

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	Matthew J. Fertal	From:	Susan Emery
Dept:	City Manager	Dept:	Community Development
Subject:	AMENDMENT NO. A-158-11 AMENDING PLANNED UNIT DEVELOPMENT NO. PUD-144-02 ZONE (AT THE SOUTHEAST CORNER OF KNOTT STREET AND PATTERSON, GARDEN GROVE) ADDING 'AMBULANCE SERVICE' AS A PERMITTED USE (SOUTHEAST EAST CORNER OF KNOTT STREET AND PATTERSON DRIVE)		
		Date:	March 8, 2011

OBJECTIVE

To transmit a recommendation from the Planning Commission to approve Amendment No. A-158-11 amending the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval.

BACKGROUND

The subject site consists of an approximately 5.27-acre Planned Unit Development (PUD) developed as an industrial park and is located on the southeast corner of Knott Street and Patterson Drive, Garden Grove. The subject site is zoned PUD-144-02 and has a General Plan Land Use Designation of Industrial. The industrial park consists of sixteen (16) parcels and provides 222 total shared parking spaces available for the entire PUD. The subject tenant space under consideration, for the Conditional Use Permit portion of this application, is located at 11458 Knott Street and is a 4,968 square foot space.

On November 21, 2002, the City approved Planned Unit Development No. PUD-144-02, which allowed the rezoning of the existing property to facilitate the construction of the subject industrial development, Site Plan No. SP-315-02 to construct a total of 77,985 square feet of industrial building space, and Tentative Parcel Map No. PM-02-196 to subdivide the site into sixteen (16) parcels. A Development Agreement was also approved.

History of the Project:

January 20, 2011: The Planning Commission considered Amendment No. A-158-11, amending the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval. Along with the Amendment request, the Planning Commission considered and adopted Resolution No. 5733-11, which approved Conditional Use Permit No. CUP-311-11 to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street, subject to City Council's approval of Amendment No. A-158-11. The Planning Commission voted six to zero and adopted Resolution No. 5732-11, recommending approval of Amendment No. A-158-11. Staff received an email from a resident residing in the residential development across Knott Street to the west of the subject site. The resident inquired on potential impacts from the proposed ambulance service use in regard to any noise related issues. At the meeting, there was one person who inquired on potential impacts from the proposed use.

DISCUSSION

Ambulance service businesses are permitted in the O-P (Office-Professional), C-2 (Community Commercial), and C-3 (Heavy Commercial) zones. A PUD allows the review of unique mixes of uses and building types, based on the characteristics of an individual site and its surrounding area. PUD-144-02 can accommodate the proposed use with adequate parking available.

Currently, Condition "S" of Resolution No. 5330 states that "All uses, improvements, and related activities not specified under the Conditions of Approval for Site Plan No. SP-315-02, shall be subject to the Industrial Park (MP) zoning classification under City of Garden Grove Title 9 Zoning Code." Amendment No. A-158-11 would add 'ambulance service' as a permitted use in the PUD-144-02 (Planned Unit Development) zone, subject to Conditional Use Permit approval.

The Conditional Use Permit process will ensure that a proposed 'ambulance service' use, within the PUD-144-02 zone, would be reviewed and conditioned as necessary so as to comply with all City code requirements.

FINANCIAL IMPACT

No financial impact to the City regarding this proposed amendment.

RECOMMENDATION

It is recommended that the City Council:

- Hold a Public Hearing for consideration of Amendment No. A-158-11 amending the Planned Unit Development No. PUD-144-02 zone (at the southeast corner of Knott Street and Patterson, Garden Grove) to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval; and
- Introduce and conduct the first reading of the attached ordinance approving Amendment No. A-158-11.



SUSAN EMERY
Community Development Director



By: Chris Chung
Assistant Planner

- Attachment 1: Planning Commission Staff Report dated January 20, 2011
- Attachment 2: Planning Commission Resolution No. 5732-11
- Attachment 3: Planning Commission Resolution No. 5733-11
- Attachment 4: Planning Commission Minute Excerpt dated January 20, 2011
- Attachment 5: Draft Ordinance for Code Amendment for Amendment No. A-158-11

Approved for Agenda Listing



Matthew Ferial
City Manager

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: East side of Knott Street, between Patterson Drive and Orangewood Avenue, at 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street
HEARING DATE: January 20, 2011	GENERAL PLAN: Industrial
CASE NOS: Amendment No. A-158-11 & Conditional Use Permit No. CUP-311-11	ZONE: PUD-144-02 (Planned Unit Development)
APPLICANT: Americare Medservices Inc./ Americare Ambulance	APN: 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16
PROPERTY OWNER: LLW Ventures, Inc.	CEQA DETERMINATION: Exempt

REQUEST:

A proposal to amend the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street. The PUD-144-02 zone includes sixteen (16) parcels with addresses of 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street, with parcel nos. 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16.

PROJECT STATISTICS:

SUBJECT SITE: 18,332.15 sq. ft.
11458 Knott Street

ENTIRE PUD: 5.27 Acres
(16 Parcels)

TENANT SPACE:
11458 Knott Street: 4,968 sq. ft.

BUILDING HEIGHT: Approx. 23'-0" (one-story building)

PARKING (On the lot): 222 Total Parking Spaces

BACKGROUND:

The subject site consists of an approximately 5.27-acre Planned Unit Development (PUD) developed as an industrial park and is located on the southeast corner of Knott Street and Patterson Drive. The subject site is bounded to the north, across Patterson Drive by industrial uses; to the east and south by industrial and office developments; and across Knott Street, to the west, is residential development, which is located in the City of Cypress. The subject site is zoned PUD-144-02 and has a General Plan Land Use Designation of Industrial. The industrial park consists of sixteen (16) parcels and provides 222 total shared parking spaces available for the entire PUD. The subject tenant space under consideration, for the Conditional Use Permit portion of this application, is located at 11458 Knott Street and is a 4,968 square foot space.

