

APPLICATION CHECKLIST AND CASE PROGRESS LOG

Case Identification No. COP-344-98 Case Planner MEU

Related Case File Nos. N/A

Date Filed 3/16 Application Det. Complete 3/16 Hearing Date PC Hearing Body 4/15

* * * * *

300' ADN'S
ON
TRACK

Applicant BOYS/GIRLS CLUB OF GARDEN GROVE

Property Owner MARILYN/DAVID STAMPER

Address 11411 GARDEN GROVE BLVD

Address 276 LOS ANGELES AVENUE

City GARDEN GROVE CA 92543

City LA, CA 90024

Phone (714) 570-0430

Phone (310) 474-7548

* * * * *

Site Address 12742 CHADWICK BL

Assessor Parcel No(s) 087-141-66

Site Location S/S CHADWICK E/ALHAMBRA

General Plan OP

Flood Zone X

Current Zone O17

Map & Panel No.

Proposed Zone N/A

Processing Information

	<u>DATE</u>		<u>DATE</u>
Application Submitted		Site Inspection	
Application Correction Notice		Resumes Dist.	
Application Acceptance Letter		Legals Faxed to Paper	
Fees Sent to Cashier		Mailed Legals Sent Out	
P.C.C. Technical Review		Final Staff Report	
P.C.C. Environmental Review		Staff Report Delivered	
Prepare Mailing List			
Final Legal Notice			

Identification No. CUP-294-98

Hearing Date 4/15/98

DEVELOPMENT SERVICES DEPARTMENT
PUBLIC HEARING NOTICE WORKSHEET

Subject Site: (See Attached Map-Red Circles)

089-141-66 _____

1. Total Subject Site _____

300 Foot Radius (See Attached Map-Yellow Circles)

- | | | |
|-------------------------|-----------------------|-----------|
| () * <u>089-141-15</u> | () <u>089-293-10</u> | () _____ |
| () _____ 16 | () _____ 11 | () _____ |
| () _____ 17 | () _____ 12 | () _____ |
| () _____ 18 | () _____ 13 | () _____ |
| () _____ 19 | () _____ 14 | () _____ |
| () _____ 20 | () _____ 15 | () _____ |
| () _____ 21 | () _____ 16 | () _____ |
| () _____ 30 | () <u>089-293-17</u> | () _____ |
| () _____ 31 | () _____ 12 | () _____ |
| () _____ 32 | () <u>089-424-</u> | () _____ |
| () _____ 33 | () _____ 13 | () _____ |
| () _____ 34 | () _____ 14 | () _____ |
| () _____ 38 | () _____ 15 | () _____ |
| () _____ 39 | () <u>089-422-</u> | () _____ |
| () _____ 40 | () _____ 11 | () _____ |
| () _____ 41 | () _____ 12 | () _____ |
| () _____ 42 | () _____ 13 | () _____ |
| () _____ 43 | () _____ 14 | () _____ |
| () _____ 46 | () _____ 15 | () _____ |
| () _____ 47 | () _____ 16 | () _____ |
| () _____ 48 | () _____ 17 | () _____ |
| () _____ 49 | () _____ 18 | () _____ |
| () _____ 56 | () _____ 19 | () _____ |
| () _____ 57 | () <u>089-421-12</u> | () _____ |
| () _____ 58 | () _____ 13 | () _____ |
| () _____ 61 | () _____ 14 | () _____ |
| () _____ 62 | () <u>089-414-13</u> | () _____ |
| () _____ 63 | () _____ 14 | () _____ |
| () _____ 64 | () <u>089-425-01</u> | () _____ |
| () <u>089-141-66</u> | () <u>089-425-27</u> | () _____ |

Total to be notified (1+2) _____

Total parcels on map _____

Total parcels on printout _____

Date Planning Supervisor Date

2. Total 300' Radius _____

* () indicates total number of parcels in range

Attachments (in order) Parcel Map - Computer Printout - Returned Mailings

AYES:
NOES:
ABSENT:

AYES: COUNCILMEMBERS: (5) CHUNG, DINSEN, LEYES, MADDOX,
BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE

said Ordinance No. 2427 was declared passed.

REQUEST FROM GIRLS AND BOYS CLUBS OF GARDEN GROVE, INC., FOR
WAIVER OF PERMIT FEES FOR NEW "FAMILY CAMPUS" CENTER AT
10540 CHAPMAN AVENUE (F: 88.1)

Communication dated April 15, 1998 was introduced, and Pat Halberstadt, Executive Director for the Girls and Boys Clubs of Garden, Grove reviewed their status and requested that the City Council approve the waiver of permit fees, amounting to approximately \$5,000. She commented that this waiver would present a demonstration of City support, which would send a positive message to other potential contributors.

