

RESOLUTION NO. 5878-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-028-2017 AND TENTATIVE TRACT MAP NO. TT-17927-2017 FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF LEWIS STREET AND GARDEN GROVE BOULEVARD, AT 12901 LEWIS STREET, ASSESSOR'S PARCEL NOS. 231-041-26, 231-041-27, 231-041-28, AND 231-255-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 6, 2017, does hereby approve Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, for land located at northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; (ii) Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2017, adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning, and adoption of an Ordinance approving Development Agreement No. DA-006-2017; and (iii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Shea Homes and proposes the development of a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01 acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property").
2. Approximately 39,328 square feet or 0.901 acres of project site is located within the city limits of the City of Orange, and the proposed Project includes action by the Orange County Local Agency Formation Commission ("LAFCO") to approve a reorganization of the existing boundary between the Cities that requires amendments to the respective spheres of influence of the Cities of Orange and Garden Grove, detachment of the subject 0.901 acres from the City of Orange, and annexation of the subject 0.901 acres to the City of Garden Grove. Provided the Project is approved and a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project are adopted by the City Council, the City of Garden Grove will submit an application

to the Orange County LAFCO for the necessary sphere of influence amendments and detachment/annexation of the subject 0.901 acres.

3. The applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017 to construct 70 single-family homes along with street and open space improvements; and (v) Development Agreement No. DA-006-2017 to allow and facilitate the construction of a 70-unit single-family residential small lot subdivision (collectively, the "Project").
4. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
5. Concurrently with its adoption of this Resolution, the Planning Commission adopted Resolution No. 5877-17 recommending that the City Council (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project and (ii) approve General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, subject to LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on April 6, 2017, 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 April 6, 2017, and considered all oral and written testimony

presented regarding the Project, the initial study, and the Mitigated Negative Declaration.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.12.040.060, 9.32.030, and 9.40.060, are as follows:

FACTS:

The subject site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. The site is currently developed with a religious institution, a private school building, surface parking, and related improvements. Surrounding properties contain both single-family and multi-family housing.

Approximately 0.901 acres at the northeast portion of the site is located in the City of Orange and is proposed to be detached from the City of Orange and annexed to the City of Garden Grove as part of the Project. The portion of the site within the City of Orange is currently zoned O-P (Office Professional), with a General Plan Land Use Designation of Medium Density Residential. The remainder of the site is located within the City of Garden Grove and is currently zoned R-1 (Single-Family Residential), with a General Plan Land Use Designation of Civic/Institutional. The Project includes requests for amendments to the City of Garden Grove General Plan and Zoning Maps to apply a General Plan Land Use Designation of Low Density Residential to the Property and Residential Planned Unit Development zoning, with R-1 (Single-Family Residential) base zoning, to the entire Project site. If approved by the City Council, Planned Unit Development No. PUD-006-2017 will create a precise plan zoning for the property with implementation provisions corresponding to the Project proposed pursuant to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, and would facilitate the development of the site with seventy (70) single-family residential units. Approval of the proposed Tentative Tract Map and Site Plan will not become effective until and unless the City Council approves the requested General Plan and Zoning Map amendments and Orange County LAFCO approves the requested detachment/annexation.

The site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Until 1962, the site and much of the surrounding area were planted with orchards and pastures. In 1965, the orchards on the site were cleared and the church, rectory, parish hall, administrative buildings, classroom buildings, recreation area for the school, and parking areas were constructed. At that time, a Conditional Use Permit was not required for religious institutions, and much of the surrounding area was developed for residential use. In 1972, a school building was constructed on the west side of the site, Lewis Street was realigned to the present configuration, and the SR-22 freeway was constructed. From 1977 to 1995, development of the surrounding area continued and the site remained unchanged.

In 1999, the City of Garden Grove approved Site Plan No. SP-239-99, Conditional Use Permit No. CUP-445-99, and Variance No. V-250-99, which allowed for the construction of a 15,500 square foot sanctuary church building and a spire above the height limits permitted in the R-1 zone, CUP approval to operate a religious institution, and variance approval to allow a reduction in the number of required on-site parking spaces. In 2005, the church improvements were completed, and the site has remain unchanged ever since.