On November 21, 2002, the City of Garden Grove approved Planned Unit Development No. PUD-144-02, which allowed the rezoning of the existing property to facilitate the construction of the subject industrial development, Site Plan No. SP-315-02 to construct a total of 77,985 square feet of industrial building space, and Tentative Parcel Map No. PM-02-196 to subdivide the site into sixteen (16) parcels. A Development Agreement was also approved.

DISCUSSION:

AMENDMENT:

The applicant is requesting approval of an Amendment to Planned Unit Development No. PUD-144-02 to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval. Currently, the PUD-144-02 zone does not permit this use.

Ambulance service businesses are permitted in the O-P (Office-Professional), C-2 (Community Commercial), and C-3 (Heavy Commercial) zones. A PUD allows the review of unique mixes of uses and building types, based on the characteristics of an individual site and its surrounding area. PUD-144-02 can accommodate the proposed use with adequate parking available.

Currently, Condition "S" of Resolution No. 5330 states that "All uses, improvements, and related activities not specified under the Conditions of Approval for Site Plan No. SP-315-02, shall be subject to the Industrial Park (MP) zoning classification under City of Garden Grove Title 9 Zoning Code."

The proposed Amendment would consist of the following:

PUD-144-02 establishes uses that are allowed through existing Condition "S". Amendment No. A-158-11 will add an additional use through Condition "T" as follows:

(Change shown in bold and italics)

- S. All uses, improvements, and related activities not specified under the Conditions of Approval for Site Plan No. SP-315-02, shall be subject to the Industrial Park (MP) zoning classification under City of Garden Grove Title 9 Zoning Code

- T. ***The following uses may be permitted in the PUD-144-02 (Planned Unit Development) zone, subject to Conditional Use Permit approval.***

1. Ambulance Service

CONDITIONAL USE PERMIT:

In conjunction with the proposed Amendment, the applicant is requesting approval of a Conditional Use Permit (CUP) to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street. Planning staff has determined that the proposed ambulance service business is best reviewed under the Conditional Use Permit process. This process is required to ensure that the use will not be detrimental to the public health, safety, and general welfare and will not impair the integrity and character of the area. Additionally, a CUP for each use is reviewed individually, based on location and compatibility with the surrounding areas.

Americare Medservices will operate as an ambulance service business, which provides medical transportation services. The main function of the business is to provide non-emergency "point A to point B" transportation for patients that are medically impaired. The patient or caretaker calls for transportation services to pick up patients to take them where they need to go.

The subject tenant space, located at 11458 Knott Street, will consist of the following: lobby/reception area, three (3) executive office rooms, break room with a shower, conference room, crew lounge, male rest area room, female rest area room, women's restroom, men's restroom, ambulance preparation bay for check, services, and minor maintenance, medical equipment storage/staging area, critical care medical supply storage room, and a sensitive medical supply storage room. The male and female rest area rooms are provided for the on-duty ambulance service personnel.

The proposed ambulance service business, Americare Medservices, will operate twenty-four (24) hours a day. A condition of approval is in place, Condition No. 8, where the City of Garden Grove reserves the right to reduce hours of operation, by order of the Chief of the Police Department, in the event problems arise concerning the operation of this business.

Staff received an email from a resident residing in the residential development across Knott Street to the west of the subject site. The resident inquired on potential

CASE NUMBER NOS.: A-158-11 & CUP-311-11

impacts from the proposed ambulance service use in regard to any noise related issues.

Municipal Code Section 8.47.060.f (Motor Drive Vehicles) states, "It shall be unlawful for any person to operate any motor driven vehicle within the City in such a manner that a person of normal sensitiveness residing in the area is caused discomfort or annoyance, as determined utilizing the criteria established in Section 8.47.050(a), unless such operations are of an emergency nature; provided however, any such vehicle which is operated upon any public highway, street, or right-of-way shall be excluded from the provisions of this Section." The applicant noted to Staff that the proposed ambulance service business would mainly provide non-emergency medical transportation services for patients that are medically impaired. Since the primary function of the services provided is non-emergency related, the applicant noted that the vehicles leaving and arriving to the site will not be running their sirens. This ensures there will not be any negative impacts stemming from the subject business in regard to noise related issues. In the unlikely event that there is a significant emergency, and Americare Medservices is requested to assist to the matter, their vehicles may run their sirens; however, the sirens will only be turned on once the vehicle is on a public highway, street or right-of-way as the business will operate in accordance with Municipal Code Section 8.47.060.f.

The industrial park provides a total of 222 shared parking spaces. The existing CC&R's (Covenants, Conditions and Restrictions) have established reciprocal easements for ingress, egress and parking. Americare Medservices projects to have two to four ambulance vehicles for its business. Up to two (2) vehicles will be stored inside the service bays. Any additional vehicles on-site will not usurp any required parking spaces. Staff found that a review of the site shows there to be an ample amount of parking to accommodate the proposed use without any significant impacts to parking demand. A condition of approval for CUP-311-11 states that in the event there are any parking or traffic circulation issues caused by the subject proposed use, the applicant shall prepare a parking/traffic mitigation plan to the satisfaction of the City.

Upon inspection of the premises, Staff found that the prospective tenant space for the ambulance service business and the overall site of the industrial park were properly maintained, and complied with the requirements of Title 9 of the Municipal Code.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Recommend approval of Code Amendment No. A-158-11, revising Planned Unit Development No. PUD-144-02, to City Council; and
2. Approve Conditional Use Permit No. CUP-311-11, subject to the recommended Conditions of Approval, as well as subject to the City Council approval of Code Amendment No. A-158-11.

