

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING GENERAL PLAN AMENDMENT NO. GPA-001-2017 TO AMEND THE CITY OF GARDEN GROVE'S GENERAL PLAN LAND USE MAP TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION OF THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE FROM CIVIC/INSTITUTIONAL TO LOW DENSITY RESIDENTIAL AND TO INCLUDE THE PROPERTIES TO BE ANNEXED UNDER THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL

WHEREAS, Shea Homes, the applicant, submitted a request to develop 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"), which is owned by Christ Catholic Cathedral Facilities Corporation;

WHEREAS, 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 and the Garden Grove Sanitary District 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 Plan 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; and (vi) Development Agreement No. DA-006-2017 (collectively, the "Project");

WHEREAS, following a Public Hearing held on April 6, 2017, the Garden Grove Planning Commission (1) adopted Resolution No. 5877-17 recommending the City Council adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Project and approve General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017, and (2) adopted Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, concurrent with the adoption of this Resolution, on May 23, 2017, the Garden Grove City Council adopted Resolution No. [REDACTED] authorizing initiation of, and recommending the Orange County Local Agency Formation Commission (LAFCO) take, proceedings for the Lewis Street Reorganization (RO 01-17), consisting of the detachment and annexation of approximately 0.901 acres of territory from the City of Orange to the City of Garden Grove and the Garden Grove Sanitary District, and related sphere of influence changes, in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, the area proposed to be detached from the City of Orange and annexed into the City of Garden Grove contains approximately 39,328 square feet or 0.901 acres, involving a reorganization of the existing boundary between the Cities, designation of the subject property Low Density Residential in the City of Garden Grove General Plan Land Use Map, and pre-zoning of the subject property to Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning;

WHEREAS, the adoption of the necessary land use actions by the City of Garden Grove to extend the City's General Plan to cover the properties to be annexed and to "pre-zone" the properties are prerequisites to LAFCO's approval of the proposed sphere of influence amendments and detachment/annexation;

WHEREAS, proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the properties to be annexed under the General Plan Land Use Designation of Low Density Residential;

WHEREAS, proposed Planned Unit Development No. PUD-006-2017 would amend the City of Garden Grove Zoning Map to "pre-zone" the portion of the Property to be annexed and to change the zoning of the portion of the Property located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, incorporating the special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 as the applicable development standards for the Planned Unit Development and Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017 and their associated conditions of approval as the development plan for the Planned Unit Development;

WHEREAS, concurrent with the adoption of this Resolution, on May 23, 2017, the City Council adopted Resolution No. [REDACTED] adopting a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, and introduced an Ordinance approving Planned Unit Development No. PUD-006-2017;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on May 23, 2017, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of May 23, 2017.

NOW, THEREFORE, the City Council of the City of Garden Grove does hereby resolve as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The City Council of the City of Garden Grove hereby makes the following findings regarding General Plan Amendment No. GPA-001-2017:
 - a. Proposed General Plan Amendment No. GPA-001-2017 is internally consistent with the goals, policies, and elements of the General Plan. The proposed General Plan Amendment No. GPA-001-2017 would amend the city of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential, in order to facilitate annexation of the subject 0.901 acres to the City of Garden Grove and the redevelopment of the combined 9.01 acre site with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed. The proposed General Plan amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove. Annexation of the subject 0.901 acres to the City of Garden Grove is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive. Giving the site a Land Use designation of "Low Density Residential" pursuant to the proposed General Plan Amendment is consistent with the goals and policies of the General Plan Land Use

- Element, including Policy LU-2.4, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Accordingly, City staff finds that the Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses.
- b. The proposed General Plan Amendment will promote the public interest, health, safety and welfare. The proposed General Plan Amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing municipal boundaries in the area, extending police, fire, and other City services to the property. The proposed General Plan Amendment will also facilitate the proposed 70-unit small lot subdivision development, which will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.
 - c. The parcels covered by the proposed amendment to the General Plan Land Use Map are physically suitable for the requested land use designation(s), compatible with the surrounding land uses, and consistent with the General Plan. The proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. In addition, the site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development. Finally, the General Plan is robust enough to accommodate the re-designation of property to new land use designations, and application of the Low Density Land Use designation to the site will not conflict with other provisions or elements of the General Plan.
3. The facts and reasons stated in Planning Commission Resolution No. 5877-17 recommending approval of General Plan Amendment No. GPA-001-2017, a copy of which is one file in the City Clerk's Office, are incorporated herein by reference with the same force and effect as if set forth in full.

4. General Plan Amendment No. GPA-001-2017 is hereby approved.
5. Upon approval of the Lewis Street Reorganization (RO 01-17) by the Orange County Local Agency Formation Commission, the General Plan Land Use Designation of the portion of the Project site that is located within the City of Garden Grove and the 0.901 acres of property to be annexed, as shown on the attached map, shall be designated as Low Density Residential, and the General Plan Land Use Map shall be amended accordingly. Should the Lewis Street Reorganization (RO 01-17) not be approved, the General Plan Land Use Designation of the portion of the Project site that is located within the jurisdictional boundaries of the City of Garden Grove shall remain Civic/Institutional.
6. This Resolution shall take effect on the thirty-first (31st) day following adoption.
7. The City Clerk shall certify to the adoption of this Resolution.