Pursuant to the proposed development plan, the Project would consist of 70 single-family detached residential homes ranging in size from 2,451 square feet to 2,689 square feet, all with attached two-car garages accessible from a private street that circulates throughout the development. The resulting density of the proposed Project would be 7.8 dwelling units per acre. All units feature private outdoor areas to the sides and rear of the units. The proposed architectural style of the homes incorporate influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles, and each home is proposed to exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims. A four-foot side yard setback for each home is proposed, resulting in a total separation of eight feet between homes. Rear setbacks range from fifteen to thirty feet.

Main access to the site will be from Lewis Street via a gated enhanced entry driveway that will include decorative paving and landscaping. One emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, is proposed.

A 14,089 square foot active recreational open space area will be located near the entrance of the residential community and be available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

A total of 263 parking spaces are proposed, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on street spaces.

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six foot high block walls are proposed along the interior property lines of each unit. All blocks walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines.

The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners. In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

FINDINGS AND REASONS:

Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and is consistent with the General Plan.

Provided General Plan Amendment No. GPA-001-2017 is approved by the City Council, the General Plan Land Use Designation for the Property will be Low Density Residential. The Low Density Residential Land Use Designation is intended to create, maintain, and enhance residential areas characterized by detached, single-unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 70 detached single-family homes that satisfies each of these objectives and is within the permitted density of up to nine (9) units per acre for the Low Density Residential Land Use Designation. The proposed single-family residential type housing is similar to and compatible with the surrounding properties, which have both single-family and multi-family housing, and, thus, the proposed Site Plan is also consistent with Policy LU-2.4 of the General Plan Land Use Element, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of a Planned Unit Development that will establish zoning standards for the site consistent with the proposed Site Plan and Tentative Tract Map. In addition, the building facades, site design, parking, and landscaping are consistent with the development standards and spirit and intent of the requirements of the Municipal Code.

2. The proposed development will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access.

The drive aisles and maneuvering areas are adequate for vehicle access. The project provides a total of 263 parking spaces, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on-street spaces. Finally, adequate and safe pedestrian access, to all areas within the development, is provided within the project through a dedicated internal walkway system (sidewalk) that is free of conflict from drive aisles.

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

The existing streets, utilities and drainage facilities within the area are adequate to accommodate the Project. The on-site circulation and parking are sufficient for the existing and proposed development. The Public Works Department has reviewed the plans and all appropriate conditions of approval have been incorporated. The proposed development will provide landscaping and proper grading of the site to provide adequate on-site drainage. All other appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets.

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

The Project has been reviewed by the Public Works Department, which has required various on- and off-site improvements, including sidewalks, driveways, and grading improvements. Issues raised by the Project have been addressed in the project design and the conditions of approval.

5. The proposed development is compatible with the physical, functional and visual quality of the neighboring uses and desirable neighborhood characteristics.

The Project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that is compatible with the surrounding uses. The proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Furthermore, the Project complies with all development standards of the Small Lot Subdivision ordinance ensuring that the proposed development is livable and safe.

Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities, the proposed development will attain an attractive environment for the occupants of the property.

The Project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that is compatible with the surrounding uses. The proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Furthermore, the Project complies with all development standards of the Small Lot Subdivision ordinance ensuring that the proposed development is livable and safe.

Tentative Tract Map:

All findings for approval of the proposed Tentative Tract Map under Section 9.40.060 (Tentative Maps – Findings Required) of the Garden Grove Municipal Code and State law can be made.