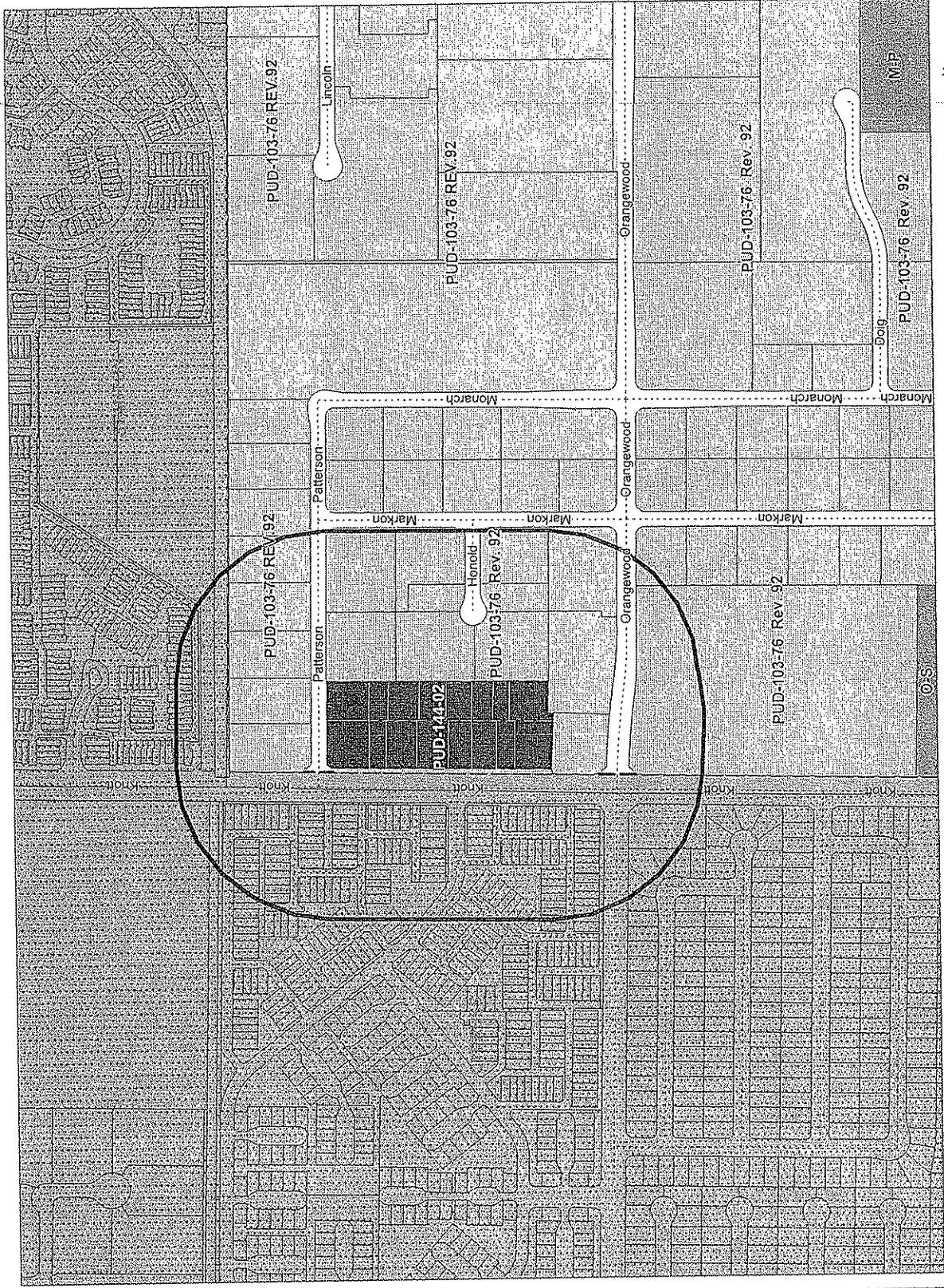


Karl Hill
Planning Services Manager



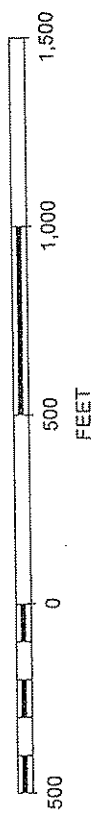
By: Chris Chung
Assistant Planner

A-158-11 & CUP-311-11 - 11330-11458 KNOTT ST



	Streets
	Street Centerlines
	Buffer layer
	Parcels
	Zoning
	R-1
	R-2
	R-3
	C-1
	C-2
	C-3
	OP
	O-P
	OS
	O-S
	M-1
	M-P
	PUD(C)
	PUD(C-R)
	PUD(I)
	PUD(M)
	PUD(O)
	PUD(R-1)
	PUD(R-2)
	PUD(R-3)
	PUD(UR)
	PUD(RF)
	C-1(T)
	R-3(T)
	TC
	Other
	BCSP-BCC
	BCSP-BCT
	BCSP-OE
	BCSP-OC

SCALE 1 : 6,114



APPROVAL: _____
 REVISIONS: _____

COMMERCIAL TENANT IMPROVEMENT FOR:
AmeriCare Medservices, INC
 1059 E. BEDMAR
 CARSON, CA 92518
 11458 KNOTT ST.
 GARDEN GROVE, CA
 92841

MUIR architects a.i.o.
 21837 ZEPHYRUS COURT
 SUITE 100
 GARDEN GROVE, CA 92847
 FAX: 949-471-7121

