

RESOLUTION NO. 6013-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-093-2021 FOR A PROPERTY LOCATED ON THE SOUTH SIDE OF CHAPMAN AVENUE, EAST OF LORALEEN STREET, AT 9312 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 133-082-27.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on January 21, 2021, does hereby approve Site Plan No. SP-093-2021, for land located on the south side of Chapman Ave, just east of Loreleen Street, at 9312 Chapman Avenue, Assessor's Parcel No. 133-082-27, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; and (ii) Garden Grove City Council adoption of a Mitigated Negative Declaration and associated Mitigation Monitoring Program for the Project, adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2021, and adoption and effectiveness of an Ordinance approving Amendment No. A-030-2021.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-093-2021, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Julie H. Vu, and proposes the development of 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 Avenue, just east of Loreleen Street, at 9312 Chapman Avenue, Assessor's Parcel No. 133-082-27) (the "Property").
2. 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").
3. 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 proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.

4. Concurrently with its adoption of this Resolution, the Planning Commission adopted Resolution No. 6012-21 recommending that the City Council (i) adopt the Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project and (ii) approve General Plan Amendment No. GPA-001-2021 and Amendment No. A-030-2021.
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 January 21, 2021, 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 January 21, 2021, and considered all oral and written testimony presented regarding the Project, the initial study, and the 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 9.32.030, 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.

No affordable replacement housing units are required to be provided pursuant to SB 330.

FINDINGS AND REASONS:

Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and is consistent with the General Plan.

Provided General Plan Amendment No. GPA-001-2021 and Amendment No. A-030-2021 are approved by the City Council, the General Plan Land Use Designation and zoning designation for the Property will be Medium Density Residential and R-3 (Multiple-Family Residential), respectively.

The Medium Density Residential Land Use Designation is intended to create, maintain, and enhance multiple-family residential areas characterized by detached or attached, multi-unit structures, and multiple-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 6 attached multiple-family homes that satisfies each of these objectives and is within the permitted density of up to 32 units per acre for the Medium Density Residential Land Use Designation.

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. In addition, the building facades, site design, parking, and landscaping are consistent with the development standards of the R-3 zone and the spirit and intent of the requirements of the Municipal Code.

Approval and effectiveness of the proposed Site Plan is contingent upon City Council adoption of an Ordinance approving Amendment No. A-030-2021, and Resolutions approving General Plan Amendment No. GPA-001-2021 and adopting a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the project.

2. The proposed development will 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 drive aisles and maneuvering areas are adequate for vehicle access (for standard vehicles, refuse collecting vehicles, and emergency services vehicles). The project includes six (6) total apartment units. Each unit provides a total of four (4) bedrooms. For a multiple-family residential development that is less than 50 units and adjacent to a primary arterial street, such as Chapman Avenue, the Municipal Code requires a minimum of 3.5 parking spaces per dwelling unit. Therefore, the project is required to provide a minimum of 21 parking spaces. The project provides a two-car enclosed, attached garage for each unit and nine (9) guest parking spaces at the rear of the property. Finally, adequate and safe pedestrian access to all areas within the development is provided within the project through a dedicated internal walkway system (sidewalk) that is free of conflict from drive aisles.

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

The existing streets, utilities, and drainage facilities within the area are adequate to accommodate the project. The on-site circulation and parking are sufficient for the proposed development. The Public Works Department has reviewed the plans and all appropriate conditions of approval have been incorporated. The proposed development will provide landscaping and proper grading of the site to provide adequate on-site drainage. All other appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets.

4. The proposed development will not adversely impact the Public Works Department's ability to perform its required function.

The project has been reviewed by the Public Works Department, which has required various on- and off-site improvements, including sidewalks, driveways, and grading improvements. Issues raised by the project have been addressed in the project design and the conditions of approval.

5. The proposed development is compatible with the physical, functional and visual quality of the neighboring uses and desirable neighborhood characteristics.

The project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that is compatible with the surrounding uses. The proposed multiple-family residential type housing is similar and compatible with the surrounding properties, which have both multi-family and single-family housing. Furthermore, the project complies with all requirements of the Municipal Code, including those development standards applicable to the R-3 (Multiple-Family Residential) zone, ensuring that the proposed development is livable and safe.

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

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT AND RESOLUTION NO. 6012-21

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. 6012-21.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan does possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030 (Site Plan).
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following Conditions of Approval, attached as "Exhibit A", shall apply to Site Plan No. SP-093-2021.
3. Approval of this Site Plan shall be subject to the recommended Conditions of Approval, and contingent upon City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2021, and an ordinance approving Amendment No. A-030-2021.

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.