



## A G E N D A

### GARDEN GROVE PLANNING COMMISSION

#### REGULAR MEETING

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JULY 18, 2019

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: CHAIR LEHMAN, VICE CHAIR KANZLER  
COMMISSIONERS LE, NGUYEN, PEREZ, RAMIREZ, SOEFFNER

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

#### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: June 20, 2019
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
  - C.1. SITE PLAN NO. SP-070-2019  
VARIANCE NO. V-023-2019

APPLICANT: MICHAEL DAO  
LOCATION: NORTHWEST CORNER OF WESTMINSTER AVENUE AND  
ATLANTIS WAY AT 9191 WESTMINSTER AVENUE

REQUEST: Site Plan approval to construct a 7,140 square foot 3<sup>rd</sup>  
floor addition to an existing two-story 29,736 square

foot medical office building for additional medical office and storage space. Also, a request for a Variance approval to deviate from the maximum stories and height permitted in the O-P (Office Professional) zone to facilitate the construction of the new 3<sup>rd</sup> floor addition.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-070-2019 and Variance No. V-023-2019. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

C.2. SITE PLAN NO. SP-071-2019

APPLICANT: SAINT COLUMBAN CHURCH

LOCATION: WEST SIDE OF NELSON STREET, NORTH OF STANFORD AVENUE AT 12701 AND 12671 NELSON STREET

REQUEST: A request by Saint Columban Church, located at 10801 Stanford Avenue, for Site Plan approval to convert two existing single-family dwellings, located on an approximately 21,760 square foot lot across Nelson Street, into 3,007 square feet of additional office and meeting space. The site is in the CCSP-PR (Civic Center Specific Plan-Peripheral Residential District) zone.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-071-2019. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION  
Council Chamber, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes  
Thursday, June 20, 2019

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Lehman  
Vice Chair Kanzler  
Commissioner Le  
Commissioner Nguyen  
Commissioner Perez  
Commissioner Ramirez  
Commissioner Soeffner

Absent: Kanzler, Lehman

With the Chair and Vice Chair absent, Commissioner Ramirez volunteered to assume the duties of Chair.

PLEDGE OF ALLEGIANCE: Led by Commissioner Soeffner.

ORAL COMMUNICATIONS – PUBLIC – Ms. Adrienne Gladson gave a brief overview of the OCPOLI-C (Orange County Planning Officials Leadership Initiative Collaborative), an alliance of Orange County planning commissioners who work in collaboration with professional planners in the public, private, and non-profit sectors and who are committed to understanding and implementing good planning principles and practices guided by ethical leadership and transparent governance. A brochure was handed out to advise Commissioners of an upcoming discussion on the skills and leadership traits every Planning Commissioner can deliver called 'Leadership on the Dias'. The program is set for Thursday, July 18, 2019 -11:00 a.m. to 1:15 p.m. at the Quail Hill Community Center, 39 Shady Canyon Road, Irvine.

June 6, 2019 MINUTES:

Action: Received and filed with one amendment.  
Motion: Soeffner Second: Perez  
Ayes: (5) Le, Nguyen, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (2) Kanzler, Lehman

PUBLIC HEARING – PLANNED UNIT DEVELOPMENT NO. PUD-104-81/86/90 (REV. 2019) FOR PROPERTY LOCATED AT 14241-14291 EUCLID STREET, WEST SIDE OF EUCLID STREET, NORTH OF HAZARD AVENUE.

Applicant: BON HOANG  
Date: June 20, 2019

Request: The Planning Commission will consider recommending that the City Council approve a text amendment to Planned Unit Development No. PUD-104-81/86/90 to reduce the 20-foot parking landscape setback requirement along Euclid Street to facilitate an expansion of the existing parking lot and the future rehabilitation of the Euclid Retail Shopping Center. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) – Review for Exemption – of the State CEQA Guidelines.

Action: Public Hearing held. Speaker(s): Bon Hoang

Action: Resolution No. 5956-19 was approved.

Motion: Le                      Second:                      Nguyen

Ayes:                      (5)      Le, Nguyen, Perez, Ramirez, Soeffner

Noes:                      (0)      None

Absent:                      (2)      Kanzler, Lehman

MATTERS FROM COMMISSIONERS: Commissioner Soeffner asked for a SteelCraft update. Staff responded that the soft opening was planned for the end of July, however, the opening would likely be the beginning of August.

Commissioner Soeffner also mentioned that the West Grove neighborhood meeting for the bowling alley was well received and encouraged staff to push the project along. Staff stated that a permit had been pulled for the car wash and the restaurant was in plan check, however, for the expansion, amendments were required for the General Plan, Planned Unit Development, and Lot Line Adjustment.

Commissioner Perez encouraged Commissioners to attend the OCPOLI-C event in July.

Chair Ramirez mentioned that he would attend the State APA (American Planning Association) Conference this September in Santa Barbara.

Chair Ramirez then asked if the Valley View project in West Grove included housing. Staff replied no.

MATTERS FROM STAFF: Staff noted that the next regular meeting would be cancelled due to the July 4<sup>th</sup> holiday.

**ADJOURNMENT:** At 7:35 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, July 18th, 2019, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion:        Ramirez        Second:        Soeffner

Ayes:            (5)        Le, Nguyen, Perez, Ramirez, Soeffner

Noes:            (0)        None

Absent:          (2)        Kanzler, Lehman

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Judith Moore  
Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.1.	<b>SITE LOCATION:</b> Northwest corner of Westminster Avenue and Atlantis Way, at 9191 Westminster Avenue
<b>HEARING DATE:</b> July 18, 2019	<b>GENERAL PLAN:</b> Office Professional
<b>CASE NO.:</b> Site Plan No. SP-070-2019 & Variance No. V-023-2019	<b>ZONE:</b> O-P (Office Professional)
<b>APPLICANT:</b> Michael Dao	<b>CEQA DETERMINATION:</b> Exempt
<b>PROPERTY OWNER(S):</b> Same as Applicant	<b>APN:</b> 098-401-22

## **REQUEST:**

The applicant is requesting Site Plan approval to construct a 7,140 square foot 3<sup>rd</sup> floor addition to an existing two-story 29,000 square foot medical office building, located at 9191 Westminster Avenue (APN: 098-401-22). The applicant is also requesting Variance approval to deviate from the maximum stories and height permitted in the O-P (Office Professional) zone to facilitate the construction of the new 3<sup>rd</sup> floor addition.

## **BACKGROUND:**

The subject property is improved with an existing two-story 29,000 square foot medical office building, AMD Medical Plaza. The property has a General Plan Land Use Designation of Office Professional and is zoned O-P (Office Professional). The property is adjacent to a multi-family residential development to the west, single-family homes to the north, a mobile-home park to the south, across Westminster Avenue, and the Garden Grove Park to the east, across Atlantis Avenue.

In 1970, the County of Orange constructed an approximately 14,000 square foot one-story social services office building. At the time of construction, the property had a General Plan Land Use Designation of "Public/Quasi-Public" and was zoned C-1 (Limited Commercial). Due to this inconsistency between the General Plan Land Use Designation and zoning, in 1983, the City approved General Plan Amendment No. GPA-2-83 and Amendment No. A-101-83, to change the land use designation and zoning of the property to Office Professional and O-P (Office Professional), respectively, thereby establishing consistency.

In 2004, the City of Garden Grove approved Site Plan No. SP-320-03 to allow an expansion of the existing one-story medical office building with a two-story approximately 14,500 square foot addition, along with a 500 square foot addition to the 1st floor – for a total floor area of approximately 29,000 square feet. The City also approved Variance No. V-102-03 to allow reduced landscape setbacks along the front, side, and rear of the property, in order to facilitate a revision to the existing parking lot layout to add additional parking spaces to the site, accommodating the new addition. A 1,500 square foot “mezzanine” above the second floor was also constructed, which was intended to serve as an architectural feature and access to the roof. This 1,500 square foot “mezzanine” was not permitted to be occupied as usable floor area.

At the time of the approval of SP-320-03, the site provided 137 parking spaces. The proposed development, including both the existing and proposed floor areas, required a total of 170 parking spaces. In order to satisfy the number of required parking spaces for the development, the applicant entered into a parking license agreement (copy attached) with the City of Garden Grove, allowing the use of 33 parking spaces in the adjoining Garden Grove Park parking areas. With the 137 parking spaces on-site, and the 33 available parking spaces for use in the Garden Grove Park, the proposed development met the required total of 170 parking spaces.

## **DISCUSSION:**

### **SITE PLAN:**

#### **Site Design, Circulation & Floor Plan:**

The proposal consists of a 7,140 square foot 3<sup>rd</sup> floor addition to the existing 29,000 square foot two-story medical office building. The new 3<sup>rd</sup> floor addition areas are intended for additional medical office areas, as well as storage space (i.e., for medical records) for existing tenants of the building. The 3<sup>rd</sup> floor will be accessible via an elevator and two (2) stairwells – one on the north and south ends of the building. The 3<sup>rd</sup> floor will consist of various office areas, storage rooms, and restrooms. A primary communal corridor (hallway) down the center of the addition area provides access to each of the respective areas. At the rear of the building (north side), the exit to the exterior will provide a covered walkway leading to the north stairwell. The remaining uncovered and unenclosed areas of the building roof will remain as-is, which are currently improved with existing roof mechanical equipment (i.e., air conditioning condensers). Additionally, all 1<sup>st</sup> and 2<sup>nd</sup> floor existing office areas within the building will remain as-is with no proposed changes.

The overall site plan design of the property will remain as-is with no proposed changes. The site maintains two (2) driveways for vehicular access – one off Westminster Avenue and the other off Atlantis Way.

Parking:

Applying the parking requirements, per the Municipal Code, for "Medical, dental and related service support facilities" uses, which requires a parking ratio of one (1) parking spaces per 170 square feet of gross floor area, the existing 29,000 square foot medical office building would require 170 parking spaces.

As mentioned prior, when the 2<sup>nd</sup> floor addition to the medical office was approved (under Site Plan No. SP-320-03), the minimum parking requirement of 170 parking spaces was satisfied by providing 137 on-site parking spaces, and 33 usable off-site parking spaces within the adjoining Garden Grove Park through a parking license agreement with the City of Garden Grove. It should be noted, the parking license agreement will continue to be in effect. Through restriping, today, the subject site now provides a total of 142 on-site parking spaces.

By applying the same Code required parking ratio (for medical office use) to the proposed 7,140 square foot 3<sup>rd</sup> floor addition, said addition would require 42 additional parking spaces. Therefore, Code would require a minimum total of 212 parking spaces (170 + 42) to accommodate the existing two-story building and the proposed 3<sup>rd</sup> floor addition. However, based on the 175 parking spaces available (142 on-site and 33 off-site) to the property, this would equal a parking reduction/deficiency of 17.5%.

As part of the project, a parking study was conducted by K2 Traffic Engineering ("K2"), a licensed traffic engineering firm, to determine the actual parking demand, today, generated by the existing two-story medical office building, and to provide a recommendation for the adequate number of parking spaces to accommodate the existing parking demand and the additional parking demand of the proposed 3<sup>rd</sup> floor addition.

K2 conducted a parking survey of the project site (9191 Westminster Ave), as well as the nearby parking areas of the adjoining Garden Grove Park, and the available public parking spaces on Atlantis Way. The parking surveys took place on two (2) typical weekdays and a weekend day (Saturday), during typical business hours between 8:00 a.m. to 6:00 p.m., to capture parking data during all typical hours. The survey found that peak parking on the project site occurred on a Tuesday at 11:00 a.m., when 133 parking spaces were occupied, and nine (9) parking spaces available. The parking areas of the Garden Grove Park provide a total of 495 parking spaces. During the peak parking hour, sixteen (16) parking spaces at the Garden Grove Park were occupied, which equals a utilization of 3%. The number of public on-street parking spaces available along Atlantis Way is approximately 100 parking spaces (actual number may vary depending on how closely vehicles are parked between each other). During the peak parking hour, 43 vehicles were parked on Atlantis Way, which equals a utilization of 43%. K2 observed that the number of vehicles parked within the Garden Grove Park and on Atlantis Way



comprised of a combination of nearby residents, park-goers, and patrons of the medical office building. On the weekend, peak parking demand on the subject site was observed to be less, at 108 parking spaces occupied – noted at 10:30 a.m.

The standard parking ratio for medical office uses (at 1 parking space per 170 square feet of gross floor area) was applied to the new proposed 3<sup>rd</sup> floor addition area, which equals 42 additional parking spaces required. By adding the observed peak parking demand of the subject site (the existing two-story medical office building), of 133 parking spaces, to the projected parking demand of the 3<sup>rd</sup> floor addition areas, of 42 parking spaces, K2 determined that the adequate number of parking spaces to accommodate both the existing and proposed building area would be 175 parking spaces. The subject site provides a total of 142 on-site parking spaces, in addition to the 33 available parking spaces in the Garden Grove Park, via the existing parking license agreement with the City of Garden Grove. Therefore, the project complies with the number of required parking spaces, as determined by the Municipal Code, in concert with the parking study prepared by K2 Traffic Engineering. Staff, along with the City Traffic Engineer, have reviewed the K2 parking study and concurred with the findings.

In an effort to further reduce parking demand and minimize potential parking impacts on-site, the parking study also specifies that the applicant/property owner of the existing medical building implements an "Employee Carpool Program" and a free transportation program for patients, ever since the AMD Medical Plaza opened in 2000. The "Employee Carpool Program" is eligible for employees who rideshare, with at least two (2) occupants in a vehicle, and for at least 80% of the work week, while providing incentives (e.g., gift cards) to participants of the program. The AMD Medical Plaza also provides free transportation for patients who require non-ambulatory transportation to and from the facility. Currently, the AMD Medical Plaza provides this free transportation for 30 patients a day, on average.

#### Building Design:

The existing front façade of the medical office building, which functions as an architectural interest feature, has a building height of 41'-6" to the topmost part of the roof parapet. The proposed 3<sup>rd</sup> floor addition will provide a building height that matches, and lines up with, the existing roof parapet of the building, thereby maintaining the same 41'-6" height to the topmost part of the roof parapet. All exterior features of the addition will also match the existing building. These features include wall colors, wall materials, windows, window trims, window mullions, roof parapets, and cornices. This ensures architectural compatibility and seamless integration between the existing building architecture and the proposed addition.

FINDINGS REQUIRED TO APPROVE VARIANCE:

In order for the proposed project to move forward, the applicant is requesting consideration of a Variance from 9.16.040.010.A.1 of Title 9 of the Municipal Code for a deviation to the maximum stories and height permitted in the O-P (Office Professional) zone, in order to facilitate the construction of the proposed 3<sup>rd</sup> floor addition. The maximum stories and height permitted in the O-P zone is two stories or 35 feet max, respectively. The proposed addition would provide a 3<sup>rd</sup> floor and the topmost part of the parapet of the addition has a proposed height of 41'-6".

Pursuant to State law and Garden Grove Municipal Code Section 9.32.030.D.6, in order to grant a property owner's request for a Variance, the Planning Commission must make each of the following five (5) findings:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

Approval of this Variance will allow the project to deviate from the maximum stories (two stories) and maximum height (35 feet) of the O-P (Office Professional) zone, in order to facilitate the construction of the new 3<sup>rd</sup> floor addition, for the purpose of providing additional medical office and storage space. With exception to the requested Variance, the project meets all other Municipal Code development standards such as, but not limited to, building setbacks, parking, and landscaping. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City.

The subject property is unique in that it is the only O-P (Office Professional) zoned property in the area, as there are no other O-P zoned properties within at least a one (1) mile distance. The surrounding properties in the immediate area are primarily zoned R-1 (Single-Family Residential) – single-family residences, O-S (Open Space) - parks, and C-1 (Neighborhood Commercial) – commercial businesses. The Office Professional zone is intended to provide for professional offices, services, and associated businesses, in an attractive environment compatible with residential areas. Commercial type zones, such as C-1 (Neighborhood Commercial), typically provide some general office and medical office type uses; however, the C-1 zone is primarily intended for, and occupied by, retail type uses (e.g., convenience shopping facilities) with typically limited availability of professional and medical office type uses. Properties zoned O-P (Office Professional) are typically dedicated to general and professional office type businesses (e.g., medical offices). Additionally, other properties in the O-P (Office Professional) zone, within immediate

vicinity of the subject lot, and within other similar zoned properties throughout the City, have existing similar type office buildings that exceed the maximum stories and/or maximum height allowed. The proposed additional floor area (on the 3<sup>rd</sup> floor) is necessary to support the existing medical/office uses within the existing building, and to support the community need for additional medical service facilities, especially in an area where there is limited O-P (Office Professional) zoned properties.

Per Municipal Code requirements, the minimum building setbacks required by the O-P zone are 15 feet to the front (southerly) property line, ten feet to the side (westerly and easterly) property lines, and five feet to the rear (northerly) property lines. Working in concert with these minimum building setback requirements, the maximum stories and height allowed in the O-P zone are two stories and 35 feet, respectively. The primary intent of these development standards are to ensure that sufficient distance and buffering are provided between O-P zone developed properties (i.e., improved with office buildings) and other sensitive uses such as residences, parks, and schools.

Developments with office buildings typically provide the minimum setbacks of 15 feet to the front property line, five to ten feet to the side property lines, and five feet to the rear property line. It should be noted, that the existing two-story medical office building on the subject site far exceeds the minimum building setback requirements of the O-P zone.

- The south (front) side of the building provides a 135-foot setback to the southerly property line (facing Westminster Avenue). Minimum = 15 feet.
- The west side of the building provides a 52-foot setback to the westerly property line (facing the multi-family residential development). Minimum = ten feet.
- The north (rear) side of the building provides a 77-foot setback to the northerly property line (facing the single-family residences). Minimum = five feet.
- The east side of the building provides a 50-foot setback to the easterly property line (facing Garden Grove Park), and is further separated by the 50-foot wide Atlantis Way public street. Minimum = ten feet.

The existing property and development are unique in physical characteristics in that the existing medical building is situated in the center of the property, with parking stalls surrounding the building. Additionally, the building far exceeds the minimum building setback requirements, providing more than adequate distance separation and buffering to nearby sensitive uses. Furthermore, the structure of the proposed 3<sup>rd</sup> floor addition is set within the existing building confines by 26 feet in all directions, providing additional distance separation and buffering to the aforementioned nearby uses. Projects involving building additions typically expand building footprints. The proposed addition does not add new building footprint, and does not increase the existing building envelope. The additional buffering provided in the proposed addition minimizes the visual impact to nearby uses.

The front façade of the medical office building, which functions as an architectural interest feature, has an existing building height of 41'-6" to the topmost part of the roof parapet, as approved by the City under the prior Site Plan (SP-320-03). The proposed 3<sup>rd</sup> floor addition, through the requested Variance, will be constructed at a height that matches, and lines up with, the existing roof parapet of the building, thereby maintaining the same 41'-6" height to the topmost part of the roof parapet. All exterior features of the addition will also match the existing building to ensure architectural compatibility and seamless integration between the existing building architecture and the proposed addition. Approval of the Variance will not increase the existing building height, since the proposed 3<sup>rd</sup> floor addition will maintain the same pre-existing building height (41'-6") of the office building.

There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City, particularly relating to limited O-P zoned properties in the immediate vicinity, exceedingly large building setbacks to property lines, building location and site plan layout, and minimized visual change and impact to nearby uses.

2. That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

To construct the proposed 3<sup>rd</sup> floor addition, the Variance to deviate from the maximum stories (two stories) and maximum height (35 feet) allowed in the O-P (Office Professional) zone is necessary to facilitate the development and improvement of the property, which otherwise meets all other Municipal Code development standards such as, but not limited to, building setbacks, parking, and landscaping. Other properties in the O-P (Office Professional) zone, within immediate vicinity of the subject lot, and within other similar

zoned properties throughout the City, have existing similar type buildings that exceed the maximum stories and/or maximum height allowed. Accordingly, approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in Office Professional and other similar zoned properties in the City. With exception to the requested Variance to deviate from the maximum stories and maximum height standard, the proposed project complies with all other development standards of the O-P zone.

3. That the granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

Approval of this Variance will allow the project to deviate from the maximum stories (two stories) and maximum height (35 feet) of the O-P (Office Professional) zone, in order to facilitate the construction of the new 3<sup>rd</sup> floor addition, for the purposes of providing additional medical office and storage space.

Per Municipal Code requirements, the minimum building setbacks required by the O-P zone are 15 feet to the front (southerly) property line, ten feet to the side (westerly and easterly) property lines, and five feet to the rear (northerly) property lines. Working in concert with these minimum building setback requirements, the maximum stories and height allowed in the O-P zone are two stories and 35 feet, respectively. The primary intent of these development standards are to ensure that sufficient distance and buffering are provided between O-P zone developed properties (i.e., improved with office buildings) and other sensitive uses such as residences, parks, and schools.

