

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2	SITE LOCATION: Two properties are located on the north side of Garden Grove Boulevard, west of Nelson Street. The third property is contiguous to the north side of the Garden Grove properties and fronts on the south side of Pearl Street, west of Nelson Street. North side of Garden Grove Boulevard, west of Nelson Street. The property addresses are 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street.
HEARING DATE: April 21, 2016	GENERAL PLAN: Industrial/Commercial Mixed Use
CASE NOS.: Site Plan No. SP-022-2016 CUP-065-2016, Lot Line Adjustment No. LLA-011-2016, and Development Agreement No. DA-002-2016	EXISTING ZONE: AR (Adaptive Reuse)
APPLICANT: Tony Lam	APN: 089-092-06, 089-092-26, and 089-092-25
PROPERTY OWNER: Tony Lam and Jennie Do	CEQA DETERMINATION: Mitigated Negative Declaration

REQUEST:

A request for approval of a Site Plan and Conditional Use Permit approval to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties in conjunction with a Lot Line Adjustment to consolidate the three properties into one. A Development Agreement is also included.

PROJECT STATISTICS:

	Provided	Code Requirement	Meets Code
Total Lot Size	.69 acres	15,000 S.F.	Yes
Work/Live Density By Total Site Area	10 units per acre	32 units per acre	Yes
Work/Live Units	10 units	22 units	Yes
Total Parking			
Work/Live	32*	30	Yes
Recreation Area Total	4,376.85 S.F.	3,000 S.F.	Yes**
Common Area	3,500 S.F.		
Private Balcony	876.85 S.F.		
Building Setbacks			Yes
Front	15'-0"	15'-0"	
Rear	28'-9"	0'-0"	
sides	0'-0"	0'-0"	

*Table on plans says there are 31 spaces, but plans actually show 32 spaces.

**Private balconies range in size from 32.9 square feet to 132 square feet and are not a Code requirement.

BACKGROUND:

The subject site is approximately .69 acres and consists of three contiguous properties, two fronting on the north side of Garden Grove Boulevard, west of Nelson Street, and one located on the north side of the Garden Grove Boulevard properties, fronting on Pearl Street. The General Plan designation of the properties is Industrial/Commercial Mixed Use with a zoning designation of AR (Adaptive Reuse). The properties are developed with a vacant commercial building and a bicycle shop on the Garden Grove Boulevard properties and a non-conforming single-family home on the Pearl Street property. The properties to the north, east, and west are zoned AR and are developed with non-conforming single-family homes and commercial uses. The properties to the south, across Garden Grove Boulevard are zoned GGMU-3 (Garden Grove Mixed Use 3) and are developed commercially.

In 2008 the City Council adopted the current General Plan, which changed the Land Use Designation of the area generally located north of Garden Grove Boulevard, west of Nelson Street, east of Flower Street to the north of Stanford Avenue and Nutwood Street to the south Stanford Avenue, as well as the area that is south of the portion of the OCTA right-of-way that is north of Stanford Avenue, from Office Professional, Mixed Use, and Industrial to Industrial/Commercial Mixed Use. This area maintains a variety of uses that include eating establishments, auto repair, light industrial uses, offices, and non-conforming residential uses.

In 2012, the City Council approved a Code Amendment that established the AR Mixed Use Zone within this area along with associated development standards in order to provide the consistency between the new General Plan Land Use Designation and the Zoning classification that is required by State Law.

The applicant is proposing to combine the three subject properties and demolish the existing improvements in order to develop a four-story, ten-unit, work-live mixed-use development. The proposal also includes a Development Agreement.

DISCUSSION:

The proposal for the development of a four-story, 10-unit, work-live project is required by City Code to be approved via the Site Plan and Conditional Use Permit processes. In addition, since the design of the project is designed to be built over property lines, the applicant is also required to consolidate the three subject properties into one parcel.

SITE PLAN:**Site Design, Parking, and Circulation**

The new four-story building will be constructed to face Garden Grove Boulevard and will maintain a 15'-0" setback from the front property line and will be constructed over the main driveway. The building will maintain zero setbacks along the east and west property lines and 28'-0" from the rear property line. Main access to the property will be via a 25'-0" wide driveway from Garden Grove Boulevard with a secondary

access to Pearl Street from the north side of the project. While Code requires a minimum of 30 parking spaces to accommodate the development, a total of 32 parking spaces have been provided (10 garaged, 11 covered, and 11 open). The Site design, including parking and circulation, has been designed to comply with requirements of Title 18, Mixed Use Regulations and Development Standards, of the City's Municipal Code.

