

RESOLUTION NO. 5901-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. GPA-002-2017(A) CHANGING THE LAND USE MAP FROM CIVIC/INSTITUTIONAL TO MEDIUM DENSITY RESIDENTIAL FOR LAND LOCATED ON THE NORTH SIDE OF 11TH STREET, BETWEEN BROOKHURST STREET AND KERRY STREET, AT 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, AND 9791 11TH STREET, 9752, 9762, 9802, 9820, 9822, 9842, 9902, AND 9904 13TH STREET, AND 14301 AND 14321 BROOKHURST STREET, PARCEL NOS. 098-120-04, 05, 18, 23, 25, 39, 40, 41, 42, 52, 57, 58, 59, 62, 63, 64, 65, 66, AND 930-384-55.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on November 2, 2017, hereby recommends City Council approval of General Plan Amendment No. GPA-002-2017(A) to change the General Plan land use designation of approximately 15-acres of land comprised of 14 parcels located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, and 9791 11th Street, 9752, 9762, 9802, 9820, 9822, 9842, 9902, and 9904 13th Street, and 14301 and 14321 Brookhurst Street (collectively, the "Properties"), from Civic/Institutional (CI) to Medium Density Residential (MDR).

BE IT FURTHER RESOLVED in the matter of General Plan Amendment No. GPA-002-2017(A) the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by City of Garden Grove.
2. The City of Garden Grove proposes to amend the General Plan Land Use designation of the Properties from Civic/Institutional to Medium Density Residential to correct an inconsistency between the zoning and the General Plan Land Use designations of the Properties resulting from a prior mapping error.
3. The proposed General Plan Amendment is not subject to the California Environmental Quality Act ("CEQA") (Cal. Pub. Resources Code Section 21000 et seq pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. The Properties have a General Plan Land Use designation of Civic/Institutional, thirteen of the parcels are zoned R-3 (Multiple-Family Residential), and one parcel is zoned Planned Unit Development No. PUD-130-99 with a base zone of R-3.

5. Existing land use, zoning, and General Plan 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 November 2, 2017, 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 November 2, 2017; 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 Sections 9.12.020 and 9.24.030, are as follows:

FACTS:

The subject Properties are located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, and 9791 11th Street, 9752, 9762, 9802, 9820, 9822, 9842, 9902, and 9904 13th Street, and 14301 and 14321 Brookhurst Street. The parcels all have a General Plan Land Use designation of Civic/Institutional and are zoned R-3 (Multiple-Family Residential), with the exception of one parcel located at 9752 13th Street, which is zoned Planned Unit Development No. PUD-130-99, with R-3 base zoning.

The properties are located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. The properties abut C-1 (Neighborhood Commercial) zoned properties on the southwest corner of 13th Street and Brookhurst Street, O-S (Open Space) zoned properties to the north, across 13th Street and to the west, across Kerry Street, C-1 zoned properties to the east, across Brookhurst Street, and R-1 (Single-Family Residential) and R-3 zoned properties to the south, across 11th Street.

All properties located within the block have a General Plan Land Use designation of Civic/Institutional, with the exception of two properties on the southwest corner of Brookhurst Street and 13th Street, which have a Land Use designation of Light Commercial. The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. The designation is intended for educational uses, such as, elementary, middle, and high schools, colleges, universities, hospitals, and governmental facilities. The previous Open Space (OS) Land Use designation combined parks, school uses, golf courses, and other public and private open space land under one designation. In the current

General Plan, the City determined to keep the Open Space designation for recreational areas, such as parks, right-of-ways, flood channels and introduce the Civic/Institutional designation to educational uses and government facilities, such as the Merton E. Hill Elementary School to the west, across Kerry Street.

The subject properties were not included in the Open Space designation in the previous General Plan. Rather, prior to 2008, all of the properties had a Land Use designation of Medium Density Residential. All of these properties were included in the change to Civic/Institutional in the current General Plan. However, the subject properties are developed mainly with residential uses and all but one retain an R-3 zoning which is not consistent with the Civic/Institutional General Plan designation. Although the Islamic Society of Orange County has a Planned Unit Development zoning, the PUD, retains an R-3 base zone. The R-3 zoning designation is consistent with the Medium Density Residential General Plan land use designation.

City staff has determined that the Civic/Institutional Land Use designation on the 14 properties is the result of a mapping error in the current General Plan and that only the Merton E. Hill Elementary School to the west across Kerry Street, should have been included in the Civic/Institutional designation. Changing the subject properties back to the Medium Density Residential designation will correct the prior mapping error and eliminate the current inconsistency between the General Plan land use and Zoning designations for the properties located in this block.

FINDINGS AND REASONS:

1. The amendment is internally consistent with the goals, objectives and elements of the City's General Plan.

The proposed General Plan Amendment will change the General Plan Land Use designation of the subject 14 Properties from Civic/Institutional to Medium Density Residential. The Properties previously had a Land Use designation of Medium Density Residential, but were changed when the Civic/Institutional designation was adopted in 2008 as a result of an administrative mapping error. The proposed amendment will return the Land Use designation to Medium Density Residential, which is consistent with the R-3 zoning and base zoning designations that apply to all of the Properties. The Medium High Density Residential (MHR) designation is found along major and secondary arterials, is intended to be a transition between the other residential land uses and the more intensive non-residential land uses, and is intended to create, maintain, and enhance higher density multi-family residential areas characterized by apartments, condominiums, or townhomes. The Properties are located in an area improved with single-family and multiple-family developments, a care facility, and the Islamic Society of Orange County. The proposed Amendment will restore the land use designation that is consistent with the Properties' zoning in accordance with State law and thus consistent

with the goals and objectives of all elements of the City's adopted General Plan.

2. The amendment is deemed to promote the public interest, health, safety and welfare.

The General Plan Amendment will promote the public interest, health, safety, and welfare by changing the land use from Civic/Institutional to Medium Density Residential, which is consistent with the surrounding neighborhood. The General Plan Amendment will return the sites to the Land Use designation it had in the past and repair the inconsistency between the General Plan designation and the zoning of the properties due to a mapping error during the current General Plan 2030 adopted in 2008.

3. The subject parcel(s) are physically suitable for the requested land use designation(s) compatible with the surrounding land uses, and consistent with the General Plan.

The 14 parcels are physically suitable for a Land Use designation of Medium Density Residential. The General Plan Amendment will return the Land Use designation from Civic/Institutional to the previous designation of Medium Density Residential, which was done in error during the adoption of the current General Plan in 2008. The properties are located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County, and will be consistent with the surrounding land uses. The subject parcels will retain their current size and land uses, which are consistent with the General Plan designation of Medium Density Residential.

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 General Plan Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (General Plan Amendment).

Adopted this 2nd day of November, 2017

ATTEST:

/s/ ANDREW KANZLER
CHAIR

/s/ JUDITH MOORE
RECORDING 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 November 2, 2017, by the following vote:

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

/s/ JUDITH MOORE
RECORDING SECRETARY