

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: North side of Chapman Avenue, east side of Gilbert Street, near the intersection of Chapman Avenue and Gilbert Street
HEARING DATE: April 7, 2022	GENERAL PLAN LAND USE DESIGNATION: Residential/Commercial Mixed Use 2
CASE NO: Amendment No. A-034-2022, Site Plan No. SP-108-2022, Conditional Use Permit No. CUP-218-2022	ZONING: NMU (Neighborhood Mixed Use)
APPLICANT: Andresen Architecture Inc.	CEQA DETERMINATION: Exempt
PROPERTY OWNER(S): Hewson/Howard G.C., LLC	APNs: 132-402-20

REQUEST:

A request for (1) a zoning text amendment to allow "Automobile Fleet Storage" as a conditionally permitted use in the NMU (Neighborhood Mixed Use) zone in conjunction with an existing new car dealership located within the City of Garden Grove, subject to specified Special Operating Conditions and Development Standards; (2) Site Plan approval to improve an existing vacant property (Assessor's Parcel No. 132-402-20) with a new automobile fleet storage lot; and (3) Conditional Use Permit approval to allow the use of a new automobile fleet storage lot, operated by the existing Chevrolet dealership in Garden Grove (located at 10150 Trask Avenue), on the vacant property for the temporary storage of new automobiles.

BACKGROUND:

The subject site is a 1.7-acre vacant lot, oriented diagonally, with frontage along the north side of Chapman Avenue and along the east side of Gilbert Street, located near the intersection of Chapman Avenue and Gilbert Street. The site was a portion of a former Pacific Electric Right-of-Way, which bisected the City of Garden Grove running through, or along, major commercial centers and residential areas. Since its abandonment as an operating rail line in the early 1970s, the right-of-way had presented a linear void to the community, which had created areas of blight along the corridor. The right-of-way was purchased by the Orange County Transit District (now known today as the Orange County Transit Authority (OCTA)) in 1982 as a component in an overall transit network with future plans to link areas in Los

Angeles County with Orange County cities. In 1990, the Orange County Transit District, and the former Garden Grove Agency for Community Development, had entered into an agreement for the purchase and joint use development of portions of the right-of-way running through Garden Grove. The agreement was made in part, at the time, to facilitate various areas of development in Garden Grove that ran along, or near the right-of-way, corridor such as commercial centers near Garden Grove Boulevard and Euclid Street, and Chapman Avenue and Brookhurst Street. The agreement provided for permanent underground, and above-ground, easements for transit purposes within the right-of-way while allowing for restricted surface development. Any future development, including parking lots, would be subject to removal or modification during the construction phase of a future transit system. The intent of the agreement, in part, was to assure the long term development of the corridor for transit-related purposes would not be precluded by any future uses.

In 2000, an easement was recorded to allow a thirty-foot (30'-0") wide private road, located at the southern end of the subject property, fronting Chapman Avenue, with adjoining landscaping and signage improvements, to provide additional vehicular access to the adjacent shopping center located to the north/east. This private road access easement area will remain as-is as part of the proposed project with no proposed modifications.

In 2005, the property owner purchased the subject property from the Garden Grove Agency for Community Development. The property has since been vacant. In 2012, the City of Garden Grove completed a comprehensive re-zoning effort throughout various areas of the City by establishing new mixed use zoning, in part, to spur additional development opportunities and flexibility. Even with the new mixed use zoning in effect, the property owner has had difficulty finding a long-term, and suitable use, for the property, due primarily to the surface development restrictions on the property (e.g., inability to develop the property with permanent buildings).

The site is zoned NMU (Neighborhood Mixed Use) and has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2. The property abuts NMU zoned properties to the north, east, and across Chapman Avenue, to the south, and O-S (Open Space) and R-3 (Multiple-Family Residential) zoned properties, across Gilbert Street, to the west.