Recreation Area and Landscaping:

The project has been designed to comply with the City Code zoning requirements for landscaping, and active and private recreation areas for the work-live units. City Code requires 3,000 square feet of recreational area for the ten proposed units. A total of 4,376.85 square feet of both common useable and private open space has been provided, that includes a 3,500 square common useable recreation area on the third floor of the building that is suspended over the main driveway and private patios that range in size from 32.9 square feet to 132 square feet. The common useable recreation area includes landscaping, umbrellas, lounge chairs, tables, and barbeques.

Landscaping along Garden Grove Boulevard will include both columnar and canopy trees with shrubs and ground cover on-site and canopy trees and ground covers within the parkway adjacent to the street. Landscaping within the site and along Pearl Street will include canopy trees, shrubs, vines, and ground covers. Landscaping within the third floor common useable open space area will include decorative paving, artificial turf, potted trees, shrubs, and flowering plans.

Unit Design

The project consists of 10 work-live units with private balconies. The units range in size from 2,330 square feet to 3,168 square feet. Each unit includes work space and a small residential space that maintains access from the work space area of the unit to the living space via an interior staircase. The residential portions of the units also have a secondary entrance to the third floor. The residential portions of the units range in size from 750 square feet to 915 square feet. Eight of the units maintain two-bedrooms and two-bathrooms, and the remaining two-units maintain one-bedroom and one and half-bathrooms. The commercial areas of the five lower units maintain direct access to Garden Grove Boulevard and have two floors of commercial space. The commercial areas of the top five units maintain access from the walkway located on the fourth floor with the majority of the residential area (with the exception of a bedroom) of the unit below the commercial area of the unit on the third floor. Each unit will also include kitchen, living room, dining area and laundry facilities.

City Code does not allow the commercial portion of the units to be leased out separately from the residential portion. The intent of the work-live unit is to provide an alternative space where people can have a space that allows them to live in the same unit as they work.

Building Architecture

The design of the four story building is contemporary exhibiting a two-toned kaki and red brown (burnt sienna) stucco exterior with teal metal railing on the balconies and upper story walkways, and aluminum store front glazing. The articulated façade, varying roof heights, and color pattern of the building provide visual interest to the building.

CONDITIONAL USE PERMIT:

The requested Conditional Use Permit (CUP-065-201), along with the subject Site Plan (SP-022-2016), will allow the applicant to develop the properties with work-live units. Additionally, the Conditional Use Permit will include conditions of approval regulating the development in order to minimize impacts to the site and surrounding areas.

The AR zone is intended for a mix of office, restaurants, limited commercial uses, and light industrial uses. The only residential uses that are permitted are small scale residential units that are part of a commercial/industrial unit in a work-live environment. The Code only allows the residential use as incidental to the non-residential use. The residential portions of the units cannot be leased out separately from the commercial/industrial portion of the tenant space, and the work-live units cannot be converted entirely to residential use. Additionally, all future non-residential uses shall comply with Chapter 18, Mixed Use Regulations and Development Standards, of the City's Municipal Code. Pursuant to the proposed Conditions of Approval, the applicant will be required to enter into and record a Covenant Agreement with the City preventing future owners and tenants of the property from using, leasing or converting the property in an unpermitted manner.

LOT LINE ADJUSTMENT:

In order to facilitate the development of the subject project, the three existing parcels are required to be consolidated into one parcel. This will allow the building to be constructed as proposed since the Building Code does not allow buildings to be constructed over property lines. Additionally, the consolidation of the lots will connect the open parking lot that faces Pearl Street to the rest of the project. When complete, the combined lot area will be .69 acres. The proposed Lot Line Adjustment is consistent with the City's General Plan, Zoning Ordinance, the City's Subdivision Ordinance, and the State Subdivision Map Act.

DEVELOPMENT AGREEMENT:

The applicant will enter into a Development Agreement with the City. The applicant will be guaranteed four years to construct the project, and the City will receive development agreement payments from the developer in an amount not to exceed \$19,160. Development Agreement payments are designed to reduce the economic costs of new projects to the public and mitigate development-related impacts on

the community. The Planning Commission recommendation on the Development Agreement will be forwarded to the City Council for final action.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 5857-16 recommending that the City Council approve Development Agreement No. DA-002-2016; and
2. Adopt Resolution No. 5858-16 approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-201, and Lot Line Adjustment No. LLA-011-2016, subject to the recommended Conditions of Approval, and subject to City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project and City Council approval of Development Agreement No. DA-002-2016.

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