



## A G E N D A

### GARDEN GROVE PLANNING COMMISSION

#### REGULAR MEETING

---

FEBRUARY 7, 2019

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: VICE CHAIR TRUONG  
COMMISSIONERS KANZLER, LAZENBY, LEHMAN, NGUYEN,  
SALAZAR

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

#### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: January 17, 2019
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
  - C.1. SITE PLAN NO. SP-062-2019  
LOT LINE ADJUSTMENT NO. LLA-020-2019

APPLICANT: DAVID NGUYEN  
LOCATION: SOUTH SIDE OF GARDEN GROVE BOULEVARD,  
WEST OF COAST STREET AT 8218 AND 8242  
GARDEN GROVE BOULEVARD

REQUEST: Site Plan approval to construct a 46-unit apartment complex with a 21.7% affordable housing density bonus on two parcels, along with a Lot Line Adjustment to consolidate the existing two parcels into one parcel for a total area of 66,000 square feet. The site is in the R-3 (Multiple-Family Residential) zone.

STAFF RECOMMENDATION: Approve Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019, subject to the recommended conditions of approval. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 – In-Fill Development Projects.

C.2. MITIGATED NEGATIVE DECLARATION  
MITIGATION MONITORING AND REPORTING PROGRAM  
PLANNED UNIT DEVELOPMENT NO. PUD-010-2019  
SITE PLAN NO. SP-063-2019  
VARIANCE NO. V-022-2019  
TENTATIVE TRACT MAP NO. TT-18169-2019

APPLICANT: MELIA HOMES, INC. (CHAD BROWN)  
LOCATION: NORTH SIDE OF 11<sup>TH</sup> STREET BETWEEN KERRY STREET AND BROOKHURST STREET AT 9861 11<sup>TH</sup> STREET

REQUEST: To develop a 1.8-acre lot, with a multiple family residential project consisting of 31 two- and three-story townhomes. The specific land use entitlement approvals requested include: (i) Residential Planned Unit Development zoning to facilitate the development of the townhome project; (ii) Site Plan to construct the 31 two- and three-story townhomes along with associated site improvements; (iii) Tentative Tract Map to subdivide the subject properties to facilitate the development of the townhome project; and (iv) Variance to deviate from the minimum lot size for a Residential Planned Unit Development. The site is in the R-3 (Multiple-Family Residential) zone. In conjunction with the request, the Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

STAFF RECOMMENDATION: Recommend adoption of Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program, and approval of Planned Unit Development No.

PUD-010-2019 to City Council, and approve of Site Plan No. SP-063-2019, Variance No. V-022-2019, and Tentative Tract Map No. TT-18169-2019, subject to the recommended conditions of approval.

C.3. SITE PLAN NO. SP-064-2019

APPLICANT: ANNIE TRAN

LOCATION: SOUTH SIDE OF WESTMINSTER AVENUE, BETWEEN FLOWER STREET AND HOPE STREET, AT 10152 WESTMINSTER AVENUE

REQUEST: Site Plan approval to demolish an existing 800 square foot medical office building and an existing detached 400 square foot two-car garage, in order to construct a new 3,000 square foot two-story office building with associated site improvements on a lot located at 10152 Westminster Avenue (APN 099-162-38). The new office building will utilize a shared driveway with the abutting lot to the west at 10142 Westminster Avenue (APN 099-162-30), which is currently developed with an existing auto repair shop. The site is in the C-1 (Neighborhood Commercial) zone.

STAFF RECOMMENDATION: Approve Site Plan No. SP-064-2019, subject to the recommended conditions of approval. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(c) - New Construction or Conversion of Small Structures.

C.4. SITE PLAN NO. SP-065-2019  
LOT LINE ADJUSTMENT NO. LLA-021-2019

APPLICANT: MY DAM

LOCATION: SOUTH SIDE OF CENTRAL AVENUE BETWEEN BROOKHURST STREET AND FLOWER STREET AT 10052 CENTRAL AVENUE

REQUEST: Site Plan approval to construct a new duplex consisting of two (2) two-story attached dwelling units on an 11,700 square foot vacant site, in addition to a Lot Line Adjustment approval to remove an existing lot line between the two (2) subject parcels, Assessor's Parcel Numbers 099-031-08 and 09, to consolidate the two lots into a single lot. The site is in the R-2 (Limited Multiple-Family Residential) zone.

STAFF RECOMMENDATION: Approve Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, subject to the recommended conditions of approval. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15303(b) – New Construction or Conversion of Small Structures.

C.5. CONDITIONAL USE PERMIT NO. CUP-148-2019

APPLICANT: DAN NGUYEN

LOCATION: NORTHEAST CORNER OF GARDEN GROVE BOULEVARD AND NUTWOOD STREET AT 10531 AND 10561 GARDEN GROVE BOULEVARD

REQUEST: Conditional Use Permit approval to operate a new TV Studio within an existing 23,768 square foot building at 10531-10561 Garden Grove Boulevard (Assessor Parcel Numbers 089-081-07 and 08). The site is in the A-R (Adaptive Reuse) zone.