DATE:	12/21/2009	SCALE:	AS SHOWN
DRAWN:		PROJECT:	
CHECKED:		CLIENT:	
DATE:		PROJECT:	
SCALE:		CLIENT:	

TENANT IMPROVEMENT
 for:

AmeriCare Medservices, INC

PROJECT DATA

OWNER: LW VENTURES, INC (STYL WELLS)
 11458 KNOTT ST.
 GARDEN GROVE, CA 92841
 714-756-3393

TENANT: AmeriCare Medservices, INC
 1059 E. BEDMAR
 CARSON, CA 92518

PROJECT ADDRESS: 11458 KNOTT AVE
 GARDEN GROVE, CA

LEGAL DESCRIPTION: P BK 333 PG 22 PAK 9

ASSESSORS PARCEL NUMBER: 13197669

ZONE: MF

OCCUPANT TYPE: BFC-20-2

CONSTRUCTION TYPE: 4-3 - BRICK/CLAY

SITE SIZE: 8794 SF

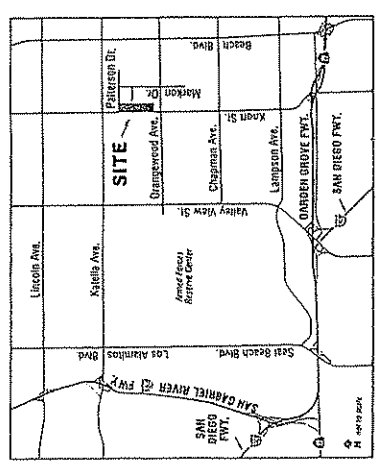
EXISTING OFFICE/RECEPTION AREA: 2774 SF

RADIOL EQUIPMENT STORAGE/STAGING: 1644 SF

AMBULANCE/EMERGENCY BAY: 1103 SF

TOTAL TENANT AREA/SQUARE FOOTAGE: 4788 SF

PROJECT DESCRIPTION: INTERIOR TENANT IMPROVEMENTS FOR USE AS AMBULANCE DISPATCH OFFICE



VICINITY MAP
 NO SCALE

CODE REQUIREMENTS

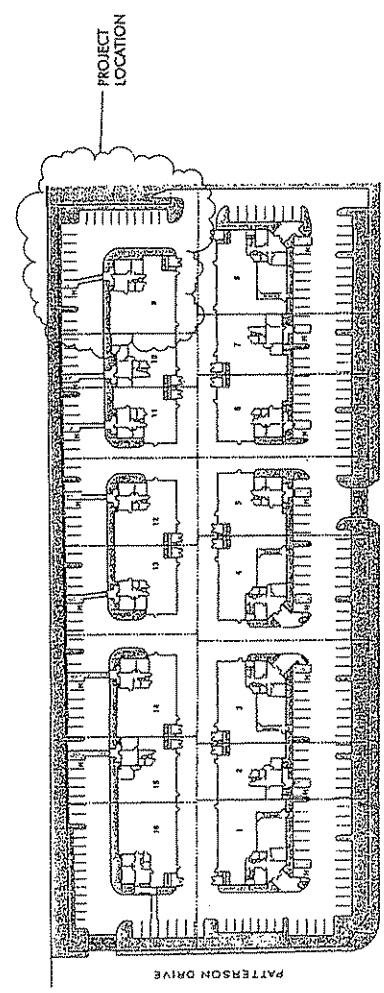
THE PROJECT SHALL COMPLY WITH THE FOLLOWING CODES:

- CALIFORNIA BUILDING CODE (CBC) - 2007 EDITION
- CALIFORNIA ELECTRICAL CODE (CEC) - 2007 EDITION
- CALIFORNIA MECHANICAL CODE (CMC) - 2007 EDITION
- CALIFORNIA PLUMBING CODE (CPC) - 2007 EDITION
- CALIFORNIA FIRE CODE (CFC) - 2007 EDITION
- CALIFORNIA LAND USE CODE (CLUC) - 2008 EDITION

AND ALL APPLICABLE FEDERAL AND LOCAL LAWS, REGULATIONS, AND ORDINANCES.

