COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.3.	SITE LOCATION: North side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street.
HEARING DATE: November 2, 2017	GENERAL PLAN: Civic/Institutional PROPOSED: Medium Density Residential
CASE NOS.: General Plan Amendment No. GPA-002-2017(B) Site Plan No. SP-038-2017	ZONE: R-3 (Multiple-Family Residential)
APPLICANT: Faircrest Real Estate, LLC	CEQA DETERMINATION: Mitigated Negative Declaration
PROPERTY OWNER: Same as applicant	APN: 098-120-29, 30

REQUEST:

A request for Site Plan approval to develop a parcel, approximately 19,125 square feet in size, with ten (10) units within a three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional (CI) to Medium Density Residential (MDR). Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 (Multiple-Family Residential) zone development standards to: (1) allow the third-story configuration to be greater than fifty percent of the building footprint; (2) to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors; and (3) to deviate from the required 11'-3" third-story side vard setback.

PROJECT STATISTICS:

5 (8)	Provided	Code Requirement	Meets Code	Requires a Concession or Incentive
Total Lot Size	19,125 S.F.	7,200 S.F.	Yes	
Density By Total Site Area	10 units w/ 35% density bonus	7 units maximum for lots 18,000 – 19,799 S.F.	Yes	Yes
Lot Coverage	37.9%	50% maximum	Yes	
Residential Parking	20 spaces	20 spaces ¹	Yes	
Recreation Area Total	3,137 S.F.	3,000 S.F. 10 x 300 = 3,000 S.F.	Yes	
Common Area - Active	1,817 S.F.			

Unit 4: 2 Bedrooms, 2 Baths

Unit 5: 3 Bedrooms, 2.5 Baths

CASE NOS. GPA-002-2017(B) and SP-038-2017

Common Area - Passive	373			
Private Balconies	947 S.F.			
Building Setbacks	P	4	No	Yes
Front	20′-0″	20'-0" minimum	Yes	
Sides				
1st and 2nd floor	10'-0"	10′-0″	Yes	
3 rd floor	10′-0″	11′-3″	No	Yes
Rear	35'-2"	11′-3″	Yes	
Residential Units to Driveway	0'-0"	10'-0" minimum	No	Yes

^{1.} State Affordable Housing Law requires parking at 1 space per 1 bedroom unit, and 2 spaces per 2-3 bedroom units.

Number of Bedrooms/Baths	Living Area	Total Number of Units
Unit 1: 2 Bedrooms, 2 Baths (ADA)	990 S.F.	1
Unit 2: 3 Bedrooms, 2 Baths	1,180 S.F.	1
Unit 3: 2 Bedrooms, 2 Baths	990 S.F.	1

921 S.F.

1,277 S.F.

Total

2

5

10

Multi-Family Residential Units

BACKGROUND:

The subject property is located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street. The parcel currently has a General Plan Land Use designation of Civic/Institutional and is zoned R-3. The property is located in an area improved with single-family and multiple-family developments, a care facility, and the Islamic Society of Orange County. The property abuts R-3 zoned properties to the north, east, and west, and R-1 (Single-Family Residential) and R-3 zoned properties to the south across 11th Street. Directly to the east is an intermediate care facility, a multi-family development to the west, and a rehabilitation care facility to the north. The site consists of a net lot area of 19,125 square feet and is currently developed with two unoccupied and vacant residential dwelling units.

The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. This new land use 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. However, the properties within the block, including the property under this request, retain an

R-3 zoning, which is not consistent with the Civic/Institutional General Plan designation. The previous Land Use designation of the properties, Medium Density Residential, was consistent with the R-3 zoning of the properties, prior to the adoption of the current General Plan 2030.

Planning staff has reviewed the history of the General Plan designations and has determined that the Civic/Institutional Land Use designation on the properties was the result of a mapping error in the current General Plan. Under a separate request, General Plan Amendment No. GPA-002-2017(A), the City is proposing that surrounding properties' Land Use designation also be amended to Medium Density Residential. Under this request, the General Plan Amendment will correct the inconsistency between the Land Use designation and zoning of the subject property, return the parcel to its previous Land Use designation, and allow the property to be developed with a multi-family residential development.

DISCUSSION:

The applicant is requesting Site Plan approval to develop a 10-unit, three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional to Medium Density Residential. In order to facilitate the proposed development, and to ensure that the development site has consistent General Plan Land Use and zoning designations, a General Plan Amendment is required for the parcel.

GENERAL PLAN AMENDMENT:

The subject property, and 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. With the proposed residential development under the subject request, a General Plan Amendment to change the Land Use designation from Civic/Institutional to Medium Density Residential is necessary to make the General Plan Land Use designation and the zoning designation of the property consistent. This proposed General Plan Amendment is being processed concurrently with proposed General Plan Amendment No. GPA-002-2017(A) to also change the General Plan land use designations of the surrounding properties within the block back to Medium Density Residential.