It was moved by Councilman Chung, seconded by Councilman Maddox, and carried by unanimous vote, that permit fees for the new "Family Campus" Center for the Girls and Boys Clubs of Garden Grove, Inc., located at 10540 Chapman Avenue, be waived.

ORAL COMMUNICATIONS - PUBLIC (CONTINUED):

Muhammad Qureshi addressed the Council concerning alleged police harassment issues and demanded that the Mayor resign. (F: 53.3) (XR: 82.1)

CONSIDERATION OF CENSURING COUNCILMAN CHUNG FOR USE OF CITY
RESOURCES FOR CAMPAIGN PURPOSES, AS REQUESTED BY MAYOR PRO TEM
LEYES (F: 58.1)

Mayor Pro Tem Leyes commented that this matter is a continuation of the discussion held at the previous Council meeting concerning Councilman Chung's use of City resources for campaign purposes. He indicated that Councilman Chung's request for election information from the City Clerk was inappropriate. He suggested that it might be appropriate for the Council to express displeasure about this and officially reprimand Councilman Chung. He indicated that Councilman Chung's offer to pay for the information does not forgive the offense, in his opinion.

Mayor Pro Tem Leyes moved, seconded by Mayor Broadwater, that this matter be tabled. Said motion carried by the following vote:

CITY FEES FOR GIRLS AND BOYS CLUB OF GARDEN GROVE 10540 CHAPMAN AVENUE	
PLANNING FEES	
Conditional Use Permit	\$1,000.00
Notice of Exemption	\$ 75.00
BUILDING FEES (Estimated)	
Plan Check	\$ 885.00
Final Building Permit	\$1,360.00
Issuance	\$ 30.00
STR Motion	\$ 30.00
General Plan	\$ 166.00
Cultural Arts	\$ 82.00
Electrical Permit	\$ 250.00
Plumbing Permit	\$ 300.00
Mechanical Permit	\$ 150.00
Block Wall Permit	\$ 285.00
ENGINEERING FEES	
Traffic Mitigation	No Fee
Driveway Approach Permits	\$ 260.00
Drainage Plan Check	\$ 50.00
Drainage Permit Fee	\$ 50.00
FIRE DEPT. INSPECTION FEE	
	\$ 50.00
ESTIMATED TOTAL FEES	
	\$5,023.00

MINUTE EXCERPTS

GARDEN GROVE PLANNING COMMISSION

PUBLIC**HEARING:**

CONDITIONAL USE PERMIT NO. CUP-394-98

APPLICANT:

GIRLS & BOYS CLUB OF GARDEN GROVE

LOCATION:

SOUTH SIDE OF CHAPMAN AVE. EAST OF NUTWOOD AT 10540 CHAPMAN AVE.

DATE:

APRIL 15, 1998

A request by the Girls and Boys Club to establish a Daycare Center for approximately 108 preschool age children and an after school program for approximately 100 children within an existing 14,100 sq. ft. former medical office building. The site is located in the OP (Office Professional) zone.

Staff report was reviewed recommending approval. Staff reported that Mary S. Runner from 10532 Carol Lane, which is across from the subject site, did contact staff to object to the Conditional Use Permit, due to traffic and noise.

Commissioner Schild inquired into the total amount of children that would be in the building at one time. Staff responded that there would be 108 children in the day care program and 100 children in the after school program.

Commissioner Rosen questioned if the chain link fence would be removed and if there was reciprocal access between the day care center and the medical building and if there would be any kind of barrier between the day care center and the public access. Staff responded that a barrier could be constructed with the attainment of a building permit.

Pat Halberstadt, Executive Director of Girls and Boys Club of Garden Grove, approached the Commission and commented that it was a pleasure working with Staff and agreed with the conditions but would like to leave the westerly drive approach available for small deliveries. She stated that she would like to work with staff to develop signage for the westerly drive so that it can be used.

Commissioner Hutchinson asked about the facility on Garden Grove Blvd. Ms. Halberstadt stated that the building will possibly be sold to help cover the expense for the new project. Expressing her personal sadness, she noted the house is over sixty-five years old and is no longer suitable for their purposes.

Commissioner Butterfield inquired into the time schedule for the day care. Ms. Halberstadt responded that it would have conventional hours, that is 6:00 a.m. through 6:00 p.m., with some functions held in the evening hours, including parenting classes with some classes including the children.