STAFF RECOMMENDATION: Approve Conditional Use Permit No. CUP-148-2019, subject to the recommended conditions of approval. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION  
Council Chamber, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes  
Thursday, January 17, 2019

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Vice Chair Truong  
Commissioner Kanzler  
Commissioner Lazenby  
Commissioner Lehman  
Commissioner Nguyen  
Commissioner Salazar

Absent: None.

PLEDGE OF ALLEGIANCE: Led by Commissioner Lazenby.

ORAL COMMUNICATIONS – PUBLIC – None.

December 6, 2018 MINUTES:

Action: Received and filed.

Motion: Lazenby Second: Salazar

Ayes: (5) Lazenby, Lehman, Nguyen, Salazar, Truong  
Noes: (0) None  
Abstain: (1) Kanzler  
Absent: (0) None

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-147-2019 FOR ONE (1) EXISTING UTILITY POLE OWNED BY SOUTHERN CALIFORNIA EDISON IN THE CITY'S PUBLIC RIGHT-OF-WAY, EAST SIDE OF SPRINGDALE STREET, BETWEEN LENORE AVENUE AND TRINETTE AVENUE.

Applicant: AT&T (SYNERGY ENGINEERING)  
Date: January 17, 2019

Request: A request for Conditional Use Permit approval to allow for the installation and operation of one (1) Citywide small wireless telecommunication facility along with related below-grade or internally concealed meter, attached equipment, and site improvements. The site is in the R-1 (Single-Family Residential) zone. In conjunction with the request, the

Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

Action: Public Hearing held. Speaker(s): Walter Callejas

Action: Resolution No. 5942-19 was approved.

Motion: Lazenby Second: Lehman

Ayes: (6) Kanzler, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

Absent: (0) None

PUBLIC HEARING – SITE PLAN NO. SP-061-2019 AND TENTATIVE PARCEL MAP NO. PM-2018-150 FOR A PROPERTY AT 10862 GARDEN GROVE BOULEVARD, SOUTH SIDE OF GARDEN GROVE BOULEVARD, BETWEEN CENTURY BOULEVARD AND EUCLID STREET.

Applicant: DARREN NGUYEN

Date: January 17, 2019

Request: Site Plan approval to construct a new two-story, 9,229 square foot building for professional offices, medical offices, and retail on a 23,393 square foot lot along with site improvements that include a parking area with 41 spaces and landscaping. Additionally, a request for Tentative Parcel Map approval to consolidate the existing three (3) parcels into one (1) parcel. The site is in the GGMU1 (Garden Grove Boulevard Mixed Use 1) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures.

Action: Public Hearing held. Speaker(s): Quoc Do

Action: Resolution No. 5943-19 was approved.

Motion: Lehman Second: Lazenby

Ayes: (5) Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (1) Kanzler

Absent: (0) None

MATTERS FROM COMMISSIONERS: None.

MATTERS FROM STAFF: Community Services staff is requesting all Commissioners take the online park survey on the City's website.

On February 7<sup>th</sup>, 2019 there will be five (5) items coming before the Commission.

ADJOURNMENT: At 7:36 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, February 7, 2019, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Lehman Second: Lazenby

Ayes: (6) Kanzler, Lazenby, Lehman, Nguyen, Salazar, Truong  
Noes: (0) None  
Absent: (0) None

---

Rosemarie Jacot  
Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.1	<b>SITE LOCATION:</b> South side of Garden Grove Boulevard, east of Coast Street, two at 8218 and 8242 Garden Grove Boulevard
<b>HEARING DATE:</b> February 7, 2019	<b>EXISTING GENERAL PLAN:</b> Medium Density Residential
<b>CASE NOS.:</b> Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019	<b>EXISTING ZONE:</b> R-3 (Multiple-family Residential)
<b>PROPERTY OWNERS:</b> David Nguyen, Tuyet Oanh Trinh, Loan Nguyen, Chinh Nguyen	<b>APN:</b> 097-011-06, 097-011-07
<b>APPLICANT/REPRESENTATIVE:</b> David Nguyen	<b>CEQA DETERMINATION:</b> Exempt (Section 15332 "In-Fill Development Projects")

**REQUEST:**

The applicant is requesting Site Plan approval to construct a 46-unit apartment complex, located at 8218 and 8242 Garden Grove Boulevard, with a 27.8% affordable housing density bonus for "low-income" families. Pursuant to the State Density Bonus Law, the applicant is requesting two (2) concessions from the R-3 (Multiple-Family Residential) zone development standards: (1) to allow the third-story to exceed the maximum 50% threshold for third floor areas; and (2) to reduce the minimum distance between the residential building and an open parking space. In conjunction with this request, the applicant is also requesting approval of a Lot Line Adjustment to remove an existing property line to consolidate the two (2) existing parcels into a single lot.

