

RESOLUTION NO. 5606

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-426-07 AND TENTATIVE PARCEL MAP NO. PM-2007-135.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on August 2, 2007, does hereby approve Site Plan No. SP-426-07 and Tentative Parcel Map No. PM-2007-135 for property located at the south side of Westminster Avenue, east of Clinton Street at 12600 through 12640 Westminster Avenue, APN No. 198-111-31.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-426-07 and Tentative Parcel Map No. PM-2007-135, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Twomey Holdings, LLC.
2. The applicant is requesting approval of a Site Plan and Tentative Parcel Map in order to convert an existing industrial multi-tenant complex into an industrial condominium development. The proposal would allow individual ownership of the tenant spaces while the overall development continues to operate as an integrated multi-tenant industrial complex.
3. The City of Garden Grove has determined that this project is exempt from environmental review pursuant to Article 15, Section 15301 (k), Existing Facilities, and Section 15315, Minor Land Divisions, of the California Environmental Quality Act Guidelines.
4. The properties have a General Plan Land Use designation of Industrial and are zoned Planned Unit Development No. PUD-102-86/Rev. '86. The site is currently developed with five (5) industrial buildings and shares access with the industrial property to the east. The five (5) buildings on the site share circulation and parking. There are currently 27 tenant spaces within the five (5) buildings with two additional tenant spaces proposed for a total of 29.
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 August 2, 2007, 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 August 2, 2007; 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 Sections 9.24.030 are as follows:

FACTS:

The site consists of a 5.286-acre single parcel developed with five (5) industrial buildings. It is located on the south side of Westminster, east of Clinton Street. The property has a General Plan Land Use Designation of Industrial and is zoned Planned Unit Development No. PUD-102-86/Rev. '86. The PUD includes the adjacent parcel to the east on Westminster Avenue.

The properties located to the north and west of the subject site are zoned PUD-105-71 and are developed with industrial buildings. The properties to the south and west of the subject site are zoned M-P (Industrial Park) and are developed with industrial buildings.

In the five (5) existing industrial buildings there are 27 tenant spaces. The applicant is proposing to subdivide the large building into three (3) tenant spaces for a total of 29 tenants in the overall development. Any further dividing of tenant spaces will require Planning Division review and approval.

FINDINGS AND REASONS:

Site Plan

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of the Municipal Code and other applicable ordinances.

A Site Plan is required for a condominium conversion to review the existing site and facilities and to require upgrades where necessary. The existing industrial buildings create an attractive complex that is in good repair and functions effectively for industrial uses. Conditions of approval will require some upgrades including revitalized landscaping, new air conditioning units and new exterior paint. The Public Works Department will require that the FDC be removed from a below grade vault and replaced above ground. Therefore, the Site Plan meets the spirit and intent of the Municipal Code for industrial uses that are attractive and designed to have an operationally efficient site and building.

2. The proposed development does not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation and points of vehicular and pedestrian access.

The proposed change to condominium units will keep intact all reciprocal access, parking, loading and circulation for the existing industrial buildings. All the essential on-site facilities that were reviewed and approved under PUD-102-86/Rev. '86 will remain. Because there are no changes to the essential on-site facilities, the proposed condominium conversion will not adversely affect those facilities.

3. The development, as proposed, will not adversely affect essential public facilities such as streets and alleys, utilities, and drainage channels.

The project will provide Traffic Services Division the opportunity to obtain a 10-foot dedication along Westminster Avenue and have the applicant repair the sidewalks. There are no aspects of the proposal that would change or adversely affect the essential public facilities therefore with the Traffic Services requirements the proposed condominium conversion will provide improvements to the public facilities.

4. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The development was originally built as the second phase of PUD-102-86/Rev. '86 and therefore it is built to be compatible with the industrial property to the east that was constructed as Phase I. There are no proposed changes to the development that would decrease the compatibility with the neighborhood. Conditions of approval will require minor upgrade of new paint and revitalized landscaping.

5. Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities will attain an attractive environment for the occupants of the property.

The proposal is to change rental industrial tenant spaces to ownership units. The existing buildings create an attractive industrial complex with landscape planters, well placed parking spaces and convenient loading docks. The site amenities will remain the same and CC&R's for the project shall require continued maintenance of these amenities.

Tentative Parcel Map

1. The Tentative Parcel Map for the proposed industrial condominium units is consistent with the Garden Grove General Plan, which encourages land subdivision in order to facilitate development. The site is adequate in size and shape to accommodate the proposed subdivision.
2. The design and improvements of the proposed subdivision is consistent with the zoning, Title 9 of the Garden Grove Municipal Code, and the General Plan provisions for location and proximity to similar uses.
3. The site is physically suitable for the existing, as well as the proposed, subdivision and complies with the spirit and intent of a Title 9 of the City's Municipal Code.
4. The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Sections 15301 (k) Existing Facilities and 15315, Minor Land Divisions.
5. The tentative parcel map to create industrial condominiums will not likely cause problems to the public health as the project is located within an established industrial PUD which has been operating without negative impacts on the community since 1986. The industrial complex will continue to operate as one integrated development as required by the existing and proposed conditions of approval. The only change resulting from this proposal is that different owners will own the individual tenant spaces.
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. The access easement along the east property line will remain as will the utility easement that runs through the center of the property. The City of Garden Grove will obtain a 10-foot dedication along Westminster Avenue for public right-of-way.
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 conversion of tenant spaces to condominium units will have no effect on the housing needs of the region and of 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 industrial buildings will continue to operate as an integrated industrial complex.

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 Site Plan and Tentative Parcel Map possess characteristics that would justify the request in accordance with Municipal Code Section 9.24.030 (Site Plans) and 9.32.060 (Tentative Maps)
- 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 Site Plan No. SP-426-07 and Tentative Parcel Map No. PM-2007-135.

ADOPTED this 2nd day of August, 2007.

/s/ ROLAND CHI
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on August 2nd, 2007, by the following votes:

AYES:	COMMISSIONERS:	BANKSON, BEARD, CHI, NGUYEN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM

/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 August 23, 2007.