Commissioner Butterfield questioned staff what the concerns were for using the westerly drive approach. Staff responded that due to heavy traffic on Chapman Avenue, and the

design of the delivery area, potential traffic hazards could be created by utilizing the westerly drive.

Chairman Wilkins asked about the possibility of using an electronic controlled gate. Staff responded that the Traffic Engineering Department requires that, with electronic gates, there has to be a certain amount of distance between the road and the drive approach to prevent traffic stacking up. Staff further responded that this design does not leave stacking room for a gate, and recommended conferring with the Community Development and Traffic Engineering Departments to explore options.

Ms. Halberstadt stated she appreciates staff's recommendation and commented that staff has made good suggestions. She further stated she would like the opportunity to explore options, with staff, for use of the westerly drive approach.

Commissioner Schild noted that the main drive should be the westerly drive due to it's width. Ms. Halberstadt commented that the larger section of the building, on the west side, will be used for the preschoolers, and according to state licensing regulations the play area has to be adjacent to the entrance of the preschool; thus, that was the purpose of choosing the easterly drive approach as the main driveway. She further noted that the easterly drive approach has sufficient access for the Fire Department. Commissioner Schild commented that a possible means of exiting to Chapman would be to access the alley and exit out Nutwood St. Ms. Halberstadt expressed agreement with Commissioner Schild and thought that for the sake of safety for the children, signage for a no left turn might be installed at the easterly drive approach.

Chairman Wilkins opened the public hearing to receive testimony in favor or in opposition to the request.

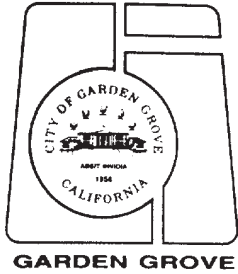
There being no further comments, the public hearing portion was closed.

Commissioner Heskett commented he learned that the Boys Club started in 1860. He noted he remembered attending as a child, and expressed that the Girls and Boys Club is a great addition to any community.

Chairman Wilkins commented that Condition Z should include wording that an alternate plan can be worked out with the approval of the Community Development and Public Safety Departments.

Commissioner Heskett moved, with the implementation of added verbiage as stated by Chairman Wilkins to the condition, seconded by Commissioner Schild, to approve CUP-394-98, pursuant to the facts and reasons stated in Resolution No. 4876, and to authorize the Chairman to execute the Resolution. The motion carried the following vote:

AYES:	COMMISSIONERS:	WILKINS, BUTTERFIELD, FREZE, HESKETT, HUTCHINSON, ROSEN, SCHILD
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE



CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92842

April 20, 1998

(714) 741-5312

Girls & Boys Club of Garden Grove
11421 Garden Grove Blvd.
Garden Grove, CA 92843

REFERENCE: Conditional Use Permit No. CUP-394-98

Your request as referenced above has been provisionally approved. The final granting is contingent upon your complying with all of the conditions of approval listed in the enclosed Resolution.

Provided that you do comply with all conditions of approval and no appeals of the Planning Commission's decision are filed with the City Clerk, the earliest effective date will be May 7, 1998.

Should you have any questions or need assistance with obtaining any required permits, please call the staff of the Community Development Department at (714) 741-5312.

Sincerely,

Millie J. Summerlin
Planning Services Manager

Enclosure

c: Marilyn & David Stampler

RESOLUTION NO. 4876

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-394-98 FOR LAND LOCATED ON THE SOUTH SIDE OF CHAPMAN AVENUE, EAST OF NUTWOOD STREET, AT 10540 CHAPMAN AVENUE, PARCEL NO. 089-141-66

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 15, 1998, does hereby approve Conditional Use Permit No. CUP-394-98.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-394-98, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by the Girls and Boys Club of Garden Grove.
2. The applicant is requesting approval of a Conditional Use Permit to operate a Day Care Center for approximately 108 preschool age children in conjunction with after school programs for approximately 100 children and administrative offices.
3. The City of Garden Grove has determined that this project is Exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
4. Report submitted by City staff was reviewed.
5. Pursuant to a legal notice, a public hearing was held on April 15, 1998, and all interested persons were given an opportunity to be heard.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of April 15, 1998; 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 9.24.030, are as follows:

FACTS:

The site area is approximately 77,500 square feet (1.8 acres).

The site is currently improved with a 14,100 square foot, former medical office building.

The applicant is proposing to convert the existing 14,100 square foot office building into a day care center with an after school program and administrative offices.