**BACKGROUND:**

The subject site (the "property") is a combination of a 32,400 square foot lot (APN: 097-011-06) and an abutting 33,600 square foot lot (APN: 097-011-07) that will be consolidated into one 66,000 square foot lot, located on the south side of Garden Grove Boulevard, just east of Coast Street, at 8218 and 8242 Garden Grove Boulevard. The property has a General Plan Land Use Designation of Medium Density Residential (MDR) and is zoned R-3 (Multiple-Family Residential). The property is adjacent to R-3 zoned properties to the east, west and south, and commercial uses that are within the City of Stanton, across Garden Grove Boulevard, to the north.

The lot at address 8218 Garden Grove Boulevard is currently improved with a used car dealership, while the lot at address 8242 Garden Grove Boulevard is currently improved with two (2) separate auto repair shops. Each property currently has separate access, vehicular circulation and parking. As part of the Project, all existing structures and



improvements will be demolished. The demolished buildings will be replaced with the new two-story, 46-unit apartment building, open space areas, and associated parking and landscaping improvements.

The Project will use the State Density Bonus Law allowances for density, concessions and parking standards. The Project will provide eight (8) units for "low-income" residents. A Density Bonus Housing Agreement will be recorded with the City.

**PROJECT STATISTICS:**

	<b>Provided</b>	<b>R-3 Multiple-family Residential Code Requirement</b>	<b>Meets Code</b>
<b>Total Lot Size</b>	66,000 S.F.	7,200 S.F.	Yes
<b>Density By Lot Area</b>	46 units (10 additional units with a 27.8% State Density Bonus)	24 units/acre (36 units base density)	Yes
<b>Total Parking</b>	One Bedroom = 1 stall/unit (19 One Bedroom units = 19 stalls) Two/Three Bedroom = 2 stalls/unit (27 Two/Three Bedroom units = 54 stalls) 73 total stalls	One Bedroom = 1 stall/unit Two/Three Bedroom = 2 stalls/unit 73 total stalls	Yes
<b>Recreation Area Total</b>	14,393 S.F.	300 S.F. per unit 46 units x 300 = 13,800 S.F.	Yes
Common Area	7,782 S.F. Active Rec. 861 S.F. Passive Rec. Total 8,643 S.F.	-Passive Rec. not more than 50% of overall -Shared Passive Rec. not more than 25% of overall	Yes
Private Balconies	5,551 S.F.	-Min. Area of 90 S.F. & min. dimension of six feet	Yes
<b>Building Setbacks</b>			Yes
Front	20'-0"	20'-0"	Yes
Rear	48'-0"	25'-0"	Yes
Side	15'-0"	12'-5"	Yes
<b>Building Height</b>	35'-0"	35'-0"	Yes

**DISCUSSION:**

State Density Bonus Law:

The applicant has developed their proposal based on the allowances of the State Density Bonus Law. The State Density Bonus Law became effective on January 1, 2005. In response, the City Council of Garden Grove approved an ordinance (Ordinance No. 2668) that amended Title 9 to be in conformance with State Law. The ordinance states that "the California Legislature has determined that the provision of affordable housing for moderate, lower and very low-income individuals ... [is] of primary importance in the state and must be encouraged at the local level." The proposal for 46 units meets the requirements of the State Density Bonus Law and Ordinance No. 2668 of Title 9, City of Garden Grove Municipal Code.

The base density (maximum number of units allowed) for this site, under the R-3 (Multiple-Family Residential) zone, is 36 dwelling units. The proposed Project includes 46 units. The Project proposes to provide eight (8) "target units" reserved for low-income households. A "target unit" is defined as a dwelling unit within a housing development that will be reserved for sale or rent to, and is made available at an affordable rent or affordable ownership cost to, very low, low, or moderate-income households, or is a unit in a senior citizen housing development. Based on the number of proposed target units (8) reserved for low-income households, and pursuant to State Law, the Project would be eligible for the maximum 35% density bonus, which would equate to 49 units. The Project proposes 46 units, which equates to a 27.8% density bonus increase, which is less than what the maximum 35% density bonus would provide.

The Project meets the parking requirements of State Law, which allows for one (1) on-site parking space for each one (1) bedroom unit and two (2) on-site parking spaces for each two (2) to three (3) bedroom units. The units will range from one (1) to three (3) bedrooms in size. Based on the number of 1-bedroom and 2/3-bedroom units, the Project provides a total of 73 parking stalls, which complies with the parking requirements pursuant to State Law.

Parking stalls are allocated as follow: 27 attached tuck-under stalls (three (3) handicapped accessible and one (1) EV/Van accessible); 21 remote carports; 25 open stalls.

