

RESOLUTION NO. 5918-18

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-052-2018 AND TENTATIVE PARCEL MAP NO. PM-2017-141.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on May 3, 2018, hereby approve Site Plan No. SP-052-2018 and Tentative Parcel Map No. PM-2017-141, for a property located on the northwest corner of Imperial Avenue and Gilbert Street, at 9241 Imperial Avenue, Assessor's Parcel No. 098-264-01.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-052-2018 and Tentative Parcel Map No. PM-2014-171, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Rosell Surveying & Mapping, Inc.
2. The applicant is requesting Site Plan and Tentative Parcel Map approval to subdivide an existing 18,470 square foot lot improved with a single-family home into two (2) parcels. Lot 1 will have a lot size of 9,387 square feet, and Lot 2 will have a lot size of 9,035 square feet. The existing single-family home will be demolished to accommodate the proposed subdivision, and a new, two-story single-family home will be constructed on each lot.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove previously determined that this project was categorically exempt from CEQA pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303 and 15315) and Section 15303 (New Construction or Conversion of Small Structures).
4. The property has a General Plan designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The site is currently improved with a single-family home that will be demolished to accommodate the proposed subdivision.
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 the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on May 3, 2018, 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 on May 3, 2018; and

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 9.04.030 are as follows:

FACTS:

The property is an 18,470 square foot lot, located on the northwest corner of Imperial Avenue and Gilbert Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The property is located in a residential area improved with single-family residences. The property is improved with a 2,447 square foot single-family home constructed in 1952 that will be demolished to accommodate the proposed subdivision.

Lot 1 will have a lot size of 9,387 square feet, and Lot 2 will have a lot size of 9,035 square feet. Each lot will be improved with a two-story single-family home. Lot 1 will have a 3,940 square foot single-family home with four bedrooms, and four (4) bathrooms, while Lot 2 will have a 3,232 square foot single-family home with five (5) bedrooms and three (3) bathrooms.

The project has been designed to comply with the development standards of the R-1 zone, including setbacks, parking, lot coverage, building height, and the minimum lot size requirements.

FINDINGS AND REASONS:

SITE PLAN

1. The Site Plan complies with the spirit and intent of the provisions, conditions, and requirements of the Municipal Code and other applicable ordinances.

The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The project has been designed to comply with the development standards of the R-1 (Single-Family Residential) zone. Both parcels comply with the setbacks, parking, lot coverage, building height, and the minimum lot size requirements of the zone. A new two-story, single-family home will be constructed on each lot. The proposed project is compatible with the character of the existing single-family neighborhood. The project complies with the General Plan Land Use Designation, the development standards of the R-1 zone, and all other applicable ordinances.

2. The proposed development does 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

Each parcel will be accessed from a single-drive approach from Imperial Avenue. Each new residential home will be designed to provide the required enclosed garage and open parking spaces for the R-1 zone. Lot 1 will have a two-car enclosed garage with two open parking spaces along the driveway, and Lot 2 will have a three-car enclosed garage with three open parking spaces.

The City's Traffic Engineering Section has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to minimize any adverse impacts to surrounding streets.

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

The streets in the area will be adequate to accommodate the development once the developer provides the necessary improvements for the project. Utilities and drainage channels in the area are existing and are adequate to accommodate the development. The proposed development will provide landscaping and proper grading of the site, thereby, improving drainage in the area.

The Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval to minimize any adverse impacts.

4. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The project has been designed in accordance with the R-1 (Single-Family Residential) development standards. The property is located in an area improved with existing single-family residences. The proposed subdivision will be compatible with the surrounding neighborhood. Each lot will have a single-family home that complies with development standards of the R-1 zone, including setbacks, parking, lot coverage, and maximum building height.

The project has been designed to ensure a reasonable degree of compatibility with the neighborhood by providing lots that comply with the minimum lot size, and all applicable development standards of the R-1 zone.

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

The project has been designed to comply with the fifty-percent (50%) lot coverage requirement of the R-1 zone that will ensure that each parcel maintains the required amount of open usable space. Additionally, the conditions of approval will ensure that the landscaping requirements of the Municipal Code will be complied with.

TENTATIVE PARCEL MAP

1. The proposed map is consistent with the General Plan.

The property has a General Plan Land Use Designation of Low Density Residential. The proposed map is consistent with the provisions of the General Plan Low Density Residential land use designation, which is intended to create, maintain, and enhance residential areas characterized by detached, single-family homes on a single parcel. The proposed Tentative Parcel Map is consistent with the provisions of the General Plan as the number of lots and the number of residential units on each lot does not exceed the density allowed under the General Plan Land Use Designation of Low Density Residential.