DISCUSSION:

AMENDMENT:

The applicant is proposing to develop a portion of the existing vacant property with a new automobile fleet storage lot. "Automobile Fleet Storage" is defined as a paved area(s), enclosed or open, for the storage or maintaining of automobiles for a period of time in excess of 72 hours. "Automobile Fleet Storage" is currently permitted in the following zones: the C-3 (Heavy Commercial) zone as a

conditionally permitted use (Conditional Use Permit required); and the M-1 (Light Industrial) zone as an automatically permitted use (No Conditional Use Permit required).

Currently, "Automobile Fleet Storage" is not a listed permitted use (whether automatically permitted or conditionally permitted) in the NMU (Neighborhood Mixed Use) zone (or in any other mixed use zones). In order to facilitate the development of the proposed automobile fleet storage lot, text amendments to Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Municipal Code are necessary to establish "Automobile Fleet Storage" as a conditionally permitted use in the NMU zone, as well as to establish Special Operating Conditions and Development Standards applicable to said use.

The proposed amendment would allow "Automobile Fleet Storage" as a conditionally permitted use in the NMU (Neighborhood Mixed Use) zone for the storage of new automobiles, provided the use is conducted only in conjunction with an existing new car dealership within the City of Garden Grove. Automobile fleet storage uses would also be subject to the following special operating conditions and development standards:

- A. *Automobile fleet storage shall only be permitted on sites zoned NMU (Neighborhood Mixed Use) that are also within the Pacific Electric/OCTA (Orange County Transportation Authority) Right-of-Way.*
- B. *Automobile fleet storage shall not be located directly adjacent to, or abutting, residentially zoned and developed properties.*
- C. *A Site Plan and Conditional Use Permit shall be required, pursuant to Municipal Code Section 9.32.030.*
- D. *On-site vehicle storage or maintenance shall be limited to new automobiles. There shall be no storing or maintaining of used automobiles, inoperable automobiles, or automobiles in a wrecked or dismantled condition.*
- E. *The automobile fleet storage lot shall be secured by a perimeter fence or wall with a minimum height of six feet, but not to exceed eight feet, and shall also include a vehicular access gate(s) providing access to a public street(s). Site access, for vehicular ingress and egress, shall be limited to principal, major, primary, or secondary arterial streets, as identified in the City's Master Plan of Streets and Highways. There shall be no access to residential streets or adjacent properties. The perimeter fence/wall and the location of any vehicular access gate(s) shall be subject to review and approval by the Planning Division and the Public Works Department, Engineering Division. Perimeter fencing shall not include the use of barbed wire, "Constantine" wire, razor wire, or other similar fence treatment.*

- F. *The perimeter fence or wall for the site shall maintain a minimum setback of 15 feet to any property line (as measured from the ultimate right-of-way) along a public street. All required setbacks shall be fully landscaped with automatic irrigation and shall comply with the City's Water Efficiency Ordinance, pursuant to Municipal Code Section 9.18.120.020, Water Efficiency Requirements. All landscaped areas, within required setbacks, shall be planted with an effective combination of trees, grass berms, ground cover, lawn, shrubbery, and/or approved dry decorative landscaping material.*
- G. *All on-site lighting shall comply with the City's lighting standards, pursuant to Municipal Code Section 9.18.140.070, Parking Design Standards.*
- H. *No site signage shall be permitted.*
- I. *There shall be no loading or unloading of automobiles (e.g., via semi-truck) on-site or within any public right-of-way. All automobiles that access the automobile fleet storage lot shall be driven individually by authorized employees of the new car dealership, within the City of Garden Grove, that the lot is serving.*
- J. *All parking spaces, driveways and maneuvering areas shall be fully paved and maintained with asphalt, concrete, or other City approved material.*

The Special Operating Conditions and Development Standards, as well as any additional site-specific Conditions of Approval required through the Conditional Use Permit process, will ensure that the proposed automobile fleet storage use, including any other future automobile fleet storage uses in the NMU zone, will be compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics. Furthermore, such uses will 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.

SITE PLAN:

In conjunction with the Amendment request, the applicant is requesting concurrent Site Plan approval to improve the existing vacant property with a new automobile fleet storage lot.