Developments with office buildings typically provide the minimum setbacks of 15 feet to the front property line, five to ten feet to the side property lines, and five feet to the rear property line. It should be noted, that the existing two-story medical office building on the subject site far exceeds the minimum building setback requirements of the O-P zone.

- The south (front) side of the building provides a 135-foot setback to the southerly property line (facing Westminster Avenue). Minimum = 15 feet.
- The west side of the building provides a 52-foot setback to the westerly property line (facing the multi-family residential development). Minimum = ten feet.

- The north (rear) side of the building provides a 77-foot setback to the northerly property line (facing the single-family residences). Minimum = five feet.
- The east side of the building provides a 50-foot setback to the easterly property line (facing the Garden Grove Park), and is further separated by the 50-foot wide Atlantis Way public street. Minimum = ten feet.

The existing property and development are unique in physical characteristics in that the existing medical building is situated in the center of the property, with parking stalls surrounding the building. Additionally, the building far exceeds the minimum building setback requirements, providing more than adequate distance separation and buffering to nearby sensitive uses. Furthermore, the structure of the proposed 3<sup>rd</sup> floor addition is set within the existing building confines by 26 feet in all directions, providing additional distance separation and buffering to the aforementioned nearby uses. Projects involving building additions typically expand building footprints. The proposed addition does not add new building footprint, and does not increase the existing building envelope. The additional buffering provided in the proposed addition minimizes the visual impact to nearby uses.

As part of the project, a parking study was conducted by K2 Traffic Engineering ("K2"), a licensed traffic engineering firm, to determine the actual parking demand, today, generated by the existing two-story medical office building, and to provide a recommendation for the adequate number of parking spaces to accommodate the existing parking demand and the additional parking demand of the proposed 3<sup>rd</sup> floor addition. By adding the observed peak parking demand of the subject site (the existing two-story medical office building), of 133 parking spaces, to the projected parking demand of the 3<sup>rd</sup> floor addition areas, of 42 parking spaces, K2 determined that the adequate number of parking spaces to accommodate both the existing and proposed building area would be a total 175 parking spaces. The subject site provides a total of 142 on-site parking spaces, in addition to the 33 available parking spaces in the Garden Grove Park, via the existing parking license agreement with the City of Garden Grove. Therefore, the project complies with the number of required parking spaces, as determined by the Municipal Code, in concert with the parking study prepared by K2 Traffic Engineering.

The project will be required to comply with all applicable building and life safety codes and regulations to ensure that there is not an adverse impact on public health, safety, or welfare. Furthermore, the proposal has been

reviewed by all City departments in order to ensure compliance with all applicable code provisions. Provided the project complies with the Conditions of Approval, the approval of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

4. That the granting of such Variance will not adversely affect the City's General Plan.

Approval of this Variance will allow the project to deviate from the maximum stories (two stories) and maximum height (35 feet) of the O-P zone, in order to facilitate the construction of the new 3<sup>rd</sup> floor addition, for the purpose of providing additional medical office and storage space. The proposed Variance will not cause an adverse effect on the City's General Plan since the Municipal Code is a tool used to implement the goals of the General Plan. The proposed project furthers the desired character and use of the Office Professional General Plan Land Use Designation, which calls for development within the Office Professional designation to be of modern and attractive office buildings. The project achieves this by maintaining the modern and attractive architecture of the building. The new addition area will be architecturally compatible with the existing building. It should be noted, the General Plan does not provide building height limitations – ensuring that the requested Variance (to the maximum number of stories and maximum building height) does not conflict with or adversely affect the General Plan. Additionally, the proposed project meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Policy LU-2.1, which intends to protect residential areas from the effects of potentially incompatible uses. Where new commercial or industrial development is allowed adjacent to residentially zoned districts, maintain standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses. The proposed project is sensitive to the existing nearby sensitive uses (residences, park) and provides and maintains sufficient buffering (building setbacks).

Policy LU-2.4, which strives to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The use of the building, including within the proposed 3<sup>rd</sup> floor areas, will continue to be medical/office uses, which are permitted by the Office Professional zone and General Plan Land Use Designation.

Policy LU-4.5, which intends for commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas. The proposed project is sensitive to the existing nearby

sensitive uses (residences, park) and provides and maintains sufficient buffering (building setbacks).

Goal LU-5, which strives for economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community. The proposed project will maintain an attractive architectural appearance and continue to contribute as an economically viable, vital, and attractive center serving the needs of the community through its medical facilities.

LU-IMP-6C, which intends to encourage façade renovation, enhanced parking area landscaping, improved lighting, development of pad buildings, and the use of pedestrian amenities, such as fountains, plazas, promenades, seating, and like features. The proposed project will renovate its façade and architecture through the new 3<sup>rd</sup> floor addition, which will also provide additional medical office and storage space.

The proposed project will be consistent with the spirit and intent of the General Plan furthering its goals, policies, and implementation programs, while also helping meet the community's need for additional medical services/facilities. The granting of the requested Variance will not adversely affect the City's General Plan.

5. That approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Provided the Conditions of Approval are adhered to for the life of the project, approval of the subject Variance will not grant a special privilege that is inconsistent with the limitations upon other properties located within the vicinity or zone in which the subject property is situated. Other properties in the O-P (Office Professional) zone, within immediate vicinity of the subject lot, and within other similar zoned properties throughout the City, have existing similar type buildings that exceed the maximum stories and/or maximum height allowed. With exception to the requested Variance to deviate from the maximum stories and maximum height standard, the proposed project complies with all other development standards of the O-P zone. Accordingly, approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in Office Professional and other similar zoned properties in the City. In addition, Condition of Approval No. 2 states in part, "The rights granted the applicant pursuant to Variance No. V-023-2019 shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-070-2019, and these



Conditions of Approval (as they may be amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-070-2019 are not constructed within one year of approval (or the length of any extension approved by the City) or are demolished and not re-established within one year of demolition, Variance No. V-023-2019 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards." Therefore, granting of the Variance will not give the property owner a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Staff believes the record contains sufficient facts to support approval of the applicant's Variance request. Accordingly, Staff has prepared for the Commission's consideration a draft resolution approving the proposed Variance request, in conjunction with the Site Plan request, subject to the specified Conditions of Approval.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following actions:

1. Approve Site Plan No. SP-070-2019 and Variance No. V-023-2019, subject to the recommended Conditions of Approval.



LEE MARINO  
Planning Services Manager



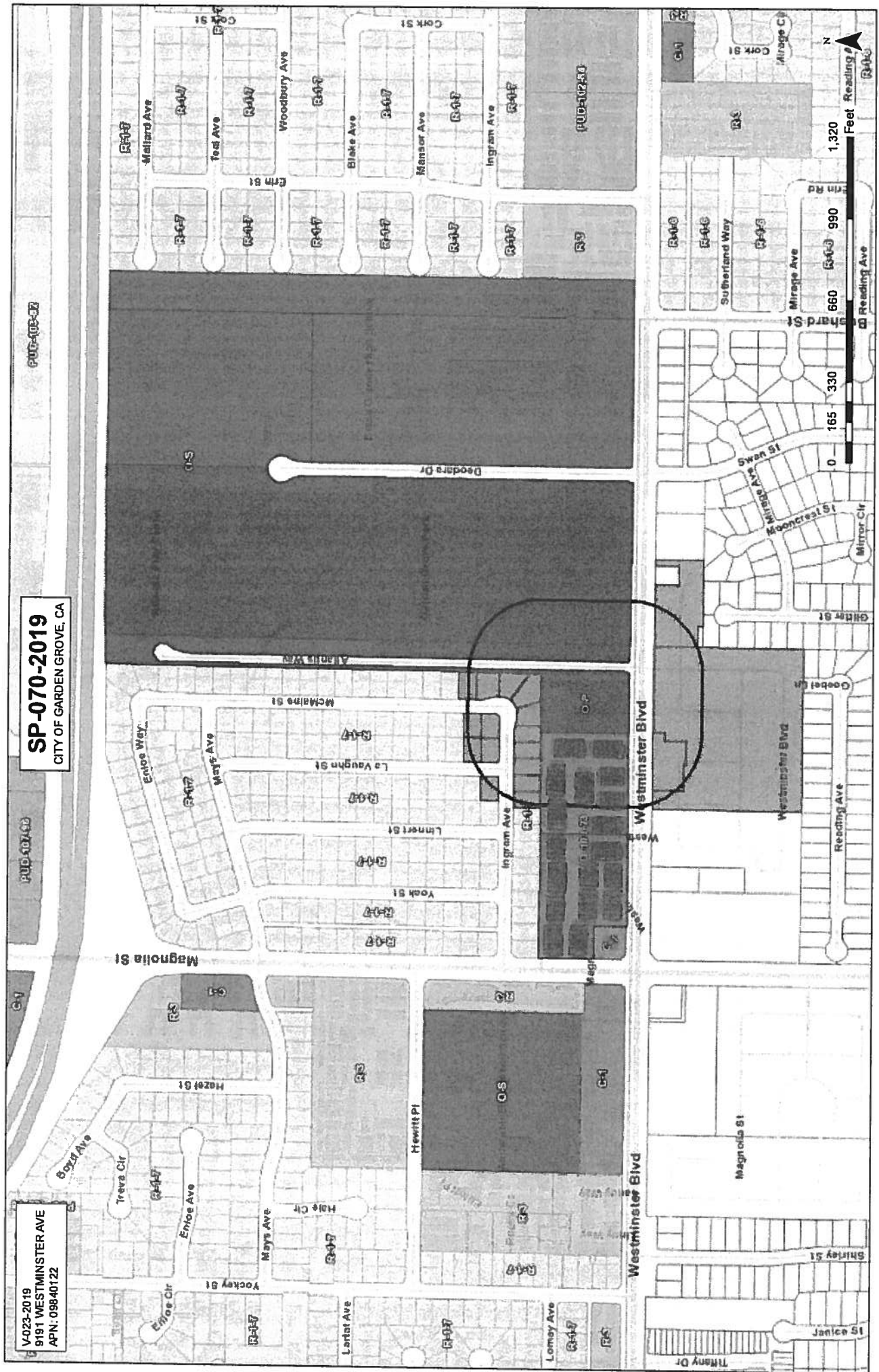
By: Chris Chung  
Urban Planner

V-023-2019  
9191 WESTMINSTER AVE  
APN: 09840122

SP-070-2019  
CITY OF GARDEN GROVE, CA

PUD-003-02

PUD-007-02



**BUILDING DATA**  
 ZONE OF PRACTICE PROFESSIONAL  
 LOT AREA 8804-0011  
 BUILDING AREA 131  
 UNFLOORED ROOF DECK 708 SQ FT  
 NET VOLUME 7,100 SQ FT  
 GROUND TOTAL 26,879 SQ FT

**BUILDING CODE**  
 HAS PROJECT SHALL COMPLY WITH THE ORDINANCE OF THE CITY OF SAN FRANCISCO AND ALL APPLICABLE PARTS OF THE INTERNATIONAL BUILDING CODE.

**CONSTRUCTION TYPE**  
 U/L 1B 10K  
 STEEL COLUMN / BEAM FRAME  
 CONCRETE FLOOR / CONCRETE WALL / CONCRETE ROOF  
 5" THICK FIBER REINFORCED CONCRETE

**OCCUPANCY GROUP**  
 OFFICE / BUSINESS  
 ROOF DECK AREAS FOR STORAGE ONLY  
 UNFLOORED ROOF DECK AREAS FOR OFFICE USE

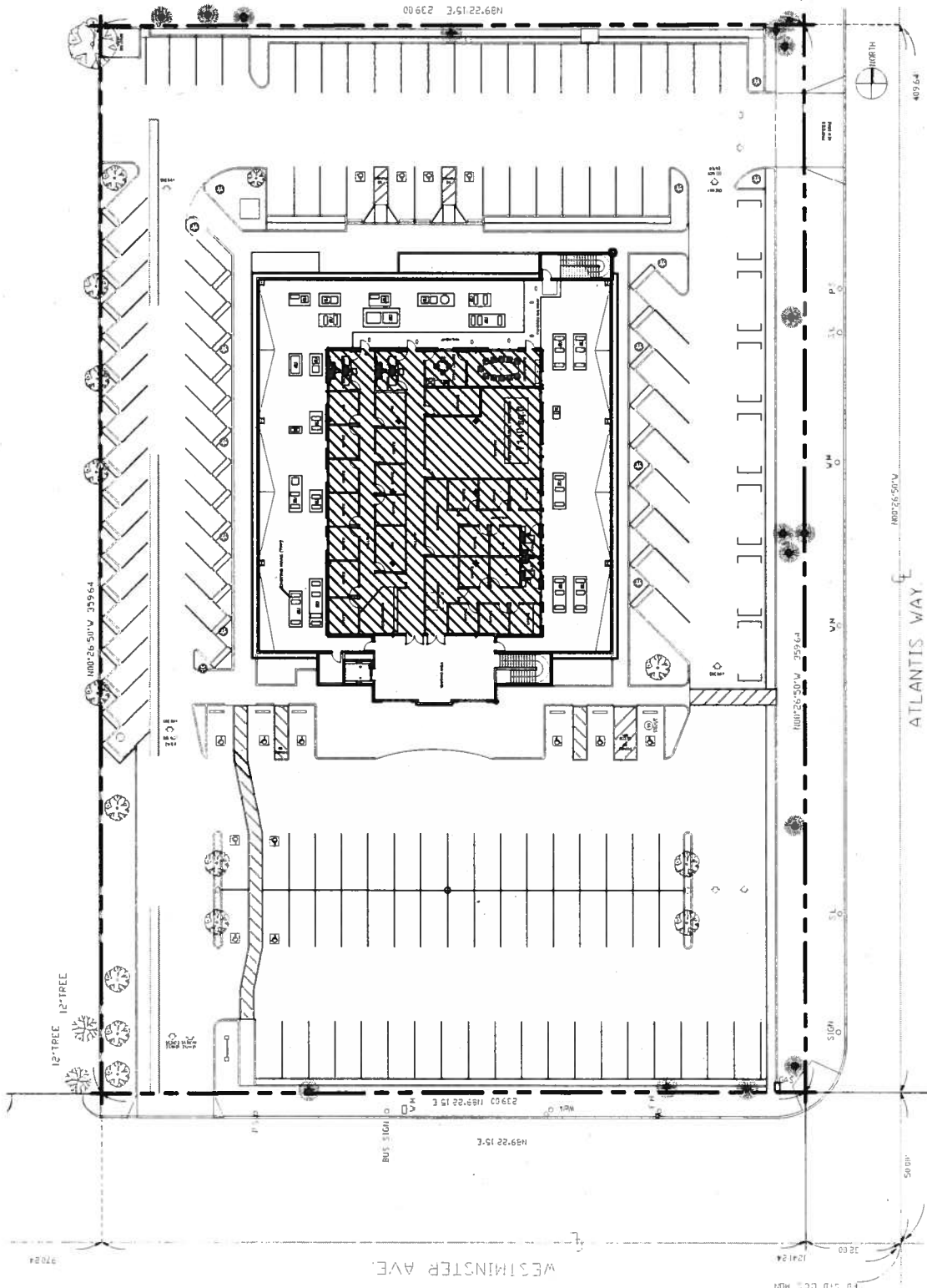
**BUILDING HEIGHT**  
 BUILDING HEIGHT FOR LIGHT COR TYPE IS 114'8"  
 3 STORY HEIGHT IS 8'

**NOTES:**  
 PROPOSED NEW ADDITION  
 LOCATED ON EXISTING ROOF - 40' X 114' 8" FT  
 FOR OFFICE ONLY

**ON SITE PARKING**

STANDARD	16
M/C	14
TOTAL	78

PLEASE REFER TO PARKING STUDY FOR ADDITIONAL PARKING



**SITE PLAN** 1/16"=1'-0"

9191 Westminister Ave.  
 Garden Grove, CA 92844

**Dong Associates**  
 14884 DOLLOV STREET  
 WESTMINSTER, CA 92683  
 TEL: 714.724.2716  
 email: dongdong@dongassoc.com

OWNER: [REDACTED]  
 U/L OR DOCUMENTS  
 APPROVED BY [REDACTED]  
 AND SEAL (REVISION 4 & 5 REQUIRED) THEY ARE  
 TO BE USED ONLY WITH RESPECT TO THE  
 PROJECT. ANY REVISIONS OR ALTERATIONS  
 SHALL BE MADE BY THE ARCHITECT OR  
 CONSULTANT OF DONG ASSOCIATES.

**REVISIONS:**  
 1. [REDACTED]

Date: [REDACTED]  
 Sheet No: [REDACTED]  
**A1.01**  
 site plan

9191 Westminster Ave.  
Garden Grove, CA 92844



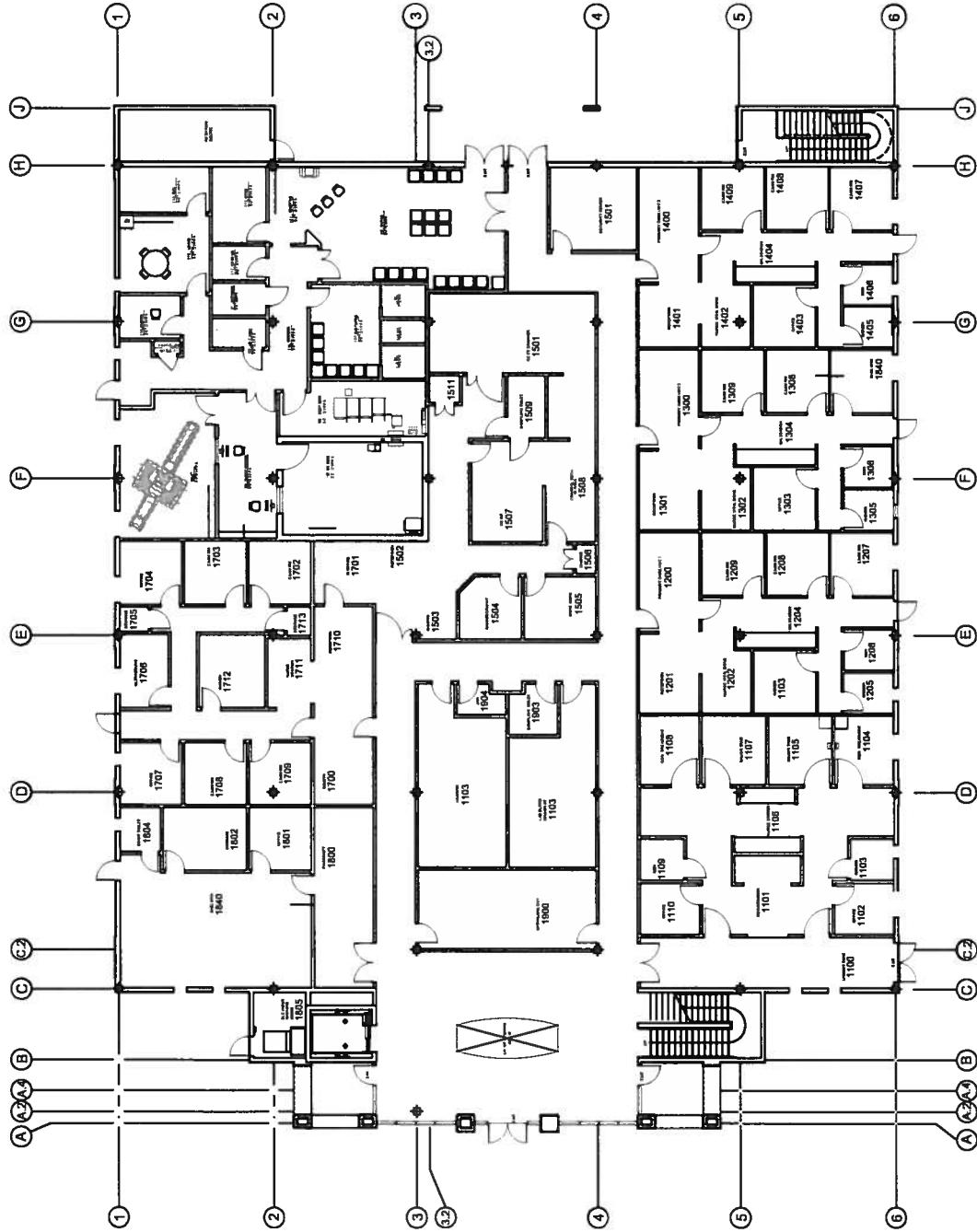
**Dong Associates**  
14884 DILLON STREET  
WESTMINSTER, CA 92683  
TEL: 714.835.8888  
EMAIL: dongdong1@earthlink.net

