

RESOLUTION NO. 5987-20

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-084-2020 AND TENTATIVE PARCEL MAP NO. PM-2020-112.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on May 7, 2020, hereby approve Site Plan No. SP-084-2020 and Tentative Parcel Map No. PM-2020-112, for a through lot with street frontages on both Mac Murray Street and Magnolia Street, just north of Chapman Avenue, at 11841 Magnolia Street, Assessor's Parcel No. 132-467-06.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-084-2020 and Tentative Parcel Map No. PM-2020-112, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Vien N. and Anh M. Thai.
2. The applicant is requesting Site Plan and Tentative Parcel Map approval to subdivide an existing 15,552 square foot lot, currently vacant, into two (2) parcels. Both Lot 1 and Lot 2 will each have an equal lot size of 7,776 square feet. A new, two-story single-family home will be constructed on each new lot.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has 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 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 vacant 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 7, 2020, 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 7, 2020; 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 a 15,552 square foot through lot with street frontages on both Mac Murray Street and Magnolia Street, just north of Chapman Avenue, at 11841 Magnolia 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 was previously improved with a 1,157 square foot single-family home, with a detached accessory structure, that were demolished in 2019.

Both parcels will have a lot size of 7,776 square feet. A new two-story, 3,134 square foot single-family home will be constructed on each lot. The single-family homes will each consist of a living room, a family room, a dining room, a kitchen, a breakfast nook, a laundry room, five (5) bedrooms, and four (4) bathrooms. A covered front entry, a loggia in the rear, and a second-floor deck will also be provided for both buildings. An attached three-car garage will be provided for each unit with the required open parking spaces along the respective driveways.

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 Low Density Residential designation is intended to create, maintain, and enhance residential areas characterized by detached, single-family homes on a single parcel. The R-1 (Single-Family Residential) zone is intended to provide for the establishment and promotion of single-family detached residences on individual lots and compatible associated activities.

A new two-story, single-family home will be constructed on each lot, subject to the approval of the Site Plan. The proposed project is compatible with the character of the surrounding single-family neighborhood. The project is

designed to comply with the General Plan Land Use Designation, the development standards of the R-1 zone, and all other applicable ordinances. This includes, but is not limited to, compliance with: setbacks, parking, lot coverage, building height, and the minimum lot size requirements of the zone. Lastly, the construction of the homes will further assist the City in meeting all of its housing goals.

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

Lot 1 will front onto Magnolia Street to the east, and Lot 2 will front onto Mac Murray Street to the west. Both lots will be accessed from their own thirty foot (30'-0") wide drive approach. Each new residential home is designed to provide the required enclosed garage and open parking spaces for the R-1 zone. Both new residential units 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 are adequate to accommodate the development, once the developer provides the necessary improvements for the project. Required improvements include new driveway approaches, new sidewalks, and a street dedication fronting Magnolia Street.

Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will provide landscaping and proper grading of the site, thereby improving drainage in the area. New utility services will be provided underground to the maximum extent possible, and all above-ground equipment will be screened.

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 subject property is located in an area improved with existing single-family residences. The proposed project will be compatible with the surrounding neighborhood. Architecturally, the residential units have been designed with enhanced facades to be aesthetically complimentary with the neighboring properties. A variety of architectural detailing, materials, massing, and rooflines help create visual intrigue.

The project has been designed in accordance with the R-1 (Single-Family Residential) development standards. In particular, each lot will have a single-family home that complies with the development standards of the R-1 zone, including, but not limited to: minimum lot sizes, setbacks, parking, lot coverage, and maximum building height.

The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the surrounding neighborhood.

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 is designed to comply with the fifty-percent (50%) lot coverage requirement of the R-1 zone, ensuring each parcel maintains the required amount of usable open space. Additionally, the conditions of approval will ensure that the landscaping requirements of the Municipal Code, including the City's Landscape Water Efficiency Guidelines, 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. This designation is intended to create, maintain, and enhance residential areas characterized by detached, single-family homes on a single parcel. The proposed Tentative Parcel Map creates two new lots, with one detached single-family home on each lot. The proposal 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 maximum density of nine (9) units per acre allowed under the Low Density Residential General Plan land use designation.

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 Low Density Residential General Plan land use designation. 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 new parcel complies with the minimum lot size of 7,200 square feet, the minimum lot width of sixty feet (60'-0"), and all of the other development standards of the R-1 zone. The placement and size of the proposed single-family homes complies with the development standards for the R-1 zone, including, but not limited to: 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 subject property was previously improved with a single family home that has been demolished to facilitate the proposed subdivision. None of the previous improvements remain on the site currently.

The site is adequate in size and shape to accommodate a two (2) lot subdivision that complies with the minimum lot size and width requirements of the R-1 zone. The proposed design of the residential lot includes 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.

As long as the conditions of approval are adhered to for the life of the project, the design of the subdivision, and the proposed improvements, are not likely to cause serious public health problems. Various City divisions, including the Traffic Division, Water Division, Engineering Division, Police Department, and the Planning Division, and Orange County Fire Authority, 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 of the proposed use, and the subdivision are 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 unimproved, with a single-family home having been previously demolished. 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.

#### 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-084-2020 and Tentative Parcel Map No. PM-2020-112.

Adopted this 7th day of May 2020

ATTEST:

/s/ LEE MARINO  
RECORDING SECRETARY

/s/ JEREMY LEHMAN  
CHAIR

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

I, LEE MARINO, 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 7, 2020, by the following vote:

AYES: COMMISSIONERS: (7) LE, LEHMAN, LINDSAY, NGUYEN, PEREZ,  
RAMIREZ, SOEFFNER  
NOES: COMMISSIONERS: (0) NONE

/s/ LEE MARINO  
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 28, 2020.