



that are permitted in the M-P zone are varied and include, without limitation, warehousing, parcel delivery, manufacturing, indoor sports facilities, eating establishments, auto/truck repair, blueprint/newspaper printing, kennels, glass studios, and home improvement centers. Since the M-P zone was established, the range of uses permitted in the M-P zone has expanded, and may expand further over time, to include more commercial and assembly uses for which accessory or adjacent paid parking facilities may be necessary or appropriate.

The proposed Code Amendment would amend the Land Use Matrix in Municipal Code Section 9.16.020.030 to also expressly list "Parking Facilities (For Fee)" as a conditionally permitted use in the M-P (Industrial Park) zone, making it consistent with all other similarly situated zones. The Conditional Use Permit process will allow individual review of a proposal and tailors the conditions of approval to each unique site.

During the Planning Commission's public hearing regarding A-009-2014 and CUP-339-11 (REV. 2014), two (2) persons came forward and spoke against the proposed entitlement requests. Concerns that were raised included, but were not limited to: on-site and off-site parking and vehicular circulation issues, issues with pedestrian safety and access to and from the site, and maximum building occupancy issues. Ultimately, the Planning Commission, by a vote of four (4) to one (1), voted to recommend approval of the amendment to the City Council and to approve the CUP, contingent upon the future adoption and effectiveness of an ordinance approving the proposed amendment.

DISCUSSION

The proposed Amendment to allow "Parking Facilities (For Fee)" in the M-P zone would consist of an addition to the Land Use Matrix, as follows:

The Land Use Matrix in Municipal Code Section 9.16.020.030: Uses Permitted will be modified to add the following (added in bold):

USES	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Parking Facilities (For Fee)	C	C	C	C	C	<b>C</b>	-

FINANCIAL IMPACT

No financial impact to the City regarding this proposed amendment.

RECOMMENDATION

It is recommended that the City Council:


- Conduct a Public Hearing;
- Determine that the Ordinance is categorically exempt from the California Environmental Quality Act pursuant to Article 5, Section 15061, Review for Exemption, of the California Environmental Quality Act; and
- Introduce and conduct the first reading of the attached Ordinance approving Amendment No. A-009-2014 to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit.

  
SUSAN EMERY  
Assistant City Manager

  
By: Chris Chung  
Associate Planner

- Attachment 1: Planning Commission Staff Report, for A-009-2014, dated July 17, 2014  
Attachment 2: Planning Commission Resolution No. 5826-14 for A-009-2014  
Attachment 3: Planning Commission Staff Report, for CUP-339-11 (REV. 2014), dated July 17, 2014  
Attachment 4: Planning Commission Resolution No. 5812-14 with Revised Conditions of Approval for CUP-339-11 (REV. 2014)  
Attachment 5: Planning Commission Minute Excerpt of June 19, 2014  
Attachment 6: Planning Commission Minute Excerpts of July 17, 2014  
Attachment 7: Draft City Council Ordinance for Amendment No. A-009-2014

Approved for Agenda listing

  
Matthew J. Fertal  
City Manager



## COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.2.	<b>SITE LOCATION:</b> Citywide
<b>HEARING DATE:</b> July 17, 2014	<b>GENERAL PLAN:</b> N/A
<b>CASE NOS:</b> Amendment No. A-009-2014	<b>ZONE:</b> N/A
<b>APPLICANT:</b> City of Garden Grove	<b>APN:</b> N/A
<b>PROPERTY OWNER:</b> N/A	<b>CEQA DETERMINATION:</b> Exempt

### **REQUEST:**

A request to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit.

### **BACKGROUND/DISCUSSION:**

In 2011, the City of Garden Grove approved Amendment No. A-162-11, which added "indoor sports facility" as a permitted use in the M-P (Industrial Park) zone, subject to Conditional Use Permit approval, and also approved Conditional Use Permit No. CUP-339-11, which allowed for the operation of a new "indoor sports facility," MAP Sports Facility ("MAP"). The proposed Code Amendment is being processed by the City of Garden Grove in coordination with the proposed modifications to the Conditions of Approval for MAP (Conditional Use Permit No. CUP-339-11 (REV. 2014)), which would implicitly authorize MAP to charge its patrons for parking.

"Parking Facilities (For Fee)," which is defined in the Garden Grove Municipal Code as a "paved area that provides space where more than three (3) automotive vehicles can park for a fee," is a use that is expressly listed in the City's Land Use Matrix as a conditionally permitted use in all commercial, manufacturing, and mixed use zones in the City with the exception of the M-P (Industrial Park) zone. The proposed Code Amendment would amend the Land Use Matrix in Municipal Code Section 9.16.020.030 to also expressly list "Parking Facilities (For Fee)" as a conditionally permitted use in the M-P (Industrial Park) zone, making it consistent with all other similarly situated zones, and clarifying that operation of a paid parking facility is permitted in the zone subject to a Conditional Use Permit. The Conditional Use Permit process allows individual review of a proposal and tailors the conditions of approval to each unique site.

The uses that are permitted in the M-P zone are varied and include, without limitation, warehousing, parcel delivery, manufacturing, indoor sports facilities, eating establishments, auto/truck repair, blueprint/newspaper printing, kennels, glass studios, and home improvement centers. Since the M-P zone was established, the range of uses permitted in the M-P zone has expanded, and may expand further over time, to include more commercial and assembly uses for which accessory or adjacent paid parking facilities may be necessary or appropriate.

The proposed Amendment to allow "Parking Facilities (For Fee)" in the M-P zone would consist of a simple addition to the Land Use Matrix, as follows:

The Land Use Matrix in Municipal Code Section 9.16.020.030: Uses Permitted will be modified to add the following (added in bold):

USES	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Parking Facilities (For Fee)	C	C	C	C	C	<b>C</b>	-

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt the attached Resolution recommending approval of Amendment No. A-009-2014 to the City Council.

  
Karl Hill  
Planning Services Manager

  
By: Chris Chung  
Associate Planner

RESOLUTION NO. 5826-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENT NO. A-009-2014, TO AMEND TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE, SECTION 9.16.020.030, TO PERMIT "PARKING FACILITIES (FOR FEE)" IN THE M-P (INDUSTRIAL PARK) ZONE, SUBJECT TO A CONDITIONAL USE PERMIT.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 17, 2014, does hereby recommend approval of Amendment No. A-009-2014, to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit, to the City Council.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-009-2014, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The proposed Code Amendment was initiated by the City of Garden Grove.
2. The City proposes to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit.
3. The property affected by the proposed Code Amendment has a General Plan Land Use designation of either Industrial or Industrial/Residential Mixed Use 1 and is zoned M-P (Industrial Park). This area is highly urbanized with industrial/commercial development and mostly paved sites for parking and loading.
4. The Planning Commission recommends that on the basis of the whole record before it, including comments received at the public hearing, that the City Council find that there is no possibility that the proposed Code Amendment will have a significant effect on the environment and thus, is exempt from CEQA pursuant to Title 14, CCR, Section 15061(b)(3); and
5. Existing land use, zoning, and General Plan Land Use designation of the areas included in this Code Amendment and in their vicinity have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on July 17, 2014, 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 17, 2014; 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:

"Parking Facilities (For Fee)" is defined as a "paved area that provides space where more than three (3) automotive vehicles can park for a fee" and is expressly listed as conditionally permitted use in all other mixed use, commercial, and manufacturing zones in the City. The proposed Code Amendment would amend the Land Use Matrix in Municipal Code Section 9.16.020.030 to also expressly list "Parking Facilities (For Fee)" as a conditionally permitted use in the M-P (Industrial Park) zone.