The proposed use is a conditionally permitted use in the O-P (Office Professional) zone.

FINDINGS AND REASONS:

CONDITIONAL USE PERMIT:

1. Finding:

The proposed use will be consistent with the City's adopted General Plan.

Reason:

The proposed use is consistent with the goals and policies of the Garden Grove General Plan, particularly the Economic Development Element, which encourages the revitalization of older buildings and properties within the City, and the Parks, Recreation, and Cultural Activities Element, which encourages quality care and recreation facilities for the children of Garden Grove residents.

2. Finding:

The requested use at the location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to public health, safety, or general welfare.

Reason:

The proposed use is required to comply with all applicable building and fire codes, as well as the conditions of approval for the CUP, to insure that the use will not adversely occupants of the subject site or the surrounding area, and will not create an adverse impact on the public health, safety, or welfare.

3. Finding:

The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

Reason:

The subject site is approximately 1.8 acres in size and is improved with an existing 14,100 square foot office building, paved parking area, and site landscaping, which will be refurbished to accommodate the proposed use. The site provides adequate building area, outdoor play area, and parking area for the number of children (108 for the day care center and 100 for the after school programs) and staff (up to 22 persons) proposed.

4. Finding:

The proposed site is adequately served by streets of sufficient width and improved as necessary to carry the kind and quantity of traffic as such to be generated, and by other public or private service facilities as required.

Reason:

The proposed use has been reviewed by the Public Works Department. Issues raised by the proposed use have been addressed in the project design and the conditions of approval.

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 Conditional Use Permit possess characteristics that would indicate justification for approval of the request in accordance with Municipal Code Section 9.24.030.
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following conditions of approval shall apply to Conditional Use Permit No. CUP-394-98:

CONDITIONS OF APPROVAL:

- A. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes to the conditions of approval require approval by the Planning Commission.

- B. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
- C. Minor modifications may be approved by the Community Development Department. If other than minor changes are made in the proposed development, a new Conditional Use Permit application shall be filed, which reflects the revisions made to, or changes to, the use of the building.
- D. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Section. The applicant shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
- E. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to the issuance of building permits. The project shall also be subject to the following:
 - 1. All new on-site utilities pertaining to the improvements proposed under this CUP shall be installed or relocated underground.
 - 2. All new above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks or any parking areas and shall be screened to the satisfaction of the Community Development Department.
 - 3. No new roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view from public streets and surrounding properties.
 - 4. All new ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
- F. The following provisions of the Public Works' Engineering Division shall be complied with:

1. The easterly drive approach on Chapman Avenue shall be reconstructed per Standard Plan B-120.
 2. The applicant shall remove and replace broken paved areas as required by the City Engineer and slurry seal and restripe the parking area.
 3. No stopping along Chapman Avenue shall be permitted.
- G. The following provisions of the Public Works' Traffic Engineering Division shall be complied with:
1. Entrance to the property shall be posted with a sign indicating that unauthorized vehicles will be removed at the owner's expense. The signs shall be of the size, type, and location specified in the California Vehicle Code and Garden Grove Municipal Code.
 2. All handicap parking stalls shall be marked and signed in accordance with the California Vehicle Code. All parking stalls shall be per City standards, and hairpin striped. All on-site curbs not associated with a parking stall shall be painted red to prohibit parking. The minimum number of parking spaces for this property, 81 spaces, shall be provided and maintained at all times.
- H. The following provisions of the Garden Grove Fire Department and the Uniform Fire Code shall be met:
1. Address numbers shall be visible from the street (in contrasting colors).
 2. Fire Department Permit shall be required.
 3. Fire sprinkler system shall be modified to reflect interior building alterations.
 4. Exits for lobby and assembly areas shall have panic hardware.
 5. Fire alarm system shall be provided.
- I. The building plans, site plans, and all construction shall comply with the current editions of the U.B.C., U.P.C., U.M.C., and N.E.C. as amended by the City of Garden Grove and State of California for handicap access, energy conservation, seismic safety measures, and sound transmission control requirements. It is

recommended that the applicant obtain a copy of the above amended code sections before completing the final design.