SHEET INDEX

SHEET	TITLE/SHEET, PROJECT DATA, SHEET INDEX, PERMIT MAP	DESCRIPTION
T-1	SITE PLAN	
A-1	ASSOCIATED OTHER EXHIBITS	

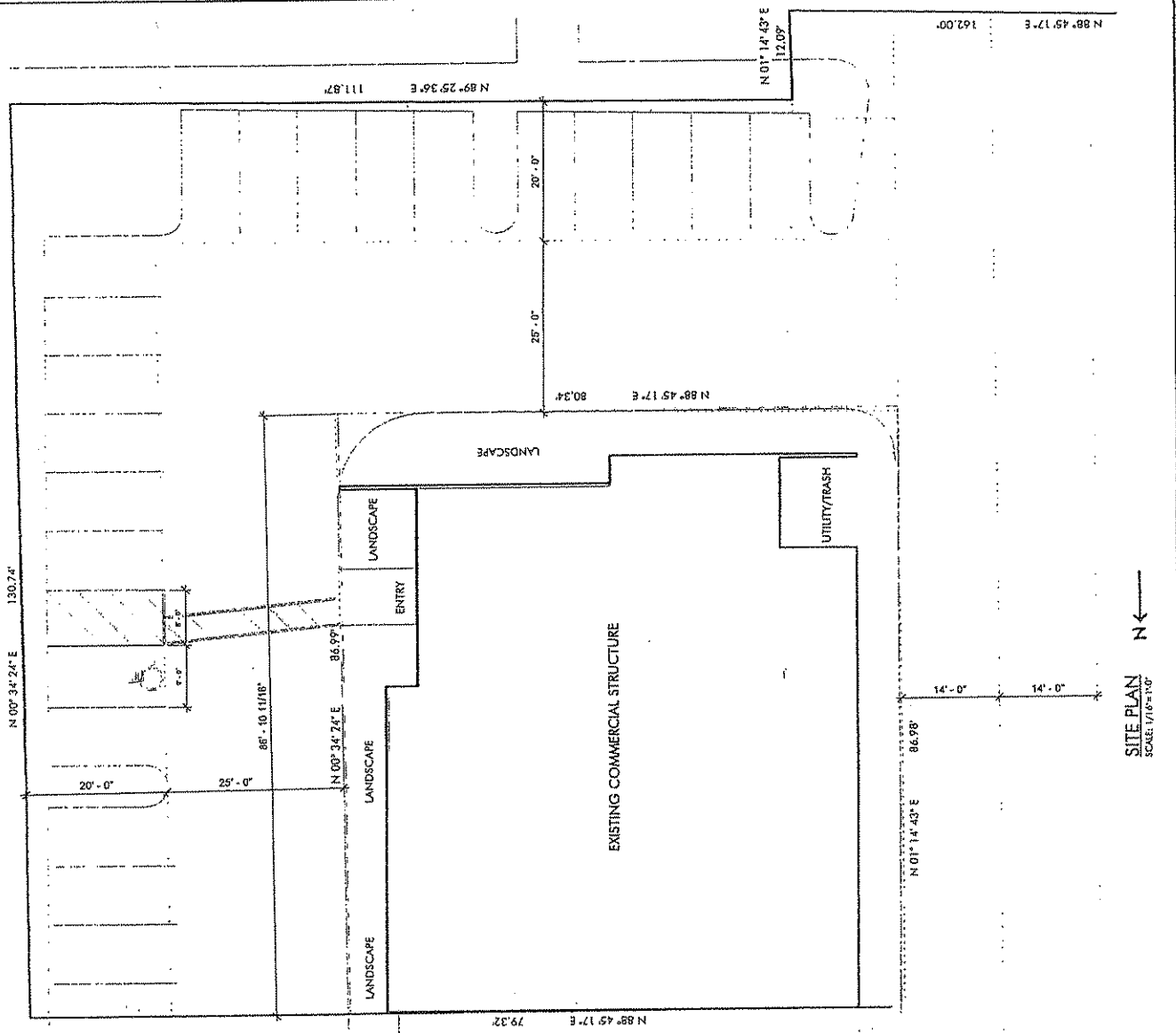


OVERALL DEVELOPMENT SITE PLAN
 NO SCALE

DISCHARGE OF POLLUTANTS

THE CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF WATER RESOURCES AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS. THE CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES. THE CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES. THE CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.

A-158-11
CUP-311-11



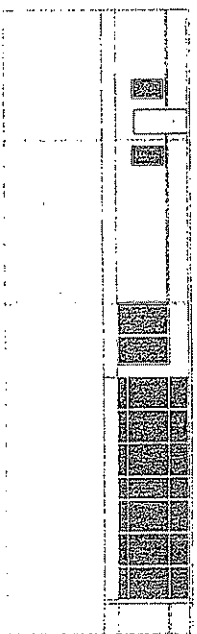
SITE PLAN
SCALE: 1/16"=1'-0"

MUIR
architects
o.i.a.
2415 PACIFIC COUNTRY
SUITE 1000
SAN JOSE, CA 95128
415.434.2200
415.434.9732

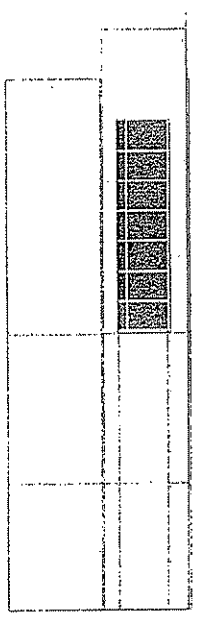
DATE:	12/20/08
DRAWN:	AM
PROJECT:	C1
DATE:	12/20/08
DRAWN:	AM
PROJECT:	C1

COMMERCIAL TRAVEL INFORMATION
AmeriCare Medservices, INC
1059 E. BEDDAR
CARSON, CA 92648

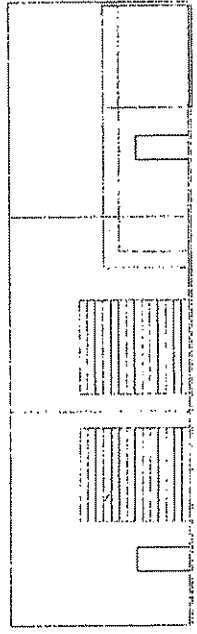
JOS LOCKHORN
1158 KNOTT AVE
GARDEN GROVE, CA



EAST ELEVATION
SCALE: 1/16"=1'-0"
ENTRY VIEW



SOUTH ELEVATION
SCALE: 1/16"=1'-0"