**OWNERSHIP & USE OF DOCUMENTS**  
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**REVISIONS:**  
▲ ▲

Date: \_\_\_\_\_  
Sheet no: \_\_\_\_\_

**A2.01**  
first floor plan



**A** FIRST FLOOR PLAN 1/8"=1'-0"

9191 Westminster Ave.  
Garden Grove, CA 92844



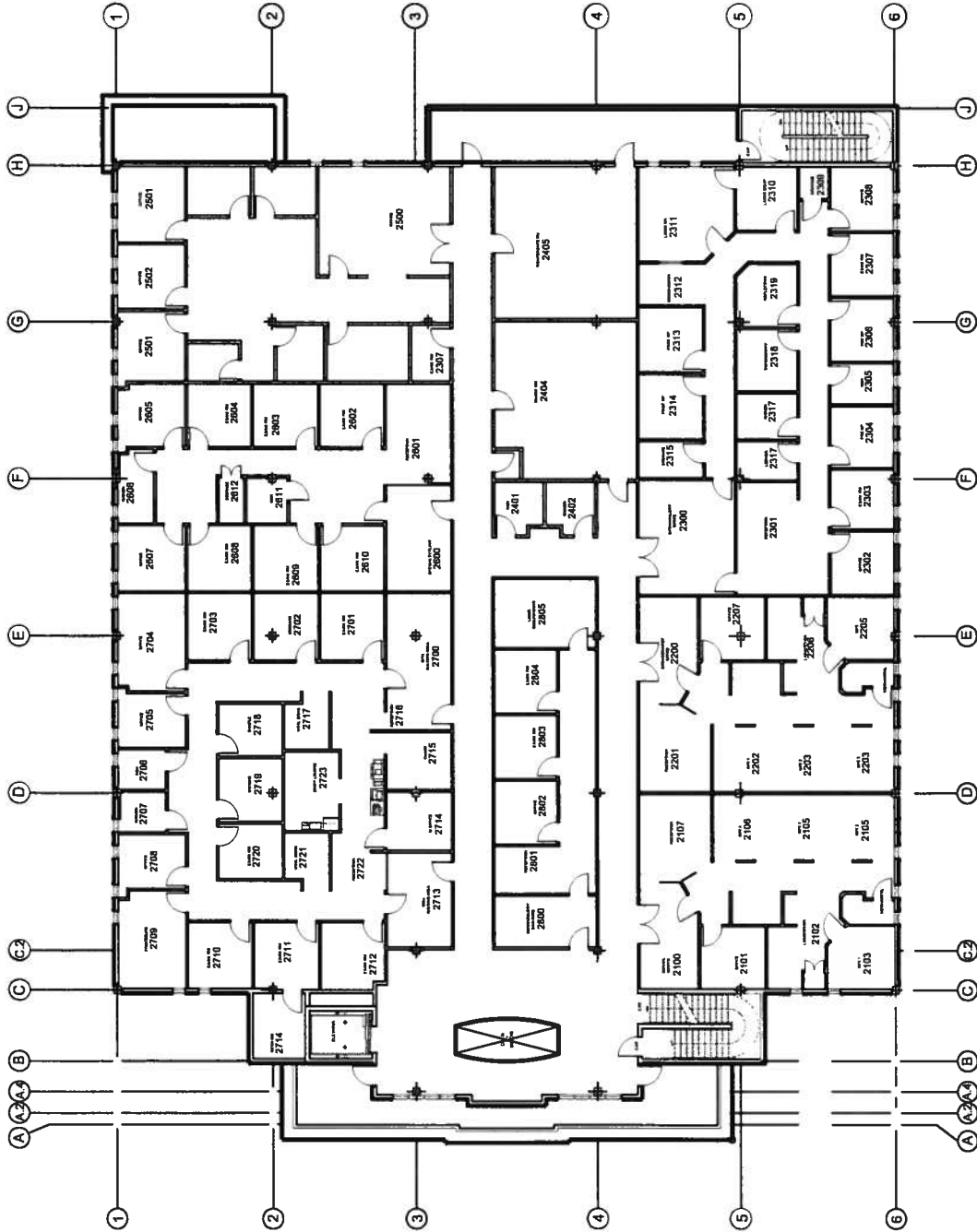
**Dong Associates**  
14884 BELLOW STREET  
VAN NUYS, CA 91411  
TEL: 714.724.2718  
FAX: 714.724.2719  
email: dong3047@yahoo.com

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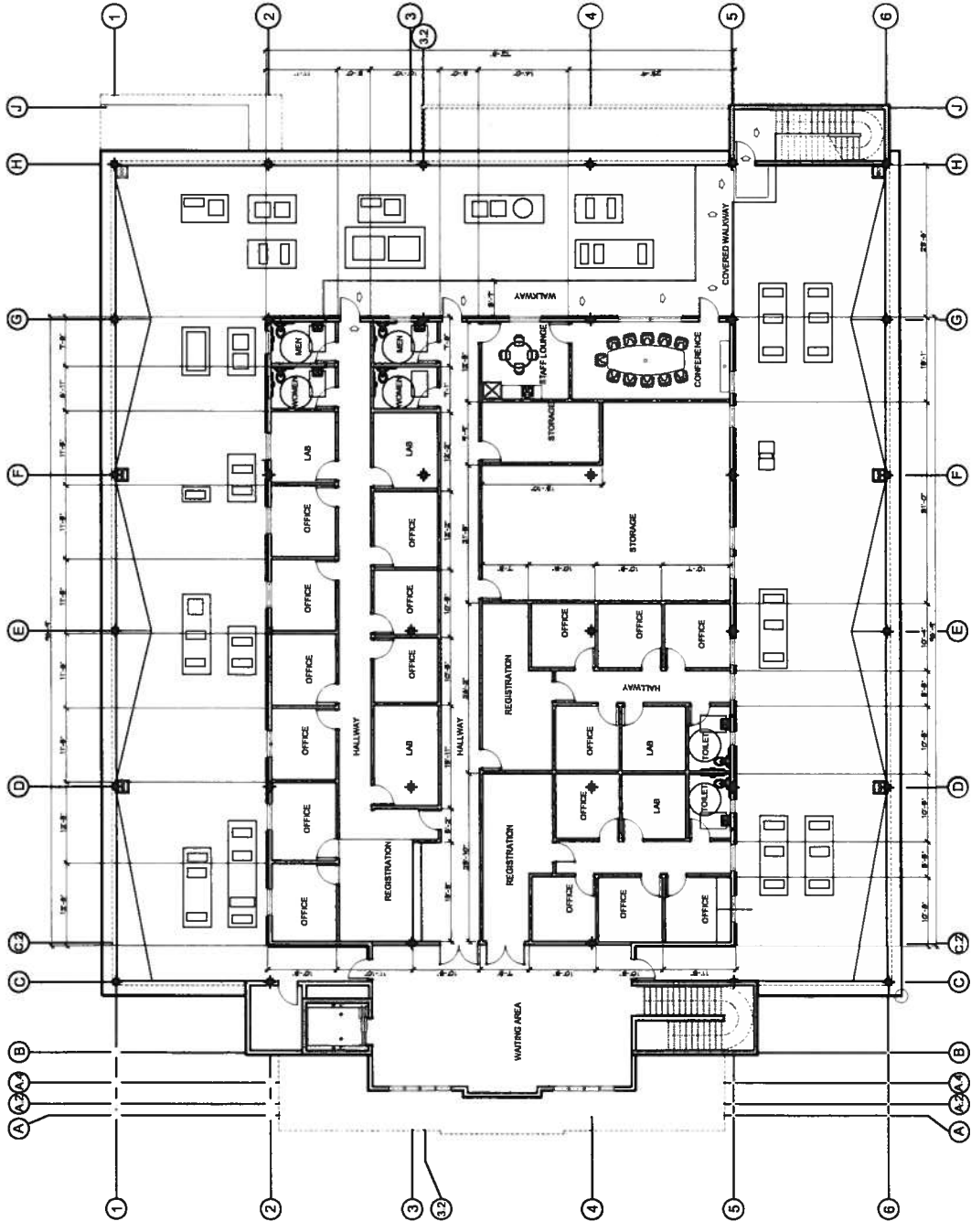
**REVISIONS:**  
▲ ▲ ▲

Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Sheet No: \_\_\_\_\_

**A2.02**  
second floor plan



**SECOND FLOOR PLAN**  **1/8"=1'-0"**



**BUILDING OCCUPANCY  
LOAD ANALYSIS**

ARE COMPLETELY OCCUPIED, BUT THEIR OCCUPANT LOAD NEED NOT BE  
WHICH COMPUTING THE TOTAL OCCUPANT LOAD OF THE BUILDING  
(ISC 104)

ROOM DESCRIPTION	AOSQ FT	ANOC	OCC.
EXAM ROOMS	2185	100	22
STAFF	163	100	2
RECEPTION	130	100	2
WAITING	130	100	2
UNISEX	130	100	2
STORAGE	1184	300	4
RECEPTION	108	100	2
LAB	130	100	2
CONFERENCE	291	700	1
LAB	480	200	3
TOTAL	6711	5071	57

MAX. CORNER TRAVEL DISTANCE (SPRINKLERED BLDG.)  
TWO EXIT REQUIRED  
MIN. LONGEST DOOR WIDTH PROVIDED (GUT BAY)  
LONGEST EGRESS TRAVEL DISTANCE PROVIDED



9191 Westminster Ave.  
Garden Grove, CA 92844



Dong Associates  
4884 BLOOMING STREET  
DOWNEY, CA 90241  
T.L. 714.774.2718  
email: dong301@yahoo.com

REVISIONS  
▲ △

Date:  
Rev:  
Sheet No.:

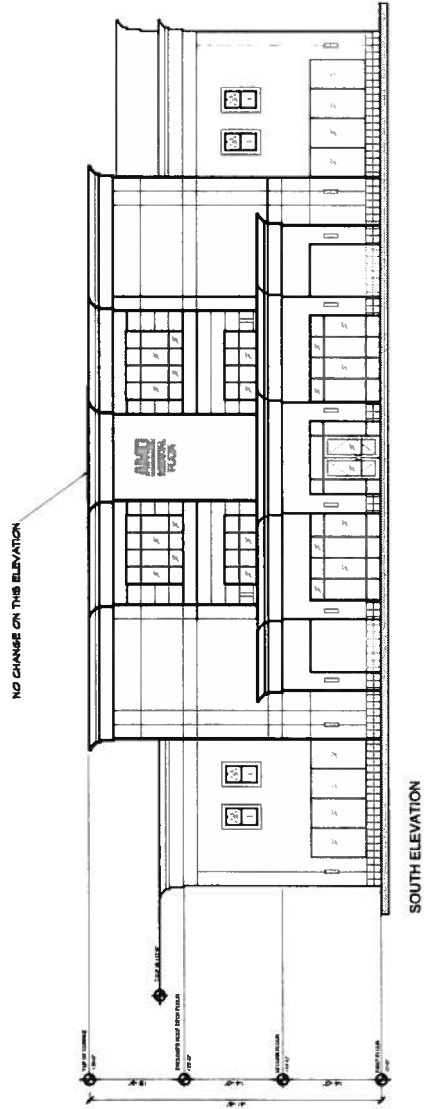
NEW ADDITIONAL PROPOSED  
7140 sq.ft

**A** NEW PROPOSED FLOOR PLAN

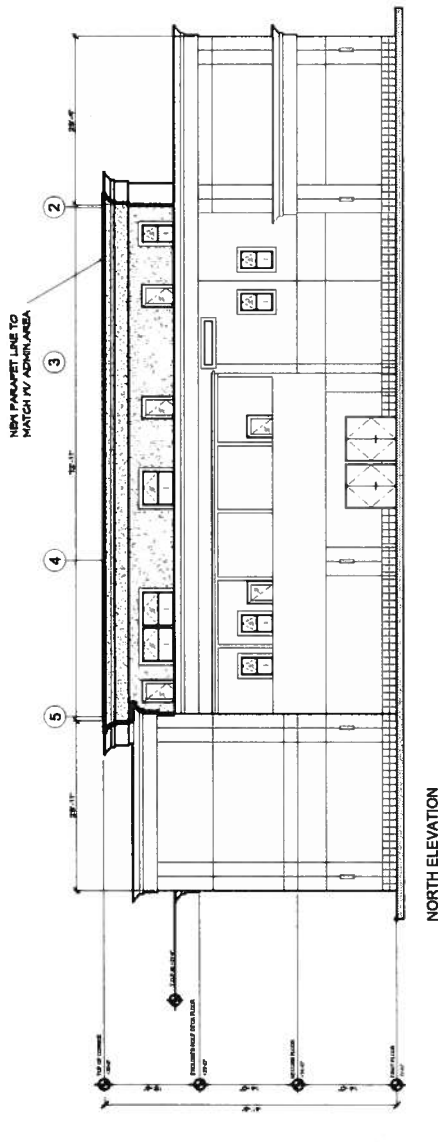
1/8"=1'-0"



**A2.O3**  
new proposed floor plan



SOUTH ELEVATION



NORTH ELEVATION

ELEVATIONS

1/8"=1'-0"

9191 Westminster Ave.  
Garden Grove, CA 92844



**Dong Associates**  
Architects  
3400 WESTMINSTER AVENUE  
WESTMINSTER, CA 92683  
T.L. 714.724.2716  
email: dongdong@donga.com

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manner without the express written  
consent of Dong & Associates.

**REVISIONS**  
1. 1/11/11

Date:  
Sheet no. and  
Sheet no.

A3.01

north, south elevations

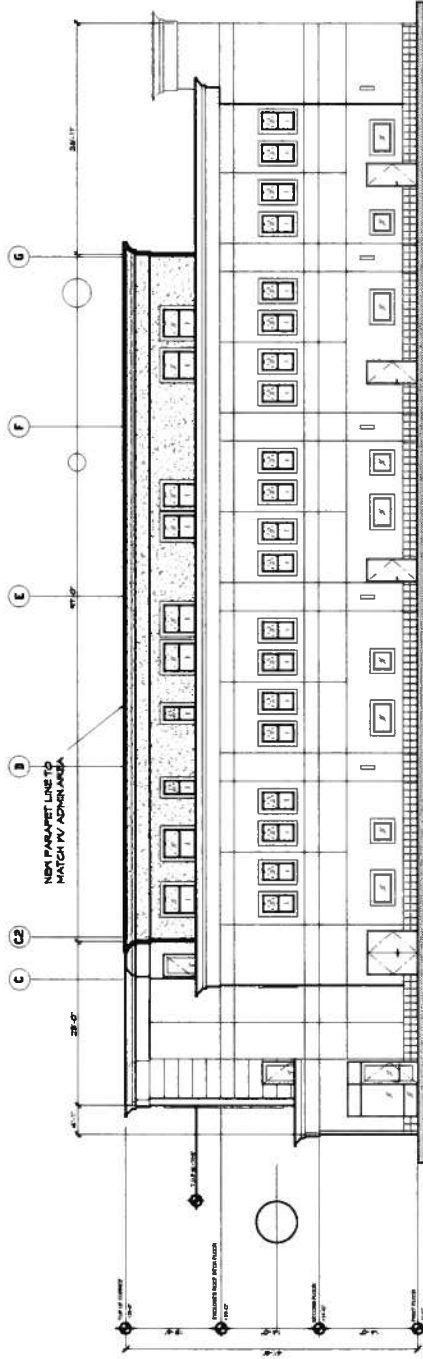
**CONTRACTOR'S**  
NOTE:  
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE PERMITS AND CONDITIONS OF APPROVAL BY DONG & ASSOCIATES AND THE CITY OF WESTMINSTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

**REVISIONS**  
DATE REVISION BY

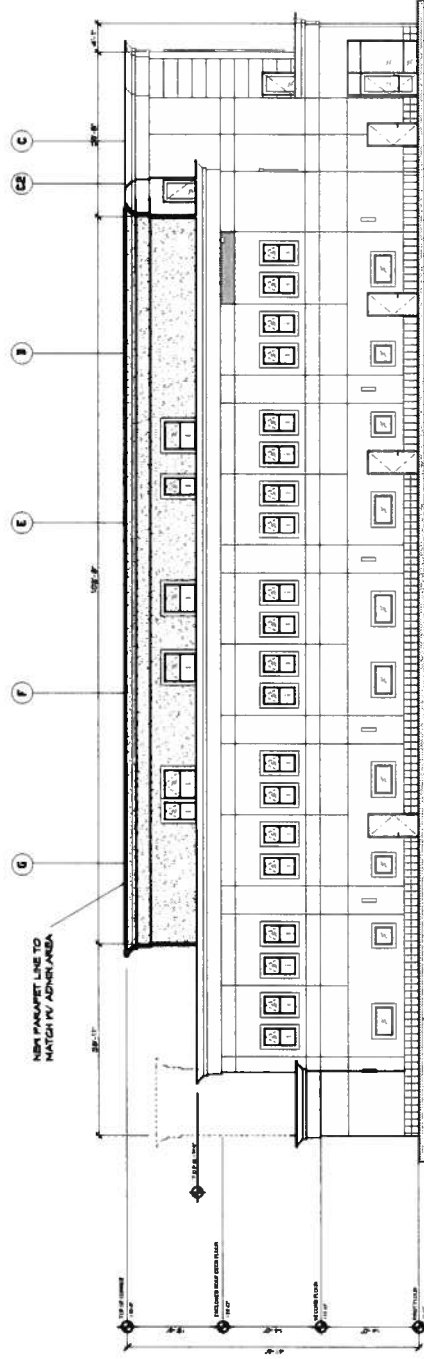
Date: \_\_\_\_\_  
Sheet No. \_\_\_\_\_

**A4.01**

east, west elevations



EAST ELEVATION

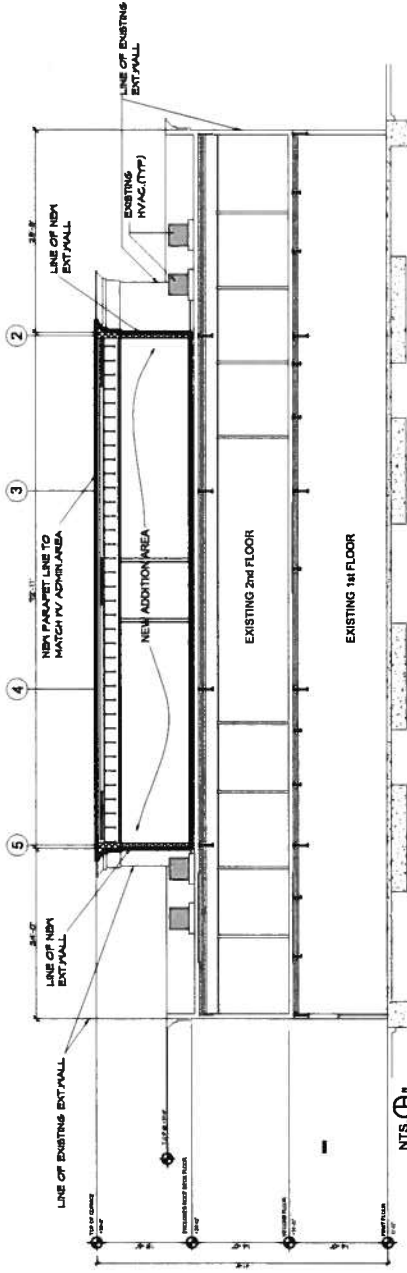


WEST ELEVATION

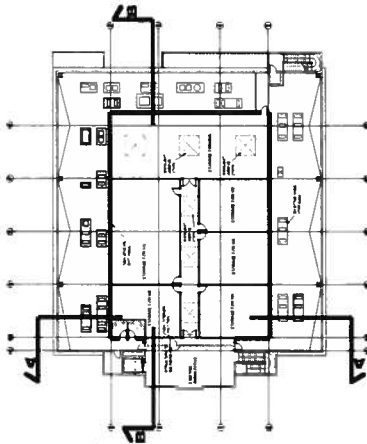
ELEVATIONS

1/8"=1'-0"

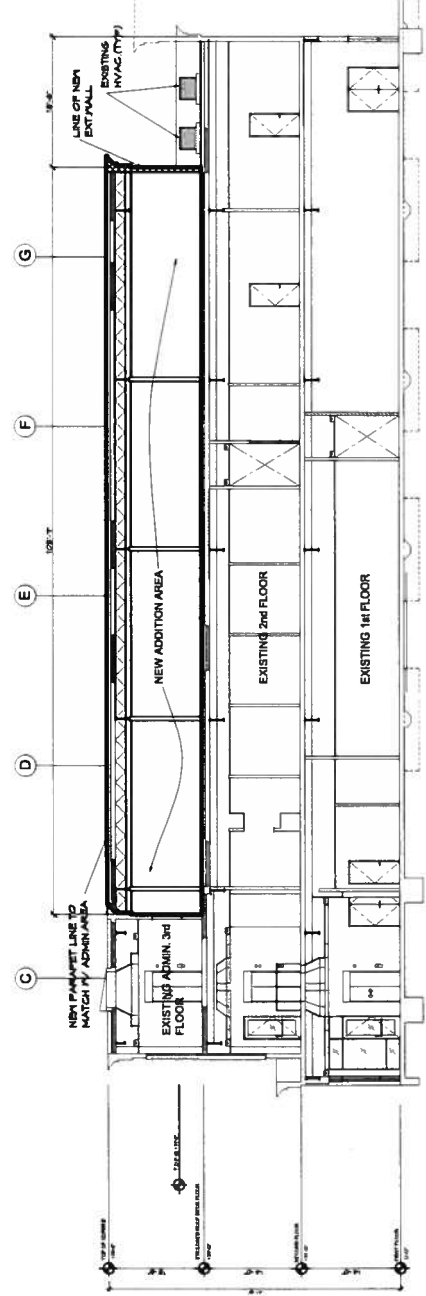




**A** SECTIONS  
1/8"=1'-0"



**KEY PLAN**



**B** SECTIONS  
1/8"=1'-0"



55  
73.5

## CITY OF GARDEN GROVE

March 1, 2004

(714) 741-5040

Bruce A. Broadwater  
Mayor

William J. Dalton  
Mayor Pro Tem

Mark Leyes  
Councilman

Mark Rosen  
Councilman

Van T. Tran  
Councilman

Dr. Michael Dao, Inc.  
dba Health Care Systems 2000  
9191 Westminster Avenue  
Garden Grove, CA 92844

Enclosed is a copy of the License Agreement by and between the City of Garden Grove and Dr. Michael Dao for property located at 9301 Westminster Avenue.