- J. All conditions of the Public Works Water Services Division shall be met.
- K. All conditions of the Garden Grove Sanitation District shall be met.
- L. No exterior piping, plumbing, or mechanical duct work shall be permitted on any exterior facade and/or visible from any public right-of-way or adjoining property.
- M. All signs require a separate permit and shall be installed in accordance with the provisions of Title 9.
- N. Hours and days of construction shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010, referred to as the County Noise Ordinance as adopted:
 - 1. Mondays through Saturdays -- not before 7 a.m. and not after 8 p.m.(of the same day).
 - 2. Sundays and Federal Holidays -- work may occur during the same hours but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
- O. The applicant/property owner shall enter into a maintenance agreement with the City of Garden Grove to ensure proper maintenance and upkeep of the property.
- P. Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
- Q. Trash bins shall be kept inside of the trash enclosure and the gates shall be kept closed and latched except during disposal and pickup.
- R. The applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-394-98, and his/her agreement with all conditions of the approval.
- S. Graffiti shall be removed from the premises and all parking lots under the control of the applicant within 120 hours of application.

- T. The applicant shall apply for a review of this Conditional Use Permit in three (3) years from the date of the resolution's approval and conditions may be added and/or modified at that time.
- U. The proposed day care center program shall serve a maximum of 108 children and the proposed after school program shall serve a maximum of 100 children. Any requests to serve additional children shall be approved by the Community Development Department and the Fire Department.
- V. A copy of the resolution approving Conditional Use Permit No. CUP-394-98 shall be kept on the premises at all times.
- W. Prior to the commencement of the operation of the use, the applicant shall submit proof of State licensing to operate a day care facility.
- X. The use of an amplification system shall not be permitted outside of the enclosed building.
- Y. Hours of operation shall be permitted only between the hours of 6:00 a.m. to 10:00 p.m., seven (7) days a week.
- Z. The westerly drive approach along Chapman Avenue shall be removed and replaced with curb and gutter per City Standard Plans unless an alternative layout is approved by the Community Development Department and the City Traffic Engineer.
- AA. Final parking and pickup/drop-off area layout shall be approved by the Community Development Department prior to issuance of any permits.
- BB. Conditional Use Permit No. CUP-394-98 shall expire one (1) year from the date of approval unless building permits are obtained and construction is commenced, or a request for an extension is approved by the Planning Commission.

ADOPTED this 15th day of April 1998.

/s/ ERNEST WILKINS
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, State of California, held on April 15, 1998, by the following votes:

AYES:	COMMISSIONERS:	WILKINS, BUTTERFIELD, FREZE, HUTCHINSON, ROSEN, SCHILD, HESKETT
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/s/ TERESA POMEROY
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 May 6, 1998.

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.5.	SITE LOCATION: 10540 Chapman Ave. south side of Chapman Avenue, east of Nutwood Street
HEARING DATE: April 15, 1998	GENERAL PLAN: Office Professional
CASE NO.: Conditional Use Permit No. CUP-394-98	ZONE: O-P (Office Professional)
APPLICANT: Girls and Boys Club of Garden Grove	
OWNER: Marilyn and David Stampler	CEQA DETERMINATION: Exempt

REQUEST:

The applicant is requesting approval of a Conditional Use Permit to operate a Day Care Center in an existing commercial building for approximately 108 preschool age children in conjunction with after school programs for approximately 100 children and administrative offices.

PROJECT CRITERIA	ACTUAL	MEETS CODE	DOES NOT MEET CODE	VARIANCE	CONDITION OF APPROVAL
LOT SIZE	77,500 SF (1.8 Acres)	X			
BUILDING SIZE	14,100 SF	X			
OUTDOOR PLAY AREA	9,000 SF	X			
PARKING	81 Spaces	X			

BACKGROUND:

The site is improved with a one-story, 14,100 square foot building which was formerly used as a medical office for FHP. The Girls and Boys Club of Garden Grove, currently located at 11421 Garden Grove Boulevard, has entered into escrow to purchase the subject site in order to relocate its administrative offices and to establish a new day care center and after school program.

DISCUSSION/ISSUES:

Conditional Use Permit:

The former medical office building will be remodeled to accommodate a central lobby area, classrooms, studios, and offices. A portion of the existing parking area will be fenced off and converted into an outdoor play area, the existing chain link fencing surrounding the currently vacant property will be removed, and the existing building, parking, and landscape areas will be refurbished.

Title 9 Section 9.08.030 (Uses Permitted) allows day care centers in the O-P zone, subject to the approval of a Conditional Use Permit. The site provides adequate building area, outdoor play area, and parking area for the number of children (108 for the day care center and 100 for the after school programs) and staff (up to 22 persons) proposed.

Surrounding Properties and Uses:

The site is bounded by O-P zoned properties to the east and west. Residentially-zoned properties to the south will be sufficiently buffered from the uses inside of the building and the outdoor play area by a large parking area, a 20 foot wide public alley, and an eight foot high block wall.