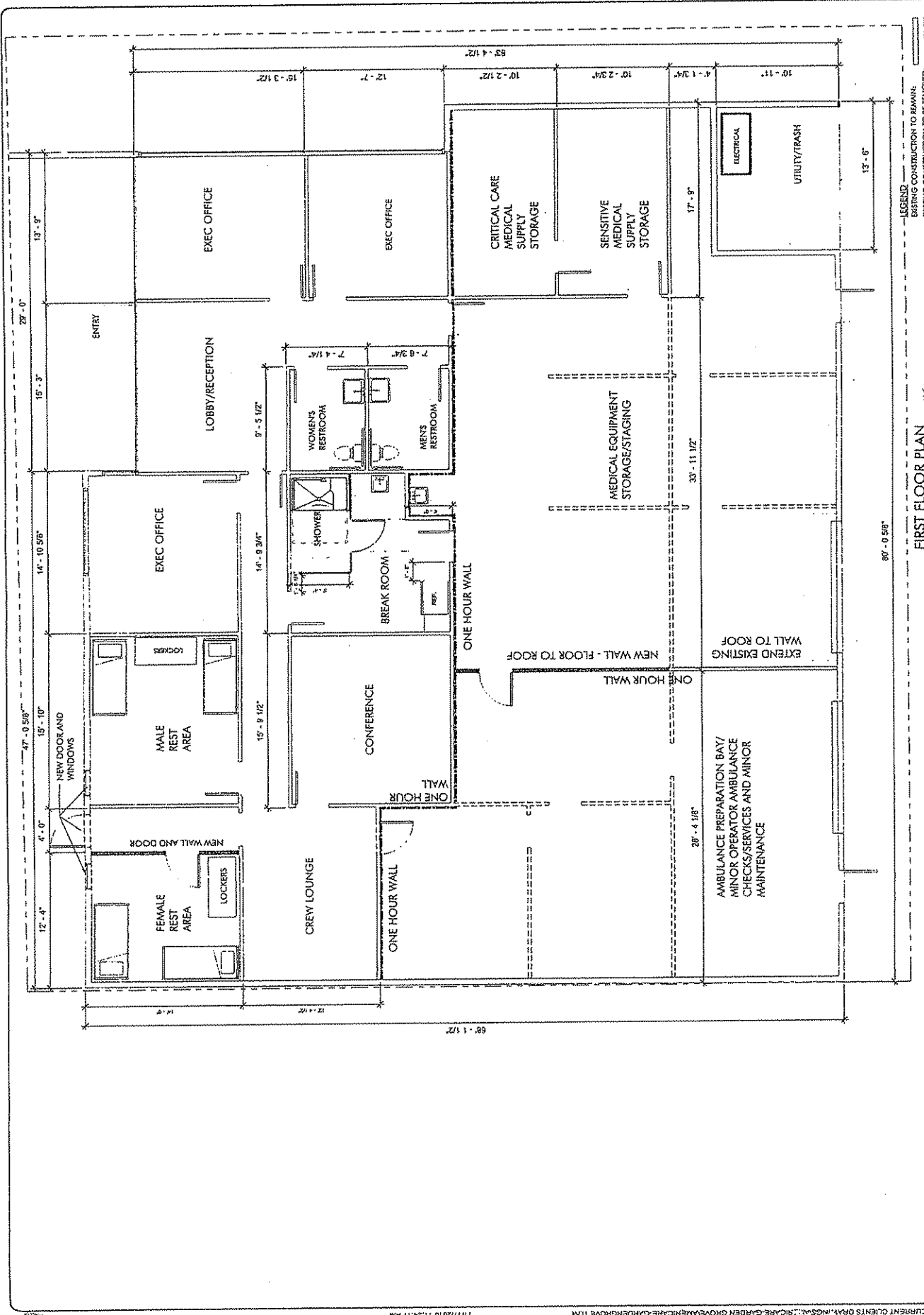
WEST ELEVATION
SCALE: 1/16"=1'-0"
REAR VIEW

PERSONAL
PROPERTY

AMERICARE MEDICAL SUPPLY STORAGE
1055 E. BEDDAR
CARSON, CA 92518
AMERICARE MEDICAL SUPPLY STORAGE
11455 KNOX CT AVE
GARDEN GROVE, CA 92646

COMMERCIAL TENANT IMPROVEMENT INC.
MUIR architects
G.L.O.
3441 PACIFIC COAST HWY
DARKTON, CA 92521
TEL: 714-771-1122
FAX: 714-771-1122

SHEET
A1
DATE: 08/10/07
DRAWN: JLM
CHECKED: JLM
PROJECT: 07-001



LEGEND:
EXISTING CONSTRUCTION TO REMAIN
EXISTING CONSTRUCTION TO BE REMOVED
NEW CONSTRUCTION

FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"
4928 SF

80' - 0 5/8"

11/7/2010 11:41:17 AM

C:\CURRENT CLIENTS\DRAL\INGSWL\SCARE-GARDEN GROVE\AMERICARE-GARDEN GROVE TM

RESOLUTION NO. 5732-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING APPROVAL OF AMENDMENT NO. A-158-11, AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT NO. PUD-144-02 ZONE TO ADD 'AMBULANCE SERVICE' AS A PERMITTED USE, SUBJECT TO CONDITIONAL USE PERMIT APPROVAL.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on January 20, 2011, does hereby recommend approval of Amendment No. A-158-11, for the properties located on the east side of Knott Street, between Patterson Drive and Orangewood Avenue at 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street. Parcel Nos. 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16, to City Council.

BE IT FURTHER RESOLVED that the City of Garden Grove has determined that the proposed Amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations, Title 14, Section 15061(b)(3). The project is also exempt based upon a Class 1 exemption. (Cal. Code Regs., tit. 14, section 15301.)

BE IT FURTHER RESOLVED in the matter of Amendment No. A-158-11, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Americare Medservices, Inc./ Americare Ambulance.
2. A proposal to amend the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street. The PUD-144-02 zone includes sixteen (16) parcels with addresses of 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street, with parcel nos. 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16.
3. The City of Garden Grove has determined that the proposed Amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations, Title 14, Section 15061(b)(3). The project is also exempt based upon a Class 1 exemption. (Cal. Code Regs., tit. 14, section 15301.)
4. The project has a General Plan Land Use designation of Industrial and is zoned PUD-144-02 (Planned Unit Development). The site is currently

improved with an existing industrial park.

