

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-008-2018 BY CHANGING THE ZONING DESIGNATION FROM GGMU1 (GARDEN GROVE MIXED USE 1) AND O-S (OPEN SPACE) TO PLANNED UNIT DEVELOPMENT NO. PUD-008-2018

***City Attorney Summary***

***This Ordinance approves a Planned Unit Development and corresponding amendment to the City's Zone Map with respect to an approximately 5.09 acre parcel located on the south side of Garden Grove Boulevard, west of Brookhurst Street at 10080 Garden Grove Boulevard and the property adjacent to the south at 9860 Larson Avenue, Assessor's Parcel Nos. 098-070-72 and 098-070-73, to change the zoning designation from GGMU1 (Garden Grove Boulevard Mixed Use 1) and O-S (Open Space) to Planned Unit Development No. PUD-008-2018, in order to facilitate the repurposing of an existing 8-story, unfinished steel structure into a 394-unit affordable senior housing project with 12,938 square feet of commercial retail space.***

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City of Garden Grove has received an application from AMG & Associates, LLC., for approval to rezone the project site of 5.09 acres to Planned Unit Development, for the parcel at 10080 Garden Grove Boulevard (Assessor's Parcel No. 098-070-72) from GGMU1 (Garden Grove Boulevard Mixed Use 1) and the parcel at 9860 Larson Avenue (Assessor's Parcel No. 098-070-73) from O-S (Open Space), to facilitate the development of a 394-unit affordable senior housing project with 12,938 square feet of commercial retail space (the "Project");

WHEREAS, the Planned Unit Development No. PUD-008-2018 is being processed in conjunction with General Plan Amendment No. GPA-001-2018 to change the General Plan Land Use designations from Residential/Commercial Mixed Use 1 (prior Galleria, "Project" site) and Parks/Open Space (2-acre portion of Garden Grove Boys & Girls Club site) to Community Residential to increase the residential density from 42 dwelling units per acre to 60 dwelling units per acre specifically for senior housing and Site Plan No. SP-048-2018 to approve the affordable senior housing and commercial retail space project;

WHEREAS, pursuant to Resolution No. 5914, the Planning Commission, following a Public Hearing held on March 15, 2018, recommended adoption of a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Planned Unit Development No. PUD-008-2018 and General Plan Amendment No. GPA-001-2018;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on April 24, 2018, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council approved Resolution No. \_\_\_\_\_ during its meeting on April 24, 2018, adopting a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project pursuant to the California Environmental Quality Act, California Public Resources Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.; and

WHEREAS, the City Council hereby makes the following findings regarding Planned Unit Development No. PUD-008-2018:

- A. The location of the units, architectural design, and proposed use are compatible with the character of existing development in the vicinity, and the project will be well-integrated into its setting.

The project is designed to be integrated with the existing developments in the area. The building is designed to have commercial storefronts on Garden Grove Boulevard. The commercial portion of the building corresponds to the height (approximately 45 feet) of the neighboring Ramada Plaza Hotel. The affordable senior housing units on the upper floors are set back from the outer edges of the commercial footprint. In this way, the architectural detailing of the building ties into the neighboring development and minimizes the overall height of the building. The project provides frontage that is consistent with the commercial development along an urbanized corridor and is visually interesting. The design of the project will ensure a reasonable degree of compatibility with adjacent uses.

- B. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

The design of the project complies with the spirit and intent of the Garden Grove Municipal Code for mixed-use development. A traffic study was prepared that evaluated the impact of the project on the surrounding street system and included review of 10 key intersections. 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 the proposed traffic. With 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, and therefore, the project will not cause traffic congestion on surrounding streets.

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 (the easterly driveway), changes to the median and existing left-turn pockets, and a signal-timing

coordination plan. Through these mitigation measures, the increased vehicle trips and congestion will have a less than significant impact.

C. Provision is made for both public and private open spaces.

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 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 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> 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.

D. Provision is made for the protection and maintenance of private areas reserved for common use.

Through the conditions of approval for the project all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior to the start of construction and will be required to be adhered to for the life of the project.

E. The quality of the project, achieved through the Planned Unit Development zoning, is greater than could be achieved through traditional zoning.