FINDINGS AND REASONS:

1. The Amendment is internally consistent with the goals, policies, and elements of the General Plan, which encourages compatibility between land uses. The proposed Amendment would affect properties currently zoned M-P, some of which have a General Plan Land Use Designation of Industrial and some of which have a General Plan Land Use Designation of Industrial/Residential Mixed Use 1. These Land Use Designations contemplate a mix of industrial, commercial, and residential uses, for some of which accessory or nearby stand-alone paid parking facilities may be appropriate. The requirement that "Parking Facilities (For Fee)" uses be subject to a Conditional Use Permit will ensure that there is a reasonable degree of compatibility between the proposed use and surrounding properties.
2. The Amendment is deemed to promote the public interest, health, safety and welfare. "Parking Facilities (For Fee)" is a conditionally permitted use in all other mixed-use, commercial, and manufacturing zones in the City. The range of uses in the M-P zone has expanded and may expand further over time to include more commercial and assembly uses for which accessory or adjacent paid parking facilities may be necessary or appropriate. Accordingly, it is in the public interest to also permit paid parking facilities in the M-P zone, subject to Conditional Use Permit approval. Individual proposals for a "Parking Facilities (For Fee)" use will be reviewed through the Conditional Use Permit process. The Conditional Use Permit process allows for review of a business's operation plan and tailors the conditions of approval to each unique site. Adherence to the conditions of approval will ensure the public interest, health, safety, and welfare.

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 Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment). The Planning Commission recommends approval of Amendment No. A-009-2014 as follows:

The proposed Amendment to allow "Parking Facilities (For Fee)" in the M-P zone will include an addition to the Land Use Matrix. The proposed Amendment consists of the following:

The Land Use Matrix in Municipal Code Section 9.16.020.030: Uses Permitted will be modified to add the following (added in bold):

USES	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Parking Facilities (For Fee)	C	C	C	C	C	<b>C</b>	-

Adopted this 17th day of July, 2014

ATTEST:

/s/ GARY LAZENBY  
CHAIR

/s/ JUDITH MOORE  
SECRETARY

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS:  
CITY OF GARDEN GROVE )

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on July 17, 2014, by the following vote:

AYES: COMMISSIONERS: (4) ALEJANDRO, MARGOLIN, NGUYEN, ZAMORA  
 NOES: COMMISSIONERS: (1) BRIETIGAM  
 ABSTAIN: COMMISSIONERS: (1) LAZENBY  
 ABSENT: COMMISSIONERS: (1) SILVA

/s/ JUDITH MOORE  
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is August 7, 2014.

# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.3.	<b>SITE LOCATION:</b> Southeast corner of the intersection of Western Avenue and Lampson Avenue, at 12552 Western Avenue
<b>HEARING DATE:</b> July 17, 2014	<b>GENERAL PLAN:</b> Industrial/Residential Mixed Use 1
<b>CASE NO.:</b> Conditional Use Permit No. CUP-339-11 (REV. 2014)	<b>ZONE:</b> M-P (Industrial Park)
<b>APPLICANT:</b> The Map Sports Facility	<b>CEQA DETERMINATION:</b> Exempt
<b>PROPERTY OWNER:</b> Deutsch/SDL, Limited	<b>APN:</b> 251-032-01

## **REQUEST:**

The applicant is requesting approval for modifications to the approved plans and the Conditions of Approval for an existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy.

## **BACKGROUND:**

The subject site is an existing approximately six (6) acre site located on the southeast corner of the intersection of Western Avenue and Lampson Avenue. The subject site abuts industrial type uses in all directions. The zoning of the subject site is M-P (Industrial Park) and the Land Use Designation is Industrial/Residential Mixed Use 1. The property is divided in two, with a large, approximately four (4) acre, site at the corner and a smaller, approximately two (2) acre site, wrapping around the south and east sides of the larger portion. The smaller site has a building that fronts on the Western Avenue frontage and is approximately 21,000 square feet in area. The larger, corner portion of the lot, has an existing building of approximately 80,000 square feet that has a front office connected to a large warehouse space. Approximately 65,000 square feet of this space is utilized by the MAP Sports Facility.

In 2011, the City of Garden Grove approved Amendment No. A-162-11 and Conditional Use Permit No. CUP-339-11 to allow a Code Amendment to Title 9 of the City of Garden Grove Municipal Code to allow "indoor sports facility" uses in the M-P (Industrial Park) zone subject to a Conditional Use Permit, and approved a Conditional Use Permit for the MAP Sports Facility (MAP) at 12552 Western Avenue. According to business license records, the MAP Sports Facility has been in operation since 2012. Since 2012, the City has received complaints regarding operational aspects of this facility. Some of the complaints have been primarily related to on-site and off-site parking and circulation issues, maximum building occupancy issues, and building structural issues.

The facility was originally intended to serve as an adult league venue, primarily operating on Monday through Friday evenings only, with less usage on weekends. After opening the facility, it became apparent that youth sports programs, specifically pertaining to youth basketball, took interest in this facility and the facility's popularity grew quickly. And as such, problems and issues arose. As a result, the applicant has come forward to the City to address the aforementioned issues, to update business operational conditions, and to comply with building code requirements to ensure the safety of its occupants.

**DISCUSSION:**

The current posted maximum occupancy allowed is 294 occupants in the facility. The MAP Sports Facility has had reported issues with over-occupancy above the posted limit of 294 occupants.

Currently, Condition No. 6, approved under Conditional Use Permit No. CUP-339-11, states the following: "To operate the proposed "indoor sports facility" on the site, the building improvements, including occupancy load, shall comply with the California Building Standards Code for the new use including, but not limited to: disabled access, minimum plumbing fixtures, and an exit system. All other improvements necessary for improving the site and interior shall also comply with all provisions of the California Building Code."

In order to comply with California Building Code requirements, the applicant is currently in the plan check process with the City to provide building retrofits through the addition of hardware, bracing, and beams to comply with wall anchorage requirements. This seismic upgrade is a proposal to reclassify the existing structure from an Occupancy Category II to an Occupancy Category III, thereby changing the existing occupancy of S-1 to a new occupancy of A-3.

Although these improvements would allow an occupant load of greater than 300, it is also required that the applicant revise the existing Conditional Use Permit entitlement (CUP-339-11) to address issues related to on-site parking.

As approved under the original Conditional Use Permit (CUP-339-11), it was determined that 156 parking spaces were required for the 65,000 square foot MAP Sports Facility through a parking rate of 2.43 spaces per 1,000 square feet. The MAP had proposed and provided a total of 170 parking spaces to meet this requirement with a surplus of fourteen (14) spaces. However, in response to issues related to on-site parking and to justify the proposal for increasing the maximum occupancy above 294, the applicant submitted a parking demand study conducted by K2 Traffic Engineering, Inc. ("K2") to revisit the current parking situation.

The K2 parking demand study involved a parking survey observed at 30-minute intervals during events held at the facility for which were among the busiest times of the year for the MAP Sports Facility. The survey conducted observations and surveys for three (3) days to obtain the building's actual occupancy at the entrance/exit of the facility as well as the number of parked vehicles, during such events.

