNED UNIT DEVELOPMENT NO. PUD-102-74

WHEREAS, in the matter of Planned Unit Development No. PUD-102-74, the Planning Commission of the City of Garden Grove does report as follows:

1. The subject case was initiated by Byron M. Tarnutzer, as applicant. (Rec.)
2. The applicant is requesting rezoning of an 8.24 acre parcel from the R-1, C-1 and C-2 zones to the PUD, Planned Unit Development zone and approval of a General Development Plan for the construction of six (6) one and two-story commercial and business office buildings on property located on the south side of Garden Grove Boulevard, east of Partridge, at 12802 Garden Grove Boulevard. The City has filed an Exemption Declaration eliminating the requirement for an Environmental Impact Report because the proposed development will not have a significant effect on the environment.
3. The subject property is presently zoned C-1, C-2 and R-1 and is partially improved with a single family residence.
4. Existing land use and zoning of property in the vicinity of the subject property have been reviewed.
5. Report submitted by the City's staff was reviewed
6. Pursuant to legal notice, public hearing was held on May 23, 1974, and all interested persons were given an opportunity to be heard.
7. The Planning Commission gave due and careful consideration to the matter during their meeting of May 23, 1974; and

WHEREAS, facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9220.4, are as follows:

1. The proposed development conforms to the Land Use Element of the General Plan in that it is a carefully conceived concept of integrated business uses, 67 percent of which are office and retail commercial.
2. The proposed development is the highest and best use for the subject property due to its shape, abutment on the freeway, access, and relationship to abutting properties.
3. The property development will be compatible with neighboring properties as a result of its aesthetic quality, setbacks, and low intensity business uses within the park.

WHEREAS, the Planning Commission does conclude:

1. The subject Planned Unit Development does possess characteristics that would indicate justification of the request for adoption in accordance with Municipal Code Sections 9213F.7 and 9220.
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the public health, safety, and general welfare, the following conditions of approval shall apply to the subject case:
  - A. Approval of this PUD shall not be construed to mean any waiver of the applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
  - B. All lighting structures shall be placed so as to confine direct rays to the subject property.

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C. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Zoning Administrator prior to issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, the freeway, and surrounding properties.

D. Signing for the proposed development shall be limited to the following:

1. Individual occupants shall be permitted one sign not to exceed ten square feet. Said signs shall be uniform for all occupants and be attached to the building.
2. One directory sign not to exceed 150 square feet nor 35 feet in height for exposure to Garden Grove Boulevard, with one double face sign surface.
3. One free standing pole sign not to exceed 150 square feet and located in the southwest corner of the property, for exposure to the Garden Grove Freeway to be used for identifying the project only.
4. All signing shall be uniform and subject to Zoning Administrator approval.
5. No roof signs shall be permitted.

E. A detailed landscaping plan shall be submitted for approval by the Zoning Administrator prior to issuance of building permits. Said landscaping plan shall include a detailed plan for the operation of the three park-like decorative pool areas. Said plan shall also contain types of materials, method of irrigation, and plant sizes.

F. A minimum of one standard trash enclosure shall be provided for each building and such additional trash enclosures as will insure containment of all trash generated on the site.

G. In order to encourage the location of professional office, retail and commercial services, and industrial uses within the subject development, and to insure compatibility with adjoining commercial and residential developments, the types of uses permitted shall include, but not be limited to, the following:

#### PROFESSIONAL OFFICE USES

The following uses and activities are permitted in all buildings within PUD-102-74:

- |  |  |
|--|--|
| 1) Insurance                           | 8) Real estate                                       |
| 2) Engineering, architects, developers | 9) Data centers                                      |
| 3) Planners                            | 10) Accountants                                      |
| 4) Attorneys                           | 11) Computer software                                |
| 5) Banks, financial institutions       | 12) Doctors and dentists                             |
| 6) Contractor office                   | 13) Studios, such as recording, radio and television |
| 7) Manufacturer's representative       |  |

#### RETAIL COMMERCIAL USES

The following uses and activities are permitted in Buildings 2, 3, 4 and 5 only:

- |                               |  |
|-------------------------------|--|
| 1) Eating establishments      | 11) Light fixtures                         |
| 2) Book stores                | 12) Retail sales - tile, linoleum, formica |
| 3) Stationery stores          | 13) Retail hardware                        |
| 4) Business supplies          | 14) Medical and sick room supplies         |
| 5) Dressmaker/alteration shop | 15) Graphic arts studio                    |
| 6) Florist shop               | 16) Photo engraving                        |
| 7) Gift shop                  | 17) Limited print shops (Speedie)          |
| 8) Art supplies               | 18) Small appliance repair                 |
| 9) Carpet sales               | 19) Dental labs                            |
| 10) Paint sales               |  |

