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City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: George Tindall
Dept: City Manager
Subject: APPEAL OF SITE PLAN NO.
SP-166-96 AND VARIANCE NO.
V-189-96

From: Matthew Fertal
Dept: Community Development
Date: November 12, 1996

OBJECTIVE:

To reconsider an appeal of the Planning Commission's denial of Site Plan No. SP-166-96 and Variance No. V-189-96 for the construction of a one-story, 1,900 square foot drive-thru pharmacy. Variances are also proposed to allow deviations from the required minimum lot size and minimum lot frontage, minimum number of required parking spaces, and minimum landscaped setback along a parking lot.

BACKGROUND:

The Planning Commission originally denied these requests at their April 25, 1996, meeting. The denial was based on noncompliance with development standards of the Harbor Corridor Specific Plan and Title 9; the intensity of the proposal in relation to the size of the site; and inconsistency with the City's adopted General Plan. The Resolution for denial was adopted by the Planning Commission at their May 9, 1996, public hearing.

On May 23, 1996, the City Clerk received an appeal from Mr. Milton Andres, trustee for the property and the appeal was scheduled for review by the City Council.

The City Council considered this item at their meeting of June 25, 1996. After review of the application and the public comments, the Council suggested that the applicant redesign the site plan to be consistent with City Codes, and returned the application to the Planning Commission for further review and consideration. The Council requested that the Planning Commission make a recommendation to the City Council based on the reconfiguration of the Site Plan.

The Planning Commission considered the revised plans at their September 26, 1996, public hearing. The application was denied by a 5-1 vote, with Commissioner Hutchinson voting in favor of the request; Commissioner Heskett was absent. The denial was based on the intensity of the proposal in relation to the size of the site; the inability of the design to comply with development standards; and inconsistency with the City's adopted General

Plan. The Resolution for denial was adopted by the Planning Commission at their October 10, 1996, meeting.

DISCUSSION:

The applicant has revised the Site Plan, but is essentially proposing the same Site Plan that was originally denied by the Planning Commission. The only change proposed in the Site Plan is a three-foot increase in the landscaped setback along Chapman Avenue to comply with the 15-foot landscape requirement. In order to achieve the 15-foot setback, the applicant has reduced the landscaping along the southern perimeter of the project from the code-required five feet to two feet. The Harbor Corridor Specific Plan requires a minimum of a five-foot landscaped area along the perimeter of all parking lots. A Variance is proposed to allow this deviation.

The Site Plan proposes the construction of a one-story, 1,900 square foot drive-thru pharmacy. As in the previous design, the building provides drive-thru capabilities as well as walk-in service. The drive-thru ordering window is on the south side of the building with the pick-up window on the north side of the building. An approximately 570 square foot customer service area is provided for those patrons choosing walk-in service and is located on the west end of the building. The remaining 1,330 square feet of building area is devoted to employee and stock areas.

The Planning Commission reviewed the project in relation to the goals and objectives of the City's adopted General Plan, the Harbor Corridor Specific Plan, and Title 9 of the Garden Grove Municipal Code. The Planning Commission reasoned that the development, as proposed, was not appropriate for this site nor was there sufficient justification for the parking and landscaping variances. The Planning Commission concluded that the applicant could have complied with all applicable regulations pertaining to the development of this site with thoughtful redesign of the Site Plan by reducing the building area or even by eliminating one of the drive-thru windows, which would provide additional land area that could be landscaped. Using this type of redesign, the site could comply with the minimum standards for this zone.

Further, the Planning Commission stated that the City Council provided the applicant with the opportunity to redesign the site in compliance with City Codes and regulations. The redesign options mentioned above could have been pursued by the applicant, but the applicant chose to replace one Variance with another. Inasmuch as the project does not comply with the City's minimum standards, the Planning Commission recommended denial of the appeal on the revised plans for Site Plan No. SP-166-96 and Variance No. V-189-96.


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RECOMMENDATION:

The Planning Commission recommends denial of Site Plan No. SP-166-96 and Variance No. V-189-96

MATTHEW FERTAL
Director




By: Paul Wernquist
Associate Planner

Attachments: Appeal

Planning Commission Staff Reports dated September 26, 1996

Planning Commission Resolution No. 4655 and 4696

Planning Commission Minute Excerpts of April 25, 1996, May 9, 1996 and
September 26, 1996

Draft Resolution