A General Plan Amendment is required to change the General Plan Land Use designation from Civic/Institutional to Medium Density Residential to allow the development of the subject ten unit apartment building. As previously stated, the site and fourteen neighboring parcels to the north, east, and west were in the Medium Density Residential designation under the prior General Plan. Planning staff have reviewed the history and determined that a mapping error occurred that included the subject parcel in the newly added Civic/Institutional General Plan designation in 2008. Only Merton E. Hill Elementary School to the west, across Kerry Street, should have been included in the Civic/Institutional designation.

Changing the land use designation of the subject property 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 property so the proposed development can be constructed on the site.

SITE PLAN:

Site Design and Circulation

The proposed site design consists of one three-story building with a total of ten (10) units. One unit, twenty (20) parking spaces within a carport, storage areas, mailboxes, and utility closets will be located on the ground level. The remaining nine (9) units will be located on the two levels above. The project proposes five (5) sets of exterior stairs located along the west side of the site to access the units on the upper two levels.

The site will be accessed from a proposed 25′-0″ wide driveway from 11th Street. The driveway extends from the entrance of the property, and circulates to the rear of the lot. The driveway is used to access the covered parking spaces located on the west side of the property, and the trash enclosure located toward the rear of the property. The driveway has been designed in accordance with City standards, and is designed to provide the required access for trash trucks and emergency vehicles. In addition, an internal pedestrian walkway on the west side of the property that originates from 11th Street, with a gate and fence, will be used to provide access to the stairways and to the accessible unit on ground level.

The residential units have been parked per the State's Density Bonus Affordable Housing Law that establishes the maximum parking requirement for affordable housing developments. The law allows affordable housing developments to provide one (1) parking space for 1-bedroom units, and two (2) parking spaces for 2-3 bedrooms units. The project includes four (4) two-bedroom units, and six (6) three-bedroom units for a total of twenty (20) parking spaces required. All required parking spaces are provided in the form of open carports.

Recreation Area and Landscaping

The project is required to provide a variety of landscaping along the front, side and rear setback areas. The landscaping is required to provide a variety of trees, shrubs, bushes, and groundcover in all common landscape areas. The project proposes landscaping in all required setbacks, with the exception of areas designated for the drive aisle or walkways. The applicant is proposing a combination of evergreen and flowering trees along the front and rear property lines, and along the walkway that runs the length of the west property line. Additionally, the project proposes a variety of shrubs, groundcover, and artificial turf around the active recreation area located at the rear of the property.

The project provides a 1,817 square foot active recreation area located at the rear of the lot, and is accessed by a common walkway on the west side of the property and an accessible ramp on the east of the parcel, adjacent to the trash enclosure. The active recreation area is a multi-purpose area that consists of half a basketball court that may also be used for riding tricycles, rollerblading, and other group gatherings. The applicant also proposes benches for seating around the active recreation area. The active recreation area is 1,817 square feet.

The passive recreation areas are currently designed with landscaping and walkways along the rear east and west side setbacks for a total of 373 square feet. Additionally, the applicant is proposing areas along the west side setback area designed with benches and tables that may be utilized by residents for sitting or for engaging in other leisure activities.

Each unit will also have a private recreation area that complies with the minimum size of 90 square feet as required by the Municipal Code. The private recreation area is conveniently located in each unit, and will be accessed from the living room, in the form of outdoor patios or decks. The total private recreation area is 947 square feet.

The combined total private and common recreation area provided for the project exceeds the minimum amount required by the Municipal Code. The code requires 3,000 square feet of recreation area, and the applicant has provided a total of 3,137 square feet.

Unit Design

Based on the net parcel size of 19,125 square feet, Section 9.12.040.050 of Title 9 of the Municipal Code would permit a maximum of seven (7) multi-family residential units. However, the applicant has requested a 35 percent affordable housing density bonus; therefore, the project consists of ten (10) multi-family residential units. Three (3) units will be affordable for low-income households.

The development proposes five (5) different unit types ranging from 921 square feet to 1,277 square feet. Each unit consists of a kitchen, a living room, a dining room, a private laundry room, and outdoor private space. Unit 1, an accessible unit located on the ground level, consists of 990 square feet with two (2) bedrooms, two (2) bathrooms, and a 103 square foot outdoor patio. Unit 2, a second floor flat, consists of 1,180 square feet with three (3) bedrooms, two (2) bathrooms, and a 109 square foot outdoor deck. Unit 3, a third floor flat, consists of two (2) bedrooms, two (2) bathrooms, and a 103 square foot outdoor patio. Unit 4, a second floor flat, consists of 921 square feet with two (2) bedrooms, two (2) bathrooms, and a 91 square foot deck. The project proposes two (2) units that follow the Unit 4 configuration. Lastly, Unit 5 is a two-story unit consisting of 1,277 square feet with three (3) bedrooms, 2.5 bathrooms, and a 90 square foot outdoor deck. The project will consist of five (5) units with the Unit 5 configuration.

The project will also provide private storage areas with a minimum of 300 cubic feet, as required, that will be assigned to each unit as hanging storage within the carports and/or in individual storage rooms centrally located on the property adjacent to the mailboxes.