2. The design and improvement of the proposed subdivision are consistent with the General Plan.

The design and improvement of the proposed map are consistent with the General Plan. The creation of a two (2) lot subdivision for the purpose of constructing one single-family home on each lot is consistent with the General Plan. The project complies with the minimum lot size requirement of the R-1 zone. In addition, the configuration of the lots and design of the homes is compatible with the existing residential neighborhood. With the conditions of approval, the design and improvement of the subject site is consistent with the spirit and intent of the General Plan.

3. The site is physically suitable for the type of development and complies with the spirit and intent of the Municipal Code.

The site is adequate in size and shape to accommodate the proposed project. Each parcel complies with the minimum lot size and the development standards of the R-1 zone. The placement and size of the proposed single-family homes comply with the development standards for the R-1 zone, including setbacks, parking, lot coverage and open space provisions.

4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and the requirements of the California Environmental Quality Act have been satisfied.

The requirements of the California Environmental Quality Act have been satisfied. The project was determined to be exempt pursuant to Section 15303(a) (New Construction or Conversion of Small Structures) and Section 15315 (Minor Land Divisions) of the California Environmental Quality Act.

5. The site is physically suitable for the proposed density of the development.

The site is adequate in size and shape to accommodate a two (2) lot subdivision that complies with the minimum lot size and the minimum lot width requirement of the R-1 zone. The proposed design of the residential lot allows for the placement of one single-family home on each lot, which complies with the density requirement of the General Plan.

The placement of the new single-family home on each lot complies with the R-1 development standards. The project complies with the minimum parking, open space, setbacks, lot coverage and building height requirements of the R-1 zone.

6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The design of the subdivision and the proposed improvements are not likely to cause serious public health problems since conditions of approval will be in place to safeguard the public health. City Departments, including Traffic Division, Water Division, Engineering Division, Fire Department, Police Department and the Planning Division have reviewed the proposed development and have applied conditions of approval to minimize against any potential negative impacts that the project may have on the community. The conditions of approval for on- and off-site improvements will safeguard the public health.

7. The design of the project and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the subdivision; or, if such easements exist, alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.

The design of the subdivision and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision. The project has been designed to avoid development over existing easements.

8. The design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations.

The design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning requirements.

The design of the subdivision is suitable for the low-density residential project and complies with the spirit and intent of the General Plan, and the Subdivision Map Act. The project has also been designed to comply with the R-1 development standards, and complies with the minimum lot size and minimum lot width requirement.

9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

To the extent feasible, the project has been designed in accordance with Government Code Section 66473.1, such as to allow for passive or natural heating opportunities in the subdivision design, to encourage the orientation of structures to take advantage of shade and prevailing breezes, to allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. The design, density, and configuration of the subdivision strike a balance between the affect of the subdivision on the housing needs of the region and public service needs. The character of the subdivision is compatible with the design of existing structures, and the lot sizes of the subdivision are substantially compatible with the lot sizes within the general area.

The project has been reviewed in relation to the housing needs and goals of the City and is compatible with the existing residential projects in the vicinity. The property is located in an area with existing single-family residences. The property is currently improved with a single-family home that will be demolished to accommodate the proposed subdivision. A new, two-story, single-family home, will be constructed on each lot. The subdivision will be compatible with the surrounding area since the lots are designed to comply with the minimum lot size. The project complies with the density

requirements of the General Plan, and complies with all applicable R-1 development standards.

- 11. The subject property is not located within a state responsibility area or a very high fire hazard severity zone, the proposed subdivision is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.
- 12. The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. The conditions of approval for on and off-site improvements will ensure permitted capacity of the public sewer system is not exceeded.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The Site Plan and Tentative Parcel Map possess characteristics that would justify the request in accordance with Municipal Code Section No. 9.32.030.3 (Site Plan) and Section 9.40.060 (Tentative Maps).
- 2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-052-2018 and Tentative Parcel Map No. PM-2017-141.

Adopted this 3rd day of May 2018

ATTEST:

/s/ GEORGE BRIETIGAM
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 May 3, 2018, by the following vote:

AYES:	COMMISSIONERS:	(6)	BRIETIGAM, KANZLER, LAZENBY, LEHMAN, NGUYEN, SALAZAR
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	TRUONG

/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 May 24, 2018.