The proposed use will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to public health, safety, or general welfare. The proposed use is required to comply with all applicable building and fire codes, as well as the conditions of approval for the CUP, to insure that the use will not adversely occupants of the subject site or the surrounding area.

Other Issues:

The applicant is proposing to provide a delivery area on the westerly side of the building, which would be accessed by the existing westerly drive approach along Chapman Avenue. In order to minimize the hazard of customer vehicles pulling into that driveway, staff is recommending that the drive approach be removed and that the deliveries occur either from the remaining easterly drive approach or from the alley at the rear of the property. Staff is also continuing to work with the applicant on the location of the child pickup/drop-off area within the parking lot and is recommending that the final location of the child pickup/drop-off area and the parking layout be approved by the Community Development Department prior to issuance of any permits.

RECOMMENDATION:

Staff recommends approval of Conditional Use Permit No. CUP-394-98, subject to the recommended conditions of approval.

 MILLIE J. SUMMERLIN
Planning Services Manager



By: Mel Lee
Associate Planner

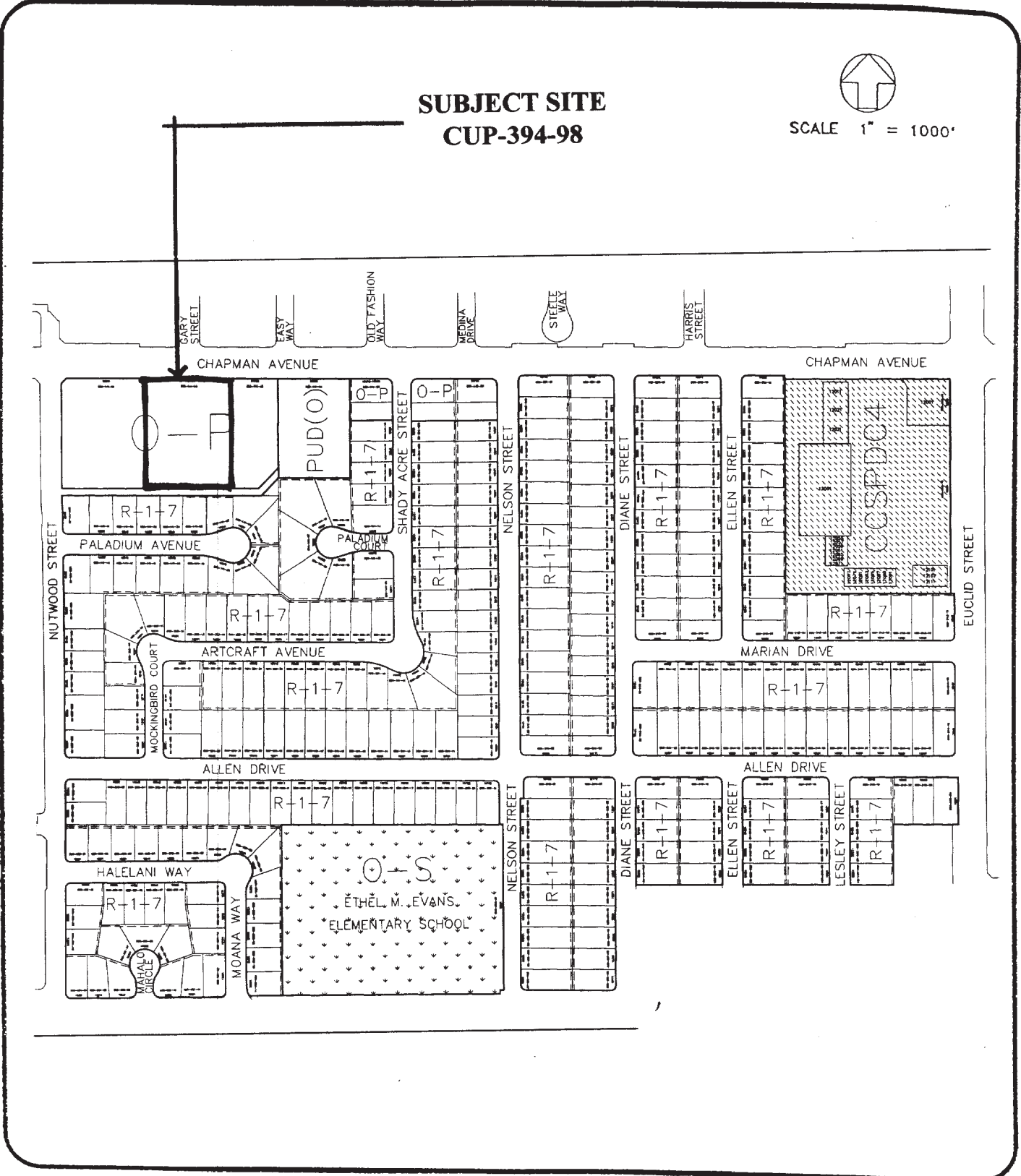
Attachment: Planning Commission Resolution No. 4876