The Agreement was approved by the City Council on February 24, 2004.

Sincerely,

Ruth E. Smith  
City Clerk

  
By: Priscilla Stierstorfer  
Deputy City Clerk

Enclosure

c: Finance Department  
Community Development/Planning

**CITY OF GARDEN GROVE  
LICENSE AGREEMENT**

**(Dr. Michael Dao)**

1. This License Agreement is entered into on February 24, 2004, by and between Dr. Michael Dao, hereafter referred to as "Licensee", and the City of Garden Grove, a municipal corporation, hereafter referred to as "Licensor."

2. Licensor is the owner of certain real property situated in the City of Garden Grove, generally described as Garden Grove Park, 9301 Westminster Avenue. This License Agreement only applies to that portion of the property used solely for the parking of motor vehicles (hereafter referred to as "the Property"), and more particularly described in Exhibit A.

3. Licensor grants to Licensee a nonexclusive revocable license (hereafter referred to as the "License") for ingress and egress to the Property and to use no more than 33 parking spaces for parking of vehicles of employees of Licensee, subject to Licensee's compliance with all of the terms of this License Agreement. Licensee shall not permit any other person, except Licensee's employees and designated independent contractors of Licensee, to enter the Property without Licensor's prior written consent. Licensee shall have access to the Property on Monday through Friday between the hours of 7:00 AM and 6:00 PM and at no other time or days of the week except as expressly permitted by the Licensor in writing.

4. As consideration for the License granted in this License Agreement, Licensee shall pay to Licensor, \$1000 per month.

5. This License is personal to the Licensee and shall not be assigned. Any attempt to assign the License shall automatically terminate it. No legal title or

leasehold interest in the Property is created or vested in Licensee by the grant of this License.

6. This License shall become operative and fully enforceable on the date the Licensee's Site Plan application No. <sup>SP-320-03</sup> \_\_\_ is approved by the City and becomes final pursuant to the Garden Grove Municipal Code.

7. Licensors may terminate this upon 30-day written notice to Licensee. Within ninety (90) days of the receipt of a written notice to terminate the License, Licensee shall prepare and submit to the City a parking study acceptable to the City Manager of the City of Garden Grove, or the City Manager's designee, and upon review and approval of such parking study, promptly initiate and implement appropriate modifications and or/actions necessary to ensure that Licensee's use of the property at 9191 Westminster Avenue has adequate parking to accommodate the Licensee's use of such property.

8. Licensee accepts the License in the Property in an "as is" condition. Licensors expressly disclaims any warranty or representation with regard to the condition, safety, security, or suitability for Licensee's intended use of the Property.

9. Licensee shall pay during the term of this License to the party or entity or entities entitled thereto: (a) any license fee applicable to the operation of Licensee's business on the Property, including without limitation, any business license required from the City of Garden Grove; and (b) all taxes and assessments, if any, applicable to the Property, including without limitation, Possessory Interest Taxes as set forth in California Revenue and Taxation code Section 480.6, as may be amended from time to time.

10. Licensee shall make available to Licensors all parking spaces in the parking lot owned by Licensee and located at 9191 Westminster Avenue. This lot

shall be available to Licensor and residents of Licensor using Garden Grove Park during evening and weekend hours or other times that may be determined by Licensor and Licensee.

11. Each party shall indemnify and save harmless the other party, and its officers, agents and employees from any and all losses, liability, damages, claims, suits, actions and administrative proceedings, and demands relating to acts or omissions of the indemnitor, its officers, agents or employees arising out of or incidental to the performance of any of the provisions of this Agreement. Neither party assumes liability for the acts or omissions of persons other than each party's perspective officers, agents or employees. In the event judgment is entered against both parties because of joint or concurrent negligence of both parties, or their officers, agents or employees, arising out of the performance of this Agreement, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction and neither party shall be entitled to a jury apportionment.

12. This License Agreement constitutes the entire agreement between Licensor and Licensee relating to the License. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. Any amendment to this Agreement shall be of no force and effect unless it is in writing and signed by Licensor and Licensee.

LICENSEE:  
Dr. Michael Dao

Date: 2/11/04

By: Michael M. Dao

Title: Owner

LICENSOR:  
City of Garden Grove, a California  
municipal corporation

Date: 2-26-04

By: [Signature]

Title: Mayor

APPROVED AS TO FORM.

JOHN SHAW  
CITY ATTORNEY

By: [Signature]

Date: 2/3/04

Attest:

[Signature]

City Clerk



**K2 TRAFFIC ENGINEERING, Inc.**  
Traffic Control Signal Synchronization Parking Study

February 22, 2018

Michael Dao, MD  
c/o. Dong Nguyen  
9191 Westminster Ave  
Garden Grove, CA 92844

**Re: Parking and Trip Generation Review  
Medical Building at 9191 Westminster Ave, Garden Grove**

Dear Dr. Dao,

Per your request, we have conducted a parking study for the subject building. This letter presents our methodology, finding, and recommendation in regards to the sufficiency of parking.

#### **PROJECT INFORMATION**

The subject medical building known as AMD Medical Plaza is situated at 9191 Westminster Ave in the City of Garden Grove. The existing **2**-story building of 29,736 sq. ft. gross floor area (GFA) is approved for medical office use. The project plans to construct a 7,140 square feet third floor addition intended for private use by existing tenants and staff.

The subject site is situated at the northwest corner of Westminster Avenue and Atlantis Way in the City of Garden Grove. The medical office building is fully occupied with no vacant unit at the time of this study. The medical office are open weekdays 8 am to 6 pm, Saturdays 9 am to 1 pm, and by appointment only on Sundays. The site provides 142 parking spaces, as shown in **Exhibit 1**.

There is an existing license agreement with the City of Garden Grove to use up to 33 parking spaces at Garden Grove Park for employee parking. Garden Grove Park is within walking distances and well under-utilized on weekdays especially during daytime.

---

***K2 Traffic Engineering, Inc.***

1442 Irvine Blvd, Suite 210, Tustin, CA 92780 T.714-832-2116 Email: khsu@k2traffic.com

## PARKING SURVEY

The study has conducted a field survey to observe parking usages in project's vicinity, including the project site (142 spaces) city-owned Garden Grove Park (246 spaces), and Atlantis Way adjacent to Garden Grove Park (street parking with no marking, estimated 48 stalls). Parked vehicles were counted every 30 minutes during business hours on two typical weekdays and a Saturday in March 2016. The survey map of the parks are shown in **Exhibit 2** and complete survey data can be found in **Appendix A**.

Our observation found that peak parking at the project site occurred at 11:00 am on Tuesday when 133 parking spaces were used and 9 spaces were available. At this peak hour, only 16 parking spaces at Garden Grove Park were used and 43 vehicles are parked along Atlantis Way. Only a small portion of parking was used in Garden Grove Park and on Atlantis Way and 231 parking spaces were still available. Those parking includes the subject building as well as nearby residents and park goers. Parking usages at the project site are illustrated in **Exhibit 3**. Parking usages on Tuesday at Garden Grove Park and Atlantis Way are illustrated in **Exhibit 4**.

On Saturday, the project site is generally under-parked. The peak parking in the weekend was 108 spaces used at the project site at 10:30 am on Saturday.

## PARKING CALCULATION

Zoning Codes of the City of Garden Grove require one parking space per 170 square feet of medical office use. For the proposed addition of 7,140 square feet GFA, 42 additional parking spaces are required.

**Table 1. Parking Calculation**

Parking Demand		Parking Capacity	
Existing Demand (Maximum)	133	On-Site Parking	142
Proposed Addition	42	Garden Grove Park (per existing agreement)	33
Total Demand	175	Total Capacity	175

***K2 Traffic Engineering, Inc.***



Based on actual parking usages, a total of 175 parking spaces is needed, including 133 spaces for existing medical office uses and 42 spaces for the proposed addition. With 142 parking spaces provided on-site and 33 parking spaces provided at Garden Grove Park, a total of 175 parking spaces are sufficiently provided.

#### **PARKING DEMAND REDUCTION**

A number of programs are provided for the subject building as efforts to reduce parking demand. These programs have helped lowering parking demands and are expected to be continued and/or expanded. These programs include free patient transportation for AMD Medical Plaza and Excellent Therapy, prescription delivery by Procure Pharmacy, and employee carpools. A statement in regards to parking reduction is provided by the owner and shown as **Exhibit 5**.

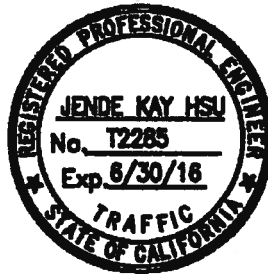
#### **TRIP GENERATION**

The proposed addition is intended for private use by the existing tenants and staff. Such addition for private uses is not expected to generate new trips, and, therefore, would not result in any significant traffic impact to nearby streets and intersections.

Regards,

*K2 Traffic Engineering, Inc.*

  
Jende "Kay" Hsu, T.E.  
California Licensed TR2285



---

***K2 Traffic Engineering, Inc.***

1442 Irvine Blvd, Suite 210, Tustin, CA 92780 T.714-832-2116 Email: [khsu@k2traffic.com](mailto:khsu@k2traffic.com)



DATE	DESCRIPTION
08/11/10	ISSUE FOR PERMIT
08/11/10	ISSUE FOR PERMIT
08/11/10	ISSUE FOR PERMIT
08/11/10	ISSUE FOR PERMIT
08/11/10	ISSUE FOR PERMIT
08/11/10	ISSUE FOR PERMIT
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08/11/10	ISSUE FOR PERMIT

Site Plan

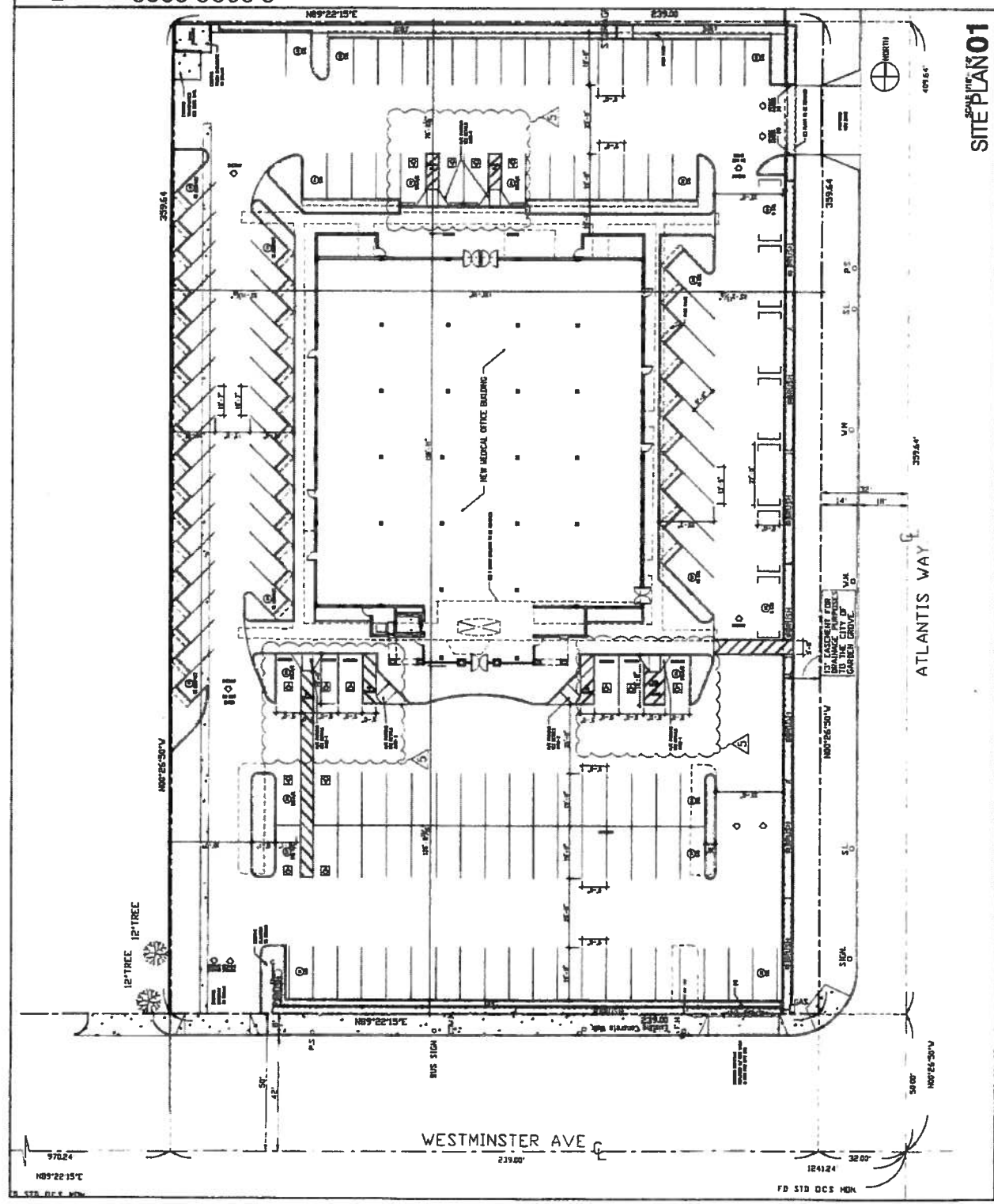
Permit Set

**A101**

- SITE PLAN LEGEND**
- LANDSCAPED AREA SEE L-10 & L-20 FOR LANDSCAPING
  - SEE GRADING PLAN FOR REPAIRING
- CONSTRUCTION NOTE**
- ① REFERENCE TO NUMBERED NOTE FOR THIS SHEET
  - ② STOP SIGN TO REMAIN
  - ③ (E) INDICATES ELEVATION OF FINISH TO REMAIN
  - ④ (R) 3/4" WIRE REINFORCED W/4" RED BRICK CURB (E) BRICK COLOR TO MATCH (E) BUILDING 137'-4"
  - ⑤ REMOVE (E) WHEEL STOP
  - ⑥ REMOVE (E) PARKING STALL
  - ⑦ REMOVE (E) FENCE
  - ⑧ (E) FENCE TO PREPARE TO RECEIVE NEW PAINT - REPAIR ANY DAMAGE
  - ⑨ REPAIR ANY DAMAGE TO EXISTING PAVING SURFACE AT THE POSSIBLE CURB CUT AREA. ANY DAMAGE TO ANY OTHER PAVING SURFACE IS LESS THAN 1/4" PER FT (2%)