The following table reflects the parking calculations for the Project:

Unit type	Unit Square Footage	Units Provided	# of Parking Spaces Req'd Per Unit	Parking Provided
1 BR	Between 758 to 1,213	19	1	19
2 BR	Between 1,013 to 1,312	19	2	38
3 BR	Between 1,300 to 1,312	8	2	16
Total				73

**Figure 1**

The applicant has requested two (2) concessions per the allowances of the State Density Bonus Law: (1) to allow the third-story to exceed the maximum 50% threshold for third floor areas; and (2) to reduce the minimum distance between the residential building and an open parking space. The Code states that for portions of buildings located beyond 40 feet from property zoned R-1, 50% of the building area may be situated in a three-story configuration at or below the 35-foot height limits. However, as a concession, 100% of the third floor will be built out. The Code all states that the distance between open, guest parking areas and residential units shall be 15 feet. As a concession, the distance between open guest parking areas and residential units will be six feet.

To qualify for the number of requested concessions (2), the Project is required to provide a minimum of eight (8) target units reserved for low-income households. The Project provides a total of eight (8) such units, and is therefore eligible for the requested concessions.

Site Design, Circulation & Floor Plan:

The applicant is proposing to construct a new 46-unit, three-story walk-up apartment building in a gated complex. The building layout consists of one (1), two (2) and three (3) bedroom units in a "U-shaped" configuration accessed off either a single or double-loaded corridor. Corridors for the second and third-story units rely on stair access. The unit mix consists of 19 one (1) bedroom units, 19 two (2) bedroom units, and 8 three (3) bedroom units of varying sizes. Interior units face a ground floor courtyard recreation area containing seating, a barbecue area, and a playground.

Parking is contained within a combination of attached tuck under stalls, remote carports and open stalls located along two-way drive aisles that run adjacent to the west and south property lines. Vehicular circulation is in an "L" shape that terminates at a turn-around at the southeast corner of the site. The site contains one (1) EV charging/van-accessible parking space. An emergency gate with a Fire Department Knox Box is located at the southwest portion of the site. Two (2) covered trash and recycling enclosures are provided.

Open Space:

Project open space is provided in a combination of common active recreation areas, common passive recreation areas, and private recreation areas. The common active recreation area, totaling 7,782 square feet, is centrally located between the two (2) main segments of the apartment building. This active open space includes multiple seating areas, a barbecue area, and a playground (tot-lot) with play equipment. Walkways, groundcover/turf and other landscape areas make up the common passive open space, which totals 861 square feet. Private open space is located in the decks and balconies within individual units. The total private open space provided is 5,551 square feet.

Building Design/Architecture:

The building architecture will reflect a contemporary style with straight lines and a flat roof. Building materials will consist of light and dark-colored finished stucco, dark accent trims, and stone veneer accents. Balconies are enclosed by metal railing and stucco. The stairways, portions of the tuck-under parking and the trash areas will feature low-pitched tiled roofs.

Landscaping:

The proposed Project meets the requirements of Code Section 9.12.040.090, Landscaping Requirements. The applicant is required to submit a landscape and

irrigation plan to the City that complies with the landscaping requirements of Title 9 of the Municipal Code, including the City's Landscape Water Efficiency Guidelines.

Lot Line Adjustment:

In order for the Project to move forward, and in accordance with the State Subdivision Map Act, the applicant is requesting approval of a Lot Line Adjustment to consolidate the two (2) parcels (a 32,400 square foot lot (APN: 097-011-06) and an abutting 33,600 square foot lot (APN: 097-011-07)) into a single lot. After consolidation, the site will maintain a final lot area of 66,000 square feet. The consolidation of the lots is consistent with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the State Subdivision Map Act.

California Environmental Quality Act:

The proposed development is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA's Class 32, In-Fill Development Projects (CEQA Guidelines Section 15332).


**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 5944-19 approving Site Plan No. SP-062-2019 and Lot Line Adjustment LLA-020-2019, subject to the recommended Conditions of Approval.



Lee Marino  
Planning Services Manager



By: Gena Guisar  
Planning Consultant





STAMP



ANHA design studio  
640 Task Avenue #204  
San Jose, CA 95128  
Telephone: 714.200.4122  
Email: anh@anha-studio.com

46 UNITS  
APARTMENT  
8218 - 8242 Garden Grove Boulevard  
Garden Grove, CA 92644

Keystones D C  
9140 Task Avenue  
San Jose, CA 95128  
Telephone: 714.200.4122  
Email: anh@anha-studio.com