Building Architecture

The multi-family apartment building will be three (3) stories in height and will incorporate a contemporary architectural style. The design integrates varying building parapet heights, recessed patios, and projecting architectural features that enhance the building façade and eliminate the appearance of a boxed-shaped design. The building consists of a combination of faux wood lap siding as an accent and smooth faux concrete square veneer in two shades of beige. The design proposes varied window sizes, fabricated metal awnings, sloped stucco shelves underneath windows on the east elevation, and tensioned steel guardrail along the outdoor decks and patios.

Concessions/Incentives:

The applicant has requested three concessions/incentives for the project as permitted by the State's Density Bonus Affordable Housing law.

The first concession/incentive is to allow the third-story configuration to be greater than fifty percent of the building footprint, contrary to the R-3 zone development standards. With the vehicular access, carports, and one accessible unit occupying the ground level, this incentive is needed to allow the applicant to build the three additional density bonus units. The project proposes residential units on the upper two levels. Five two-story units are located on the second level, with all three bedrooms located on the third floor. There are also two additional single-story units proposed on the third floor. To meet the minimum bedroom sizes, minimum unit sizes, and building setbacks to the furthest extent possible, the third story may not be reduced to under fifty percent of the building footprint. A deviation to allow the third-story configuration to be greater than fifty percent is required to facilitate the development and improvement of the property.

The second concession/incentive is a waiver of the requirement to separate the building from the drive aisle by a distance of ten feet minimum. The ten foot separation requirement also applies to the upper stories of a building. The applicant is proposing a zero foot separation to the drive aisle on all three levels. On the ground level, Unit 1 does not maintain the minimum separation to the drive aisle. On the upper two levels, the remaining nine units do not maintain the minimum ten foot separation. Living rooms, bedrooms, and open patios and decks encroach into the required separation; however, these areas do not cantilever over the drive aisle. Given the narrow width of 63.28 feet of the lot, this concession is necessary to provide the minimum drive aisle width for vehicular access, for the building to maintain side setbacks to the furthest extent possible for pedestrian access and landscaping, and for the units to meet the minimum unit sizes as required by code.

The third concession/incentive is to deviate from the required 11'-3" third-story side yard setback along the side property lines. Along the westerly property line, the project maintains a ten foot setback to the stairs and access balconies. However, a 14'-6" separation is provided between the living areas of the units and the property line. Along the easterly property line, Unit 3 encroaches into the required 11'-3" third-story side yard setback. The project maintains a 10'-2" side yard setback, which does not meet the minimum required by 1'-1". A deviation from the minimum third-story side setbacks is required to facilitate the development and improvement of the property due to the narrow width of the lot. With the vehicular access, carports, and one accessible unit occupying the ground level, this incentive is needed to allow the applicant to build the three additional density bonus units. Nevertheless, the project is able to meet the required front and rear setbacks, and the required side yard setbacks on the first and second stories.

ENVIRONMENTAL CONSIDERATION

The proposed project was reviewed and an initial study was prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.) Based on the Initial Study and supporting technical analyses, it was determined that all potentially adverse environmental impacts can be mitigated to a level of less than significant. On this basis, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been prepared. Copies of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are attached to this report along with a CD that contains a complete digital version of the environmental document with the corresponding technical studies.

The 20-day public comment period on the Mitigated Negative Declaration occurred from October 10, 2017 to October 30, 2017.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

- 1. Adopt Resolution No. 5902-17 recommending that the City Council adopt the Mitigated Negative Declaration and approve General Plan Amendment No. GPA-002-2017(B); and,
- 2. Adopt Resolution No. 5903-17 approving Site Plan No. SP-038-2017, subject to the recommended Conditions of Approval and contingent upon City Council adoption of a Mitigated Negative Declaration for the Project and a resolution approving General Plan Amendment No. GPA-002-2017(B).

Lee Marino

Planning Services Manager

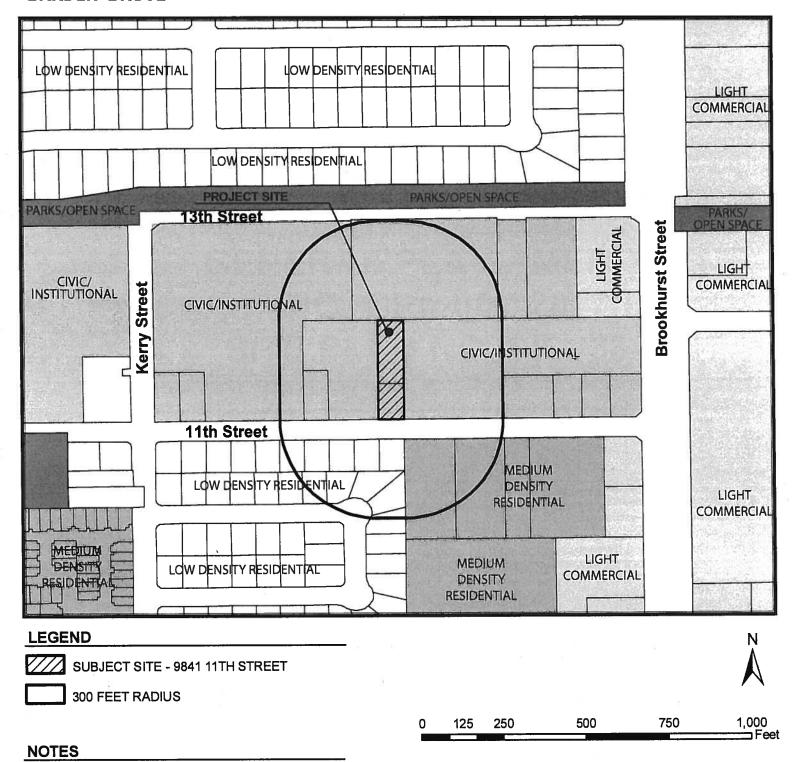
STAFF REPORT FOR PUBLIC HEARING
CASE NOS. GPA-002-2017(B) and SP-038-2017