The largest observed occupancy in the facility was 682 persons. During the same time this observation was made, the parking lot was at full capacity. The observations made by K2 confirmed that the existing parking capacity at the subject site does not meet the current parking demand.

K2 conducted an additional survey with a sample size of 500 patrons of the facility to determine the average number of persons per vehicle. K2 found that the average carpool size is 2.3 persons per vehicle. Thus, with a maximum peak of 682 persons, this would generate 297 visiting vehicles. K2 estimated that of the total number of participants observed during the maximum peak of 682 persons, approximately 60% used the on-site parking, approximately 30-35% used off-site parking spaces, and approximately 5-10% were dropped off without needing to park on-site.

It should be noted that the MAP Sports Facility (along with other similar facilities) charges a fee to park on-site. The K2 report found that the on-site parking fee did not appear to negatively affect usage of the parking lot (did not encourage patrons to park off-site) as it was often near or at full capacity during the survey period. However, in order to further regulate and control the act of charging for parking, Staff is recommending that the use, "Parking Facilities (For Fee)" be permitted for the MAP Sports Facility, subject to a Conditional Use Permit. The Conditional Use Permit process will ensure that each application for a proposed "Parking Facilities (For Fee)" use within the M-P zone is reviewed and conditioned to comply with all City code requirements. In this case, the CUP process will ensure that charging for parking at the MAP site will not negatively affect the use of parking spaces on-site, nor will the use adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. "Parking Facilities (For Fee)" is not a use that is mentioned in the M-P (Industrial Park) zone. To allow a "Parking Facilities (For Fee)" use at 12552 Western Avenue requires approval of a Code Amendment to add the use to the M-P zone, subject to Conditional Use Permit approval. Thus, the City is processing Amendment No. A-009-2014, concurrently with CUP-339-11 (REV. 2014), in order to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit. The approval of CUP-339-11 (REV. 2014) shall be contingent upon City Council approval of Amendment No. A-009-2014.

To mitigate the increased parking demand, the applicant has submitted a revised site plan proposing to do a complete re-stripe of the existing parking lot to maximize the number of available parking spaces. The proposed re-stripe plan meets all City requirements related, but not limited to: minimum driveway aisle widths, parking space dimensions, maximum number of compact parking spaces (maximum is 20%), and handicap parking space requirements. As a result of the new re-striping plan, a total of 191 parking spaces would be available for on-site use. The previous approval provided 170 parking spaces. This would be an increase of twenty-one (21) parking spaces. Based on the proposed increase to 191 total parking spaces, and based on K2 Engineering's observed average carpool size of 2.3 persons per vehicle, the maximum occupancy may increase from 297 to 439 occupants (191 parked vehicles x 2.3 occupants per vehicle).

In order to further meet the actual parking demand, the applicant is proposing to implement a carpool incentive plan called the "Green MAP Plan" which will allow up to forty-five (45) vehicles carpooling with four (4) or more occupants per vehicle to park on-site for free. The carpool incentive plan will encourage patrons to carpool to the MAP Sports Facility thereby increasing the number of occupants into the establishment without negatively affecting the actual parking demand. Staff finds that the carpool incentive plan will, in fact, decrease the parking demand since less vehicles with less than four (4) occupants per vehicle will park on-site.

With the proposed carpool incentive plan of up to forty-five (45) vehicles, each with a minimum of four (4) occupants per vehicle, the maximum occupancy may further increase by 180 occupants (45 parked "Green Map Plan" vehicles x 4 occupants per vehicle).

Therefore, the combination of the increase to 191 total parking spaces per the proposed re-striping plan, and the implementation of the "Green Map Plan," the MAP Sports Facility is permitted to increase their maximum occupancy from 297 to 516 without negative impacts to the current parking demand. See Table 1-A below.

Table 1-A

	<b># of Parking Spaces</b>	<b>Occupants Per Vehicle</b>	<b>Allowable Occupancy</b>
Standard Parking Spaces (Includes standard, compact, and handicap parking spaces)	146	2.3	336
"Green Map Plan" Parking Spaces	45	4	180
<b>ALLOWABLE MAXIMUM OCCUPANCY</b>			<b>516</b>

Conditions of approval will ensure that the "Green MAP Plan" will be implemented at all times of operation with appropriate signage and notification to patrons of the MAP Sports Facility being provided. It is important to note that the plumbing fixtures in the existing lobby and court area, accessible in the MAP Sports Facility, combined can allow a maximum occupancy of 800 occupants, per the building code. However, the allowable maximum occupancy is limited by the number of parking spaces available on-site and therefore the maximum occupant load will be limited to 516 persons. Again noting that, the applicant has proposed mitigation measures (re-striping plan, "Green MAP Plan", and structural retrofit to allow change of occupancy) to increase the allowable maximum occupancy to a level that will not negatively impact on-site parking demand, off-site parking, or circulation.

The applicant is also proposing a 551 square foot snack bar and a 166 square foot retail merchandise shop within the indoor sports facility. The two proposed uses would be incidental to the indoor sports facility use and available to its patrons. The applicant is not proposing to add any additional floor area to the existing building to accommodate the new uses. Both the snack bar and merchandise store will be located adjacent to the lobby near the front of the entrance. Because the proposed snack bar and retail merchandise shop will be incidental uses to the indoor sports facility, no additional parking spaces are required.

The snack bar will have hours of operation from 5:00 p.m. to 10:00 p.m., Monday through Thursday, and 8:00 a.m. to 9:00 p.m., Saturday and Sunday. The snack bar will be serving pre-packaged foods (i.e., candy bars, chips, popcorn), fountain drinks, bottled drinks, hot dogs, pizza, nachos, and pastries. No food will be cooked, other than any required warming, which will be through the use of appropriate equipment (i.e., a microwave).

The merchandise store will have hours of operation from 8:00 a.m. to 9:00 p.m., Saturday and Sunday. The merchandise store will sell items related to the indoor sports facility use such as: clothing, shoes, training equipment, basketballs, backpacks, and socks.

The Community Development Department has reviewed the request and is supporting the proposal. All existing conditions of approval, as approved under CUP-339-11, along with any modified or new conditions of approval, as approved under CUP-339-11 (REV. 2014) will apply.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt the attached Resolution approving Conditional Use Permit No. CUP-339-11 (REV. 2014), subject to the recommended Revised Conditions of Approval and City Council adoption of an Ordinance approving Amendment No. A-009-2014.