BUILDING DEPARTMENT SUBMITTAL

REVISIONS

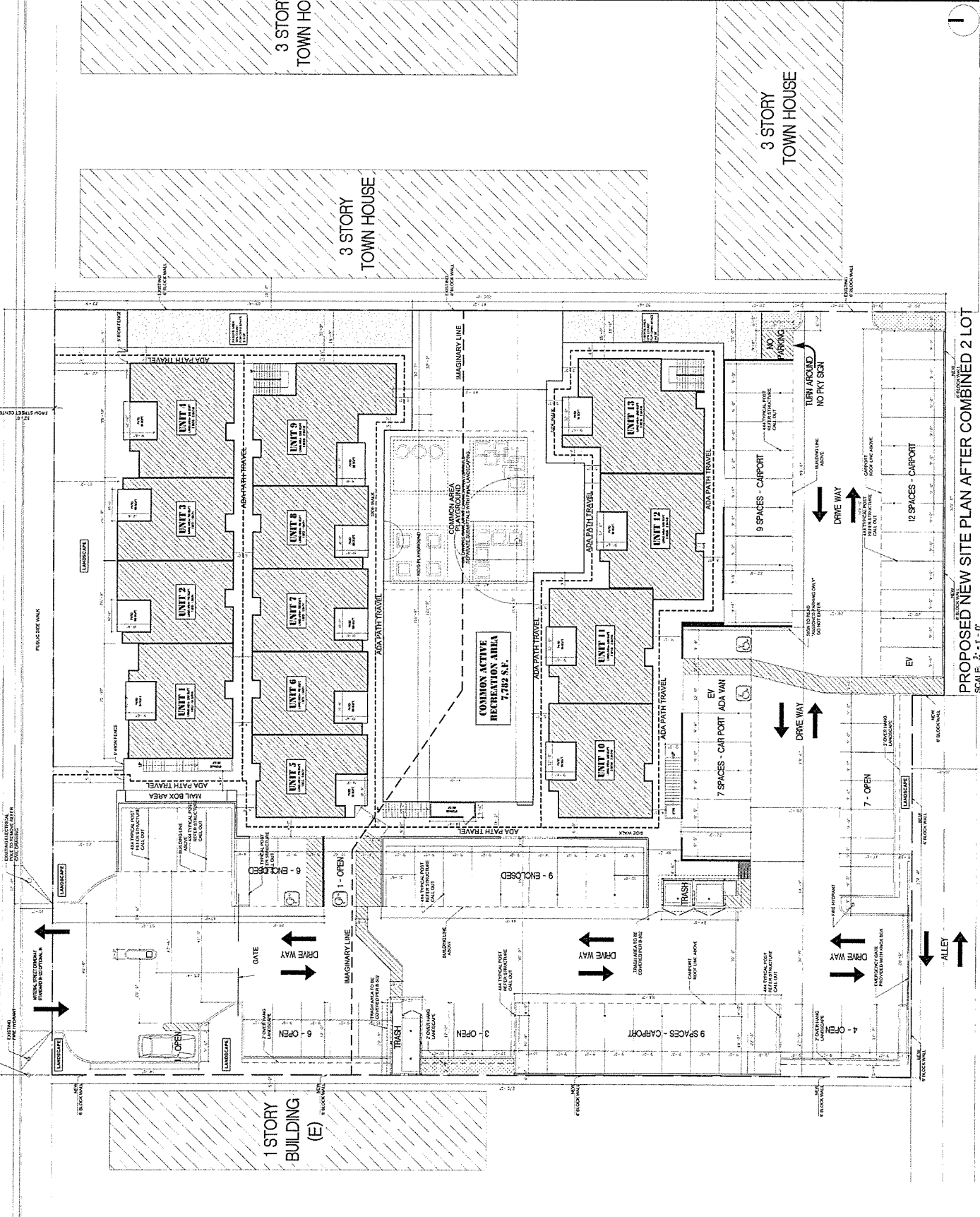
PROJECT DIRECTOR:  
JOB CAPTAIN:  
ARCHITECT:  
ASSOCIATES:  
PROJECT NUMBER:  
PROJECT CODE FILE:  
SHEET TITLE:

PROPOSED  
NEW SITE PLAN

ANHA design studio  
640 Task Avenue #204  
San Jose, CA 95128  
Telephone: 714.200.4122  
Email: anh@anha-studio.com

A1.0

10/20/2019



PROPOSED NEW SITE PLAN AFTER COMBINED 2 LOT  
SCALE: 1/8" = 1'-0"



ANHA design studio



**ANHA design studio**  
 940 Trask Avenue  
 San Jose, CA 95128  
 Telephone: 714.200.4122  
 Email: anha@anha-studio.com

**46 UNITS  
 APARTMENT**  
 8218 - 8242 Garden Grove Boulevard  
 Garden Grove, CA 92644

**Keystones D C**  
 9140 Trask Avenue  
 San Jose, CA 95128  
 Telephone: 714.200.4122  
 Email: anha@anha-studio.com

**FIRST FLOOR PLAN**

**A1.1**

**FLOOR PLAN NOTES**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
3. ALL FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
4. ALL CEILING ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
5. ALL ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
6. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
7. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
8. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
9. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
10. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
11. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
12. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
13. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
14. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
15. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
16. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
17. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
18. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
19. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
20. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
21. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
22. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
23. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
24. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
25. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
26. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
27. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
28. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
29. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
30. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
31. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
32. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
33. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
34. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
35. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
36. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
37. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
38. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
39. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
40. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
41. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
42. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
43. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
44. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
45. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
46. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
47. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
48. ALL EXTERIOR WALLS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
49. ALL EXTERIOR FLOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
50. ALL EXTERIOR ROOF ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.