By:

Mary Medrano Assistant Planner



GENERAL PLAN AMENDMENT NO. GPA-002-2017(B) SITE PLAN NO. SP-038-2017



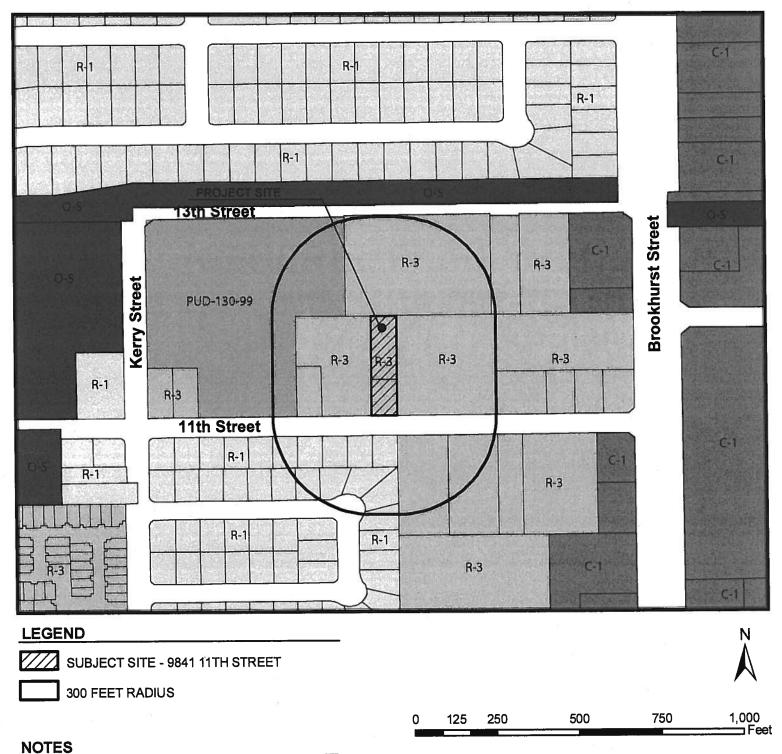
^{1.} SITE ADDRESS - 9841 11TH STREET

CITY OF GARDEN GROVE
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
NOVEMBER 2017

^{2.} GENERAL PLAN: CIVIC / INSTITUTION TO MEDIUM DENSITY RESIDENTIAL ZONE: R-3 (MULTIPLE-FAMILY RESIDENTIAL)



GENERAL PLAN AMENDMENT NO. GPA-002-2017(B) SITE PLAN NO. SP-038-2017



1. SITE ADDRESS - 9841 11TH STREET

CITY OF GARDEN GROVE
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
NOVEMBER 2017

^{2.} GENERAL PLAN: CIVIC / INSTITUTION TO MEDIUM DENSITY RESIDENTIAL ZONE: R-3 (MULTIPLE-FAMILY RESIDENTIAL)