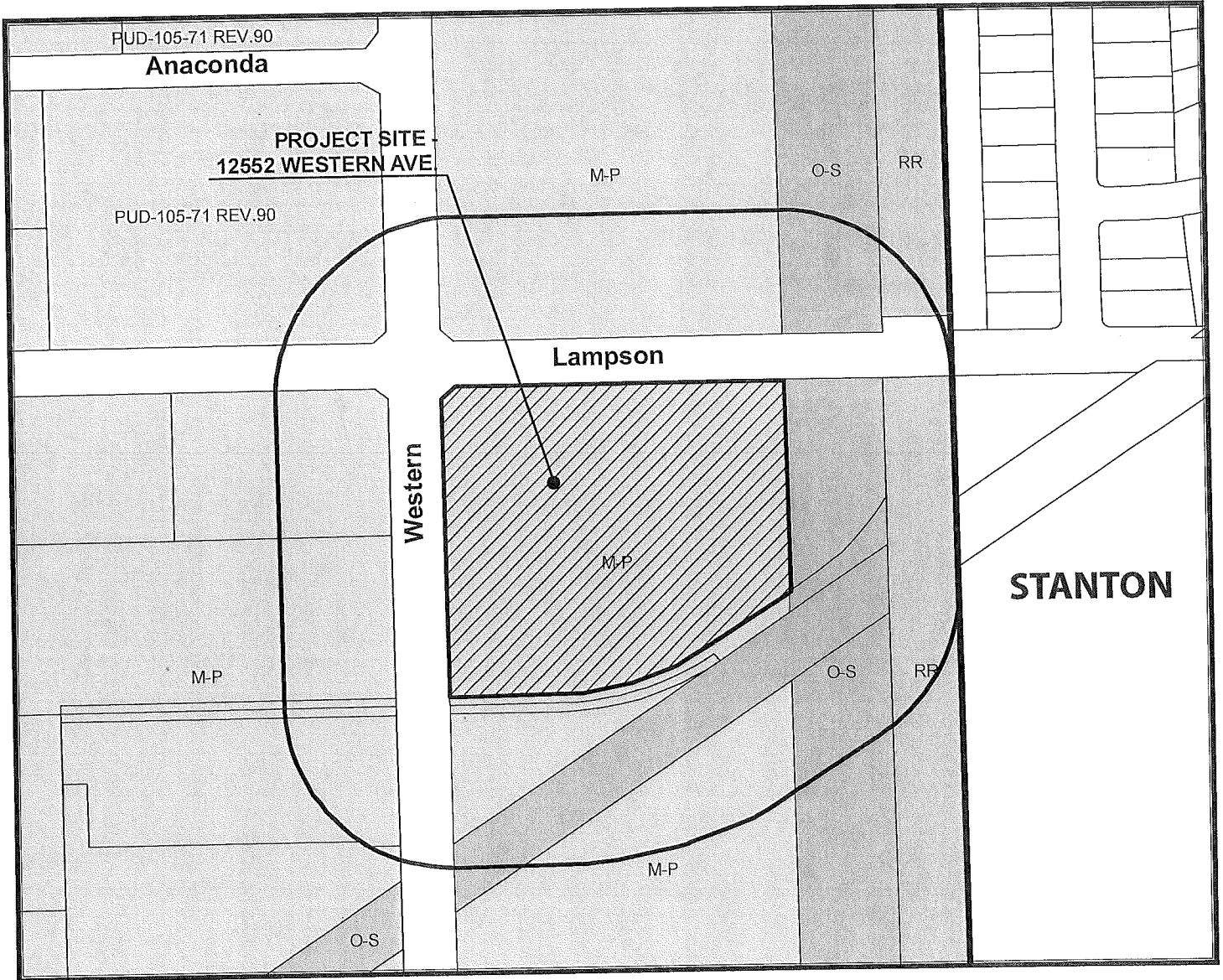
Karl Hill  
Planning Services Manager




Chris Chung  
Associate Planner




# CONDITIONAL USE PERMIT NO. CUP-339-11 REV.2014



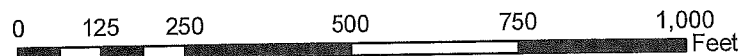
## LEGEND

 PROJECT SITE - 12552 WESTERN AVENUE

 300 FEET RADIUS

## NOTES

1. GENERAL PLAN: INDUSTRIAL/RESIDENTIAL MIXED USE 1
2. ZONE: M-P (INDUSTRIAL PARK)



CITY OF GARDEN GROVE  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
GIS SYSTEM  
APRIL 2014





1232 WESTERN AVENUE  
 CLARKSBURG, WV 26301

SITE PLAN

DATE: 5-2-2014

PROJECT: THE MAP SPORTS FACILITY

SCALE: 1/8" = 1'-0"

PROJECT NO.: 14-001

DATE: 5-2-2014

PROJECT: THE MAP SPORTS FACILITY

SCALE: 1/8" = 1'-0"

PROJECT NO.: 14-001

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DATE: 5-2-2014

PROJECT: THE MAP SPORTS FACILITY

SCALE: 1/8" = 1'-0"

PROJECT NO.: 14-001

DATE: 5-2-2014

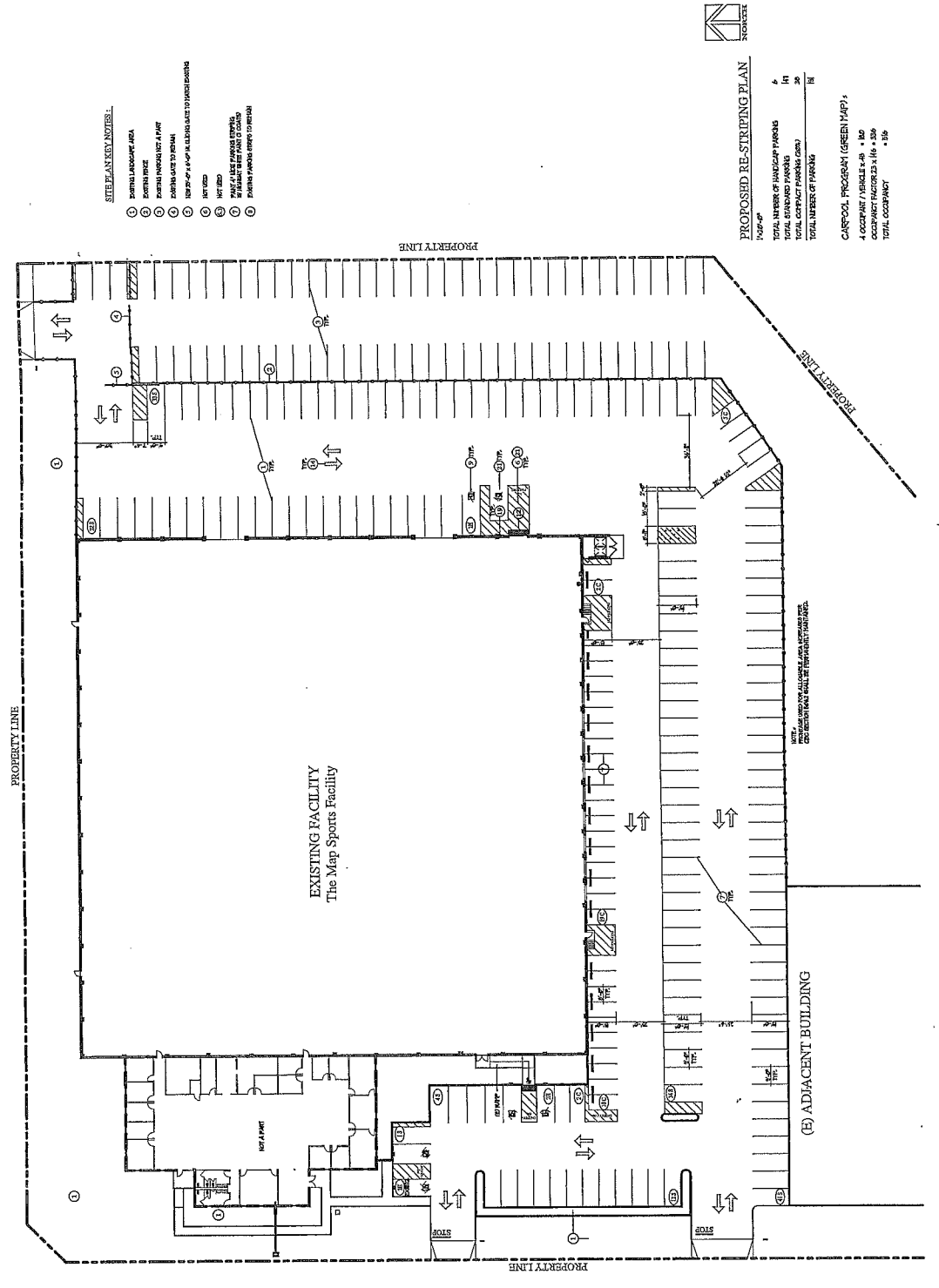
PROJECT: THE MAP SPORTS FACILITY

SCALE: 1/8" = 1'-0"

