

RESOLUTION NO. 6012-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL: (I) ADOPT A MITIGATED NEGATIVE DECLARATION AND AN ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SIX-UNIT RESIDENTIAL APARTMENT PROJECT (THE "PROJECT") AT 9312 CHAPMAN AVENUE (THE "PROPERTY"); (II) APPROVE GENERAL PLAN AMENDMENT NO. GPA-001-2021 TO AMEND THE CITY OF GARDEN GROVE'S GENERAL PLAN LAND USE MAP TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION OF THE PROPERTY FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR); AND (III) AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING OF THE PROPERTY FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-3 (MULTIPLE-FAMILY RESIDENTIAL).

WHEREAS, Julie H. Vu, the applicant and property owner, submitted a request to develop a 20,500 square foot lot with a new multiple-family residential project consisting of a six (6) unit apartment building, along with associated site improvements, on a property located on the south side of Chapman Ave, just east of Loraleen Street, at 9312 Chapman Avenue, Assessor's Parcel No. 133-082-27; and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) Amendment to rezone the property from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; (ii) General Plan Amendment to amend the General Plan Land Use Designation of the property from Low Density Residential (LDR) to Medium Density Residential (MDR) to facilitate the development of the residential project; and (iii) Site Plan to construct the six (6) unit apartment building along with associated site improvements (collectively, the "Project").

WHEREAS, proposed General Plan Amendment No. GPA-001-2021 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the Property from Low Density Residential (LDR) to Medium Density Residential (MDR); and

WHEREAS, proposed Amendment No. A-030-2021 would amend the City of Garden Grove Zoning Map to rezone the Property from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential); and

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an initial study was prepared for the proposed Project and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during Project implementation; and

WHEREAS, the Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission adopted Resolution No. 6013-21 approving Site Plan No. SP-093-2021, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, Amendment No. A-030-2021, and General Plan Amendment No. GPA-001-2021; and

WHEREAS, at its regular meeting held January 21, 2021, the Planning Commission of the City of Garden Grove held a duly noticed public hearing and considered the report submitted by City staff and all oral and written testimony presented regarding the Project, the initial study, and the proposed Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED as follows:

1. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the Project qualifies for a Mitigated Negative Declaration because the Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration with mitigation measures (in the associated Mitigation Monitoring and Reporting Program) was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
2. The Planning Commission has considered the proposed Mitigated Negative Declaration together with comments received during the public review process.
3. The Planning Commission finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
4. The Planning Commission finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project, with the proposed mitigation measures, will have a significant effect on the environment.
5. The Planning Commission hereby recommends the City Council (i) adopt the Mitigated Negative Declaration and the associated Mitigation Monitoring and

Reporting Program for the Project and (ii) approve Amendment No. A-030-2021 and General Plan Amendment No. GPA-001-2021.

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 9.32.030, are as follows:

FACTS:

The subject site is a 20,500 square foot vacant lot located on the south side of Chapman Avenue, just east of Loreleen Street, at 9312 Chapman Avenue. The site was previously improved with an existing single-family development. In 2016, a demolition permit was obtained by the property owner and all existing improvements were demolished/removed. The site has remained vacant.

The site is currently zoned R-1 (Single-Family Residential) with a current General Plan Land Use Designation of Low Density Residential (LDR). The property abuts R-3 (Multiple-Family Residential) zoned properties to the west and across Chapman Avenue, to the north. The property also abuts PUD-103-73 (Residential Planned Unit Development) zoned properties to the east and south. Surrounding uses include a multi-family apartment building to the west, multi-family developed properties (apartments) across Chapman Avenue to the north, and a multi-family townhome development to the east and south.

The proposed land use entitlements would amend the City's General Plan Land Use Map and Zoning Map to apply a General Plan Land Use Designation of Medium Density Residential and R-3 (Multiple-Family Residential) zoning, to facilitate the development of the six-unit residential apartment project. The resulting density of the proposed project would be approximately 12.75 dwelling units per acre, which is within the density ranges allowed under the R-3 zoning and Low Density Residential General Plan Land Use Designation, respectively. A Site Plan for the project, along with related Conditions of Approval, are being considered concurrently with the General Plan and Zoning Map amendments.