**LEGEND**

- 1. 46 UNITS
- 2. 46 UNITS
- 3. 46 UNITS
- 4. 46 UNITS
- 5. 46 UNITS
- 6. 46 UNITS
- 7. 46 UNITS
- 8. 46 UNITS
- 9. 46 UNITS
- 10. 46 UNITS
- 11. 46 UNITS
- 12. 46 UNITS
- 13. 46 UNITS
- 14. 46 UNITS
- 15. 46 UNITS
- 16. 46 UNITS
- 17. 46 UNITS
- 18. 46 UNITS
- 19. 46 UNITS
- 20. 46 UNITS
- 21. 46 UNITS
- 22. 46 UNITS
- 23. 46 UNITS
- 24. 46 UNITS
- 25. 46 UNITS
- 26. 46 UNITS
- 27. 46 UNITS
- 28. 46 UNITS
- 29. 46 UNITS
- 30. 46 UNITS
- 31. 46 UNITS
- 32. 46 UNITS
- 33. 46 UNITS
- 34. 46 UNITS
- 35. 46 UNITS
- 36. 46 UNITS
- 37. 46 UNITS
- 38. 46 UNITS
- 39. 46 UNITS
- 40. 46 UNITS
- 41. 46 UNITS
- 42. 46 UNITS
- 43. 46 UNITS
- 44. 46 UNITS
- 45. 46 UNITS
- 46. 46 UNITS

**DOOR PLAN NOTES**

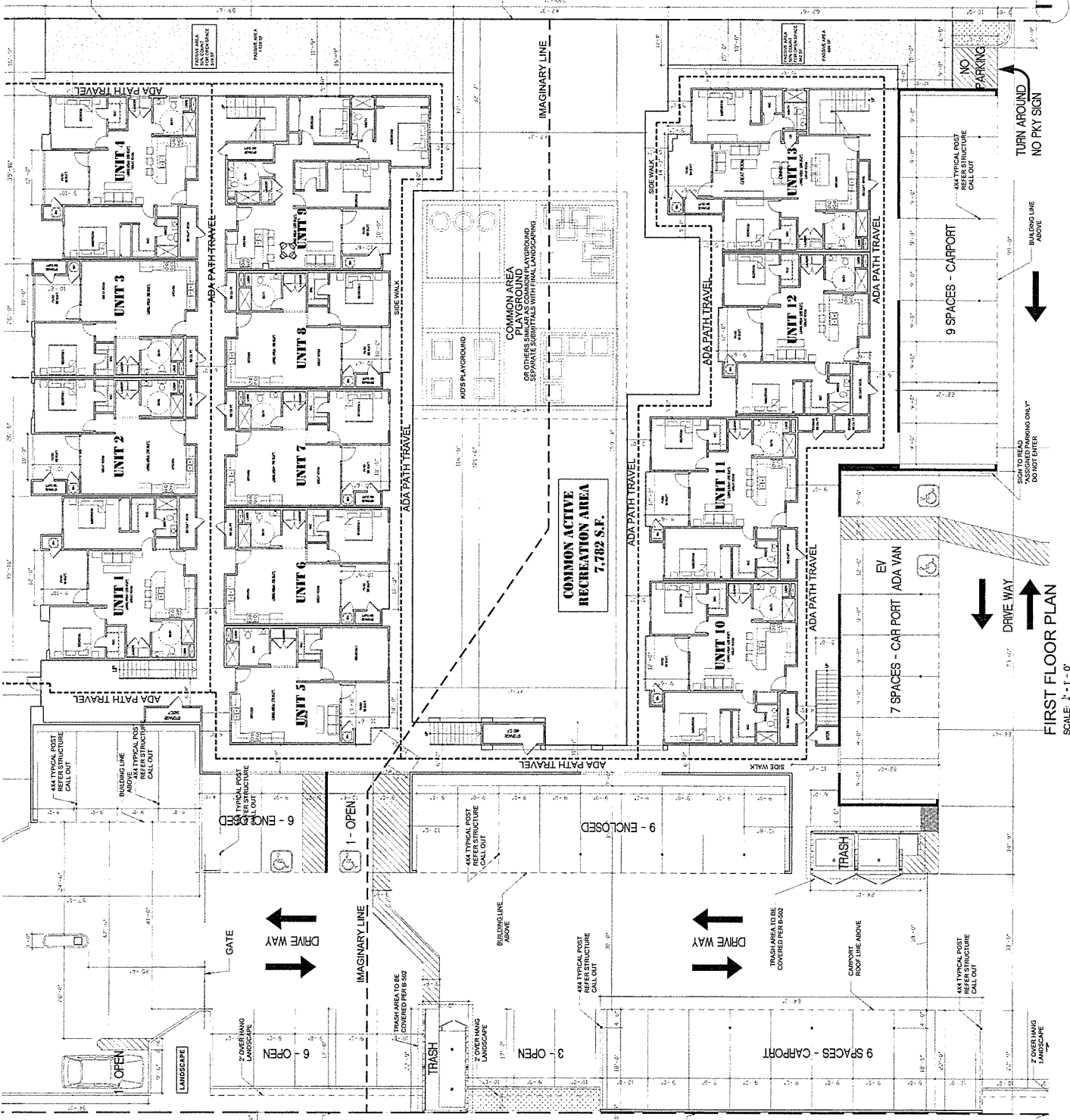
1. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
2. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
3. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
4. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
5. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
6. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
7. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
8. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
9. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
10. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
11. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
12. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
13. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
14. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
15. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
16. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
17. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
18. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
19. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
20. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
21. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
22. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
23. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
24. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
25. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
26. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
27. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
28. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
29. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
30. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
31. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
32. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
33. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
34. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
35. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
36. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
37. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
38. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
39. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
40. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
41. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
42. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
43. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
44. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
45. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
46. ALL DOORS ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.