GREEN GARDEN APARTMENT GARDEN GROVE, CA

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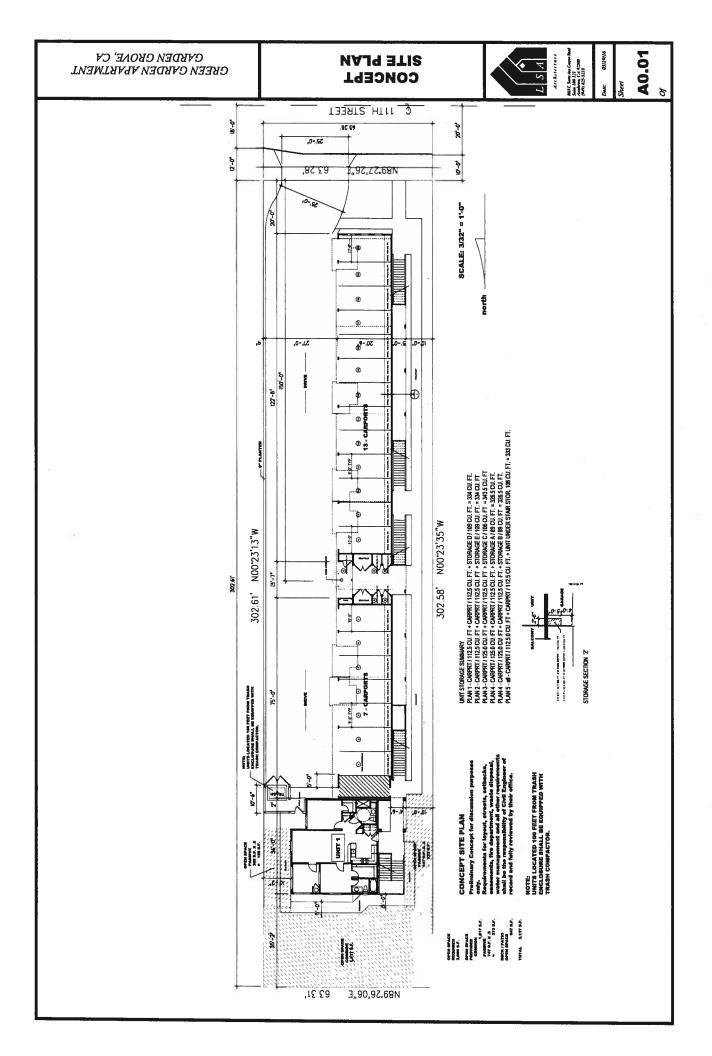
UNIT STORAGE SUMMERY
PLANT - CARRET / 125 CU FT + CARRET / 1125 CU FT + AUX, STORAGE D / 105 CU FT, + 334 CU FT.
PLAN 2: CARPET / 1/25 CLI FT + CARPET / 1/25 CU FT + ALS STURICE E / 1/3 CLI FT + 334 CU FT
PLAKES - CARPITAL 125 OU FT + CARPITAL 1125 OU FT + ARK STOWAGE C1 105 OU FT + 3425 OU FT
PLAN 4. CARPET 125 B.C., FT + CARPET / 1125 CJ. FT + ALK, STOWAGE A 189 CJL FT - 1365 CJL FT.
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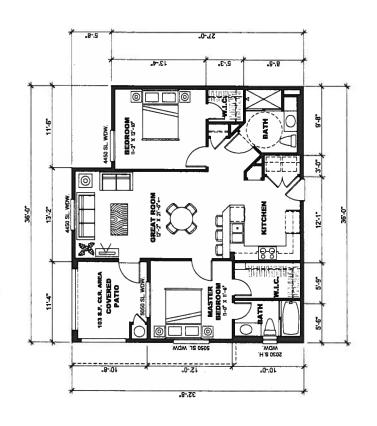
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GPA-002-2017(B)

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GREAT ROON

UNIT 1 - FIRST FLOOR FLAT 2-BEDROOMS / 2-BATH 40

SQUARE FOOTAGE
FLOOR PLAN 400 50. FT.
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NET CLEAR 103 50. FT.

DECK 109 S.F. CLR. AREA

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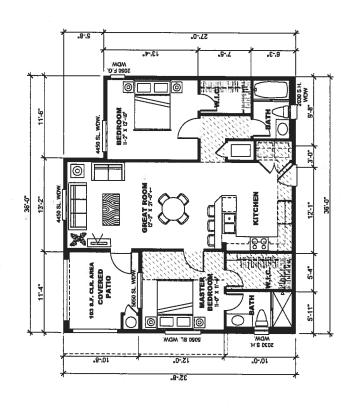
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UNIT 2 - SECOND FLOOR FLAT 3-BEDROOMS / 2-BATH

SQUARE FOOTAGE
FLOOR PLAN 1,180 SQ. FT.
DECK 126 SQ. FT.
NET CLEAR 109 SQ. FT.

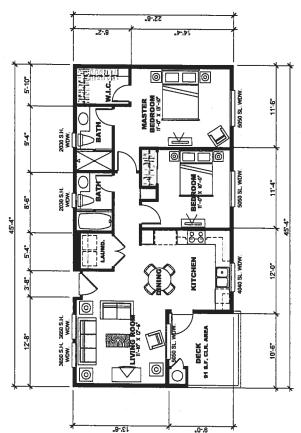


UNIT 3 - THIRD FLOOR FLAT 2-BEDROOMS / 2-BATH

SQUARE FOOTAGE
FLOR PLAN 40 50, FT.
DECK [2] 50, FT.
NET CLEAR 103 50, FT.

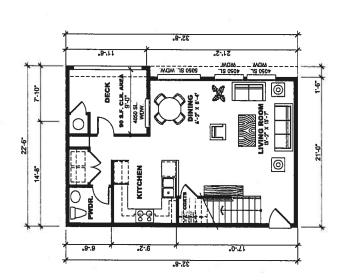
UNIT 4 - STACKED FLAT 2-BEDROOM / 2-BATH

SQUARE FOOTAGE
FLOOR PLAN "21 50, FT.
DECK 105 50, FT.
NET CLEAR 91 50, FT.



