

ORDINANCE NO. 2920

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-030-2021 TO AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING OF THE PROPERTY, LOCATED AT 9312 CHAPMAN AVENUE, FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-3 (MULTIPLE-FAMILY RESIDENTIAL)

CITY ATTORNEY SUMMARY

This Ordinance approves an amendment to the City's Official Zoning Map to change the zoning of the Property located at 9312 Chapman Avenue from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential).

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

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 Loreleen 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 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);

WHEREAS, 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 implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. 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. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared and circulated in accordance with CEQA and CEQA's implementing guidelines;

WHEREAS, the Planning Commission adopted Resolution No. 6013-21 approving Site Plan No. SP-093-2021, recommending City Council's adoption of a Mitigated Negative Declaration and the 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;

WHEREAS, the Planning Commission, at a Public Hearing held on January 21, 2021, recommended that the City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, 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 implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. 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. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared and circulated in accordance with CEQA and CEQA's implementing guidelines;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on March 9, 2021, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of March 9, 2021; and

WHEREAS, the City Council of the City of Garden Grove hereby makes the following findings regarding Amendment No. A-030-2021:

A. 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.

B. 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.

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

Section 1. The above recitals are true and correct.

Section 2. The facts and reasons stated in Planning Commission Resolution No. 6012-21 recommending approval of Amendment No. A-030-2021, a copy of which is on file in the Office of the City Clerk, are hereby incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. Amendment No. A-030-2021 is hereby approved subject to the additional condition that the garages for each unit in the apartment complex shall be used primarily for the parking of vehicles and not for storage.

Section 4. The zoning of the Project site is re-zoned from R-1 (Single-Family Residential) to R-3 (Multiple-Family Residential), as shown on the attached map. Zone Map part L-09 is amended accordingly.

Section 5. 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 6. 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 on the date that is thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

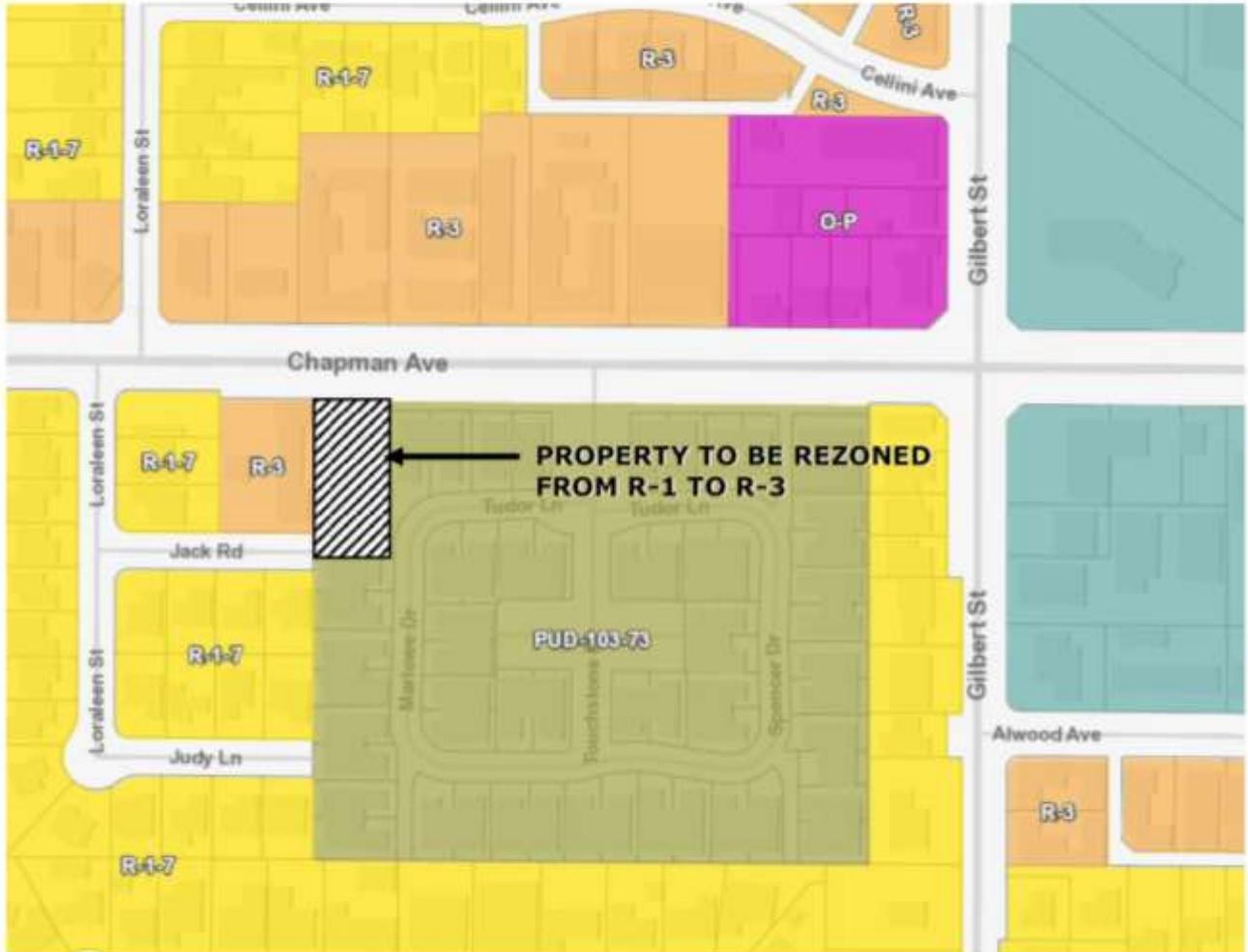
I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on March 9, 2021, with a vote as follows:

AYES:	COUNCIL MEMBERS:	(7)	BRIETIGAM, O'NEILL, NGUYEN T., BUI, KLOPFENSTEIN, NGUYEN K., JONES
NOES:	COUNCIL MEMBERS:	(0)	NONE
ABSENT:	COUNCIL MEMBERS:	(0)	NONE



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)