**SLAB INTERFACE NOTES**

1. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
2. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
3. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
4. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
5. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
6. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
7. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
8. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
9. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
10. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
11. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
12. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
13. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
14. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
15. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
16. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
17. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
18. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
19. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
20. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
21. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
22. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
23. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
24. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
25. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
26. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
27. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
28. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
29. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
30. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
31. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
32. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
33. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
34. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
35. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
36. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
37. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
38. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
39. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
40. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
41. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
42. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
43. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
44. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
45. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
46. ALL SLAB INTERFACES ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.

**GENERAL SLAB NOTES**

1. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
2. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
3. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
4. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
5. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
6. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
7. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
8. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
9. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
10. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
11. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
12. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
13. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
14. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
15. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
16. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
17. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
18. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
19. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
20. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
21. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
22. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
23. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
24. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
25. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
26. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
27. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
28. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
29. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
30. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
31. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
32. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
33. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
34. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
35. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
36. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
37. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
38. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
39. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
40. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
41. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
42. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
43. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
44. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
45. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.
46. ALL SLAB ARE TO BE CONCRETE UNLESS NOTED OTHERWISE.



STAMP

ANHA design studio

ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ANHA DESIGN STUDIO. THIS DOCUMENT IS THE PROPERTY OF ANHA DESIGN STUDIO AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY OTHER USE IS STRICTLY PROHIBITED. ANHA DESIGN STUDIO SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DOCUMENT. THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. ANHA DESIGN STUDIO SHALL NOT BE RESPONSIBLE FOR ANY CHANGES TO THIS DOCUMENT MADE BY OTHERS WITHOUT THE WRITTEN PERMISSION OF ANHA DESIGN STUDIO.

SHEET NUMBER: A1.1  
 PROJECT REFERENCE DATE: 10/20/2019









**ANHA design studio**  
 9140 Trask Avenue  
 Garden Grove, CA 92644  
 Telephone: 714.200.4172  
 Email: anha@anhadstudio.com

**46 UNITS APARTMENT**  
 4718 - 4722 Garden Grove Boulevard  
 Garden Grove, CA 92644

**Keystones D C**  
 9140 Trask Avenue  
 Garden Grove, CA 92644  
 Telephone: 714.200.4172  
 Email: anha@anhadstudio.com