- ON SITE PARKING

STANDARD	95
COMPACT	31
H/C	14
<b>TOTAL</b>	<b>140 PARKING</b>

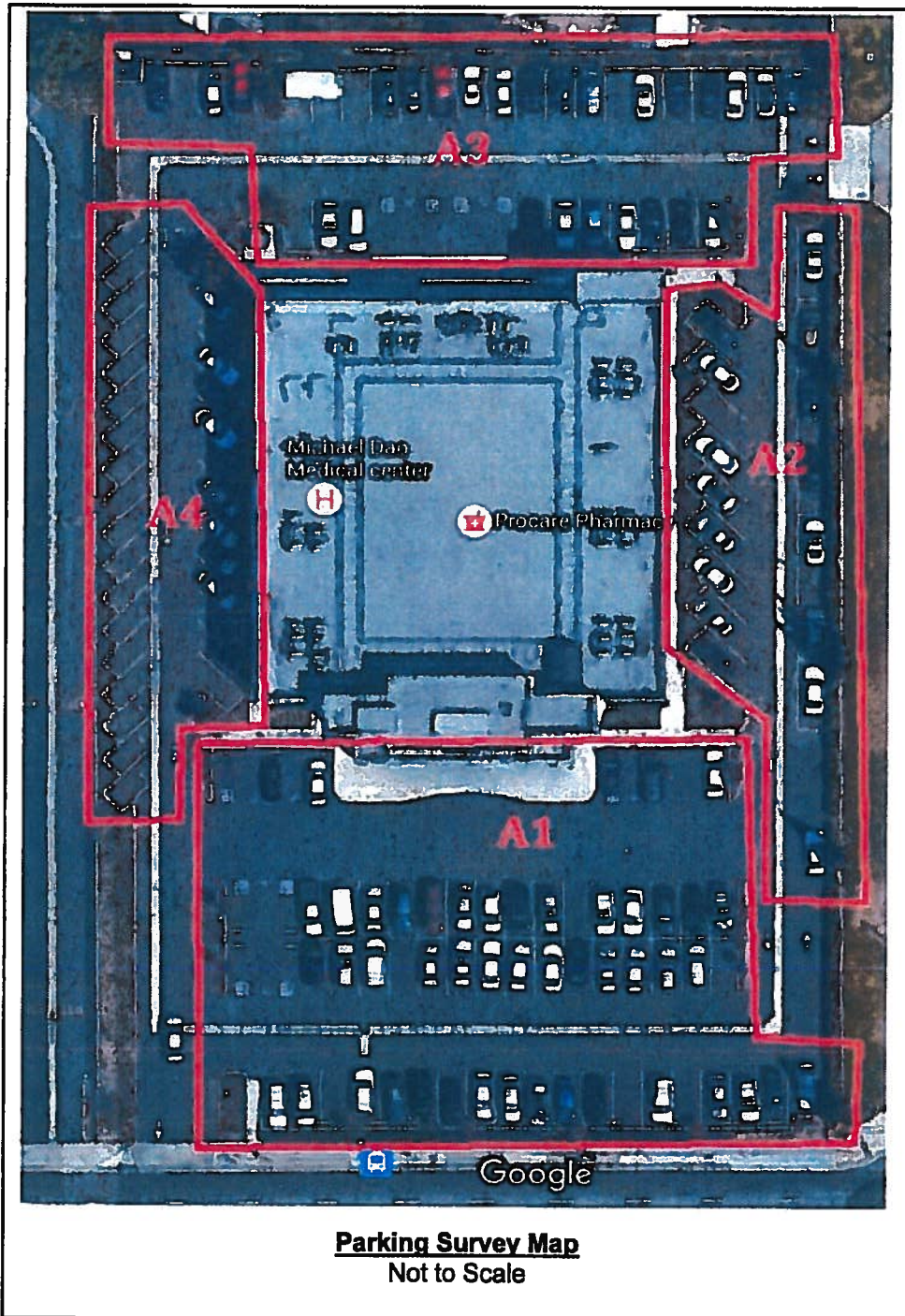


**SITE PLAN 01**

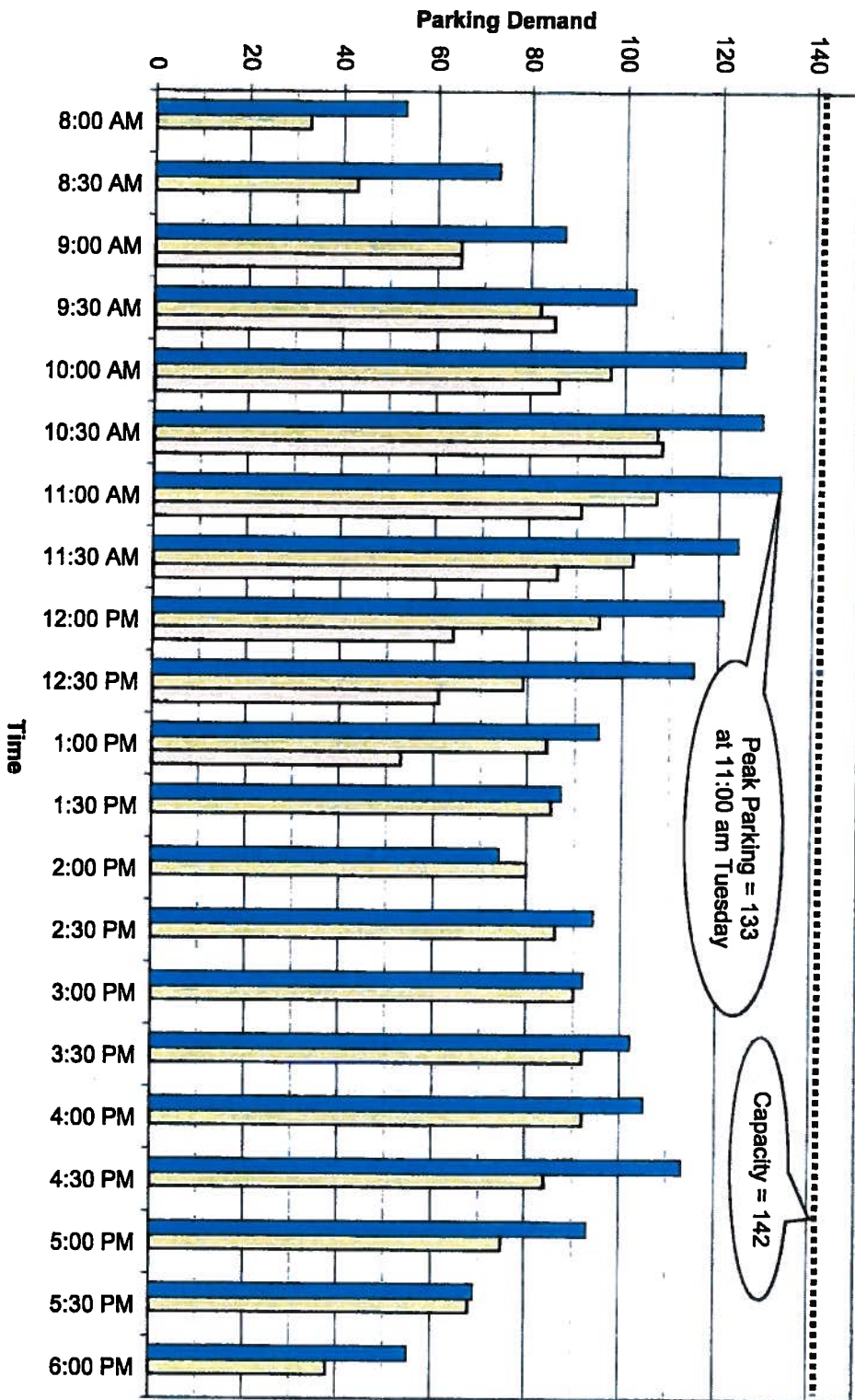


**Exhibit 2. Parking at Nearby Parks**  
Not to Scale





**Parking Survey Map**  
Not to Scale



**Exhibit 3. Parking Usage at Project Site**  
 9191 Westminster Ave, Garden Grove

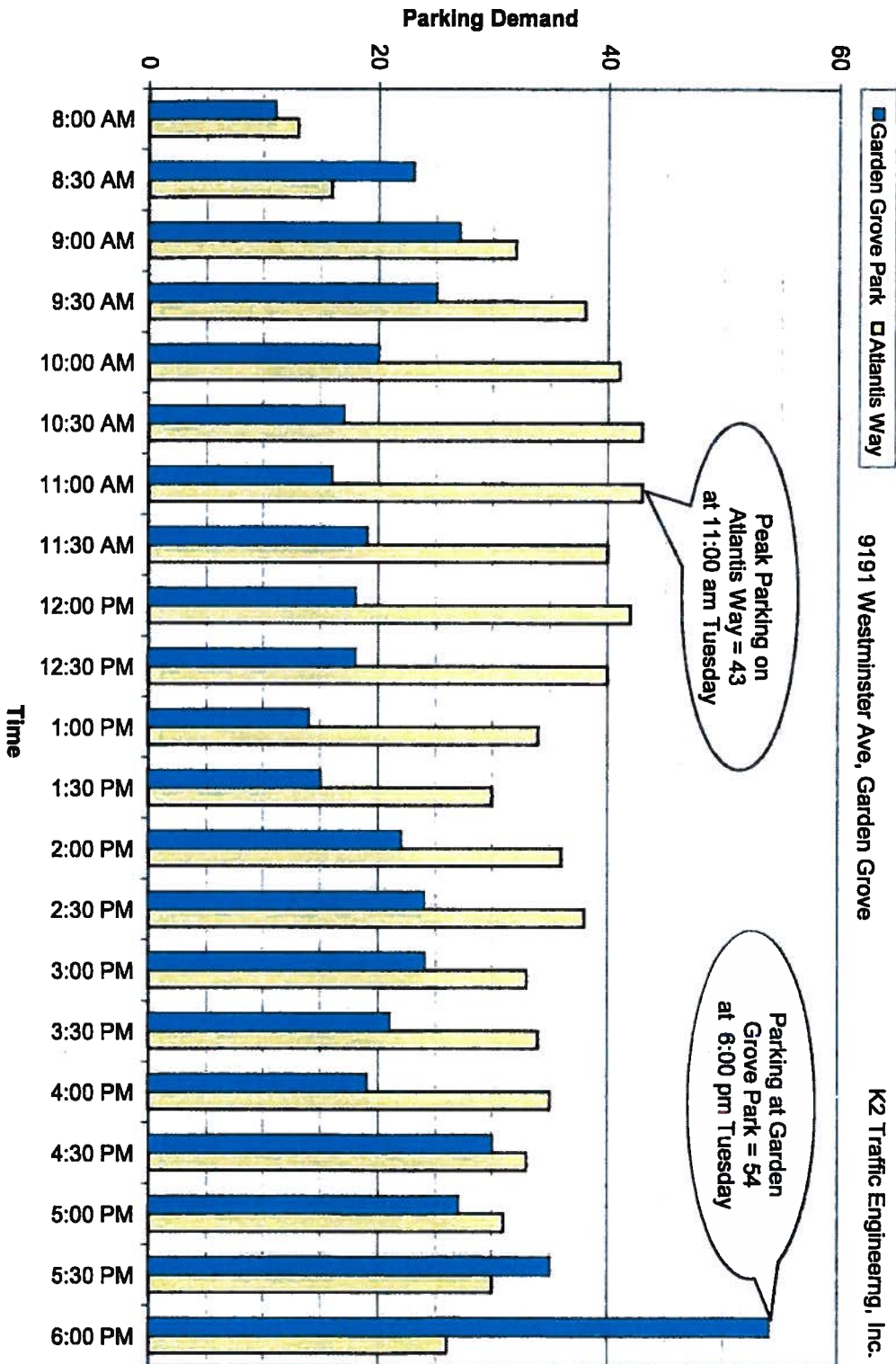
K2 Traffic Engineering, Inc.



**Exhibit 4. Tuesday Parking at Garden Grove Park & Atlantis Way**

9191 Westminster Ave, Garden Grove

K2 Traffic Engineering, Inc.



**Appendix A. Parking Survey**

P6191 - Garden Grove Medical Building Parking Study  
 9191 Westminster Ave, Garden Grove

Date 3/22/2016  
 Day Tuesday  
 By Chris L.

9191 Westminster Ave, Garden Grove						Garden Grove Park	Atlantis Way	Total
Area	A1	A2	A3	A4	Total			
Capacity	58	16	36	31	141	242	48	290
8:00 AM	34	5	10	4	53	11	13	24
8:30 AM	49	4	13	7	73	23	16	39
9:00 AM	54	6	18	9	87	27	32	59
9:30 AM	49	13	27	13	102	25	38	63
10:00 AM	58	16	34	17	125	20	41	61
10:30 AM	57	16	34	22	129	17	43	60
11:00 AM	56	15	36	26	133 *	16	43	59
11:30 AM	55	15	33	21	124	19	40	59
12:00 PM	57	15	31	18	121	18	42	60
12:30 PM	48	15	28	24	115	18	40	58
1:00 PM	45	15	25	10	95	14	34	48
1:30 PM	41	9	26	11	87	15	30	45
2:00 PM	42	10	9	13	74	22	36	58
2:30 PM	42	11	27	14	94	24	38	62
3:00 PM	42	10	27	13	92	24	33	57
3:30 PM	44	11	32	15	102	21	34	55
4:00 PM	48	13	27	17	105	19	35	54
4:30 PM	49	14	35	15	113	30	33	63
5:00 PM	40	13	24	16	93	27	31	58
5:30 PM	29	12	15	13	69	35	30	65
6:00 PM	20	9	13	13	55	54	26	80 **
Peak Usage	58	16	36	26	133	54	43	80
Space Available at Peak Usage	0	0	0	5	8	188	5	210

\* Peak parking occurred at 11:00 am when 133 spaces were used.

**Appendix A. Parking Survey**

P6191 - Garden Grove Medical Building Parking Study  
 9191 Westminster Ave, Garden Grove

Date 3/24/2016  
 Day Thursday  
 By Chris L.

Area	9191 Westminster Ave, Garden Grove					Garden Grove Park	Atlantis Way	Total
	A1	A2	A3	A4	Total			
Capacity	58	16	36	31	141	242	48	290
8:00 AM	22	1	8	2	33	15	14	29
8:30 AM	29	5	8	1	43	20	23	43
9:00 AM	39	6	16	4	65	25	45	70
9:30 AM	41	11	22	8	82	30	44	74
10:00 AM	43	12	32	10	97	21	45	66
10:30 AM	54	13	32	8	107 *	20	44	64
11:00 AM	51	15	35	6	107 *	20	44	64
11:30 AM	50	14	32	6	102	25	43	68
12:00 PM	45	12	30	8	95	26	42	68
12:30 PM	34	13	26	6	79	23	43	66
1:00 PM	40	12	26	6	84	19	35	54
1:30 PM	43	10	27	5	85	17	37	54
2:00 PM	38	10	26	6	80	16	40	56
2:30 PM	40	8	31	7	86	21	41	62
3:00 PM	42	14	28	6	90	42	40	82 **
3:30 PM	43	14	26	9	92	13	38	51
4:00 PM	44	13	26	9	92	12	39	51
4:30 PM	37	11	28	8	84	13	37	50
5:00 PM	30	12	25	8	75	16	33	49
5:30 PM	21	11	28	8	68	48	28	76
6:00 PM	13	2	14	9	38	62	17	79
Peak Usage	54	15	35	10	107	62	45	82
Space Available at Peak Usage	4	1	1	21	34	180	3	208

\* Peak parking occurred at 10:30 and 11:00 am when 107 spaces were used.

\*\* Peak parking occurred at 3:00 pm when 82 spaces were used.



**Appendix A. Parking Survey**

P6191 - Garden Grove Medical Building Parking Study  
 9191 Westminster Ave, Garden Grove

Date 3/26/2016  
 Day Saturday  
 By Chris L.

9191 Westminster Ave, Garden Grove						Garden Grove Park	Atlantis Way	Total
Area	A1	A2	A3	A4	Total			
Capacity	58	16	36	31	141	242	48	290
8:00 AM	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0
9:00 AM	43	12	7	3	65	18	10	28
9:30 AM	49	14	11	11	85	38	10	48
10:00 AM	50	13	11	12	86	54	11	65
10:30 AM	54	15	27	12	108 *	74	13	87
11:00 AM	50	14	13	14	91	96	12	108
11:30 AM	49	13	12	12	86	108	13	119
12:00 PM	28	11	12	13	64	113	15	128
12:30 PM	31	8	10	12	61	118	15	133 **
1:00 PM	30	4	8	11	53	106	12	118
1:30 PM	0	0	0	0	0	0	0	0
2:00 PM	0	0	0	0	0	0	0	0
2:30 PM	0	0	0	0	0	0	0	0
3:00 PM	0	0	0	0	0	0	0	0
3:30 PM	0	0	0	0	0	0	0	0
4:00 PM	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0
6:00 PM	0	0	0	0	0	0	0	0
Peak Usage	54	15	27	14	108	118	15	133
Space Available at Peak Usage	4	1	9	17	33	124	33	157

\* Peak parking occurred at 10:30 am when 108 spaces were used.  
 \*\* Peak parking occurred at 12:30 pm when 133 spaces were used.



# DAO MEDICAL GROUP

9191 Westminster Ave., Garden Grove, CA 92844  
Tel: (714) 899-2000 - Fax: (714) 899-0051

**Michael M. Dao, M.D.**  
*Internal Medicine – Nội Khoa*

**Anh Thu Tran, M.D.**  
*Internal Medicine – Nội Khoa*

**Hao Thai, M.D.**  
*General Practice & Geriatrics  
Y Khoa Tổng Quát & Người Già*

**Dai Nghiem, M.D.**  
*Transplant Surgery – Chuyên Khoa Giải  
Phẫu – Cấy Ghép*

**Yen Nguyen, M.D.**  
*Family Practice – Y Khoa Gia Đình*

**Tuan Le, P.A.**  
*Physician's Assistant – Y Sĩ Gia Đình*

**Dang Nguyen, P.A.**  
*Physician's Assistant – Y Sĩ Gia Đình*

**Jacqueline Tran, P.A.**  
*Physician's Assistant – Y Sĩ Gia Đình*

**Helen Do, F.N.P.**  
*Family Nurse Practitioner – Y Sĩ Gia Đình*

**Donna Hong Tran, F.N.P.**  
*Family Nurse Practitioner – Y Sĩ Gia Đình*

**Peter Hung Vu, M.D.**  
*Pediatrics – Nhi Đồng Thanh Thiếu Niên*

**Ban Duc Doan, M.D. – Medical Director**  
*OB-GYN – Sản Phụ Khoa*

**Tao Hong Duong, M.D.**  
*Cardiology – Chuyên Khoa Tim Mạch*

**James Viet Tran, M.D.**  
*Cardiology – Chuyên Khoa Tim Mạch*

**Tien Nguyen, M.D.**  
*Neurosurgery & Spine Surgery  
Giải Phẫu Thần Kinh & Cột Sống*

**Long Phi Dang, M.D.**  
*Gastroenterology & Hepatology  
Chuyên Khoa Tiêu Hóa & Gan*

**Tuan Pham, D.P.T**  
*Doctor of Physical Therapy  
Vật Lý Trị Liệu*

**Lalita Pandit, M.D.**  
*Hematology & Hepatology  
Chuyên Khoa Ung Thư & Máu*

**Gurpreet Multani, M.D.**  
*Hematology & Hepatology  
Chuyên Khoa Ung Thư & Máu*

**Ky Vu, M.D.**  
*Hospitalist – Alpha Hospitalist Group*

**Kevin Ho, M.D.**  
*Podiatry – Chuyên Khoa Chân Tiểu*

**Wijey Akumar, M.D.**  
*Nephrology – Chuyên Khoa Thận*

**Bharat Patel**  
*Urology – Chuyên Khoa Đường Tiểu*

**Ole Opgaard, M.D.**  
*Endocrinology – Chuyên Khoa Tuyến Nội Tiết*

February 20, 2018

Garden Grove City Council  
11222 Acacia Pkwy  
Garden Grove, CA 92840

RE: AMD Medical Plaza and Dao Medical Group's Free Transportation Services

To Whom It May Concern:

This is to confirm that we have been providing "Free Transportation" to our patients since we opened in 2000. We are currently transporting 30 patients a day on the average. ProCare Pharmacy delivers around 300 prescriptions a day to our patients as well. Excellence Physical Therapy also has free transportation for their patients, and they average around 20 patients per day.

In addition, we have the "Employee Carpool Program" to encourage our employees to carpool with each other to minimize parking overcrowding for our patients.

Employees receive a \$20.00 gas gift card every two weeks if they carpool.

With the combination of these services which have proven to be successful in maximizing the amount of parking spaces for our patients, we believe that we have sufficient parking for everyone.

Thank you for your consideration.

Sincerely,

Michael M. Dao, M.D.

Owner – AMD Medical Plaza

CEO – Dao Medical Group



*Drive Together,  
Save Together!*

## EMPLOYEE CARPOOL PROGRAM

- The purpose of the "Employee Carpool Program" is to minimize parking lot overcrowding and to reserve spaces for AMD Medical Plaza and Dao Medical Group patients.
- **Requirements:** Participants must include at least two (2) or more people carpooling to and from work, and must carpool at least 80% of the work week.
- Incentives will be provided to those who participate! (Employees who participate receive a \$20 gas gift card every 2 weeks.)

**For more information or to sign up, please see Management.**



**DAO MEDICAL  
GROUP**

**AMD**  
Medical Plaza

RESOLUTION NO. 5957-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-070-2019 AND VARIANCE NO. V-023-2019, FOR A PROPERTY LOCATED ON THE NORTHWEST CORNER OF WESTMINSTER AVENUE AND ATLANTIS WAY, AT 9191 WESTMINSTER AVENUE, ASSESSOR'S PARCEL NO. 098-401-22.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 18, 2019, approves Site Plan No. SP-070-2019 and Variance No. V-023-2019.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-070-2019 and Variance No. V-023-2019, the Planning Commission of the City of Garden Grove does hereby determine and report as follows:

1. The subject case was initiated by Michael Dao, applicant and property owner.
2. The applicant is requesting Site Plan approval to construct a 7,140 square foot 3<sup>rd</sup> floor addition to an existing two-story 29,000 square foot medical office building, located at 9191 Westminster Avenue (APN: 098-401-22). The applicant is also requesting Variance approval to deviate from the maximum stories and height permitted in the O-P (Office Professional) zone to facilitate the construction of the new 3<sup>rd</sup> floor addition.
3. The proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301(e) (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Regs., Section 15301). The proposed project consists of the construction of an addition to an existing structure not exceeding 10,000 square feet.
4. The property has a General Plan Land Use designation of Office Professional and is currently zoned O-P (Office Professional). The subject property is improved with an existing two-story 29,000 square foot medical office building.
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 City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on July 18, 2019, 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 July 18, 2019, 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 property is improved with an existing two-story 29,000 square foot medical office building. The property has a General Plan Land Use Designation of Office Professional and is zoned O-P (Office Professional). The property is adjacent to a multi-family residential development to the west, single-family homes to the north, a mobile-home park to the south, across Westminster Avenue, and the Garden Grove Park to the east, across Atlantis Avenue.

In 1970, the County of Orange constructed an approximately 14,000 square foot one-story social services office building. At the time of construction, the property had a General Plan Land Use Designation of "Public/Quasi-Public" and was zoned C-1 (Limited Commercial). Due to this inconsistency between the General Plan Land Use Designation and zoning, in 1983, the City approved General Plan Amendment No. GPA-2-83 and Amendment No. A-101-83, to change the land use designation and zoning of the property to Office Professional and O-P (Office Professional), respectively, thereby establishing consistency.

In 2004, the City of Garden Grove approved Site Plan No. SP-320-03 to allow an expansion of the existing one-story medical office building with a two-story approximately 14,500 square foot addition, along with a 500 square foot addition to the 1st floor – for a total floor area of approximately 29,000 square feet. The City also approved Variance No. V-102-03 to allow reduced landscape setbacks along the front, side, and rear of the property, in order to facilitate a revision to the existing parking lot layout to add additional parking spaces to the site, accommodating the new addition. A 1,500 square foot "mezzanine" above the second floor was also constructed, which was intended to serve as an architectural feature and access to the roof. This 1,500 square foot "mezzanine" was not permitted to be occupied as usable floor area.

At the time of the approval of SP-320-03, the site provided 137 parking spaces. The proposed development, including both the existing and proposed floor areas, required a total of 170 parking spaces. In order to satisfy the number of required parking spaces for the development, the applicant entered into a parking license agreement with the City of Garden Grove, allowing the use of 33 parking spaces in the adjoining Garden Grove Park parking areas. The parking license agreement will continue to be in effect. With the 137 parking spaces on-site, and the 33 available parking spaces for use in the Garden Grove Park, the proposed development met the required total of 170 parking spaces.

**FINDINGS AND REASONS:****SITE PLAN:**

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

The subject site has a General Plan Land Use Designation of Office Professional and is zoned O-P (Office Professional). The Project complies with the land use designation and the zoning requirements for the property, subject to the approval of the associated Variance request (V-023-2019). The Office Professional (OP) designation is intended to provide for a variety of professional office and support commercial uses. The Project will not exceed the maximum Floor Area Ratio ("FAR") permitted by Office Professional Land Use Designation. The General Plan allows a maximum FAR of 0.50 for OP, and the Project FAR is 0.42.