Pursuant to the proposed development plan, the project would consist of six (6) attached multiple-family residential units with attached enclosed two-car garages. Each unit, and their respective garages, are accessible from a single main drive aisle. The width of the drive aisle along the easterly property line (along the garages) is 26'-0". The drive aisle at the rear of property, adjacent to nine (9) uncovered parking stalls, increases to a width of 28'-0". Access to the site will be from Chapman Avenue via a 30'-0" wide enhanced entry driveway approach that will include decorative paving. The project does not include a gated entry. The building elevations incorporate projecting and recessed building masses, balconies, along with varied rooflines in order to articulate the building's facade. The building's architectural detailing includes the use of varied window shapes, multi-pane windows, wood siding, and decorative trim around the windows to enhance the

building. The exterior building materials will consist of multi-toned stucco exteriors with accenting trims around the windows. The roofing material will consist of composite (asphalt) shingles.

Each unit provides a total of four (4) bedrooms. The project provides a two-car enclosed, attached garage for each unit and nine (9) guest parking spaces at the rear of the property.

The project consists of six (6) attached apartment units that range from two (2) to three (3) stories. Units 1, 2, and 6 are two (2) stories. Units 3, 4, and 5 are three (3) stories. Each unit provides four (4) bedrooms and four (4) bathrooms. Each garage will have access from the drive aisle within the development.

The project provides a 1,057 square foot active recreation area in the center of the development conveniently accessible by all units. The active recreation area will provide amenities which include an open turf park area, built-in benches, a communal picnic table with an open trellis patio cover, and a built-in BBQ pit. All units feature private outdoor recreation areas on the 2nd floor balconies above the garages, which range between 206 to 217 square feet in area (10' x 20'). The project proposes a total of 2,315 square feet of active and private recreation area.

The project will provide (minimum) six-foot high decorative concrete block walls around the perimeter of the development – except for within the front 20'-0" setback, where maximum wall height is 3'-0".

Along the perimeter areas of the site landscape treatment will be provided, including along interior communal pedestrian walkways. An enhanced landscape treatment will be provided within the front 20'-0" setback area facing Chapman Avenue. The enhanced landscaping within the front setback will include a variety of trees, shrubs, vines, flowering, and/or other elements, subject to review and approval by the Planning Division. All landscaped areas will be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The landscaping and automatic irrigation systems will be in conformance with the City's Landscape Water Efficiency Guidelines.

FINDINGS AND REASONS:General Plan Amendment

1. Proposed General Plan Amendment No. GPA-001-2021 is internally consistent with the goals, policies, and elements of the General Plan.

The proposed General Plan Amendment No. GPA-001-2021 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the Property from Low Density Residential (LDR) to Medium Density Residential (MDR), in order to facilitate the development of the residential project and associated site improvements. The Medium Density Residential (MDR) Land Use Designation is intended for the development of multi-family residential neighborhoods and provides for a range of densities up to a maximum of 32.0 dwelling units per acre.

The proposed General Plan amendment will facilitate rezoning of the subject property to R-3 (Multiple-Family Residential), which allows for a range of densities up to maximum of 24 dwelling units per acre, and the development of the proposed 6-unit residential apartment project, which will have a net density of approximately 12.75 dwelling units per acre. The site's proposed multiple-family residential type housing is similar and compatible with the surrounding properties, which have both multi-family and single-family housing. The surrounding properties have a mix of LDR and MDR General Plan Land Use Designations. Accordingly, the Medium Density Residential Land Use designation is appropriate for the site and will ensure that the site is developed and maintained in continuity with surrounding land uses.

Giving the site a Land Use designation of "Medium 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 project is also consistent with Goal LU-3, which encourages adding higher density residential development adjacent to major thoroughfares in the City. The site's proposed multiple-family residential type housing is similar and compatible with the surrounding properties, which have both multi-family and single-family housing. Accordingly, the Medium Density Residential Land Use designation is appropriate for the property and will ensure that the site is maintained in continuity with surrounding land uses.

2. The proposed General Plan Amendment will promote the public interest, health, safety and welfare.

The proposed General Plan amendment will facilitate the development of the proposed 6-unit residential apartment project, 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.