The project is a unique mix of uses on a unique site that could only be approved by Planned Unit Development (PUD) zoning. The project will repurpose an existing steel structure that was originally constructed for the first mixed-use project approved in 2005. However, the new proposal is for an increased density of affordable senior housing units that must be approved by amending the General Plan to the Community Residential land use designation. The Community Residential designation is only implemented by PUD zoning. The PUD zoning for this site, allows for commercial tenant spaces that are consistent with the existing character of Garden Grove Boulevard and affordable senior apartments that provide the convenience of living in a more urban environment.

For this unique project, the PUD zoning also defines a portion of the site that shall remain for uses typically found in the Open Space (O-S) zone. The PUD zoning allows for a mix of residential, commercial, and open space uses in an urban, mixed-use development that is visually interesting and will be a significant, new building in the City of Garden Grove. The qualities of the project could not be achieved through traditional zoning.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the foregoing recitals are true and correct.

Section 2. City Council Resolution No. \_\_\_\_\_ adopting a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project is incorporated by reference as if set forth fully herein.

Section 3. Planned Unit Development No. PUD-008-2018 is hereby approved pursuant to the facts and reasons stated in Planning Commission Resolution No. 5914, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

Section 4. The property shown on the map attached hereto is rezoned to Planned Unit Development No. PUD-008-2018 as shown thereon.

Section 5. The implementation provisions for Planned Unit Development No. PUD-008-2018 are found under Planning Commission Resolution No. 5915-18 for Site Plan No. SP-048-2018 and as follows:

PUD-008-2018 is intended to allow for a mix of uses on the project site. The PUD will provide base zones or specific uses that are permitted on the properties with the understanding that all such uses or expansion of uses shall meet the applicable development standards from Title 9.

The following uses allowed under the Community Residential Land Use designation shall be allowed by PUD-008-2018 on the 10080 Garden Grove Boulevard parcel (APN 098-070-72):

- Senior Housing
- Convalescent Hospitals
- Congregate Housing
- Institutional Quarters

These uses translate to the following activities in Title 9, Section 9.16.020.030 Uses allowed:

- Multiple-Family Residential
- Community Care Facility, Residential
- Residential Care Facility for the Elderly (RCFE)

- Skilled Nursing Facility

The commercial uses shall be retail sales and services for neighborhoods and the larger community and shall be allowed on the 10080 Garden Grove Boulevard (APN 098-070-72) property. The following base districts for the commercial uses are:

- C-1, Neighborhood Commercial
  - O-P, Office Professional

The Boys & Girls Club uses are those found in the Open Space zone and include "Public and Semi Public" Educational Institutions and Public Recreational Facilities. The following base district for the 9860 Larson Avenue site (a portion of APN 098-070-73) is:

- O-S, Open Space

The Open Space uses are further defined by Title 9, Section 9.16.030.050 Open Space Zone.

Landscaping, pedestrian plazas along Garden Grove Boulevard, architectural detailing, outdoor dining and similar features shall meet the requirements of the following base district:

- GGMU1, Garden Grove Mixed Use 1

In the event that a use is proposed that is not listed, an interpretation of use may be made by the Zoning Administrator or the Planning Commission.