5. Existing land use, zoning, and General Plan Land Use 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 January 20, 2011, 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 January 20, 2011; 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 site consists of an approximately 5.27-acre Planned Unit Development (PUD) developed as an industrial park and is located on the southeast corner of Knott Street and Patterson Drive.

The subject site is zoned PUD-144-02 and has a General Plan Land Use Designation of Industrial.

The PUD-144-02 (Planned Unit Development) zone currently does not list 'ambulance service' as a permitted use. The proposed Amendment would add 'ambulance service', as a permitted use in the PUD-144-02 zone, subject to the approval of a Conditional Use Permit.

The applicant is also proposing, in conjunction with this request, to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street. (Conditional Use Permit No. CUP-311-11).

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 requirement that 'ambulance service' 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 will promote the public interest, health, safety, and welfare through the Conditional Use Permit required by the amendment, thus ensuring 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-158-11 as follows:

The proposed Amendment would consist of the following:

PUD-144-02 establishes uses that are allowed through existing Condition "S". Amendment No. A-158-11 will add an additional use through Condition "T" as follows:

(Change shown in bold and italics)

S. All uses, improvements, and related activities not specified under the Conditions of Approval for Site Plan No. SP-315-02, shall be subject to the Industrial Park (MP) zoning classification under City of Garden Grove Title 9 Zoning Code

T. The following uses may be permitted in the PUD-144-02 (Planned Unit Development) zone, subject to Conditional Use Permit approval.

1. Ambulance Service

ADOPTED this 20th day of January, 2011

/s/ KRIS BEARD
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on January 20, 2011, by the following votes:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
VACANCY:	COMMISSIONERS:	ONE

/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 February 10, 2011.

RESOLUTION NO. 5733-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-311-11.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on January 20, 2011, approved Conditional Use Permit No. CUP-311-11 for the property located on the east side of Knott Street, between Patterson Drive and Orangewood Avenue, at 11458 Knott Street, Parcel No. 131-024-08.

BE IT FURTHER RESOLVED that the City of Garden Grove has determined that the proposed Amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations, Title 14, Section 15061(b)(3). The project is also exempt based upon a Class 1 exemption. (Cal. Code Regs., tit. 14, section 15301.)

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-311-11, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Americare Medservices, Inc./ Americare Ambulance.
2. A proposal to amend the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street. The PUD-144-02 zone includes sixteen (16) parcels with addresses of 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street, with parcel nos. 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16.
3. The City of Garden Grove has determined that the proposed Amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations, Title 14, Section 15061(b)(3). The project is also exempt based upon a Class 1 exemption. (Cal. Code Regs., tit. 14, section 15301.)
4. The project has a General Plan Land Use designation of Industrial and is zoned PUD-144-02 (Planned Unit Development). The site is currently improved with an existing industrial park.
5. Existing land use, zoning, and General Plan Land Use 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 January 20, 2011, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter at its meeting on January 20, 2011, 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 site consists of an approximately 5.27-acre Planned Unit Development (PUD) developed as an industrial park and is located on the southeast corner of Knott Street and Patterson Drive.

The subject site is zoned PUD-144-02 and has a General Plan Land Use Designation of Industrial.

The industrial park consists of sixteen (16) parcels and provides 222 total shared parking spaces available for the entire PUD. The subject tenant space under consideration, for the Conditional Use Permit portion of this application, is located at 11458 Knott Street and is a 4,968 square foot space.

In conjunction with the subject request, the applicant is proposing an Amendment to the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval. (Amendment No. A-158-11)

FINDINGS AND REASONS:

Conditional Use Permit:

1. In conjunction with the associated Amendment, the proposed ambulance service business, Americare Medservices, will be consistent with the City's General Plan and Redevelopment Plan. The proposed use, as conditioned, will be compatible with the surrounding uses as the proposed improvements and use comply with all applicable code provisions.
2. The proposed ambulance service business, Americare Medservices, as conditioned, will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area.
3. The proposed ambulance service business, Americare Medservices, as conditioned, will not unreasonably interfere with the use, enjoyment, or valuation of property of other persons located within the vicinity of the site. The proposed use can be accommodated on-site without negatively impacting the subject or surrounding properties.

4. The establishment of the proposed ambulance service business, Americare Medservices, will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare. Conditions of approval will ensure the public, health, safety, and welfare.
5. The approval to allow the operation of a ambulance service business, Americare Medservices, will not adversely affect the use and enjoyment of adjacent properties. If the applicant operates this use in compliance with the conditions of approval, there should be no impact on the adjoining properties.
6. Adequate parking and vehicular access are available for the new facility in accordance with the requirements of Title 9. The proposed project meets City Code requirements for parking as well as vehicular and pedestrian access.

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:

The Conditional Use Permit possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.

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 Conditional Use Permit No. CUP-311-11.

ADOPTED this 20th day of January, 2011

/s/ KRIS BEARD
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on January 20, 2011, by the following votes:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
VACANCY:	COMMISSIONERS:	ONE

/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 February 10, 2011.

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING: AMENDMENT NO. A-158-11
CONDITIONAL USE PERMIT NO. CUP-311-11
APPLICANT: AMERICARE MEDSERVICES, INC.
LOCATION: EAST SIDE OF KNOTT STREET, BETWEEN PATTERSON DRIVE AND ORANGEWOOD AVENUE AT 11330-11458 KNOTT STREET
DATE: JANUARY 20, 2011

REQUEST: To amend the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to conditional use permit approval, in conjunction with a request for conditional use permit approval to operate a new 4,968 square foot ambulance service business, Americare Medservices, at 11458 Knott Street. The PUD zone includes sixteen (16) parcels with addresses of 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street, with Parcel Nos. of 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15 and 16.