3. 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-001-2021 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the Property from Low Density Residential (LDR) to Medium Density Residential (MDR), in order to facilitate the development of the residential project and associated site improvements. The Medium Density Residential (MDR) Land Use Designation is intended for the development of multi-family residential neighborhoods and allows for a range of densities up to a maximum of 32.0 dwelling units per acre. The proposed project will have a net density of 12.75 dwelling units per acre.

The proposed General Plan amendment will facilitate rezoning of the subject property to R-3 (Multiple-Family Residential) and the development of the proposed 6-unit residential apartment project. The site's proposed multiple-family residential type housing is similar and compatible with the surrounding properties, which have both multi-family and single-family housing. The surrounding properties have a mix of LDR and MDR General Plan Land Use Designations. Accordingly, the Medium Density Residential Land Use designation is appropriate for the site and will ensure that the site is developed and maintained in continuity with surrounding land uses. 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 Medium Density Residential Land Use designation to the site will not conflict with other provisions or elements of the General Plan.

Amendment (Re-zone):

1. Proposed Amendment No. A-030-2021 is internally consistent with the goals, policies, and elements of the General Plan.

Under the proposed Amendment No. A-030-2021, the City's Zoning Map will be amended to rezone the project site from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential), to facilitate the development of the proposed 6-unit residential apartment project, and to ensure consistency with the

proposed General Plan Land Use Designation of Medium Density Residential (MDR).

The R-3 (Multiple-Family Residential) zone implements the MDR Land Use Designation and is intended to provide for a variety of types and densities of multiple-family residential dwellings. This zone is intended to promote housing opportunities in close proximity to employment and commercial centers. Pursuant to Garden Grove Municipal Code Subsection 9.12.040.050.A.4, a maximum of 8 dwelling units would be permitted on the 20,500-acre site under the R-3 zoning. The proposed project will contain 6 units, which is less than the maximum allowed.

Rezoning the site from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential), 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 project is also consistent with Goal LU-3, which encourages adding higher density residential development adjacent to major thoroughfares in the City. The site's proposed multiple-family residential type housing is similar and compatible with the surrounding properties, which have both multi-family and single-family housing. Accordingly, the R-3 zoning designation is appropriate for the property and will ensure that the site is maintained in continuity with surrounding land uses.

2. The proposed zone change will ensure a degree of compatibility with surrounding properties and uses.

Under the proposed Amendment No. A-030-2021, the City's Zoning Map will be amended to rezone the project site from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential), to facilitate the development of the proposed 6-unit residential apartment Project, and to ensure consistency with the proposed General Plan Land Use Designation of Medium Density Residential (MDR).

The proposed General Plan amendment will facilitate the development of the proposed 6-unit residential apartment project. The site's proposed multiple-family residential type housing is similar and compatible with the surrounding properties, which have both multi-family and single-family housing. The surrounding properties have a mix of R-3 (Multiple-Family Residential), R-1 (Single-Family Residential), and Residential Planned Unit Development zoning. Accordingly, the R-3 zoning designation is appropriate for the site and will ensure that the site is compatible with and is developed and maintained in continuity with surrounding land uses.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT AND RESOLUTION NO. 6013-21

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in Resolution No. 6013-21.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The General Plan Amendment No. GPA-001-2021 and Amendment No. A-030-2021, possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. Upon City Council approval of General Plan Amendment No. GPA-001-2021 and Amendment No. A-030-2021, the City of Garden Grove General Plan Land Use Map would be amended to modify the General Plan Land Use Designation of the property from Low Density Residential (LDR) to Medium Density Residential (MDR) and the City’s Official Zoning Map would be amended to change the zoning of the property, located at 9312 Chapman Avenue, Assessor’s Parcel No. 133-082-27, from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential), per the attached maps/exhibits, Exhibits “B” and “C”, respectively.
3. The overall development and subsequent occupancy and operation of the site shall be subject to those environmental mitigation measures identified in the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.

Adopted this 21st day of January 2021

ATTEST:

/s/ DAISY PEREZ
VICE 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 January 21, 2021, by the following vote:

AYES:	COMMISSIONERS:	(5)	LE, LINDSAY, PEREZ, RAMIREZ, SOEFFNER
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	LEHMAN

/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 February 11, 2021.