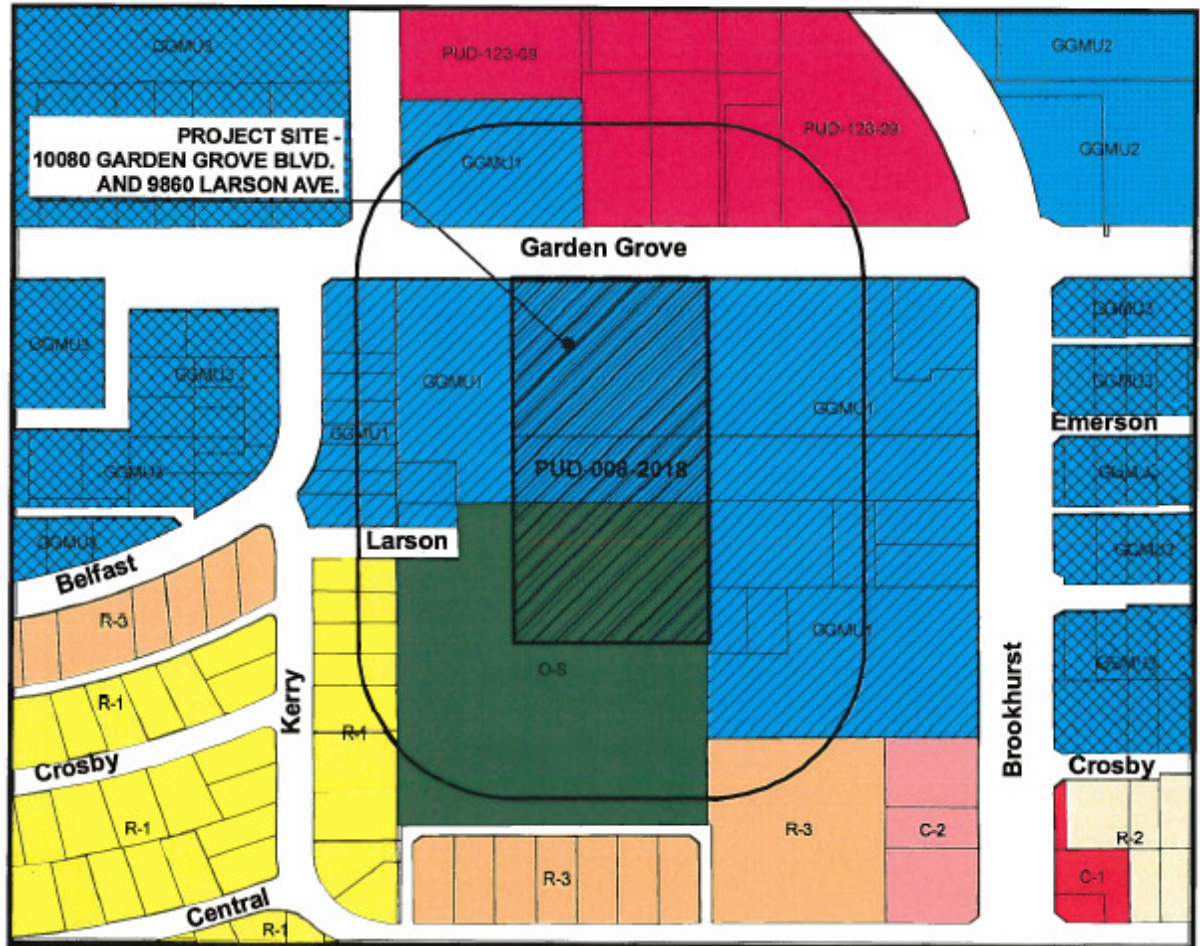
The commercial portion of the project meets the parking requirement for retail spaces at 1 space for every 200 square feet of commercial floor area, for a total of 65 required commercial parking spaces (12,938 square feet divided by 200 = 67). This number of parking spaces precludes leasing to tenants with a higher parking demand such as full-service restaurants and medical uses, and also does not take into account future use of a possible retail "mezzanine" level. Additional commercial parking spaces will need to be designated to allow for any use with a higher parking ratio or the development of commercial uses (including storage) of the mezzanine level.

Section 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words, or portions thereof be declared invalid or unconstitutional.

Section 7. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

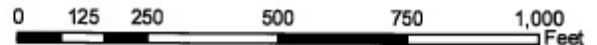


**GENERAL PLAN AMENDMENT NO. GPA-001-2018**  
**PLANNED UNIT DEVELOPMENT NO. PUD-008-2018**  
**SITE PLAN NO. SP-048-2018**



**LEGEND**

-  SUBJECT SITES - 10080 GARDEN GROVE BLVD. AND 9860 LARSON AVE.
-  300 FEET RADIUS



**NOTES**

1. SITE ADDRESSES - 10080 GARDEN GROVE BLVD. AND 9860 LARSON AVE.
2. ZONING: GARDEN GROVE BOULEVARD MIXED USE 1 AND OPEN SPACE TO PUD-008-2018

CITY OF GARDEN GROVE  
 COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 GIS SYSTEM  
 MARCH 2018