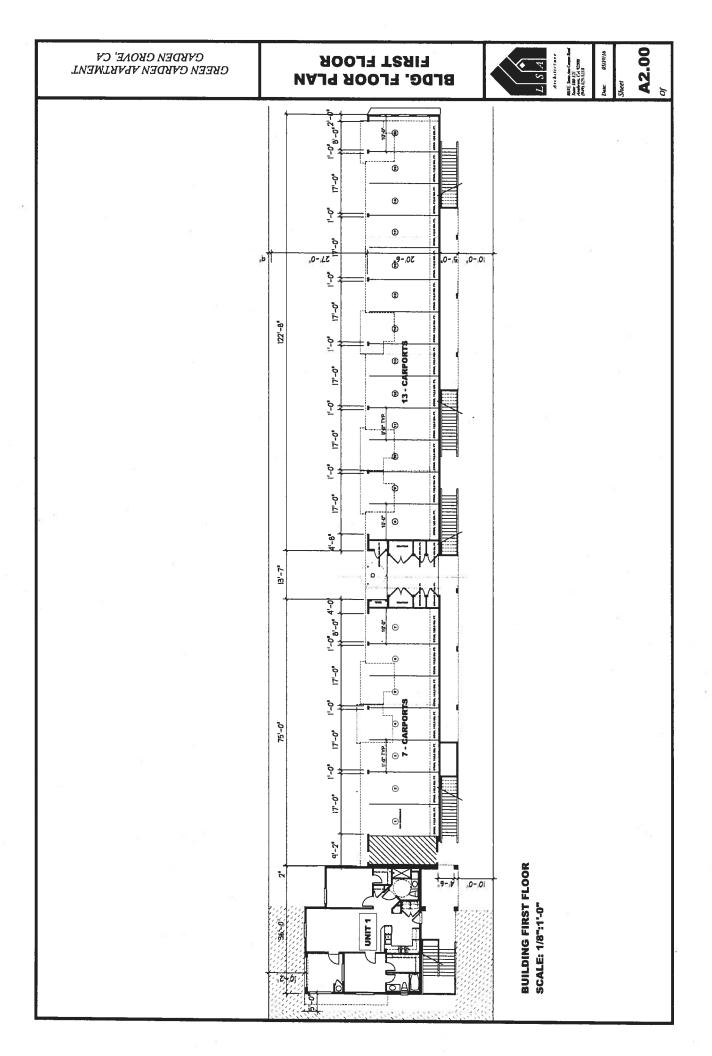
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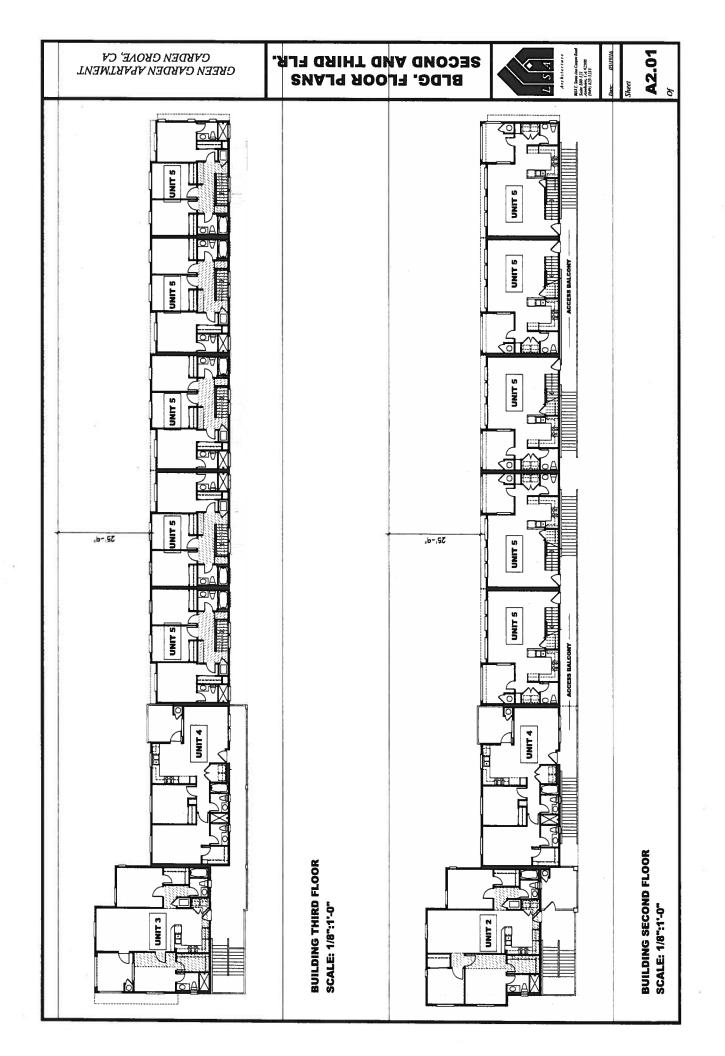