PROJECT NO.: 14-001

DATE: 5-2-2014

PROJECT: THE MAP SPORTS FACILITY



- SITE PLAN REVISIONS:**
- 1. EXISTING LANDSCAPE AREA
  - 2. EXISTING DRIVE
  - 3. EXISTING PARKING LOT A PART
  - 4. EXISTING DRIVE TO BUILDING
  - 5. EXISTING DRIVE TO DRIVE
  - 6. EXISTING DRIVE
  - 7. EXISTING DRIVE
  - 8. EXISTING DRIVE
  - 9. EXISTING DRIVE
  - 10. EXISTING DRIVE

**PROPOSED RE-STRIKING PLAN**

1/8" = 1'-0"

TOTAL NUMBER OF HANDICAP PARKING	4	IN
TOTAL HANDICAP PARKING	4	IN
TOTAL COMPACT PARKING (NEW)	30	IN
TOTAL NUMBER OF PARKING	34	IN

**CARPOOL PROPERTY (GREEN MAP):**

4 OCCUPANT VEHICLES	40	IN
10 OCCUPANT VEHICLES	100	IN
TOTAL OCCUPANCY	140	IN

A-1

DATE:	
REV/NO:	

**B.A. Architects**  
 100 WILSON BLVD., SUITE 100  
 GARDEN GROVE, CA 92641  
 TEL: 714/261-1111  
 FAX: 714/261-1112  
 WWW.BAAONLINE.COM

**The MAP Sports Facility**  
 Specializing: "All indoor sports"  
 12522 WESTERN AVENUE  
 GARDEN GROVE, CA 92641

DESIGNED BY:  
 FLOOR PLAN

CHECKED BY:  
 DATE: 8-5-2014  
 DRAWN FOR:  
 REVIEWED:  
 PLAN CHECK:  
 BIDDING:  
 PERMITS:  
 CONSTRUCTION:  
 DRAWN BY:  
 SHEET NO.:

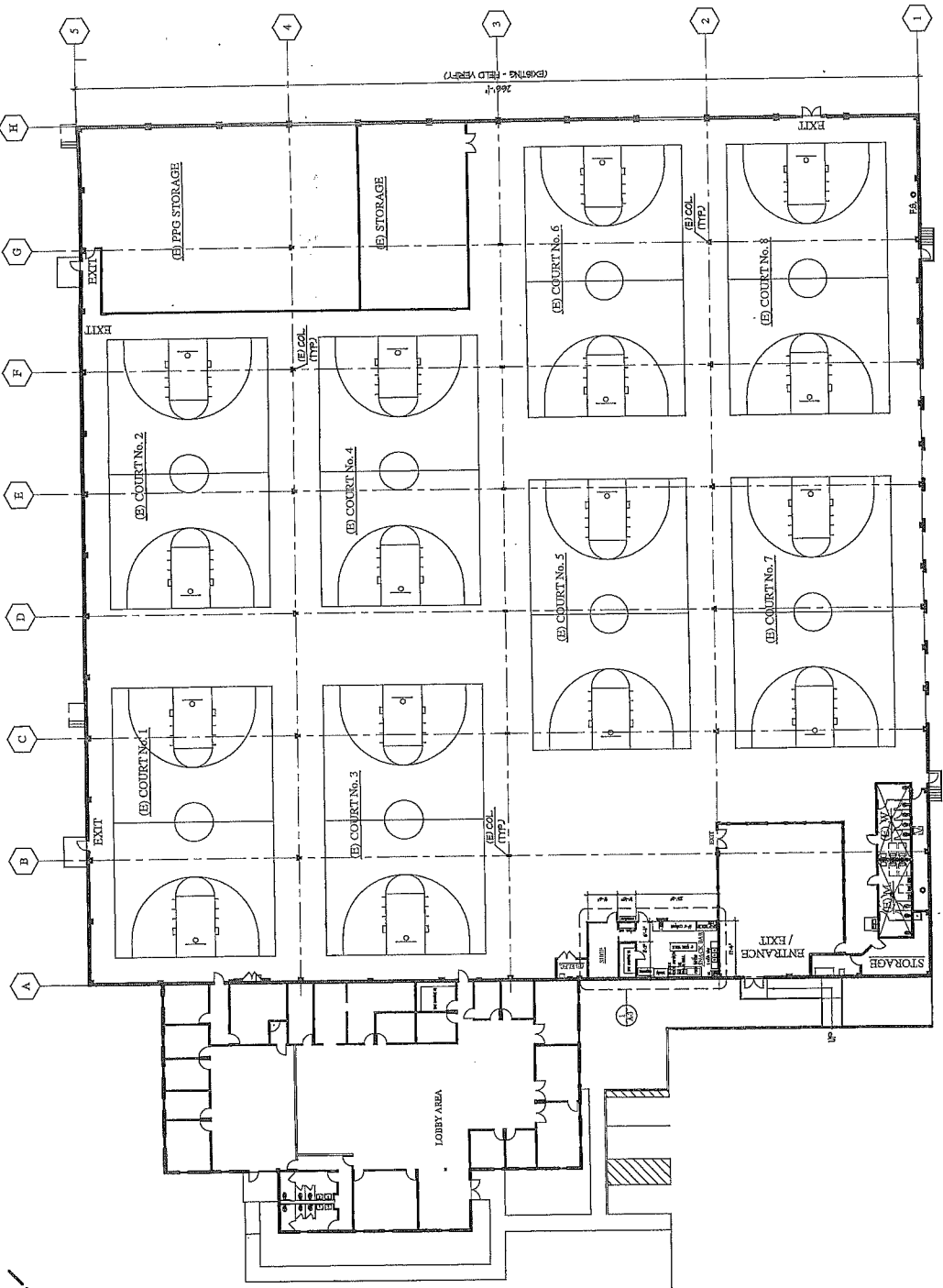
**A-2**

CAD FILE:  
 JOB NO.:

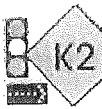


**FLOOR PLAN LAYOUT**  
 1/8"=1'-0"

- NOTES:**
- 1) ALL DOORS ARE EXISTING UNLESS INDICATED BY ☐ AS NEW
  - 2) ALL EXISTING EXIT DOORS SHALL HAVE PANIC HARDWARE
  - 3) FOR DOOR SCHEDULE SEE 75/A-3
  - 4) USE 16-GAL METAL STUDS @ 24" OC (USE 43 STUDS FOR RECESSED ACCESSORY AND PLUMBING WALLS)
  - 5) ALL METAL STUDS SHALL HAVE (CC-BR-488P)
  - 6) FOR ALL METAL STUD WALLS SHALL PLATE EXIT DOORS (CC-BR-288)
  - 7) NO SPECTATOR SEATING IS ALLOWED.
  - 8) A TACTILE EXIT SIGN WITH THE WORD "EXIT" SHALL IDENTIFY EACH GRADE LEVEL EXTERIOR EXIT DOOR.
  - 9) ALL BASKETBALL HOOPS ARE PORTABLE AND FLOOR MOUNTED.