## COMMERCIAL SERVICE AND INDUSTRIAL TYPE USES

The following uses and activities are permitted within the PUD, provided that all such uses be limited to Buildings 2, 3, 4 and 5 and total cumulative floor area devoted to such uses shall not exceed 42,700 square feet (which is 33 percent of the total in the project):

- 1) Laboratory, including research, testing, experimental or other types.
- 2) Publishing, printing, lithographing, engraving.
- 3) Wholesale and wholesale service businesses (such as, but not limited to, furniture upholstering shops, carpet cleaning, telephone exchanges, cleaning and dyeing, glass shops, parcel delivery services, appliance and business machine repair).
- 4) Contractors, provided that all vehicles, equipment, and other materials must be stored inside the building.
- 5) Warehousing.
- 6) Storage.
- 7) Light manufacturing and assembly uses, such as:
  - a. Assembly of electronic appliances, such as electric instruments and devices, radios and phonographs, including manufacturing of small parts such as coils.
  - b. Assembly of furniture from pre-manufactured frames.
  - c. Assembly and fabrication of calculating, automation, duplicating, printing machines, and similar devices. Scientific instruments, measuring devices, gauges, automatic and manual control devices. Toys, novelties, and household appliances.

Any uses not classified herein or any ambiguities related to use shall be subject to Zoning Administrator approval in accordance with Municipal Code Section 9215.3.1.

H. The following types of uses and activities shall not be permitted in the subject development in order to insure compatibility with adjoining commercial uses:

- 1) Machine shops or manufacturing operation involving automotive products or services.
- 2) Automobile vehicle and related vehicular equipment storage, salvaging, and dismantling.
- 3) Automotive repair, including auto body work or auto painting.
- 4) Tire recapping, rebuilding and retreading.
- 5) Storage of transportation equipment.
- 6) Sign manufacture and/or assembly.
- 7) Service stations.

### I. LIMITATIONS ON PERMITTED USES:

- 1) Fleet vehicles in excess of two per occupancy or per 1,400 square feet of occupancy shall not be permitted.
- 2) All uses must be conducted within a completely enclosed building.
- 3) A Conditional Use Permit shall be required for any business establishment in which all, or any portion, of said business premises are devoted to the sale or display of any book, magazine, newspaper, or other printed or written material, or any picture, drawing, photograph, motion picture or other pictorial representation of any statue or other figure, or any recording, transcription, or mechanical, chemical or electrical reproduction, or any other articles, equipment, machines, or materials, by any means or in any manner, are either (a) in fact forbidden to be sold or otherwise distributed to minors under the age of twenty-one (21) years, or (b) advertised as being forbidden to be sold or otherwise distributed to minors under the age of twenty-one years.

J. PERFORMANCE STANDARDS: No use shall be permitted in the subject PUD which creates or involves any of the following effects:

- 1) Any noise or vibration, other than that related to temporary construction work, which is discernible without instruments at any lot line of the site.
- 2) The emission of radio activity in dangerous amounts.
- 3) Any electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- 4) The emission of visible gray smoke of a shade or quality darker than No. 1 on the Ringlemann Chart, as specified in Information Circular 7718 of the U.S. Bureau of Mines, for more than three minutes in any one hour.
- 5) Any direct or reflected flare or heat which is perceptible at any point outside the building site.
- 6) The emission of odorous gases or matter in quantities such as to be perceptible at any lot line of the site.
- 7) The discharge into any sewer or stream or into the ground, except in accordance with standards approved by the State Department of Health, of any materials of such nature as to contaminate any water supply, interfere with bacterial processes and sewage treatment, or in any way cause the emission of dangerous or offensive elements.
- 8) No exterior storage of materials, supplies, equipment, or machinery shall be permitted whether open or in tanks, bins, or other container devices.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby recommend approval of Planned Unit Development No. PUD-102-74 subject to the conditions stated above, and does further recommend to the City Council rezoning to the PUD zone, as indicated on the maps attached hereto and made a part hereof.

ADOPTED this 23rd day of May, 1974.

/s/ KENNETH H. SLIMMER  
CHAIRMAN

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove held on May 23, 1974, and carried by the following vote, to wit:

AYES: COMMISSIONERS: JENNINGS, PEET, PETROSINE, SHELSTAD, SLIMMER  
 NOES: COMMISSIONERS: NONE  
 ABSENT: COMMISSIONERS: FINCH, MC NAMARA

/s/ NORENE SHERRARD  
CLERK OF THE PLANNING AGENCY