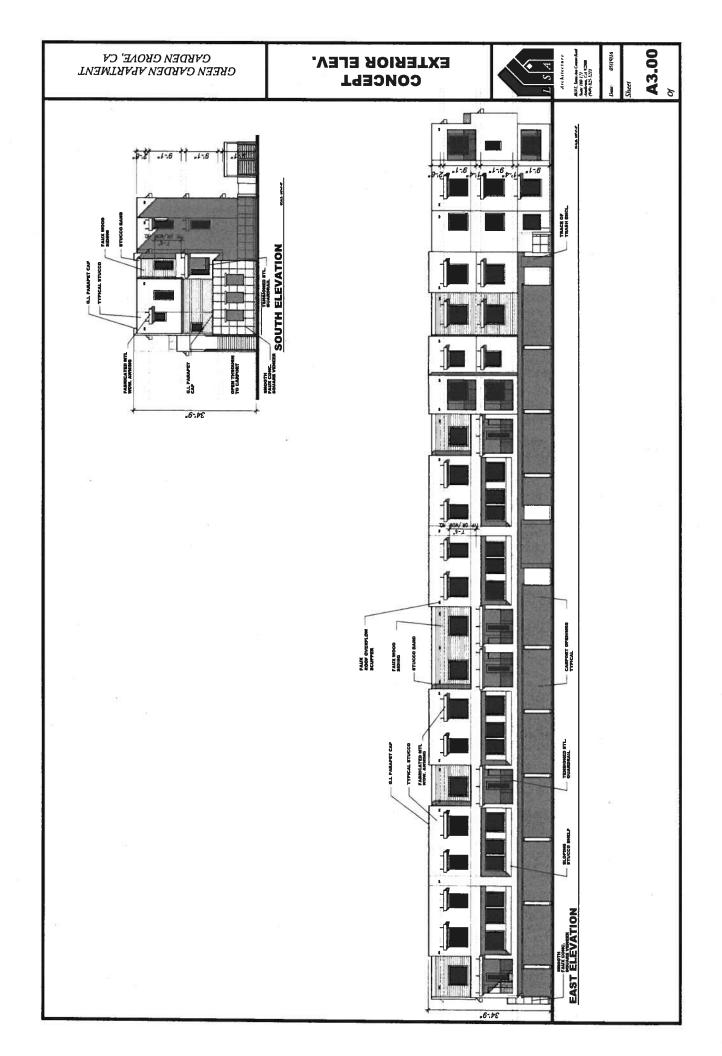


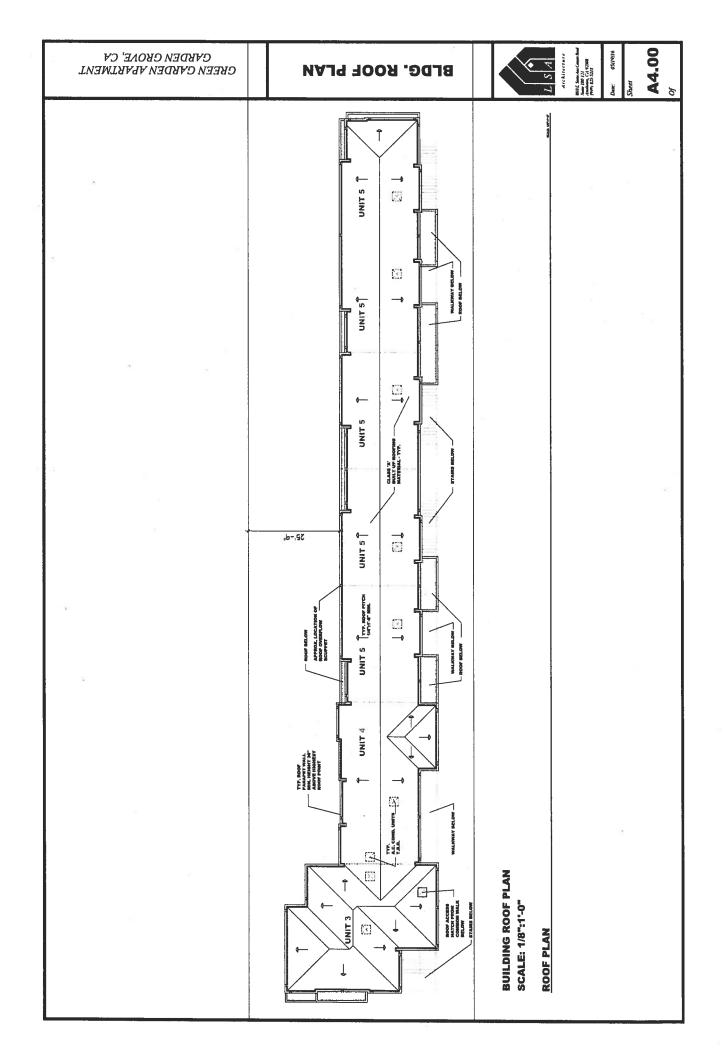
3-BEDROOMS / 2.5-BATH
SQUARE FOOTAGE
FIEST FLOOR 548 SG FT.
FLOOR PLAN (277) SG FT.
FT. CLEAR (250) FT.