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

July 31, 2013

Marty Walker  
The MAP Sports Facility  
12552 Western Avenue  
Garden Grove, CA 92841

Re: **Parking Demand Study**  
**The MAP Sports Facility**  
**12552 Western Ave, Garden Grove**

Dear Marty,

Per your request, we have conducted a parking study for the existing MAP Sports Facility in Garden Grove. This letter presents our methodology, finding, and recommendation in regards to the current parking conditions.

### **EXISTING CONDITIONS**

The MAP Sports Facility consists eight (8) indoor basketball courts, restrooms, and storages and offices within a building of 75,000 sq. ft. at 12552 Western Avenue in the City of Garden Grove. The facility is mainly used for basketball league events and tournaments on weekday evening and weekends.

### **OBSERVATION AND SURVEY**

According to the event schedule, some of the largest basketball tournaments and league events were held at the subject facility for three days in two consecutive weekends in June 2013. The study conducted observations and surveys for three days to count for the building's occupancy at the entrance/exit and the number of parked vehicles at each 30-minute interval. The complete survey data is attached to this study.

The observations confirm that the parking capacity at the subject site alone cannot meet the parking demand of event participants. The parking lot apparently was near

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

1442 Irvine Blvd, Suite 210, Tustin, CA 92780 T.714-832-2116 F.949-266-5875 Email: khsu@k2traffic.com

or at the full capacity for several times each day during the survey period. Many participants walk to the site after finding parking in all directions, especially along Anaconda Avenue and nearby industrial buildings. The event organizers have posted several "no event parking" signs restricting access to certain locations where businesses are open in the weekends.

As shown in Table 1, the largest occupancy in the facility during our survey period is 682 people at 11:30 am on Sunday, June 9, 2013. At the same time, the parking lot is at the full capacity accommodating 181 vehicles.

Table 1. Daily Peak Occupancy

Day of Week	Date	Daily Peak Occupancy	Peak Time	Onsite Parking
SAT	6/8/13	640	1:30 PM	160
SUN	6/9/13	<b>682</b>	<b>11:30 AM</b>	<b>181</b>
SAT	6/15/13	485	10:30 AM	195

### CARPOOL RATIO

The study also conducted a carpool survey with 500 samples in three days and found that the average carpool size is 2.3 people per vehicle. Based on this average carpool size, the largest facility occupancy of 682 people would generate for 297 visiting vehicles. At this peak hour of generator, the study estimates approximately 60% (or 181 parked vehicles) of all generated trips have used the onsite parking, 30-35% trips found offsite parking spaces, and 5-10% trips were drop-off/pick-up by others without needing to park. The percentages shown above are estimated through visual observations.

### PARKING DEMAND

As a worst case scenario, this parking analysis assumes that all visiting trips require parking and the drop-off/pick-up percentage is zero. Based on the survey result, the peak parking demand for the MAP Sports facility with major tournaments in the

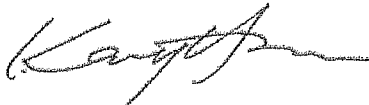
weekends is 300 parking spaces or 37.5 spaces per basketball court. Based on the size of the building (75,000 square foot), the parking ratio for indoor basketball court is equivalent to 4 spaces per 1,000 sq. ft. floor area.

#### PARKING SUPPLY

The study revealed that although there is a parking fee at the subject site, it does not appear to negatively affect the usages since the parking lot is often near or at full capacity during the survey period. However, available parking spaces at the subject site alone is not sufficient to fulfill the peak parking demand for major tournaments or events. It is recommended that at least 300 parking spaces be provided in a combination of onsite parking and offsite parking within walking distance or by shuttle buses. Any onsite and offsite parking arrangement should be subject to review and approval by the Planning Department of the City of Garden Grove.

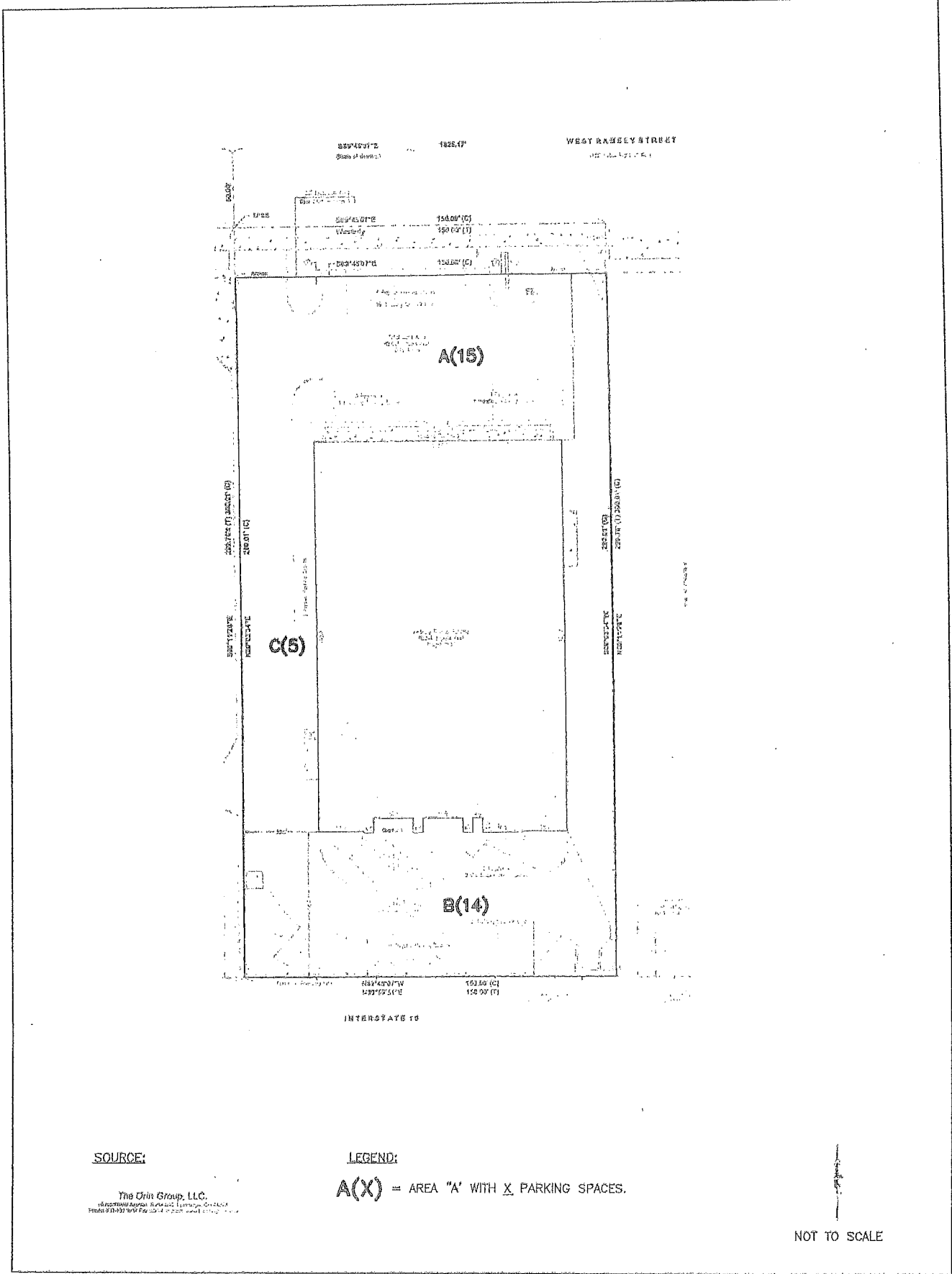
Regards,

*K2 Traffic Engineering, Inc.*



Jende Kay Hsu, T.E.  
California Licensed TR2285





SOURCE:

The Criss Group, LLC  
1422080988 Avenue B, Suite 100, Littleton, CO 80120  
Phone 303-492-1010 Fax 303-492-1011 Email crissg@crissg.com

LEGEND:

A(X) = AREA "A" WITH X PARKING SPACES.

NOT TO SCALE

**APPENDIX A. PARKING SURVEY**P6111 - Banning Parking Study  
1330 W. Ramsey, BanningDate 9/27/2012  
Day Thursday  
By Timothy C.

<i>Area</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>Total</i>
CAPACITY	15	14	5	34
9:00 AM	0	7	0	7
9:30 AM	0	7	0	7
10:00 AM	0	10	0	10
10:30 AM	0	13	0	13
11:00 AM	0	14	0	14 *
11:30 AM	0	9	0	9
12:00 PM	0	9	0	9
12:30 PM	0	8	0	8
1:00 PM	0	10	0	10
1:30 PM	0	9	0	9
2:00 PM	0	10	0	10
2:30 PM	0	7	0	7
3:00 PM	0	13	0	13
3:30 PM	0	10	0	10
4:00 PM	0	9	0	9
Peak Usage	0	14	0	14

\* Peak usage occurred at 11:00 AM

Note: The count includes all parked vehicles of Banning Clinic. Parking of other designations has been excluded.



RESOLUTION NO. 5812-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-339-11 (REV. 2014).

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 17, 2014, approved Conditional Use Permit No. CUP-339-11 (REV. 2014) for the property located on the southeast corner of Western Avenue and Lampson Avenue, at 12552 Western Avenue, Assessor Parcel No. 251-032-01, subject to City Council approval of Code Amendment No. A-009-2014.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-339-11 (REV. 2014), the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by the MAP Sports Facility.
2. In 2011, the City of Garden Grove approved Amendment No. A-162-11 and Conditional Use Permit No. CUP-339-11 to allow a Code Amendment to Title 9 of the City of Garden Grove Municipal Code to allow "indoor sports facility" uses in the M-P (Industrial Park) zone subject to a Conditional Use Permit, and approval of a Conditional Use Permit for the MAP Sports Facility (MAP) at 12552 Western Avenue.
3. The applicant has requested certain modifications to the Conditions of Approval applicable to Conditional Use Permit No. CUP-339-11 to address certain parking, circulation, and business operational issues.
4. The City of Garden Grove has determined that this project is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Sections 15301, 15311, and 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.).
5. The property at 12552 Western Avenue has a General Plan Designation of Industrial/Residential Mixed Use 1 and is within the M-P (Industrial Park) zone. The site consists of a single parcel of approximately six (6) acres that is divided into two parts. The existing indoor sports facility is located on the larger, corner portion of the lot on a site that is approximately four (4) acres and occupies approximately 65,000 square feet of existing building. The surrounding area is highly urbanized with industrial/commercial development and mostly paved sites for parking and loading.
6. Existing land use, zoning, and General Plan Land Use designation of the areas included in this Conditional Use Permit and in their vicinity have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on July 17, 2014, and all interested persons were given an opportunity to be heard.

9. The Planning Commission gave due and careful consideration to the matter during its meeting of July 17, 2014; 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 applicant is requesting approval for modifications to the approved plans and the Conditions of Approval for an existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy.

The subject site is an existing approximately six (6) acre site located on the southeast corner of the intersection of Western Avenue and Lampson Avenue. The subject site abuts industrial type uses in all directions. The zoning of the subject site is M-P (Industrial Park) and the Land Use Designation is Industrial/Residential Mixed Use 1.

The property is divided in two, with a large, approximately four (4) acre, site at the corner and a smaller, approximately two (2) acre site, wrapping around the south and east sides of the larger portion. The smaller site has a building that fronts on the Western Avenue frontage and is approximately 21,000 square feet in area. The larger, corner portion of the lot, has an existing building of approximately 80,000 square feet that has a front office connected to a large warehouse space. Approximately 65,000 square feet of this space is utilized by the MAP Sports Facility.

In 2011, the City of Garden Grove approved Amendment No. A-162-11 and Conditional Use Permit No. CUP-339-11 to allow a Code Amendment to Title 9 of the City of Garden Grove Municipal Code to allow "indoor sports facility" uses in the M-P (Industrial Park) zone subject to a Conditional Use Permit, and approval of a Conditional Use Permit for the MAP Sports Facility (MAP) at 12552 Western Avenue. According to business license records, the MAP Sports Facility has been in operation since 2012. Since 2012, the City has received a number of complaints some of which were related to on-site and off-site parking and circulation issues, maximum building occupancy issues, and building structural issues. The applicant has come forward to the City to address the aforementioned issues to update business operational conditions and to comply with building code requirements to ensure the safety of its occupants.

FINDINGS AND REASONS:

Conditional Use Permit:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11, will be consistent with the General Plan Land Use Designation of the property, which is Industrial/Residential Mixed Use 1, provided that the project complies with all conditions of approval.

2. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area.

The proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11, will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval for the project are adhered to for the life of the project, the use will be harmonious with persons who work and live in the area.

3. The proposed use will not interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site.

The proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11, will not unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located within the vicinity of the site, provided that the conditions of approval are adhered to for the life of the project.

Additionally, the operation of the proposed indoor sports facility will continue to share the site with the industrial/warehousing business and will not interfere with the operation of the "industrial" uses in the surrounding area. The indoor sports facility will continue to operate after regular business hours and on the weekend days when many of the industrial/commercial uses are closed. The indoor sports facility is on a major street for ease of access and will not encumber smaller streets in the industrial area. The proposed indoor sports facility will operate in a way that does not conflict with the regular permitted business operations in the area and therefore, will not unreasonably interfere with the use, enjoyment, or valuation of property of other persons located within the vicinity of the site.

4. The proposed use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

Provided that the indoor sports facility use continues to adhere to the conditions of approval for the life of the project, the proposed modifications to the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11, will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

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

The proposed project only proposes to modify the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11. There is no proposed additional floor area to the existing building. The existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features, in order to continue integration of the existing indoor sports facility use with the uses in the surrounding area.

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

The proposed project only proposes to modify the approved plans and the Conditions of Approval for the existing indoor sports facility, MAP Sports Facility, approved under Conditional Use Permit No. CUP-339-11. The existing site is adequately served by highways and streets.

#### INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit 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 Revised Conditions of Approval (Exhibit "A") shall apply to Conditional Use Permit No. CUP-339-11 (REV. 2014).
3. The effectiveness of Conditional Use Permit No. CUP-339-11 (REV. 2014) shall be contingent upon the City Council's adoption of an Ordinance approving Code Amendment No. A-009-2014 to expressly permit "Parking Facilities (For Fee)" in the M-P zone, subject to a Conditional Use Permit.

Adopted this 17<sup>th</sup> day of July, 2014

ATTEST:

/s/ GARY LAZENBY  
CHAIR

/s/ JUDITH MOORE  
SECRETARY

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS:  
CITY OF GARDEN GROVE )

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on July 17, 2014, by the following vote:

AYES: COMMISSIONERS: (4) ALEJANDRO, MARGOLIN, NGUYEN, ZAMORA  
NOES: COMMISSIONERS: (1) BRIETIGAM  
ABSTAIN: COMMISSIONERS: (1) LAZENBY  
ABSENT: COMMISSIONERS: (1) SILVA

/s/ JUDITH MOORE  
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is August 7, 2014.



## MINUTE EXCERPT

## GARDEN GROVE PLANNING COMMISSION

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PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-339-11 REV. 2014. For property located at 12552 Western Avenue at the southwest corner of the intersection of Western Avenue and Lampson Avenue.

Applicant: The Maps Sports Facility

Date: June 19, 2014

Request: To modify the approved plans and Conditions of Approval for an existing indoor sports facility, Map Sports Facility, approved under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy. The site is in the M-P (Industrial Park) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Action: Pursuant to Staff's request, the public hearing was opened and was continued to the July 17, 2014 Regular Planning Commission meeting at 7:00 p.m.

Motion: Brietigam Second: Alejandro

Ayes: (7) Alejandro, Brietigam, Lazenby, Margolin, Nguyen, Silva, Zamora

Noes: (0) None

Abstain: (0) None

Absent: (0) None





MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

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CONTINUED PUBLIC HEARING – AMENDMENT NO. A-009-2014, City of Garden Grove, Citywide.

Applicant: The City of Garden Grove

Date: July 17, 2014

Request: To amend Title 9 of the City of Garden Grove Municipal Code, Section 9.16.020.030 to permit "Parking Facilities" (for fee) in the M-P (Industrial Park) zone. The project is exempt pursuant to CEQA Section 15061(b)(3) as there is certainty there is no possibility the project may have a significant effect on the environment.

Action: Public Hearing held. Speakers: Terry Teeple, Marty Walker, Craig Durfey, Maureen Blackmun.

Action: Resolution No. 5826-14 adopted.

Motion: Zamora Second: Margolin

Ayes: (4) Alejandro, Margolin, Nguyen, Zamora

Noes: (1) Brietigam

Abstain: (1) Lazenby

Absent: (1) Silva

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

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CONTINUED PUBLIC HEARING - CONDITIONAL USE PERMIT NO. CUP-339-11 REV. 2014. For property located at 12552 Western Avenue at the southwest corner of the intersection of Western Avenue and Lampson Avenue.

Applicant: The Map Sports Facility

Date: July 17, 2014

Request: To modify the approved plans and Conditions of Approval for an existing indoor sports facility, Map Sports Facility, approved under Conditional Use Permit No. CUP-339-11, to update the business operational conditions relating to, but not limited to, parking space requirements, building code compliance, and maximum building occupancy. The project is exempt pursuant to CEQA Section 15301 - Existing Facilities.

Action: Public Hearing held. Speakers: Terry Teeple, Marty Walker, Craig Durfey, Maureen Blackmun.

Action: Resolution No. 5812-14 adopted with an amendment to add a 16-slot bicycle rack.

Motion: Zamora Second: Margolin

Ayes: (4) Alejandro, Margolin, Nguyen, Zamora

Noes: (1) Brietigam

Abstain: (1) Lazenby

Absent: (1) Silva

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-009-2014, TO AMEND TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE, SECTION 9.16.020.030, TO PERMIT "PARKING FACILITIES (FOR FEE)" IN THE M-P (INDUSTRIAL PARK) ZONE, SUBJECT TO A CONDITIONAL USE PERMIT

**City Attorney Summary**

***This Ordinance approves an amendment to Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit.***

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the case, initiated by the City of Garden Grove, proposes to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) zone, subject to a Conditional Use Permit;

WHEREAS, the City Council finds that there is no possibility that the proposed Code Amendment will have a significant effect on the environment and thus, is exempt from CEQA pursuant to Article 5, Section 15061(b)(3);

WHEREAS, the property affected by the proposed Code Amendment has a General Plan Land Use designation of either Industrial or Industrial/Residential Mixed Use 1 and is zoned M-P (Industrial Park);

WHEREAS, following a Public Hearing held on July 17, 2014, the Planning Commission adopted Resolution No. 5826-14 recommending approval of Amendment No. A-009-2014;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on August 26, 2014, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter; and

WHEREAS, the City Council hereby makes the following findings regarding Amendment No. A-009-2014:

A. The Amendment is internally consistent with the goals, policies, and elements of the General Plan, which encourages compatibility between land uses. The proposed Amendment would affect properties currently zoned M-P, some of which have a General Plan Land Use Designation of Industrial and some of which have a General Plan Land Use Designation of Industrial/Residential Mixed Use 1.

These Land Use Designations contemplate a mix of industrial, commercial, and residential uses, for some of which accessory or nearby stand-alone paid parking facilities may be appropriate. The requirement that "Parking Facilities (For Fee)" uses be subject to a Conditional Use Permit will ensure that there is a reasonable degree of compatibility between the proposed use and surrounding properties.

B. The amendment will promote the public interest, health, and welfare. "Parking Facilities (For Fee)" is a conditionally permitted use in all other mixed-use, commercial, and manufacturing zones in the city. The range of uses in the M-P zone has expanded and may expand further over time to include more commercial and assembly uses for which accessory or adjacent paid parking facilities may be necessary or appropriate. Accordingly, it is in the public interest to also permit paid parking facilities in the M-P zone, subject to Conditional Use Permit approval. Individual proposals for a "Parking Facilities (For Fee)" use will be reviewed through the Conditional Use Permit process. The Conditional Use Permit process allows for review of a business's operation plan and tailors the conditions of approval to each unique site. Adherence to the conditions of approval will ensure the public interest, health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: The above recitals are true and correct.

SECTION 2: The City Council finds that this amendment is exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et. seq.) pursuant to Article 5, Section 15061(b)(3), Review for Exemption, of the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

SECTION 3: Amendment No. A-009-2014 is hereby approved, pursuant to the facts and reasons stated in the Planning Commission Resolution No. 5826-14, a copy of which is on file in the City Clerk's Office and incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 4: Pursuant to this approval of Amendment No. A-009-2014, the proposed Amendment to allow "Parking Facilities (For Fee)" in the M-P zone will include an addition to the Land Use Matrix. The proposed Amendment consists of the following:

The Land Use Matrix in Municipal Code Section 9.16.020.030: Uses Permitted will be modified to add the following (added in bold):

USES	O-P	C-1	C-2	C-3	M-1	M-P	O-S
Parking Facilities (For Fee)	C	C	C	C	C	<b>C</b>	-

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.