Staff report was read and recommended approval.

Commissioner Ellsworth asked if there were other non-emergency ambulance businesses in the City. Staff replied yes, at least two or three.

Commissioner Pak asked if there was a relation between the designations of PUD-144-02 and CCSP-CC. Staff replied that the CCSP-CC (Community Center Specific Plan) is not relevant to this location.

Commissioner Cabral asked for the number of employees the business would have. Staff deferred the question to the applicant to answer during the public hearing portion of the meeting.

Commissioner Bonikowski asked if the ambulance calls would include emergency transport and calls with sirens. Staff responded that the 24-hour transportation calls would be non-emergency related for those who need assistance and that if a siren was required, the siren would only be turned on at the right-of-way public street.

Chair Beard opened the public hearing to receive testimony in favor of or in opposition to the request.

Mr. Frank Adler, the applicant's representative, approached the Commission and stated that the number of employees would be two to three persons.

Chair Beard asked Mr. Adler if the applicant had read and agreed with the Conditions of Approval. Mr. Adler replied yes, and that one of the existing ambulance services in Garden Grove, Americare, was owned by the applicant; that the 24-hour calls are non-emergency related for transportation only such as non-emergency medical transport to a hospital; and that the rest areas shown are required for the 24-hour service.

Mr. Anthony Trani approached the Commission and expressed his concern regarding how often the emergency calls with sirens would occur, especially at night, as Knott Avenue is close by and they would hear the sirens.

Mr. Adler responded that the number of emergency calls would vary and that the calls are typically for 'hospital to hospital' and 'residence to hospital' non-emergency transport.

Mr. Scott Smith, the chief operating officer of Americare Ambulance Service, approached the Commission and stated that the overall system handles approximately 4,000 transport calls per month; that approximately two percent are actual emergency calls; that the new location would be an inner-facility provider transporting patients from hospital to skilled nursing facility and skilled nursing facility to hospital along with psychiatric calls; and, that they are the 911 prime provider for EOA No. 24 for the OCFA, which is in an area other than Garden Grove.

Commissioner Pak asked for the number of emergency calls that would occur during the 11:00 p.m. to 8:00 a.m. shift. Mr. Smith replied that most calls occur between 8:00 a.m. and 3:00 p.m.; that the emergency calls are in different areas such as Downey, Compton, and Villa Park; that this facility would not have Code 3 responses; that a typical day would include a vehicle check before ambulances would be distributed to different medical facilities; and that the ambulances return at approximately 7:00 or 8:00 p.m. with only a few non-emergency calls during the evening hours.

Chair Beard asked for an example of a time an emergency siren would be used. Mr. Smith responded that the request would come from the municipality, such as for the previous Brea and Placentia fires at which additional ambulances were recruited. Also, if a patient's medical status would deteriorate while in transport, the ambulance may run the lights and siren.

Vice Chair Bui asked about the previous tenant at this location.

Mr. Lyle Wells, the previous owner of the building, approached the Commission and stated that he ran a service building and electronic equipment manufacturing business from 2004 to 2009.

Commissioner Bonikowski asked for the number of Code 3 responses that had occurred at the applicant's other location on Trask Avenue. Mr. Smith replied that there were no Code 3 responses.

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

Commissioner Ellsworth pointed out that Condition No. 8 allows for the Police Department to change or reduce the hours of operation if problems occur regarding the 24-hour service.

Commissioner Bonikowski recalled his experience as a volunteer medical technician noting that the service he provided was used as back-up and that there were only a few emergency calls. He also supported the business, especially in west Garden Grove where senior homes are located.

Commissioner Pak commented that the business would be a wonderful addition to Garden Grove. Chair Beard concurred.

Commissioner Cabral moved to recommend approval of Amendment No. A-158-11 to City Council, and approve Conditional Use Permit No. CUP-311-11, seconded by Vice Chair Bui, pursuant to the facts and reasons contained in Resolution Nos. 5732-11 (A) and 5733-11 (CUP). The motion carried with the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, CABRAL, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
VACANCY:	COMMISSIONERS:	ONE

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-158-11, AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT NO. PUD-144-02 ZONE TO ADD 'AMBULANCE SERVICE' AS A PERMITTED USE, SUBJECT TO CONDITIONAL USE PERMIT APPROVAL

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

WHEREAS, the case, initiated by Americare Medservices Inc. requesting approval of an amendment to the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 4,968 square foot ambulance service business, Americare Medservices Inc. at 11458 Knott Street, Garden Grove. The PUD-144-02 zone (located at the southeast corner of Knott Street and Patterson Drive) includes sixteen (16) parcels with addresses of 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street. (Parcel Nos. 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16);

WHEREAS, that the City of Garden Grove has determined that the proposed Amendment No. A-158-11 is exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15061(b)(3). The project is also exempt based upon a Class 1 exemption. (Cal. Code Regs., tit. 14, section 15301.);

WHEREAS, the Planning Commission, following a duly advertised Public Hearing on January 20, 2011, at which all interested persons were given an opportunity to be heard, recommended approval of Amendment No. A-158-11;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on March 8, 2011, and all interested persons were given an opportunity to be heard; and

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

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: Amendment No. A-158-11 is hereby approved pursuant to the facts and reasons stated in Planning Commission Resolution No. 5732-11, 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 2: Planned Unit Development No. PUD-144-02 is hereby amended to modify the authorized uses through the addition of Condition "T" as follows:

T. The following additional use may be permitted in the Planned Unit Development No. PUD-144-02 (Planned Unit Development) zone, subject to Conditional Use Permit approval:

1. Ambulance Service

Section 3. Severability. 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 4. 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.