Site Design and Circulation

The subject site is a 1.7-acre vacant lot, oriented diagonally, with frontage along the north side of Chapman Avenue and along the east side of Gilbert Street, located near the intersection of Chapman Avenue and Gilbert Street. Primary access to the site will be via Chapman Avenue and through the existing drive aisle, which runs

through the southern portion of the property. A thirty-foot (30'-0") wide electric sliding gate, fitted with a Knox box for emergency access, set back 23'-9" from the adjacent drive aisle, will provide vehicular access to the enclosed automobile fleet storage lot. A secondary access gate, setback fifteen feet (15'-0") from the public right-of-way, will be provided at the northern end of the property, fronting Gilbert Street. This secondary access will remain locked, serving only as emergency access, and will provide a manual sliding gate fitted with a Knox box.

The vacant property will be improved with a new automobile fleet storage lot consisting of a paved parking lot area with associated site improvements including striped parking stalls, perimeter fencing, parking lot lighting, and landscaping. A 26'-0" wide two-way drive aisle will run diagonally through the center of the property, with rows of parking spaces on each side. The southern side of the property will provide 96 tandem parking spaces. The northern side of the property will provide 48 parking spaces. The proposed automobile fleet storage lot will provide a total of 144 parking spaces. A ten-foot by twenty-foot (10' x 20') "No Parking" hatched area will be located just outside the southerly gate, to provide a turnaround area for vehicles.

The applicant has indicated that vehicle deliveries, via semi-truck, will initially be offloaded at the Chevrolet dealership site, located at 10150 Trask Avenue. Subsequently, vehicles to be stored at the proposed automobile fleet storage site will be driven individually from the Chevrolet dealership location. There will be no on-site semi-truck unloading of vehicles on the subject property or within any public right-of-way.

Perimeter Walls and Landscaping

Aesthetically, the applicant has been sensitive to ensuring compatibility with neighboring uses, and has designed the project accordingly, with the end result of the project appearing like-kind to a standard commercial parking lot area. The proposed automobile fleet storage lot will provide enhanced landscaped setbacks, including landscaping maintained within the areas immediately adjacent to and outside the southern access gate. All landscaped areas will be fitted with automatic irrigation and will comply with the City's Water Efficiency Ordinance, pursuant to Municipal Code Section 9.18.120.020, Water Efficiency Requirements. All landscaped areas, within required setbacks, will be planted with an effective combination of trees, grass berms, ground cover, lawn, shrubbery, and/or approved dry decorative landscaping material.

The project will provide eight-foot (8'-0") high vehicular access gates (wrought iron) at the northerly and southerly access points. The remaining perimeter of the site will maintain six-foot (6'-0") high fencing.

CONDITIONAL USE PERMIT:

In conjunction with the Amendment and Site Plan request, the applicant is requesting concurrent Conditional Use Permit approval to allow the use and operation of a new automobile fleet storage lot, operated by the existing Chevrolet dealership in Garden Grove (located at 10150 Trask Avenue), on the vacant property for the storage of new automobiles. As mentioned prior, the project will be subject to Special Operating Conditions and Development Standards, including additional site-specific Conditions of Approval, which will minimize potential impacts to the adjoining area. Provided the Conditions of Approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area. City Staff has reviewed the proposed plans associated with the site improvement to ensure that adequate site circulation, access, and parking are maintained.

CEQA Environmental Review:

The proposed development is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA's Class 1 Exemption, Existing Facilities (CEQA Guidelines §15301) and Review for Exemption (CEQA Guidelines §15061(b)(3)).

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Adopt the attached Resolution No. 6038-22 recommending that the Garden Grove City Council approve Amendment No. A-034-2022 to allow "Automobile Fleet Storage" as a conditionally permitted use in the NMU (Neighborhood Mixed Use) zone, and to establish related Special Operating Conditions and Development Standards; and
- Adopt the attached Resolution No. 6039-22 approving Site Plan No. SP-108-2022 and Conditional Use Permit No. CUP-218-2022, subject to the recommended Conditions of Approval, and contingent upon City Council adoption of an Ordinance approving Amendment No. A-034-2022.

Lee Marino
Planning Services Manager



By: Chris Chung
Urban Planner