The design and improvement of the proposed project is consistent with the spirit and intent of the General Plan, through its goals, policies, and implementation programs, including specifically:

Policy LU-2.1, which intends to protect residential areas from the effects of potentially incompatible uses. Where new commercial or industrial development is allowed adjacent to residentially zoned districts, maintain standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses. The proposed project is sensitive to the existing nearby sensitive uses (residences, park) and provides and maintains sufficient buffering (building setbacks).

Policy LU-2.4, which strives to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The use of the building, including within the proposed 3<sup>rd</sup> floor areas, will continue to be medical/office uses, which are permitted by the Office Professional zone and General Plan Land Use Designation.

Policy LU-4.5, which intends for commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas. The proposed project is sensitive to the existing nearby sensitive uses (residences, park) and provides and maintains sufficient buffering (building setbacks).

Goal LU-5, which strives for economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community. The proposed project will maintain an attractive architectural

appearance and continue to contribute as an economically viable, vital, and attractive center serving the needs of the community through its medical facilities.

LU-IMP-6C, which intends to encourage façade renovation, enhanced parking area landscaping, improved lighting, development of pad buildings, and the use of pedestrian amenities, such as fountains, plazas, promenades, seating, and like features. The proposed project will renovate its façade and architecture through the new 3<sup>rd</sup> floor addition, which will also provide additional medical office and storage space.

The project has been designed to comply with all requirements of Title 9 of the Municipal Code. The placements of the structures, the site design, the parking lot layout, the number of parking spaces (both on-site and off-site), and the landscape areas are consistent with the spirit and intent of the requirements of the Municipal Code.

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 project does not introduce any changes to the on- and off-site vehicular and pedestrian circulation and access. The site will continue to provide drive lanes and a parking layout that enable customers to maneuver effectively through the site. Sufficient on-site and off-site parking is provided to accommodate the proposed medical/office building. The existing parking license agreement will continue to be in effect.

Furthermore, the City's Traffic Engineering Division and the Fire Department have also reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to surrounding streets.

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

The Project utilizes access off Westminster Avenue and Atlantis Way, which will continue to be adequate to accommodate the development. Utilities and drainage channels in the area, if and where necessary, will continue to be adequate to accommodate the development. The property is not located in a sewer deficiency area. The Public Works Department has incorporated conditions of approval to mitigate potential impacts to the sewer system.

The Public Works Engineering and Water Services Division have reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels.

4. The project will not adversely impact the City's ability to perform its required public works functions.

The project has been reviewed by the Public Works Department. The proposed project has been designed to maintain drive lanes and a parking layout that enable customers to maneuver effectively through the site. Sufficient on-site, and off-site parking is provided to accommodate the medical office building. All appropriate conditions of approval included by the Public Works Department will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels, and will ensure that the project will not adversely impact the City's ability to perform its required public works functions.

5. The development has a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The proposed project is consistent with the existing commercial, residential, and park uses and improvements in the surrounding area. The property is currently improved with the existing medical office building. The proposed project will not see any change in the medical office activities. Additionally, the proposed project will improve the aesthetics of the property by redeveloping the property through the construction of the new addition which has been designed to be architecturally compatible and sensitive to the existing surrounding uses. The resulting development will be an improvement, visually, for the community while also maintaining a reasonable degree of physical, functional, and visual compatibility with neighboring uses and the desirable neighborhood characteristics. Therefore, the proposed project is consistent with the surrounding area and compatible with the existing uses on the properties.

6. The planning and design of buildings, building placement, and provision of landscaping will provide an attractive environment for the occupants of the property.

The project has been designed to consider building appearance, building placement, and other amenities in order to maintain an attractive environment. The existing landscaping will continue to be maintained for the life of the project, keeping an attractive environment for the occupants of the medical office building.



**VARIANCE:**

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or classes of use in the same vicinity or zone.

Approval of this Variance will allow the project to deviate from the maximum stories (two stories) and maximum height (35 feet) of the O-P (Office Professional) zone, in order to facilitate the construction of the new 3<sup>rd</sup> floor addition, for the purpose of providing additional medical office and storage space. With exception to the requested Variance, the project meets all other Municipal Code development standards such as, but not limited to, building setbacks, parking, and landscaping. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City.

The subject property is unique in that it is the only O-P (Office Professional) zoned property in the area, as there are no other O-P zoned properties within at least a one (1) mile distance. The surrounding properties in the immediate area are primarily zoned R-1 (Single-Family Residential) - single-family residences, O-S (Open Space) - parks, and C-1 (Neighborhood Commercial) - commercial businesses. The Office Professional zone is intended to provide for professional offices, services, and associated businesses, in an attractive environment compatible with residential areas. Commercial type zones, such as C-1 (Neighborhood Commercial), typically provide some general office and medical office type uses; however, the C-1 zone is primarily intended for, and occupied by, retail type uses (e.g., convenience shopping facilities) with typically limited availability of professional and medical office type uses. Properties zoned O-P (Office Professional) are typically dedicated to general and professional office type businesses (e.g., medical offices). Additionally, other properties in the O-P (Office Professional) zone, within immediate vicinity of the subject lot, and within other similar zoned properties throughout the City, have existing similar type office buildings that exceed the maximum stories and/or maximum height allowed. The proposed additional floor area (on the 3<sup>rd</sup> floor) is necessary to support the existing medical/office uses within the existing building, and to support the community need for additional medical service facilities, especially in an area where there is limited O-P (Office Professional) zoned properties.

Per Municipal Code requirements, the minimum building setbacks required by the O-P zone are 15 feet to the front (southerly) property line, ten feet to the side (westerly and easterly) property lines, and five feet to the rear (northerly) property lines. Working in concert with these minimum building setback requirements, the maximum stories and height allowed in the O-P

zone are two stories and 35 feet, respectively. The primary intent of these development standards are to ensure that sufficient distance and buffering are provided between O-P zone developed properties (i.e., improved with office buildings) and other sensitive uses such as residences, parks, and schools.

Developments with office buildings typically provide the minimum setbacks of 15 feet to the front property line, five to ten feet to the side property lines, and five feet to the rear property line. It should be noted, that the existing two-story medical office building on the subject site far exceeds the minimum building setback requirements of the O-P zone.

- The south (front) side of the building provides a 135-foot setback to the southerly property line (facing Westminster Avenue). Minimum = 15 feet.
- The west side of the building provides a 52-foot setback to the westerly property line (facing the multi-family residential development). Minimum = 10 feet.
- The north (rear) side of the building provides a 77-foot setback to the northerly property line (facing the single-family residences). Minimum = five feet.
- The east side of the building provides a 50-foot setback to the easterly property line (facing the Garden Grove Park), and is further separated by the 50-foot wide Atlantis Way public street. Minimum = ten feet.

The existing property and development are unique in physical characteristics in that the existing medical building is situated in the center of the property, with parking stalls surrounding the building. Additionally, the building far exceeds the minimum building setback requirements, providing more than adequate distance separation and buffering to nearby sensitive uses. Furthermore, the structure of the proposed 3<sup>rd</sup> floor addition is set within the existing building confines by 26 feet in all directions, providing additional distance separation and buffering to the aforementioned nearby uses. Projects involving building additions typically expand building footprints. The proposed addition does not add new building footprint, and does not increase the existing building envelope. The additional buffering provided in the proposed addition minimizes the visual impact to nearby uses.

The front façade of the medical office building, which functions as an architectural interest feature, has an existing building height of 41'-6" to the topmost part of the roof parapet, as approved by the City under the prior Site Plan (SP-320-03). The proposed 3<sup>rd</sup> floor addition, through the requested Variance, will be constructed at a height that matches, and lines up with, the existing roof parapet of the building, thereby maintaining the same 41'-6" height to the topmost part of the roof parapet. All exterior features of the addition will also match the existing building to ensure architectural compatibility and seamless integration between the existing building architecture and the proposed addition. Approval of the Variance will not increase the existing building height, since the proposed 3<sup>rd</sup> floor addition will maintain the same pre-existing building height (41'-6") of the office building.

There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City, particularly relating to limited O-P zoned properties in the immediate vicinity, exceedingly large building setbacks to property lines, building location and site plan layout, and minimized visual change and impact to nearby uses.

2. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the property in question.

To construct the proposed 3<sup>rd</sup> floor addition, the Variance to deviate from the maximum stories (two stories) and maximum height (35 feet) allowed in the O-P (Office Professional) zone is necessary to facilitate the development and improvement of the property, which otherwise meets all other Municipal Code development standards such as, but not limited to, building setbacks, parking, and landscaping. Other properties in the O-P (Office Professional) zone, within immediate vicinity of the subject lot, and within other similar zoned properties throughout the City, have existing similar type buildings that exceed the maximum stories and/or maximum height allowed. Accordingly, approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in Office Professional and other similar zoned properties in the City. With exception to the requested Variance to deviate from the maximum stories and maximum height standard, the proposed project complies with all other development standards of the O-P zone.

3. The Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.

Approval of this Variance will allow the project to deviate from the maximum stories (two stories) and maximum height (35 feet) of the O-P (Office Professional) zone, in order to facilitate the construction of the new 3<sup>rd</sup> floor addition, for the purposes of providing additional medical office and storage space.

Per Municipal Code requirements, the minimum building setbacks required by the O-P zone are 15 feet to the front (southerly) property line, ten feet to the side (westerly and easterly) property lines, and five feet to the rear (northerly) property lines. Working in concert with these minimum building setback requirements, the maximum stories and height allowed in the O-P zone are two stories and 35 feet, respectively. The primary intent of these development standards are to ensure that sufficient distance and buffering are provided between O-P zone developed properties (i.e., improved with office buildings) and other sensitive uses such as residences, parks, and schools.

Developments with office buildings typically provide the minimum setbacks of 15 feet to the front property line, five to ten feet to the side property lines, and five feet to the rear property line. It should be noted, that the existing two-story medical office building on the subject site far exceeds the minimum building setback requirements of the O-P zone.

- The south (front) side of the building provides a 135-foot setback to the southerly property line (facing Westminster Avenue). Minimum = 15 feet.
- The west side of the building provides a 52-foot setback to the westerly property line (facing the multi-family residential development). Minimum = ten feet.
- The north (rear) side of the building provides a 77-foot setback to the northerly property line (facing the single-family residences). Minimum = five feet.
- The east side of the building provides a 50-foot setback to the easterly property line (facing the Garden Grove Park), and is further separated by the 50-foot wide Atlantis Way public street. Minimum = ten feet.

The existing property and development are unique in physical characteristics in that the existing medical building is situated in the center of the property,

with parking stalls surrounding the building. Additionally, the building far exceeds the minimum building setback requirements, providing more than adequate distance separation and buffering to nearby sensitive uses. Furthermore, the structure of the proposed 3<sup>rd</sup> floor addition is set within the existing building confines by 26 feet in all directions, providing additional distance separation and buffering to the aforementioned nearby uses. Projects involving building additions typically expand building footprints. The proposed addition does not add new building footprint, and does not increase the existing building envelope. The additional buffering provided in the proposed addition minimizes the visual impact to nearby uses.

As part of the project, a parking study was conducted by K2 Traffic Engineering ("K2"), a licensed traffic engineering firm, to determine the actual parking demand, today, generated by the existing two-story medical office building, and to provide a recommendation for the adequate number of parking spaces to accommodate the existing parking demand and the additional parking demand of the proposed 3<sup>rd</sup> floor addition. By adding the observed peak parking demand of the subject site (the existing two-story medical office building), of 133 parking spaces, to the projected parking demand of the 3<sup>rd</sup> floor addition areas, of 42 parking spaces, K2 determined that the adequate number of parking spaces to accommodate both the existing and proposed building area would be a total 175 parking spaces. The subject site provides a total of 142 on-site parking spaces, in addition to the 33 available parking spaces in the Garden Grove Park, via the existing parking license agreement with the City of Garden Grove. Therefore, the project complies with the number of required parking spaces, as determined by the Municipal Code, in concert with the parking study prepared by K2 Traffic Engineering.

The project will be required to comply with all applicable building and life safety codes and regulations to ensure that there is not an adverse impact on public health, safety, or welfare. Furthermore, the proposal has been reviewed by all City departments in order to ensure compliance with all applicable code provisions. Provided the project complies with the Conditions of Approval, the approval of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

4. The granting of the Variance will not adversely affect the General Plan.

Approval of this Variance will allow the project to deviate from the maximum stories (two stories) and maximum height (35 feet) of the O-P zone, in order to facilitate the construction of the new 3<sup>rd</sup> floor addition, for the purpose of providing additional medical office and storage space. The proposed Variance will not cause an adverse effect on the City's General Plan since the Municipal

Code is a tool used to implement the goals of the General Plan. The proposed project furthers the desired character and use of the Office Professional General Plan Land Use Designation, which calls for development within the Office Professional designation to be of modern and attractive office buildings. The project achieves this by maintaining the modern and attractive architecture of the building. The new addition area will be architecturally compatible with the existing building. It should be noted, the General Plan does not provide building height limitations – ensuring that the requested Variance (to the maximum number of stories and maximum building height) does not conflict with or adversely affect the General Plan. Additionally, the proposed project meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Policy LU-2.1, which intends to protect residential areas from the effects of potentially incompatible uses. Where new commercial or industrial development is allowed adjacent to residentially zoned districts, maintain standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses. The proposed project is sensitive to the existing nearby sensitive uses (residences, park) and provides and maintains sufficient buffering (building setbacks).

Policy LU-2.4, which strives to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The use of the building, including within the proposed 3<sup>rd</sup> floor areas, will continue to be medical/office uses, which are permitted by the Office Professional zone and General Plan Land Use Designation.

Policy LU-4.5, which intends for commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas. The proposed project is sensitive to the existing nearby sensitive uses (residences, park) and provides and maintains sufficient buffering (building setbacks).

Goal LU-5, which strives for economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community. The proposed project will maintain an attractive architectural appearance and continue to contribute as an economically viable, vital, and attractive center serving the needs of the community through its medical facilities.

LU-IMP-6C, which intends to encourage façade renovation, enhanced parking area landscaping, improved lighting, development of pad buildings, and the use of pedestrian amenities, such as fountains, plazas, promenades, seating, and like features. The proposed project will renovate its façade and

architecture through the new 3<sup>rd</sup> floor addition, which will also provide additional medical office and storage space.

The proposed project will be consistent with the spirit and intent of the General Plan furthering its goals, policies, and implementation programs, while also helping meet the community's need for additional medical services/facilities. The granting of the requested Variance will not adversely affect the City's General Plan.

5. Approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Provided the Conditions of Approval are adhered to for the life of the project, approval of the subject Variance will not grant a special privilege that is inconsistent with the limitations upon other properties located within the vicinity or zone in which the subject property is situated. Other properties in the O-P (Office Professional) zone, within immediate vicinity of the subject lot, and within other similar zoned properties throughout the City, have existing similar type buildings that exceed the maximum stories and/or maximum height allowed. With exception to the requested Variance to deviate from the maximum stories and maximum height standard, the proposed project complies with all other development standards of the O-P zone. Accordingly, approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in Office Professional and other similar zoned properties in the City. In addition, Condition of Approval No. 2 states in part, "The rights granted the applicant pursuant to Variance No. V-023-2019 shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-070-2019, and these Conditions of Approval (as they may be amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-070-2019 are not constructed within one year of approval (or the length of any extension approved by the City) or are demolished and not re-established within one year of demolition, Variance No. V-023-2019 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards." Therefore, granting of the Variance will not give the property owner a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE 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 Variance possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
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, attached as "Exhibit A," shall apply to Site Plan No. SP-070-2019 and Variance No. V-023-2019.



## **EXHIBIT "A"**

**Site Plan No. SP-070-2019  
Variance No. V-023-2019**

9191 Westminster Avenue  
(APN: 098-401-22)

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record against the property a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office. Proof of such recordation is required within 30 days of this approval. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Michael Dao, the developer of the project, the current owner of the Property, the future owner(s) and tenants(s) of the Property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-070-2019 and Variance No. V-023-2019.
2. The rights granted the applicant pursuant to Variance No. V-023-2019 shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-070-2019, and these Conditions of Approval (as they may be amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-070-2019 are not constructed within one year of approval (or the length of any extension approved by the City) or are demolished and not re-established within one year of demolition, Variance No. V-023-2019 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Approval of this Site Plan and Variance 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.
3. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval

of new and/or amended land use entitlements by the applicable City hearing body.

4. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.
6. All applicable Conditions of Approval approved under Site Plan No. SP-320-03 shall continue to be in full force and effect. Any new conditions contained herein and introduced by the approval of Site Plan No. SP-070-2019 and Variance No. V-023-2019, shall also be in effect.

#### **Building and Safety Division**

7. Project shall comply with the 2016 CA Building Code (CBC), CA Mechanical Code (CMC), CA Plumbing Code (CPC), CA Electrical Code (CEC), CA Green Building Standards Code (CGBSC) and the 2016 CA Building Energy Efficiency Standards.
8. Soil engineer to certify existing two-story foundations are sufficient for the additional (3<sup>rd</sup>) story.
9. EV (electric vehicle) parking is required per Green Code when additional parking spaces are added.
10. EV (electric vehicle) stall(s) when provided must comply with California Building Code (CBC), Chapter 11B.
11. Existing built-up curb ramps at access aisles are to be removed and replaced to comply with current California Building Code (CBC), Chapter 11B.
12. All interior and exterior accessible routes shall comply with California Building Code (CBC) Chapter 11B.
13. New and existing stairs and elevator shall comply with the 2016 California Building Code (CBC), Chapters 10 and 11B.
14. Provide exiting analysis and show maximum and allowed travel distance(s).
15. Provide building height and area analysis per California Building Code (CBC), Chapter 5.

16. Provide maneuver clearance at all doors.
17. Single-user restroom(s) shall be identified as unisex restroom(s).
18. Door(s) in any position shall not reduce the required egress width by more than one-half.
19. Sink in employee lounge shall be provided with knee/toe clearance for forward approach and a 30 inch by 48 inch clear floor space shall be identified on plan.
20. All building permit applications applied on or after January 1, 2020, will be required to comply with the 2019 California Building Standard Codes.

**Public Works Engineering Division**

21. The applicant shall be subject to Traffic Mitigation Fees. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.

**Public Works Water Services Division**

22. If needed, new water service installations two inches (2") and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services three inches (3") and larger, shall be installed by developer/owner's contractor per City Standards.
23. Water meters shall be located within the City right-of-way. Fire services and large water services three inches (3") and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
24. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
25. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.

26. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
27. All fire service connections shall have above-ground backflow device with a double-check valve assembly per City standard plan B-773. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Division.
28. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests.
29. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
30. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
31. If needed, owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be six-inch (6") minimum diameter, extra strength VCP with wedgelock joints. Only one sewer connection per lot is allowed.
32. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

### **Fire Department**

33. The applicant shall ensure that the project/building complies with all life safety matters, as required by the Fire Department, which include, but not limited to: fire sprinklers, fire alarm, maximum occupancy, and emergency lighting throughout the building.

### **Community and Economic Development Department**

34. The approved site plan and floor plan are an integral part of the decision approving this Site Plan. There shall be no additional changes in the design of the site plan or floor plan without the approval of the Community and Economic Development Department, Planning Division. Any additional changes in the approved floor plan, which have the effect of expanding or intensifying the present use, shall require obtaining the proper entitlement(s).

- a. Should the City receive a proposal to change the use(s) of a tenant space(s), the applicant shall demonstrate compliance with all Municipal Code requirements, including, but not limited to, parking standards, any other requirements set forth in the California Building Code, and/or other related local, state, or federal requirements.
  - b. If, at any time, the subject site cannot accommodate the parking demand generated by the uses on the site, which causes a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, the applicant shall devise and implement a plan, prepared by a licensed traffic engineer and approved by the City, to relieve the situation. Upon written request by the City, the applicant shall to submit said plan to manage the parking issues for review and approval by the Community and Economic Development Department. The plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation. If the City's Community and Economic Development Director deems such action is necessary to address parking and circulation problems, such action must be implemented within 30 days of written notice. Failure to take appropriate action will be deemed a violation of the Conditions of Approval and may result in the City restricting the overall use of the subject site.
35. Exterior advertisements displays or exterior wall advertisements shall not be allowed.
  36. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.060 referred to as Noise Control, Special Noise Sources, for Construction of Buildings and Projects.
  37. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.
  38. The applicant / property owner shall comply with the adopted City Noise Ordinance.
  39. The building plans, including grading and development plans and all construction activity shall comply with the current editions of the California Building Regulations as found in the California Code of Regulations (CCR), Title 24, Parts 2 through 12 as adopted by the City of Garden Grove.