VICINITY MAP

**SUBJECT SITE
CUP-394-98**



SCALE 1" = 1000'



RESOLUTION NO. 4876

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-394-98 FOR LAND LOCATED ON THE SOUTH SIDE OF CHAPMAN AVENUE, EAST OF NUTWOOD STREET, AT 10540 CHAPMAN AVENUE, PARCEL NO. 089-141-66

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 15, 1998, does hereby approve Conditional Use Permit No. CUP-394-98.

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1. The subject case was initiated by the Girls and Boys Club of Garden Grove.
2. The applicant is requesting approval of a Conditional Use Permit to operate a Day Care Center for approximately 108 preschool age children in conjunction with after school programs for approximately 100 children and administrative offices.
3. The City of Garden Grove has determined that this project is Exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
4. Report submitted by City staff was reviewed.
5. Pursuant to a legal notice, a public hearing was held on April 15, 1998, and all interested persons were given an opportunity to be heard.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of April 15, 1998; 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 9.24.030, are as follows:

FACTS:

The site area is approximately 77,500 square feet (1.8 acres).

The site is currently improved with a 14,100 square foot, former medical office building.

The applicant is proposing to convert the existing 14,100 square foot office building into a day care center with an after school program and administrative offices.

The proposed use is a conditionally permitted use in the O-P (Office Professional) zone.

FINDINGS AND REASONS:

CONDITIONAL USE PERMIT:

1. Finding:

The proposed use will be consistent with the City's adopted General Plan.

Reason:

The proposed use is consistent with the goals and policies of the Garden Grove General Plan, particularly the Economic Development Element, which encourages the revitalization of older buildings and properties within the City, and the Parks, Recreation, and Cultural Activities Element, which encourages quality care and recreation facilities for the children of Garden Grove residents.

2. Finding:

The requested use at the location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to public health, safety, or general welfare.

Reason:

The proposed use is required to comply with all applicable building and fire codes, as well as the conditions of approval for the CUP, to insure that the use will not adversely occupants of the subject site or the surrounding area, and will not create an adverse impact on the public health, safety, or welfare.

3. Finding:

The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

Reason:

The subject site is approximately 1.8 acres in size and is improved with an existing 14,100 square foot office building, paved parking area, and site landscaping, which will be refurbished to accommodate the proposed use. The site provides adequate building area, outdoor play area, and parking area for the number of children (108 for the day care center and 100 for the after school programs) and staff (up to 22 persons) proposed.

4. Finding:

The proposed site is adequately served by streets of sufficient width and improved as necessary to carry the kind and quantity of traffic as such to be generated, and by other public or private service facilities as required.

Reason:

The proposed use has been reviewed by the Public Works Department. Issues raised by the proposed use have been addressed in the project design and the conditions of approval.

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 Conditional Use Permit possess characteristics that would indicate justification for approval of the request in accordance with Municipal Code Section 9.24.030.
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following conditions of approval shall apply to Conditional Use Permit No. CUP-394-98:

CONDITIONS OF APPROVAL:

- A. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes to the conditions of approval require approval by the Planning Commission.

- B. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
- C. Minor modifications may be approved by the Community Development Department. If other than minor changes are made in the proposed development, a new Conditional Use Permit application shall be filed, which reflects the revisions made to, or changes to, the use of the building.
- D. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Section. The applicant shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
- E. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to the issuance of building permits. The project shall also be subject to the following:
 - 1. All new on-site utilities pertaining to the improvements proposed under this CUP shall be installed or relocated underground.
 - 2. All new above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks or any parking areas and shall be screened to the satisfaction of the Community Development Department.
 - 3. No new roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view from public streets and surrounding properties.
 - 4. All new ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
- F. The following provisions of the Public Works' Engineering Division shall be complied with:

1. The easterly drive approach on Chapman Avenue shall be reconstructed per Standard Plan B-120.
 2. The applicant shall remove and replace broken paved areas as required by the City Engineer and slurry seal and restripe the parking area.
 3. No stopping along Chapman Avenue shall be permitted.
- G. The following provisions of the Public Works' Traffic Engineering Division shall be complied with:
1. Entrance to the property shall be posted with a sign indicating that unauthorized vehicles will be removed at the owner's expense. The signs shall be of the size, type, and location specified in the California Vehicle Code and Garden Grove Municipal Code.
 2. All handicap parking stalls shall be marked and signed in accordance with the California Vehicle Code. All parking stalls shall be per City standards, and hairpin striped. All on-site curbs not associated with a parking stall shall be painted red to prohibit parking. The minimum number of parking spaces for this property, 81 spaces, shall be provided and maintained at all times.
- H. The following provisions of the Garden Grove Fire Department and the Uniform Fire Code shall be met:
1. Address numbers shall be visible from the street (in contrasting colors).
 2. Fire Department Permit shall be required.
 3. Fire sprinkler system shall be modified to reflect interior building alterations.
 4. Exits for lobby and assembly areas shall have panic hardware.
 5. Fire alarm system shall be provided.
- I. The building plans, site plans, and all construction shall comply with the current editions of the U.B.C., U.P.C., U.M.C., and N.E.C. as amended by the City of Garden Grove and State of California for handicap access, energy conservation, seismic safety measures, and sound transmission control requirements. It is

recommended that the applicant obtain a copy of the above amended code sections before completing the final design.

- J. All conditions of the Public Works Water Services Division shall be met.
- K. All conditions of the Garden Grove Sanitation District shall be met.
- L. No exterior piping, plumbing, or mechanical duct work shall be permitted on any exterior facade and/or visible from any public right-of-way or adjoining property.
- M. All signs require a separate permit and shall be installed in accordance with the provisions of Title 9.
- N. Hours and days of construction shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010, referred to as the County Noise Ordinance as adopted:
 - 1. Mondays through Saturdays -- not before 7 a.m. and not after 8 p.m.(of the same day).
 - 2. Sundays and Federal Holidays -- work may occur during the same hours but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
- O. The applicant/property owner shall enter into a maintenance agreement with the City of Garden Grove to ensure proper maintenance and upkeep of the property.
- P. Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
- Q. Trash bins shall be kept inside of the trash enclosure and the gates shall be kept closed and latched except during disposal and pickup.
- R. The applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-394-98, and his/her agreement with all conditions of the approval.
- S. Graffiti shall be removed from the premises and all parking lots under the control of the applicant within 120 hours of application.

- T. The applicant shall apply for a review of this Conditional Use Permit in three (3) years from the date of the resolution's approval and conditions may be added and/or modified at that time.
- U. The proposed day care center program shall serve a maximum of 108 children and the proposed after school program shall serve a maximum of 100 children. Any requests to serve additional children shall be approved by the Community Development Department and the Fire Department.
- V. A copy of the resolution approving Conditional Use Permit No. CUP-394-98 shall be kept on the premises at all times.
- W. Prior to the commencement of the operation of the use, the applicant shall submit proof of State licensing to operate a day care facility.
- X. The use of an amplification system shall not be permitted outside of the enclosed building.
- Y. Hours of operation shall be permitted only between the hours of 6:00 a.m. to 10:00 p.m., seven (7) days a week.
- Z. The westerly drive approach along Chapman Avenue shall be removed and replaced with curb and gutter per City Standard Plans.
- AA. Final parking and pickup/drop-off area layout shall be approved by the Community Development Department prior to issuance of any permits.
- BB. Conditional Use Permit No. CUP-394-98 shall expire one (1) year from the date of approval unless building permits are obtained and construction is commenced, or a request for an extension is approved by the Planning Commission.



GARDEN GROVE

CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92842

April 9, 1998

(714) 741-5312

CERTIFIED MAIL

Girls & Boys Club of Garden Grove
11421 Garden Grove Blvd.
Garden Grove CA 92843

SUBJECT: For Public Hearing Before the Planning Commission
Case No.: CUP-394-98
Date & Time: April 15, 1998, 7:00 p.m.
Place: City Council Chamber, Garden Grove Community Meeting
Center, 11300 Stanford Avenue, Garden Grove

We are enclosing, for your information, a copy of the staff report in conjunction with the subject public hearing.

If you have any questions concerning this report, please call the Planning Services Division of Community Development at (714) 741-5312.

Sincerely,

tip for

M. J. Summerlin

Millie J. Summerlin
Planning Services Manager

Enclosure

c: Marilyn & David Stampler