

RESOLUTION NO. 5915

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-048-2018 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET AT 10080 GARDEN GROVE BOULEVARD AND 9860 LARSON AVENUE, PARCEL NUMBERS 098-070-72 AND 098-070-73, RESPECTIVELY.

WHEREAS, the City of Garden Grove has received an application to repurpose an existing 8-story, unfinished steel structure (prior Galleria, "Project" site) located at 10080 Garden Grove Boulevard (APN 098-070-72) for a 394-unit affordable senior housing project with 12,938 square feet of commercial space and to increase the developable site area by 2 acres, located at 9860 Larson Avenue (APN 098-070-73), to allow for the desired density of the Project. The land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2018 to change the land use designation of the 3.09-acre site from Residential/Commercial Mixed Use 1 to Community Residential and to change the designation of the 2-acre portion of the parcel to the south from Parks and Open Space to Community Residential; (2) Planned Unit Development No. PUD-008-2018 to create PUD zoning for the Project site currently zoned Garden Grove Mixed Use 1 and the 2-acre Garden Grove Boys & Girls Club (GGBGC) site currently zoned Parks/Open Space; (3) Site Plan No. SP-048-2018 to allow the construction of the Project by reusing and modifying the existing steel structure and parking structure and building an 8-story 394-unit affordable senior housing project with 12,938 square feet of commercial retail space along the Garden Grove Boulevard frontage and a 3-story parking structure; (4) Pursuant to the State Density Bonus Law for affordable housing projects, approval of three waivers from the Municipal Code development standards: a) to construct residential units that are less than the minimum required size; b) to reduce the amount of useable open space and provide 27% of the required space; c) to allow for some compact spaces in the required residential parking (16% compact, 0 permitted); and,

WHEREAS, the proposed project was originally proposed and considered in 2005 (previously approved project). Pursuant to the California Environmental Quality, Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA"), the City adopted a subsequent Mitigated Negative Declaration ("MND") and approved the project in 2005. A Notice of Determination was filed and posted on May 20, 2005. In 2017, modifications were proposed to the 2005 project ("proposed project"). Pursuant to Public Resources Code Section 21166 and California Code of Regulations, Title 14, Section 15162, the City prepared a subsequent initial study (The Galleria Mixed-Use Project Initial Study-Mitigated Negative Declaration) to analyze the proposed project's environmental effects. The subsequent initial study concluded that all of the proposed project's environmental impacts could be reduced to a less than significant level. On this basis, the subsequent initial study concluded that a subsequent MND was appropriate; and

WHEREAS, pursuant to Resolution No. 5914-18, adopted March 15, 2018, the findings and reasons of which are incorporated into this Resolution by reference, the Planning Commission has recommended that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project and approve General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session on March 15, 2018, does hereby approve Site Plan No. SP-048-2018, subject to the adoption of a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project by the Garden Grove City Council and, the adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2018, and an Ordinance approving Planned Unit Development No. PUD-008-2018 by the Garden Grove City Council, in substantially the same form as recommended by the Planning Commission pursuant to Resolution No. 5914-18.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-048-2018, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by AMG & Associates, LLC.
2. The applicant requests to amend the General Plan Land Use designation by changing the current designation of the project site (Residential/Commercial Mixed Use 1) and a 2-acre portion of the neighboring Garden Grove Boys & Girls Club (GGBGC) property (Parks and Open Space) to Community Residential, rezoning the combined site to Planned Unit Development for a mix of uses including senior housing, retail commercial, semi-public recreation and open space, and Site Plan approval to construct 394 affordable senior housing units and 12,938 square feet of commercial retail space with three concessions allowable by State Density Bonus law.
3. The Community Development Department has prepared a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project, that concludes that (a) the proposed project will not have a significant adverse effect on the environment provided that certain mitigation measures identified in the initial study are incorporated into the project; (b) the subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing guidelines.
4. The two properties included in the proposed project, have General Plan Land Use designations of Residential/Commercial Mixed Use 1 (prior Galleria) and Parks and Open Space (GGBGC), and are zoned Garden Grove Mixed Use 1 (GGMU1) and Open Space (O-S). Provided General Plan Amendment No. GPA-001-2018

and Planned Unit Development No. PUD-008-2018 are approved by the City Council, both properties will have a General Plan Land Use designation of Community Residential and will be zoned Planned Unit Development (PUD). The Community Residential designation, coupled with the State Density Bonus law allowable percentage increase in density, will allow for the 394 units. The total project area is 5.09 acres comprised of the 3.09 project site that is developed with the 8-story steel structure and a 2 acre portion of the larger 6.92 acre parcel which includes the Garden Grove Boys & Girls Club and Kiwanisland.