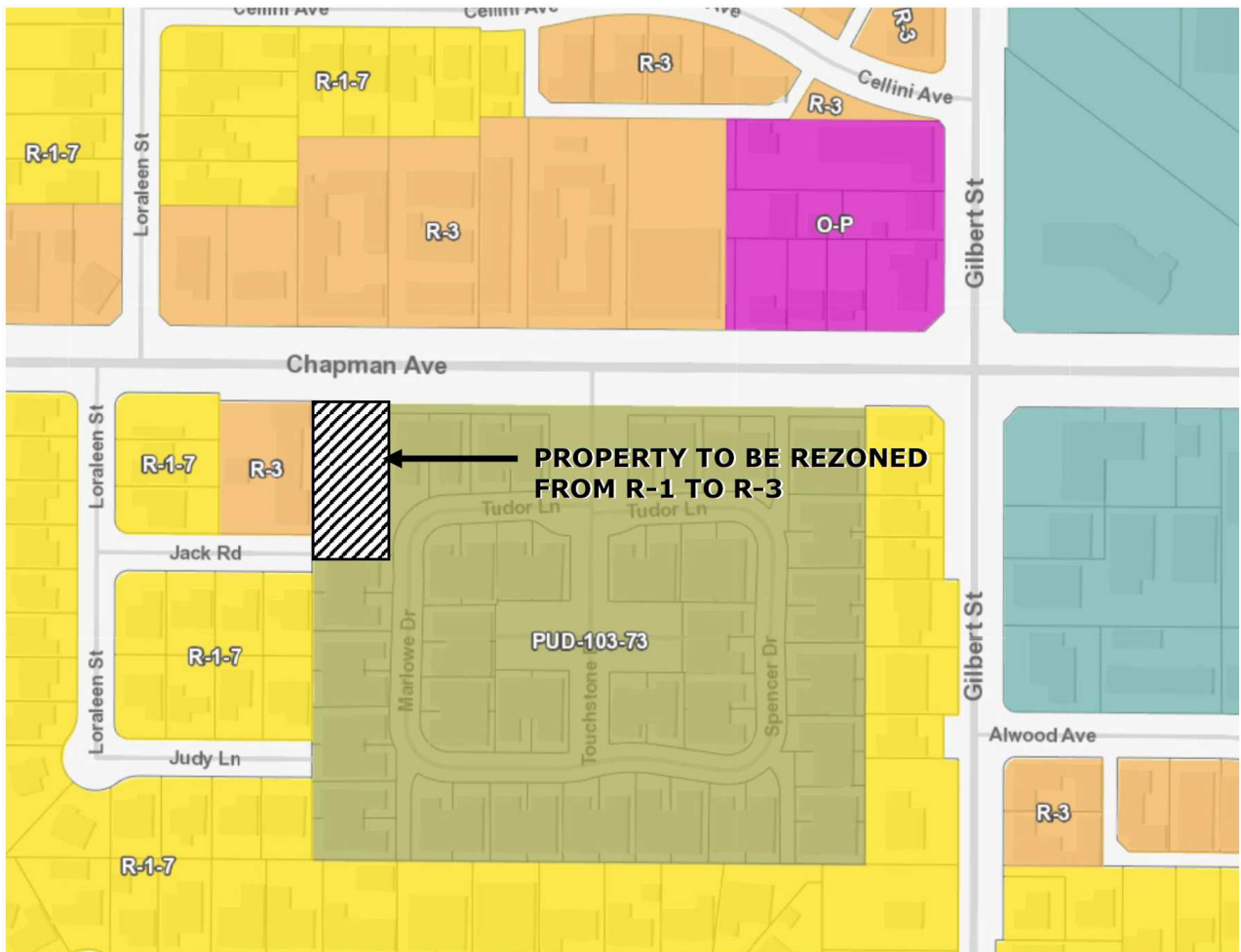
GPA-001-2021
A-030-2021 & SP-093-2021
 9312 CHAPMAN AVE
 APN: 133-082-27





GPA-001-2021 A-030-2021 & SP-093-2021

9312 CHAPMAN AVE
APN: 133-082-27



Proposed Rezone from R-1 to R-3

 SITE TO BE REZONED FROM R-1 (SINGLE-FAMILY RESIDENTIAL)
TO R-3 (MULTIPLE-FAMILY RESIDENTIAL)