40. As a part of the finalized working drawings for the Planning Division, Engineering Division, and Building and Safety Division, the developer shall submit a detailed and dimensioned plot plan, floor plans, exterior elevations, and landscape plans that reflect the above conditions of approval. The plans shall indicate landscape materials, wall materials and building materials proposed for the project.
41. 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 Planning Division. Lighting in the common and parking areas shall be directed, positioned or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
42. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Division, for review and approval prior to submittal of plans for Building and Safety Division, Plan Check. The project shall also be subject to the following:
  - a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Division.
  - b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Division Services approves a method of screening complementary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the surrounding properties.
43. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
44. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
45. All on-site curbs, not associated with a parking space, shall be painted red.

46. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
  - a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
  - b. Property owners, tenants, employees, and business operators shall not store vehicles anywhere on the site.
  - c. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
47. The applicant shall work with the Planning Division to ensure that the proposed building colors, exterior finishes, and materials are architecturally compatible and match the existing building. The applicant shall submit the actual chip samples of the proposed paint colors to the Planning Division for review and approval.
48. The existing parking license agreement between the applicant/licensee, Dr. Michael Dao and the licensor, City of Garden Grove, which was originally executed on February 24, 2004, shall continue to be in full force and effect, per the terms outlined in the license agreement.
49. A copy of the resolution approving Site Plan No. SP-070-2019 and Variance No. V-023-2019, including these Conditions of Approval, shall be kept on the premises at all times.
50. The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-070-2019 and Variance No. V-023-2019, and his/her agreement with all conditions of the approval.
51. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-070-2019 and Variance No. V-023-2019. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

52. It shall be the applicant's responsibility to verify that any building or site improvements do not impermissibly interfere with any recorded easements on the subject property or the adjacent properties.
53. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. The applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-070-2019 and Variance No. V-023-2019, has begun.



# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.2.	<b>SITE LOCATION:</b> West side of Nelson Street, north of Stanford Avenue, located at 12671 and 12701 Nelson Street
<b>HEARING DATE:</b> July 18, 2019	<b>GENERAL PLAN:</b> Medium Density Residential
<b>CASE NO.:</b> Site Plan No. SP-071-2019	<b>ZONE:</b> CCSP-PR11 (Community Center Specific Plan - Peripheral Residential District)
<b>APPLICANT:</b> Saint Columban Church	<b>CEQA DETERMINATION:</b> Exempt, CEQA Guidelines § 15301 (Existing Facilities)
<b>PROPERTY OWNER:</b> Same as applicant	<b>APN NO.:</b> 089-101-34

**REQUEST:**

A request by Saint Columban Church, located at 10801 Stanford Avenue, for Site Plan approval to convert two (2) existing single-family dwellings, located across Nelson Street at 12671 and 12701 Nelson Street, on an approximately 21,760 square foot lot, into 3,007 square feet of additional church office and meeting space.

**BACKGROUND:**

Saint Columban Church was established in 1955 prior to the incorporation of the City of Garden Grove in 1956. Over the years, alterations and additions have been made to the site as the community grew. In 1965, Saint Columban Church obtained City approvals to construct the main church building, which is located on the northeast corner of Stanford Avenue and Nelson Street. The church also acquired the subject properties located at 12671 and 12701 Nelson Street, which are developed with two (2) single-family homes. In 1999, the church requested to amend the Community Center Specific Plan (CCSP) to allow parking lots in the Peripheral Residential District under Conditional Use Permit No. CUP-454-99 to improve the subject site with a parking lot; however, the church withdrew the request noting the parking lot design as inefficient. The church also indicated that plans to acquire additional surrounding properties were planned for the near future.

In 2006, the property immediately to the west of the subject site was developed with small-lot, single-family residential subdivision homes under Planned Unit Development No. PUD-111-06. Prior to the development of the homes, Saint Columban Church was using the site for overflow parking. The developer exchanged the property at 12692 Nelson Street, which is immediately adjacent to the church, for a portion of the site where the small-lot, single-family residential subdivision homes were built. The exchange allowed the church to expand their parking lot and provided easier access for the church members.

The church has retained ownership of what is today the subject 21,760 square foot lot. The church has made use of the property for overflow parking, and has been using the two single-family dwellings as additional office space, without City approvals. Therefore, the applicant is proposing to convert the two existing single-family homes as additional 3,007 square feet of office and meeting space, along with parking and landscaping improvements to support the change in use.

The subject property is located on the west side of Nelson Street, north of Stanford Avenue. The site has a General Plan Land Use designation of Medium Density Residential and is zoned Community Center Specific Plan - Peripheral Residential District 11 (CCSP-PR). The property abuts AR (Adaptive Reuse) zone properties to the south developed with residential uses, a small-lot single-family residential subdivision development to the west zoned Planned Unit Development No. PUD-111-06, a CCSP-PR zoned property to the north, and to the east, across Nelson Street, where Saint Columban Church is located.

The subject 21,760 square foot property is developed as follows:

<b>Address</b>	<b>Building Area</b>	<b>Other Structures</b>
<b>12671 Nelson Street</b> (structure to the north)	2,125 S.F.	630 S.F. (patio cover)
<b>12701 Nelson Street</b> (structure to the south)	882 S.F.	285 S.F. (trellis)
<b>Total</b>	<b>3,007 S.F.</b>	<b>915 S.F.</b>

A drive aisle is centrally located between the two existing buildings, with access through a rolling gate to the parking located at the rear. The 2,125 square foot building, located at 12671 Nelson Street, has a detached patio cover built without permits. The 882 square foot building, located at 12701 Nelson Street, has a freestanding wood trellis built in 2007 with proper City approval.

The property is noncompliant to code in regard to landscaping, parking, accessibility, and refuse storage size and location. In addition, the patio cover at 12671 Nelson Street was built too close to the northern property line. Therefore, the proposal includes improvements to comply with the requirements of the CCSP-PR zone, and include a fully landscaped front yard setback area, parking area landscape planters, re-striping of parking spaces, a new trash enclosure, partial demolition of the patio cover to meet the required ten-foot setback, and interior and exterior accessibility upgrades to comply with the Americans with Disabilities Act (ADA). Additional improvements to the exterior of the buildings include new patch, repair, and paint of the stucco finishes and new window trim.

The CCSP-PR11 zone allows churches with ancillary office uses by right, however, the Community Center Specific Plan requires Site Plan approval for all rehabilitation, redevelopment, and expansion or intensification of existing uses or structures. Therefore, the applicant is requesting Site Plan approval to properly improve the site and to change the occupancy of the two existing homes to meeting and office space for the existing church across Nelson Street.

**DISCUSSION:**

Site Design, Circulation, and Parking:

The applicant proposes to convert the existing two single-family homes located to the west of Saint Columban Church, across Nelson Street, as additional ancillary office and meeting space. In addition, the applicant proposed site improvements, including new landscaping, a new trash enclosure, upgrades to the parking area, and improvements to the buildings to comply with the American with Disabilities Act (ADA) to support the change in occupancy. The existing unpermitted patio cover on the northerly side of the property will also be partially demolished to meet the required ten-foot side setback.

The site will maintain the existing two-way 30'-0" drive approach, which is accessed along Nelson Street. Four (4) parking spaces can be accessed on the south side of the drive aisle, toward the front of the site. The remaining thirteen (13) parking spaces are located at the rear of the property along the west side of the site.

The existing buildings were built to meet the required front setback of the CCSP-PR zone, which is a minimum of 15 feet. The existing structure on the north side of the property does not meet the required ten-foot side setback; however, the building is existing, legal nonconforming, and will not be required to be modified to meet the required side setback. Additional square footage is not being proposed to any of the two main structures, therefore, the structures may remain in their existing location; however, modifications to the existing unpermitted freestanding patio cover on the north side of the property are required to meet the required ten-foot side setback.

Although the existing site is improved with a trash enclosure, it is no longer conforming to the requirements of the City's Public Works Department. Therefore, the applicant in proposing a new trash enclosure to meet the City's Standard Detail (B-502) for refuse storage enclosures. The proposed trash enclosure will also be located on the south side of the drive aisle.

The site currently has twenty (20) parking spaces; however, the parking stalls do not meet the minimum standard sizes, the parking area is deficient in landscaping, and two (2) parking spaces are located within the required front 15 foot setback area. To design the parking to meet City standards, the total number of parking spaces will be reduced to twelve (12) after the addition of parking landscape planters and the removal of the parking spaces within the front setback area. Per the City's Municipal Code, parking is to be provided at a rate of one (1) parking space per 250 square feet of gross floor area for ancillary offices for churches. The minimum number of required parking spaces is twelve (12), therefore, the project complies with the minimum parking requirements per the City's Municipal Code. The parking breakdown per building is as follows:

Address	Building Area	Proposed Parking
<b>12671 Nelson Street</b> (structure to the north)	2,125 S.F.	8.5 Spaces
<b>12701 Nelson Street</b> (structure to the south)	882 S.F.	3.5 Spaces
<b>Total</b>	<b>3,007 S.F.</b>	<b>12 Spaces</b>

Floor Plan Design:

The proposed modifications to the existing buildings consist of mostly interior improvements to remove the existing bedrooms to allow for new offices and meeting spaces for Saint Columban Church, and to comply with ADA requirements. The building to the south will consist of a meeting room, a unisex bathroom, a janitor's closet, and a kitchen area. Exterior modifications include new windows, new roofing, patch and repair of the stucco, and new paint. The building on the north side of the site is proposed to consist of four (4) offices, a women's bathroom, a men's bathroom, a kitchen, a storage room, an IT room, a work room, and a reception/meeting room. Exterior modifications are not being proposed to this building. Conditions of approval require that the two buildings match in color for consistency within the two structures.

Landscaping:

The CCSP-PR zone requires landscaping within the front 15 foot setback area and planters at the ends of parking rows and around the perimeter of parking areas. In addition, a minimum of 12% of landscaping is required within the site. The applicant proposes to provide landscaping in the front setback areas that are currently paved, as well as landscape planters at the ends of each parking row. To the fullest extent possible, to allow for vehicle backup, the design proposes landscape planters along the perimeter of the parking area. In total, the applicant proposes a total of 21% of the site landscaped. The design proposes various drought tolerant shrubs, flowering accent trees, and shade trees.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 5958-19 approving Site Plan No. SP-071-2019, subject to the recommended Conditions of Approval.

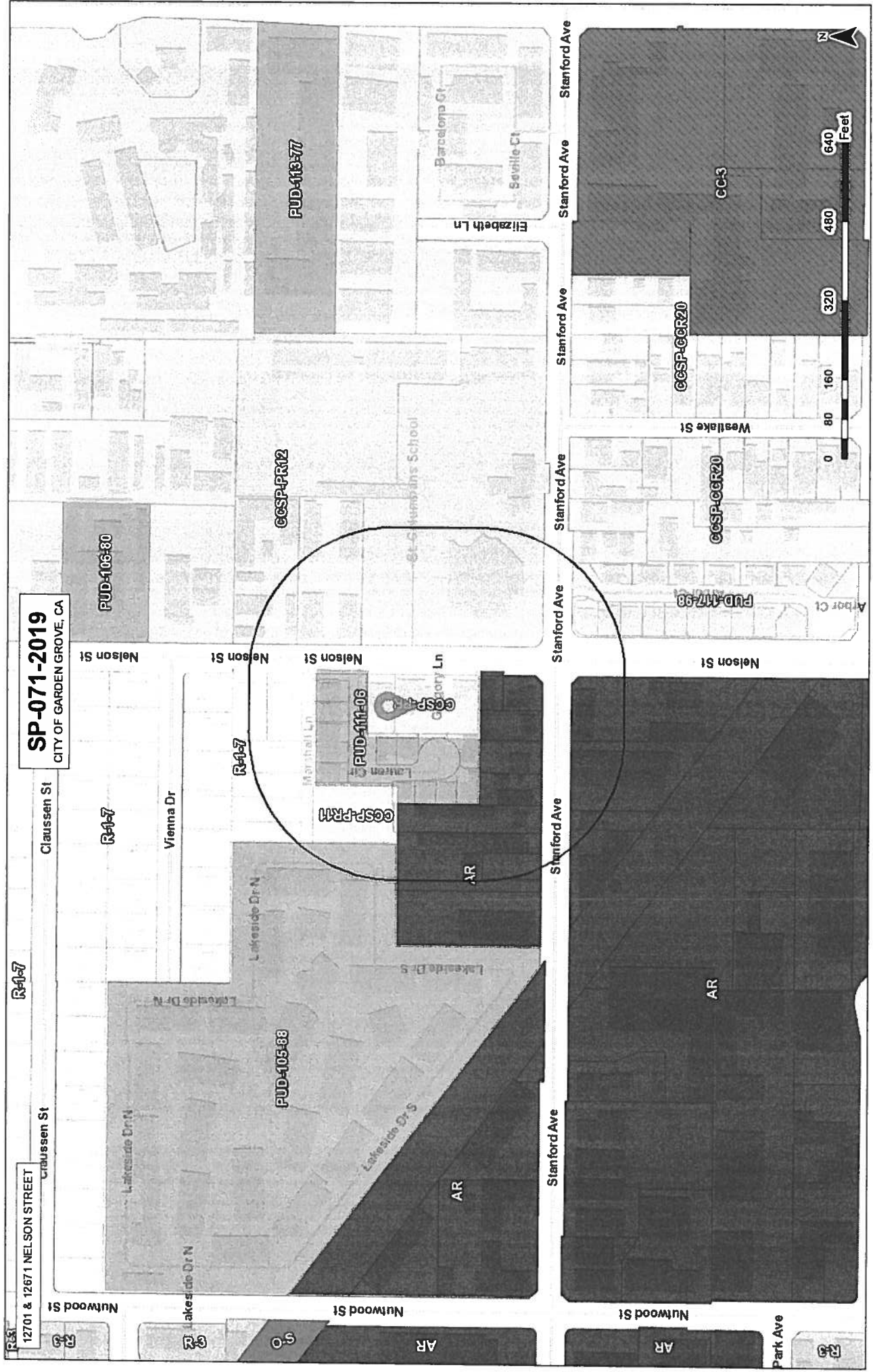


LEE MARINO  
Planning Services Manager



By: Mary Medrano  
Associate Planner

**SP-071-2019**  
CITY OF GARDEN GROVE, CA



R-1-7

Claussen St

R-1-7

Vienna Dr

12701 & 12671 NELSON STREET

Claussen St

R-1-7

R-1-7

SO

R-1-7

R-1-7

PUD-105-88

CCSP-PR12

PUD-113-77

CCSP-PRM

PUD-111-06

PUD-106-80

CCSP-CCR20

CCSP-CCR20

CC-3

CCSP-CCR20

AR

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Stanford Ave

Stanford Ave

Stanford Ave

Stanford Ave

Stanford Ave

Stanford Ave

Nutwood St

Nelson St

Weillake St

Arbor Ct

CC-3

CC-3

Park Ave

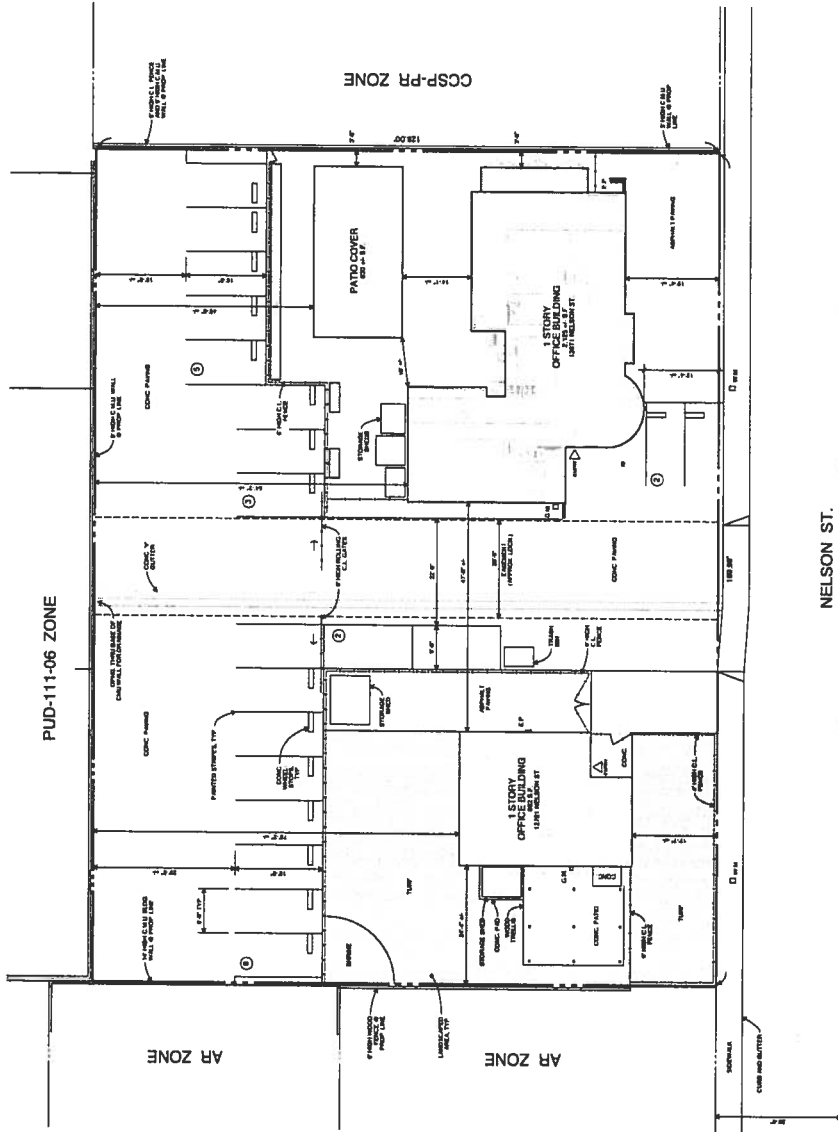
R-3

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**AREA SUMMARY**

NET LOT AREA: 21,760 S.F. (0.50 AC.)  
 ZONING: CCSP-PR  
 BUILDING AREA: 2,125 S.F.  
 12671 NELSON ST. 630 S.F.  
 12701 NELSON ST. 882 S.F.  
 PATIO COVER 285 S.F.  
 TRELLIS 3,922 S.F.  
 TOTAL BUILDING AREA 18.02 %  
 LOT COVERAGE 2,783 S.F. (12.78 %)  
 LANDSCAPED AREA 20 SPACES



REVISIONS

**Proposed Design:** The drawings, specifications, and conditions of contract are prepared by James Free, Inc. and are intended to be used in conjunction with the proposed design. The drawings, specifications, and conditions of contract are not to be used for any other purpose without the written consent of James Free, Inc. The drawings, specifications, and conditions of contract are not to be used for any other purpose without the written consent of James Free, Inc. The drawings, specifications, and conditions of contract are not to be used for any other purpose without the written consent of James Free, Inc. The drawings, specifications, and conditions of contract are not to be used for any other purpose without the written consent of James Free, Inc.