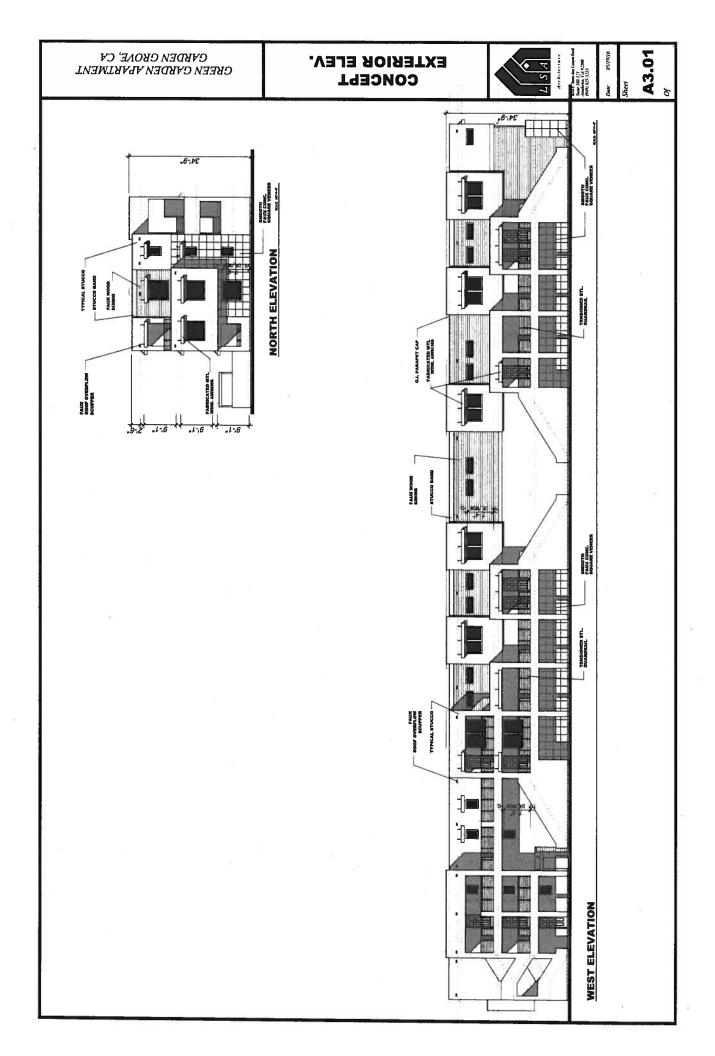
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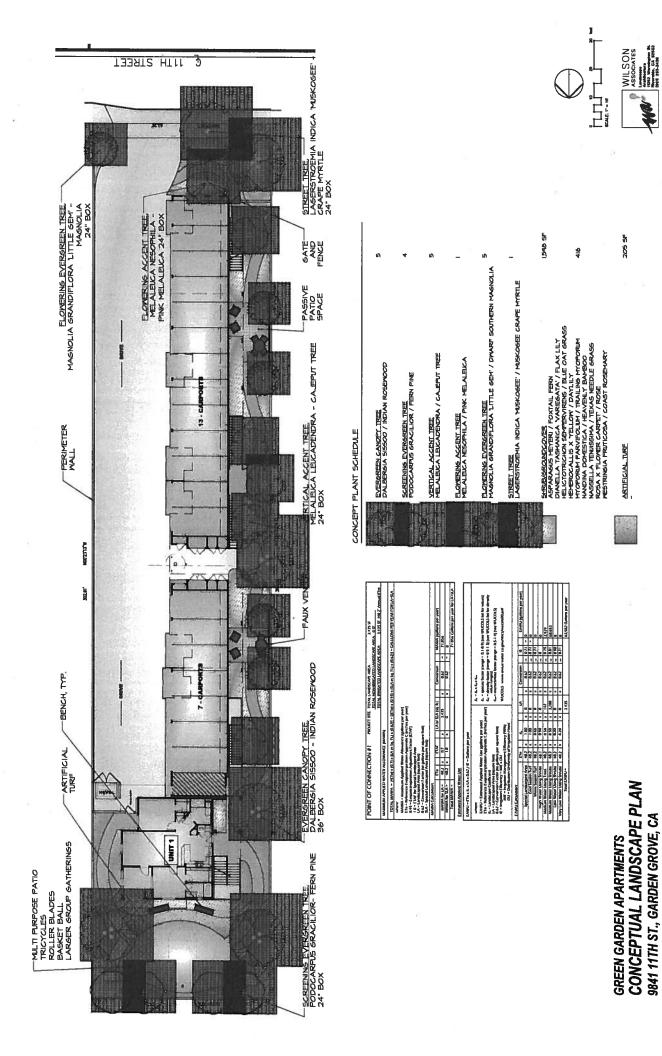












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9841 11TH ST., GARDEN GROVE, CA