1. The Tentative Tract Map for the proposed seventy (70) single-family residential dwelling units is consistent with the objectives, policies, general land uses, and programs specified in the Garden Grove General Plan, which encourages land subdivision in order to facilitate new development. The proposed General Plan Land Use Designation of the subject site is Low Density Residential, which permits small lot subdivisions of the scope and density proposed. The site is adequate in size and shape to accommodate the proposed future development of the site.
2. The design and improvements of the proposed subdivision is consistent with the zoning, Title 9 of the Garden Grove Municipal Code, the City's Small Lot Subdivision Ordinance, and the General Plan provisions for location, proximity to similar uses, lot width, and overall depth for the proposed improvements. The proposed General Plan Land Use Designation of the subject site is Low Density Residential, which is intended to create, maintain, and enhance residential areas characterized by detached, single-unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 70 detached single-family homes that satisfies each of these objectives. Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of a Planned Unit Development that will establish zoning standards for the site consistent with the proposed Site Plan and Tentative Tract Map. In addition, the building facades, site design, parking, and landscaping proposed as part of the project are consistent with the development standards and spirit and intent of the requirements of the Municipal Code.

3. The site is physically suitable for the proposed development and complies with the spirit and intent of a Residential Planned Unit Development and Title 9 of the City's Municipal Code. The site is adequate in size and shape to accommodate the proposed future development of the site.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and the requirements of the California Environmental Quality Act ("CEQA") have been satisfied. Pursuant to the California Environmental Quality Act CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
5. The site is physically suitable for the proposed density of the development. The site consists of 9.01 acres, and 70 single-family residential units are proposed on the site, resulting in a density of 7.8 dwelling units per acre. A density of up to 9.0 dwelling units per acre is permitted under the Low Density Residential General Plan Land Use Designation.
6. The design of the 70-unit single-family residential small lot subdivision, and the proposed improvements, are not likely to cause public health problems. The conditions of approval for on-site and off-site improvements will safeguard the public health. The Project will also be subject to all mitigation measures identified in the Mitigated Negative Declaration adopted for the Project.
7. The design of the 70-unit single-family residential small lot subdivision, and the proposed improvements, will not conflict with easements of record or easements established by court judgment acquired by the public-at-large for access through or use of property within the subdivision; if such easements exist, then alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public. In addition, the property is not subject to a Williamson Act contract, an open space easement, or a conservation easement.
8. The design and improvements of the 70-unit single-family residential small lot subdivision are suitable for the existing site improvements and the subdivision can be developed in compliance with the applicable zoning regulations.
9. The design and improvement of the proposed 70-unit single-family residential small lot subdivision are suitable for the residential project proposed and the

subdivision can be developed in compliance with the applicable zoning regulations.

10. The design of the subdivision, to the extent feasible, does have allowance for future passive or natural heating and cooling opportunities.
11. The design, density, and configuration of the subdivision strikes a balance between the effect of the subdivision on the housing needs of the region and of public service needs. In addition, the character of the subdivision is compatible with the design of existing structures and lot sizes in the general area.
12. The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. The conditions of approval for on and off-site improvements will ensure permitted capacity of the public sewer system is not exceeded.
13. The subject Property is not located within in a state responsibility area or a very high fire hazard severity zone, the proposed subdivision is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT AND RESOLUTION NO. 5877-17

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in Resolution No. 5877-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan and Tentative Tract Map do possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.24.030 (Site Plan) and 9.40.060 (Tentative Tract Map).
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following Conditions of Approval, attached as "Exhibit A", shall apply to Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017.
3. Approval of this Site Plan and Tentative Tract Map shall be subject to the recommended Conditions of Approval, and contingent upon (i) City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2017, an ordinance approving

Planned Unit Development No. PUD-006-2017, and an ordinance approving Development Agreement No. DA-006-2017, and (ii) Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence changes and detachment/annexation.

Adopted this 6th day of April, 2017

ATTEST:

/s/ GEORGE BRIETIGAM
VICE 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 April 6, 2017, by the following vote:

AYES: COMMISSIONERS: (6) BRIETIGAM, LAZENBY, LEHMAN, NGUYEN, SALAZAR, TRUONG
NOES: COMMISSIONERS: (0) NONE
ABSENT: COMMISSIONERS: (1) KANZLER

/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 April 27, 2017.