**Proposed New Parish Offices**  
 12671 Nelson Street  
 12701 Nelson Street



Diocese of Orange  
 Mgr. Tamm Joseph Pham, Pastor  
 10061 Standard Ave.  
 Garden Grove, CA 92640

**JAMES FREE, INC.**  
 ARCHITECTURE  
 10061 Standard Ave.  
 Garden Grove, CA 92640  
 (714) 635-1111  
 www.jamesfree.com



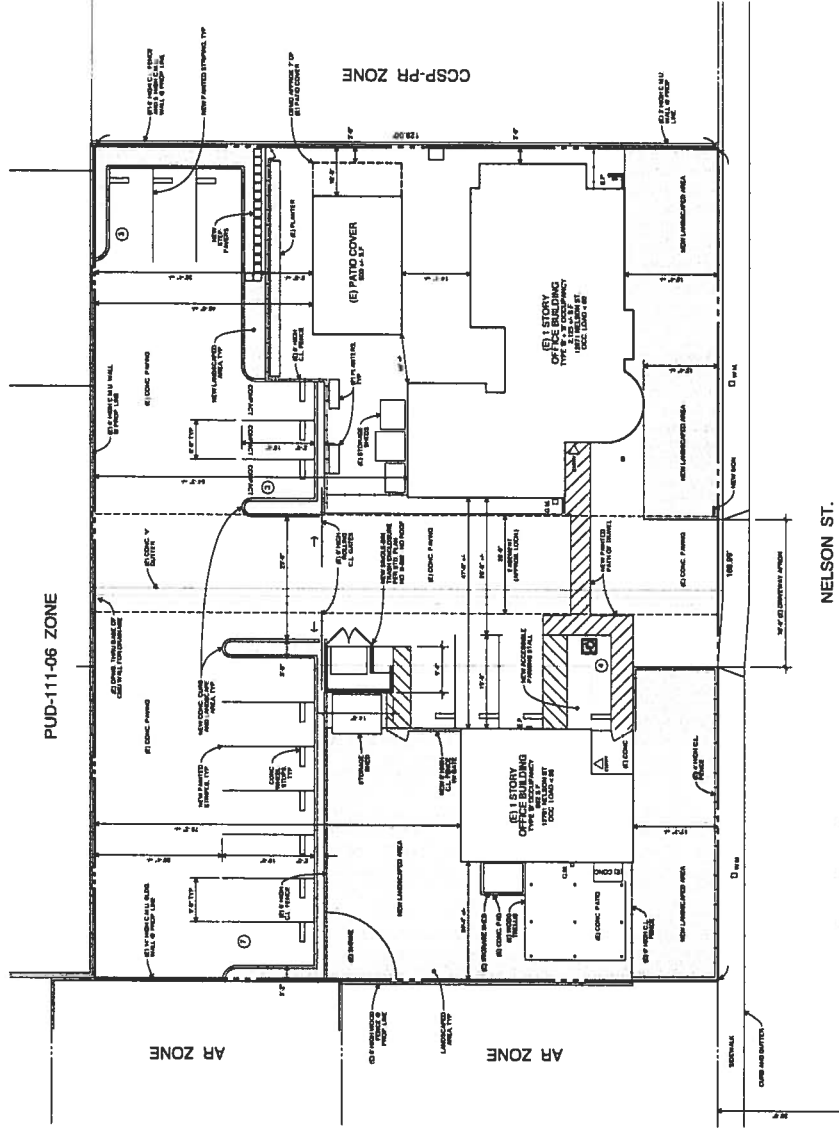
DATE	PLANS	NO.	STATUS
SCALE	1" = 10'-0"		
DATE	NO.	STATUS	
DATE	NO.	STATUS	
DATE	NO.	STATUS	

6

ST. COLUMBAN CATHOLIC CHURCH PROPERTY  
 CCSP-PR ZONE  
 NELSON ST.  
 CCSP-PR ZONE  
 PLOT PLAN - EXISTING  
 1" = 10'-0"

**AREA SUMMARY**

NET LOT AREA: 21,760 S.F. (0.50 AC.)  
 ZONING: CCSP-PR  
 BUILDING AREA: 882 S.F.  
 12671 NELSON ST. 285 S.F.  
 12701 NELSON ST. 2,125 S.F.  
 TRELLIS 500 S.F.  
 PATIO COVER 3,792 S.F.  
 TOTAL BUILDING AREA 17.42 %  
 LOT COVERAGE 4,704 S.F. (21.61 %)  
 LANDSCAPED AREA  
 PARKING:  
 COMPACT STALLS 3 (20%)  
 STANDARD STALLS 14  
 ACCESSIBLE STALL 1  
 TOTAL SPACES PROVIDED 17  
 TOTAL SPACES REQUIRED 13  
 (1 STALL FOR EVERY 250 S.F. 3,007 / 250) = 12.02



ST. COLUMBAN  
 CATHOLIC CHURCH  
 PROPERTY

CCSP-PR ZONE



PLOT PLAN - PROPOSED  
 1" = 1/8"'

6

**REVISIONS**

NO.	DATE	DESCRIPTION
1		
2		
3		

Proposed Design: The drawings, specifications, and conditions of contract shall be read and understood by the contractor before construction begins. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for maintaining access to all existing utilities and structures. The contractor shall be responsible for protecting all existing structures and utilities. The contractor shall be responsible for maintaining the site in a safe and sound condition at all times. The contractor shall be responsible for removing all construction materials and debris from the site. The contractor shall be responsible for restoring the site to its original condition or better. The contractor shall be responsible for all costs associated with the construction of the proposed design. The contractor shall be responsible for all costs associated with the construction of the proposed design. The contractor shall be responsible for all costs associated with the construction of the proposed design.

**Proposed  
 New Parish  
 Offices**  
 12671 Nelson Street  
 and  
 12701 Nelson Street



Diocese of Orange  
 Mgr. Tom Joseph Plummer, Pastor  
 18801 Stanford Ave.  
 Garden Grove, CA 92640

**JAMES FREE, INC.**  
 ARCHITECTURE  
 18801 Stanford Ave.  
 Garden Grove, CA 92640  
 (714) 634-1111  
 www.jamesfree.com

DATE	REVISION	BY

**A1.1**

1/11/20

REVISIONS

Proposed Office, The design, develop, and construction of the building is subject to the approval of the City of San Francisco Planning Department. The design and construction of the building is subject to the approval of the City of San Francisco Planning Department. The design and construction of the building is subject to the approval of the City of San Francisco Planning Department.

Proposed  
New Parish  
Offices  
12671 Nelson Street  
and  
12701 Nelson Street



Diocese of Orange  
Mgr. Tuan Joseph Pham, Pastor  
10601 Stanford Ave.  
Garden Grove, CA 92640

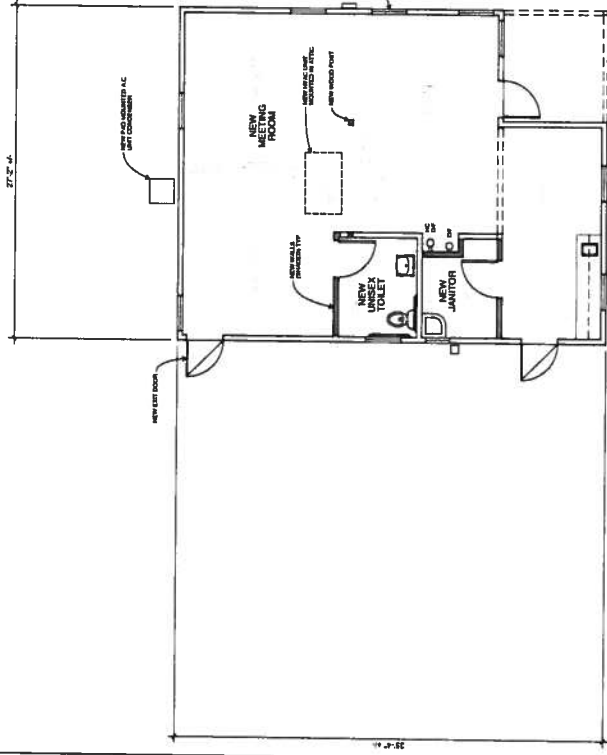
JAMES FREE, INC.  
ARCHITECTURE

10000 California Blvd.  
Suite 100  
San Diego, CA 92121  
Tel: 619-594-1111  
Fax: 619-594-1112  
www.jamesfree.com

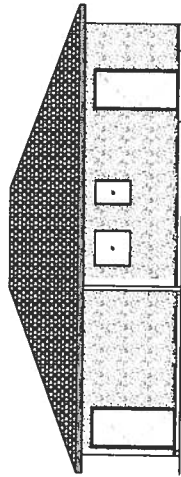
DATE	REVISION	BY	DATE

A2.1

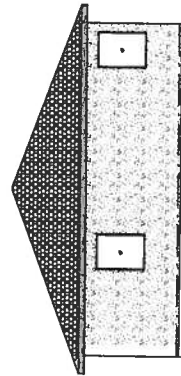
1/16" = 1'-0"



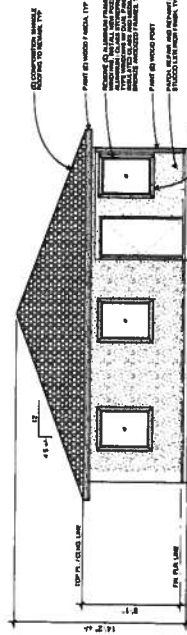
FLOOR PLAN - PROPOSED SCHEME 'A' 12701 NELSON AVE. 882 +/- SQ. FT.



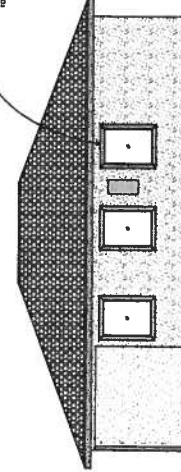
SOUTH (RIGHT SIDE) ELEVATION



WEST (REAR) ELEVATION



EAST (FRONT) ELEVATION



NORTH (LEFT SIDE) ELEVATION

EXTERIOR ELEVATIONS - PROPOSED

1/16" = 1'-0"

4

6







RESOLUTION NO. 5958-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-071-2019 FOR PROPERTY LOCATED AT 12671 AND 12701 NELSON STREET, ASSESSOR'S PARCEL NO. 089-101-34.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on July 18, 2019, hereby approves Site Plan No. SP-071-2019 for a property located on the west side of Nelson Street, north of Stanford Avenue, at 12671 and 12701 Nelson Street, Assessor's Parcel No. 089-101-34.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-071-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Saint Columban Church (the "applicant").
2. The applicant is requesting Site Plan approval to convert two existing single-family dwellings, located across Nelson Street at 12671 and 12701 Nelson Street, on an approximately 21,760 square foot lot, into 3,007 square feet of additional office and meeting space for Saint Columban Church.
3. The City of Garden Grove has determined that this project is categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Regs., Section 15301).
4. The property has a General Plan Land Use designation of Medium Density Residential and is zoned CCSP-PR11 Community Center Specific Plan - Peripheral Residential (PR) District 11. The site is improved with two (2) existing single-family dwellings, located across from Saint Columban Church, being requested to be converted into an additional combined 3,007 square feet of office and meeting space for the church.
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 July 18, 2019, 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 July 18, 2019; 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 9.32.030 are as follows:

FACTS:

Saint Columban Church was established in 1955 prior to the incorporation of the City of Garden Grove in 1956. Over the years, alterations and additions have been made to the site as the community grew. In 1965, Saint Columban Church obtained City approvals to construct the main church building, which is located on the northeast corner of Stanford Avenue and Nelson Street. The church also acquired the subject properties located at 12671 and 12701 Nelson Street, which are developed with two (2) single-family homes. In 1999, the church requested to amend the Community Center Specific Plan (CCSP) to allow parking lots in the Peripheral Residential District under Conditional Use Permit No. CUP-454-99 to improve the subject site with a parking lot; however, the church withdrew the request noting the parking lot design as inefficient. The church also indicated that's plans to acquire additional surrounding properties were planned for the near future.

In 2006, the property immediately to the west of the subject site was developed with small-lot, single-family residential subdivision homes under Planned Unit Development No. PUD-111-06. Prior to the development of the homes, Saint Columban Church was using the site for overflow parking. The developer exchanged the property at 12692 Nelson Street, which is immediately adjacent to the church, for a portion of the site where the small-lot, single-family residential subdivision homes were built. The exchange allowed the church to expand their parking lot and provided easier access for the church members.

The church has retained ownership of what is today the subject 21,760 square foot lot. The church has made use of the property for overflow parking, and has been using the two single-family dwellings as additional office space, without City approvals. Therefore, the applicant is proposing to convert the two existing single-family homes as additional 3,007 square feet of office and meeting space, along with parking and landscaping improvements to support the change in use.

The subject property is located on the west side of Nelson Street, north of Stanford Avenue. The site has a General Plan Land Use designation of Medium Density Residential and is zoned Community Center Specific Plan - Peripheral Residential District 11 (CCSP-PR). The property abuts AR (Adaptive Reuse) zone properties to the south developed with residential uses, a small-lot single-family residential subdivision development to the west zoned Planned Unit Development No. PUD-111-06, a CCSP-PR zone property to the north, and to the east, across Nelson Street, where Saint Columban Church is located.

The CCSP-PR11 zone allows churches with ancillary office uses by right, however, the Community Center Specific Plan requires Site Plan approval for all rehabilitation, redevelopment, and expansion or intensification of existing uses or structures. Therefore, the applicant is requesting Site Plan approval to properly improve the site and to change the occupancy of the two existing homes to meeting and office space for the existing church across Nelson Street.

**FINDINGS AND REASONS:**

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

The property has a General Plan land use designation of Medium Density Residential and is zoned CCSP-PR Community Center Specific Plan - Peripheral Residential (PR) District 11. The CCSP-PR zone has two primary functions. First, it serves as a residential neighborhood. Second, the district serves as a transitional area between the highly developed Core Residential Area of the specific plan and less urban development outside of the specific plan area. The zone allows for residential uses, as well as churches. The proposal includes a request by Saint Columban Church, located at 10801 Stanford Avenue, for Site Plan approval to convert two (2) existing single-family dwellings, located across Nelson Street at 12671 and 12701 Nelson Street, on an approximately 21,760 square foot lot, into 3,007 square feet of ancillary office and meeting space. The project is designed to comply with the development standards of the CCSP-PR zone, and complies with the required parking, setbacks, and landscaping.

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 proposal includes a request by Saint Columban Church, located at 10801 Stanford Avenue, for Site Plan approval to convert two (2) existing single-family dwellings, located across Nelson Street at 12671 and 12701 Nelson Street, on an approximately 21,760 square foot lot, into 3,007 square feet of additional office and meeting space. The site's parking will be made to comply with minimum parking stall dimensions, minimum backup distances, and the parking count will meet the minimum required by the City's Municipal Code for office and meeting space uses to support the change in use.

The site will maintain the existing two-way 30'-0" drive approach, which is accessed along Nelson Street. The site currently has twenty (20) parking spaces. To design the parking to meet City standards, the total number of parking spaces will be reduced to twelve (12) after the addition of parking landscape planters and the removal of the parking within the front setback

area. Per the City's Municipal Code, parking is to be provided at a rate of one (1) parking space per 250 square feet of gross floor area to convert the buildings to ancillary offices and meeting space for the church. The minimum number of required parking spaces is twelve (12), therefore, the project complies with the minimum parking requirements per the City's Municipal Code.

The City's Traffic Engineering Section has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to minimize any impacts to surrounding streets.

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

The utilities, drainage channels, and streets in the area are existing and adequate to accommodate the change in occupancy of the existing structures, and all appropriate conditions of approval will minimize any impacts to surrounding streets. The proposed modifications will not affect on-site drainage.

4. The proposed project will not adversely impact the Public Works Department ability to perform its required function.

The Public Works Department has reviewed the project, and all appropriate conditions of approval to improve the site have been included. Furthermore, issues raised by the project have been addressed in the project design and the conditions of approval.

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

The subject property is located on the west side of Nelson Street across from Saint Columban Church, and north of Stanford Avenue. The property is surrounded by residential and church uses. The site is improved with two (2) existing single-family dwellings that are being proposed to be converted into additional office and meeting space for the church. The church has made use of the property for overflow parking, and has been using the two single-family dwellings as additional office space, without City approvals. Modifications are being proposed to the site and to the buildings to support the change in use. The proposed modifications will enhance the overall site's appearance, and compliment other improvements in the immediate vicinity. The project will provide the required landscape treatment along Nelson Street that is consistent with the CCSP-PR zone. The improvements have been designed in accordance with Title 9 of the Municipal Code and the CCSP-PR zone, and comply with the required setbacks, parking, and landscaping.

6. 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 project will provide landscaping along Nelson Street, within the setbacks, and within the interior of the property that complies with the landscaping requirements of Title 9 of the Municipal Code. This includes providing trees, ground cover, and shrubs, along with providing additional landscaping within the parking lot and with the landscaped setback areas to comply with the code.

#### 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 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
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-071-2019.

## **EXHIBIT "A"**

### **Site Plan No. SP-071-2019**

12671 and 12701 Nelson Street

### **CONDITIONS OF APPROVAL**

#### **GENERAL CONDITIONS**

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. This Site Plan approval runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Saint Columban Church, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the applicable City hearing body, except as otherwise provided herein.
3. Approval of this Site Plan 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.
4. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project, approved site plan, floor plan, and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where otherwise expressly specified in the individual condition.



**Public Works Engineering Division**

6. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.

**Public Works Water Services Division**

7. The sewer in this location is capacity sufficient.
8. If applicable, new water service installations 2" and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3" and larger, shall be installed by developer/owner's contractor per City Standards.
9. Water meters shall be located within the City right-of-way. Fire services and large water services 3" and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
10. No water connection is allowed to the 6" water main running between the two buildings, within City easement crossing private property. All new connections shall tie into the 12" PVC main on Nelson St.
11. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
12. If applicable, there shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.
13. If applicable, there shall be no structures or utilities built on or crossing water or sewer main easements.

14. New utilities shall have a minimum five-foot horizontal and a minimum one-foot vertical clearance from water main and appurtenances.
15. There shall be a minimum clearance from sewer main and water main of ten feet from outside of pipe to outside of pipe.
16. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
17. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
18. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
19. If needed, owner shall install new private sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedge lock joints. Only one sewer lateral per lot is allowed.
20. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

**Building and Safety Division**

21. Applicant to hire CASp (Certified Access Specialist) to assist with design.
22. Applicant to fully comply with CBC (California Building Standards Code) Chapter 11B (Accessibility to Public Buildings) for interior and exterior improvements.
23. Applicant to provide structural design calculations for new live load if the existing structures are on raised floor.
24. Applicant to fully comply with 2019 CBC (California Building Standards Code) if building permit is applied for on or after January 1<sup>st</sup>, 2019.

**Community and Economic Development Department**

25. The approved site plan and floor plan are an integral part of the decision approving this Site Plan for the conversion of single family dwellings into new office and meeting space for Saint Columban Church. There shall be no additional changes in the design of the site plan or floor plan without the approval of the Community and Economic Development Department, Planning Division. Any additional changes in the approved floor plan, which

- have the effect of expanding or intensifying the present use, shall require obtaining the proper entitlement(s).
26. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.
  27. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from 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.
  28. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
  29. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
  30. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
  31. Exterior advertisement displays or exterior wall advertisements shall not be allowed.
  32. Permitted hours and days of construction and grading shall be as follows, and all work shall be comply with the noise regulations set forth in Chapter 8.47 of the City of Garden Grove Municipal Code:
    - a. Monday through Saturday - not before 7 a.m. and not after 10 p.m. (of the same day).
  33. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol,

natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.

34. The applicant/property owner shall comply with the adopted City Noise Ordinance.
35. As a part of the finalized working drawings for the Planning Division, Engineering Division and Building and Safety Division, the developer shall submit a detailed and dimensioned plot plan, floor plans, and exterior elevations that reflect the above conditions of approval.
36. 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 Planning Division. Lighting in the common and parking areas shall be directed, positioned or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
37. The applicant shall submit a complete landscape plan governing the entire site for review and approval by the Community and Economic Development Department prior to building permit issuance. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code as well as provisions of the State of California concerning drought tolerant landscape measures (Landscape Water Efficiency Guidelines). Said plan shall include type, size, location and quality of all plant material. This includes enhanced landscaping for the walkway areas. The plan shall include an irrigation plan, and staking and planting specification. The landscape plan is subject to the following:
  - a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  - b. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscape plan in order to ensure proper landscape screening will be provided for these equipment/apparatuses.
  - c. The applicant shall be responsible for the installation and maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to within the public right-of-way.

- d. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon. The remaining five percent (5%) may be of any size. All proposed trees shall be non-fruit bearing, evergreen trees that require minimal maintenance.
  - e. No trees shall be planted closer than five feet (5') from the public right-of-way. Trees planted within fifteen feet (15') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages, adjacent to driveways, shall be of the low-height variety to ensure safe sight clearance.
  - f. Landscaping on-site shall be compatible with, and to the extent feasible, match the existing landscaping within the site.
38. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Division, for review and approval prior to submittal of plans for Building and Safety Division, Plan Check. The project shall also be subject to the following:
- a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Division.
  - b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Division Services approves a method of screening complementary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the surrounding properties.
39. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
40. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
41. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:

- a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes. All work shall be done within the wholly enclosed building.
  - b. All drive aisles on-site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles from obstructing access to emergency vehicles.
42. The applicant shall work with the Planning Division to ensure that the proposed building colors are appropriate and compatible. All exterior finishes of the two buildings shall match in color, including, but not limited to, fascia, window trim, roofing material, etc. The applicant shall submit the actual chip samples of the proposed paint colors to the Planning Division for review and approval.
43. Approval of this project is for ancillary office use within the buildings located at 12671 and 12701 Nelson Street for the church located at 10801 Stanford Avenue only. The offices shall not be leased separately or be used as offices that are not ancillary to the church. If the approved church use ceases operation, any proposed use of the subject structures shall be subject to the allowable uses within the CCSP-PR (11) zone.
44. A copy of the resolution approving Site Plan No. SP-071-2019, including these Conditions of Approval, shall be kept on the premises at all times.
45. The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-071-2019, and his/her agreement with all conditions of the approval.
46. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-071-2019. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

47. It shall be the applicant's responsibility to verify that any building or site improvements do not impermissibly interfere with any recorded easements on the subject property or the adjacent properties.
48. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the uses and development authorized by this approval of Site Plan No. SP-071-2019 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-071-2019 shall expire if the building permits for the project expire.