5. The 2-acre portion of the GGBGC/Kiwanisland property will be tied to the Project site through a "Declaration of Covenants and Restrictions for the Transfer of Development Rights".
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject properties have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on March 15, 2018, 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 March 15, 2018, and considered all oral and written testimony presented regarding the project, the initial study, and the subsequent 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 Section 9.24.030, Land Use Actions, are as follows:

FACTS:

The project site (prior Galleria) has an existing 8-story, unfinished steel structure that will be modified and reused into a 394-unit affordable senior housing project with 12,938 square feet of commercial retail space.

The project site consists of one parcel of land with an area of 3.09 acres of land (APN 098-070-72) and a 2-acre portion of larger parcel abutting to the south, with an area of 6.92 acres (APN 098-070-73). Both properties are owned by the Emlen W. Hoag Foundation.

The two-acre portion of the lot to the south includes the Garden Grove Boys & Girls Club building and parking lots.

Approval of the Site Plan, in conjunction with General Plan Amendment No. GPA-001-2018, and Planned Unit Development No. PUD-008-2018 would facilitate the development of the 394-unit affordable senior housing units and 12,938 square feet of commercial retail space on the ground floor.

The Site Plan No. SP-048-2018 is being processed in conjunction with General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018.

The property is located in the area of the intersection of Brookhurst Street and Garden Grove Boulevard. This area is in the Mixed Use General Plan Land Use designations and zoning with the intent of focusing growth on under-utilized commercial corridors, preserving older residential neighborhoods, and providing development opportunities to commercial property owners. The Brookhurst Triangle development site is across the street to the north and its first phase of multi-family residential construction is almost complete. The Ramada Plaza Hotel is adjacent to the west of the Project site and the Festival Plaza, a two-story commercial center, is to the east. The parking lot for the Garden Grove Boys & Girls Club abuts the Project site to the south, with the Boys & Girls Club building, Kiwanisland, and a baseball playing field further to the south and southwest.

The project has been designed to use the existing steel structure that was constructed under different zoning standards, to employ the provisions of the State Density Bonus law (additional density and reduced parking), and to comply where possible with the current development standards of the Municipal Code for multi-family residential and commercial development. Because the proposal is an affordable housing project, the applicant is also requesting three concessions from the Municipal Code standards as allowed per the State's Affordable Housing law: 1) to construct residential units that are less than the minimum required size; 2) to reduce the amount of useable open space and provide 27% of the required space; 3) to allow for some compact spaces in the required residential parking (16% compact, 0 permitted).

FINDINGS AND REASONS:

Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of the Municipal Code and other applicable ordinances.

The associated General Plan Amendment which will allow the increased density of the project is internally consistent with the goals and objectives of the City's adopted General Plan. The Residential/Commercial Mixed Use 1 zone intends for vibrant, urban-scale districts with higher residential densities and taller, more urban mixed use buildings. Senior housing is called out as an appropriate use in the Residential/Commercial Mixed Use 1. Amending the General Plan land

use designation to Community Residential, will facilitate the construction of senior housing and the development of affordable housing as encouraged by the General Plan Housing Element.

The proposed development will provide a unique mix of uses that are in keeping with the site constraints and the intent of the Garden Grove Mixed Use zoning. In particular, the project will meet the intent for this area of Garden Grove Boulevard by providing an urban-scale, fully integrated commercial and residential mixed-use development, which provides some commercial uses along the street frontage to encourage a more vibrant, pedestrian oriented streetscape. The uses included in the Planned Unit Development (PUD) for the property at 10080 Garden Grove Boulevard will be senior housing (multiple-family residential) apartments and retail commercial uses. On the 9860 Larson Avenue site, the uses will insure the continued operation of the Garden Grove Boys & Girls Club (open space, semi-public recreation facility, private club or lodge).

Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of General Plan Amendment (GPA-001-2018) and Planned Unit Development No. PUD-008-2018.

2. The proposed development does 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 project was designed to meet the parking requirements for affordable senior housing units (.5 parking space per senior housing unit, requires 197 spaces) and retail commercial units (1 space for 200 square feet, requires 65 spaces) and provide 36 additional spaces with 11 being designated for residential guests.

Vehicular access is provided by one main access driveway for the public, and a secondary driveway that is for trash pick-ups, loading, and emergency services.

A Traffic Impact Analysis was prepared that evaluated the impact of the project on the surrounding street system and included a review of ten key intersections. Traffic associated with the proposed project would not adversely affect the traffic circulation. All study intersections are forecast to operate at Level of Service D (LOS D) or better during the weekday A.M. and P.M. peak hours with the addition of project traffic. City of Garden Grove guidelines require LOS D as the minimum acceptable LOS for the City of Garden Grove arterial roadway system. With the addition of the project, the intersections will continue to operate within the anticipated scope as analyzed in the General

Plan EIR (LOS D). The impacts were found to be insignificant at all study intersections. Therefore the project will not adversely affect traffic circulation.

To minimize concerns regarding traffic operations and safety at the site access points, specific mitigation measures have been incorporated into the conditions of approval. The mitigations include a traffic signal at the intersection of Garden Grove Boulevard and the main project entrance, changes to the median and existing left-turn pockets, and a signal-timing coordination plan.

The City's Traffic Engineering section has reviewed the proposed project and the Traffic Impact Analysis and provided appropriate conditions of approval to minimize any impacts to surrounding streets.

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

The Public Works Department has reviewed the plans, and a required Sewer Flow Study, to provide appropriate conditions of approval. The proposed development will provide landscaping, proper grading, and Site Design Best Management Practices to provide adequate on-site drainage. All appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets, utilities, and drainage channels.

4. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The development does provide a reasonable degree of physical, functional and visual compatibility with the neighborhood, in part, because the building is designed to have a lower mass that corresponds in height (approximately 45 feet) to the neighboring Ramada Plaza Hotel. The senior housing apartments on the upper floors (6th, 7th, and 8th) are set back from the outer edges of the lower building mass. In this way, the architectural detailing of the building ties into the neighboring development and minimizes the overall height of the building. Also, the commercial storefronts along the Garden Grove Boulevard frontage provide compatibility with the neighboring commercial center and other similar developments in the nearby area. The project provides frontage that is consistent with the commercial development along an urbanized corridor and a building that is visually interesting.

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

The project has been designed to be urban in character with a pedestrian plaza that includes landscaping along the Garden Grove frontage. The buildings will be modern in design and provide a residential setting for seniors close to commercial shopping at the Festival Plaza to the east and other nearby commercial developments. The project will be part of a node of taller, more urban development that is shared with the Brookhurst Triangle development immediately across Garden Grove Boulevard to the north. To facilitate the development of senior housing at the proposed density, the applicant has requested a concession to provide only a portion (27%) of the open space required for 394 units. The open space provided is of several types including two courtyards, a large community room off the first floor central courtyard, two smaller community rooms, four recreation decks, and 37 private balconies on the front units of the 3rd, 4th, 5th, and 6th floors. The applicant has proposed a partnership with the Garden Grove Boys & Girls Club to provide activities for seniors through Intergenerational Programming. This programming is a way to fulfill the intent of "open space" requirements where limited open space is provided. The project is designed to be a modern, attractive building providing affordable housing for seniors.

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 Site Plan possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030 (Site Plan).
2. In order to mitigate any environmental impacts and to fulfill the purpose and intent of the Municipal Code, thereby, promoting the health, safety, and general welfare, the following conditions of approval, attached as Exhibit "A", shall apply to Site Plan No. SP-048-2018.

Adopted this 15th day of March 2018

ATTEST:

/s/ GEORGE BRIETIGAM
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 March 15, 2018, by the following vote:

AYES: COMMISSIONERS: (7) BRIETIGAM, KANZLER, LAZENBY, LEHMAN,
NGUYEN, TRUONG, SALAZAR
NOES: COMMISSIONERS: (0) NONE

/s/ JUDITH MOORE
RECORDING 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 5, 2018.