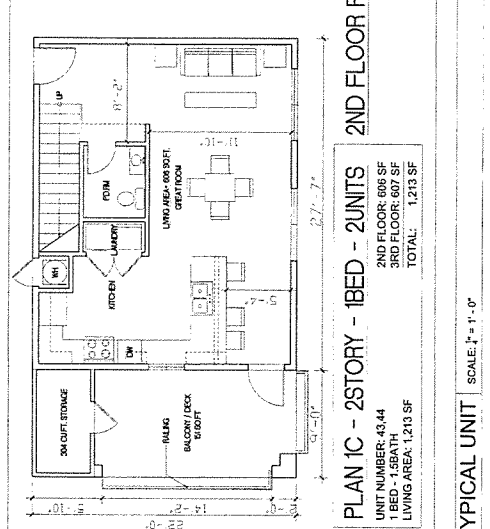
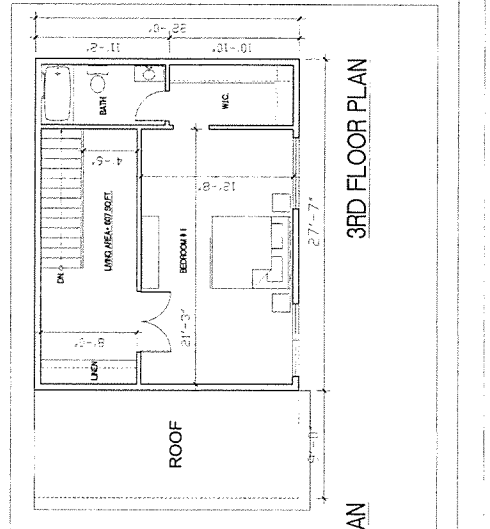
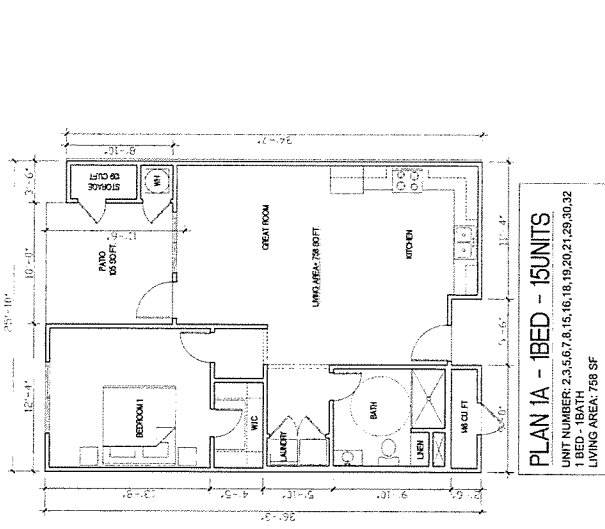
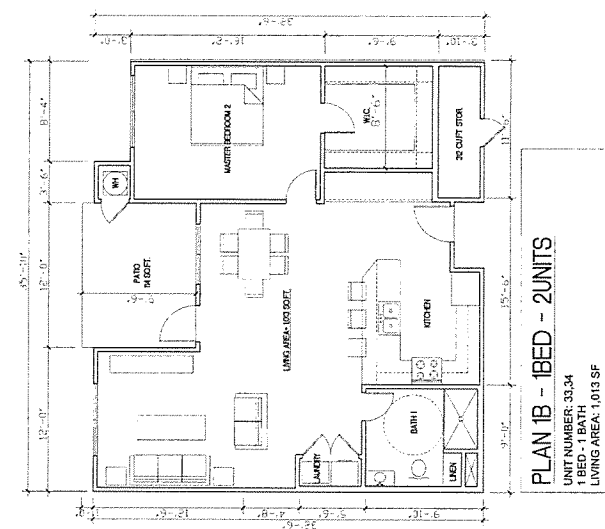
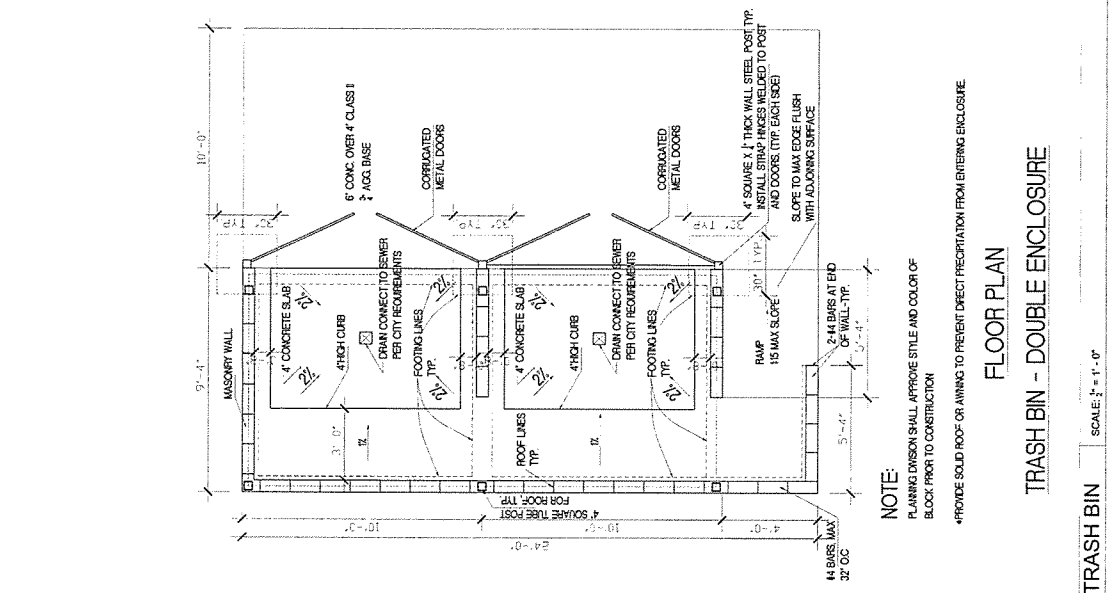
REVISIONS  
 BUILDING DEPARTMENT SUBMITTAL  
 PROJECT DIRECTOR  
 JOB CAPTAIN  
 SENIOR ASSOCIATE  
 ASSOCIATE  
 PROJECT MANAGER  
 PROJECT CAD FILE  
 SHEET TITLE  
**TYPICAL FLOOR PLAN**

**NOT BALCONY CALCULATION**

SHEET NUMBER  
**A1.5**

PROJECT REFERENCE DATE  
 10/20/2018

ANHA design studio



**TYPICAL UNIT** SCALE: 1/4" = 1'-0"

STAMP



ANHA design studio  
1103 Skyway Avenue  
Garden Grove, CA 92644  
Telephone: 714.200.4122  
Email: anha@anhadstudio.com

46 UNITS  
APARTMENT  
8218 - 8242 Garden Grove Boulevard  
Garden Grove, CA 92644

Keystones D C  
9108 Truck Avenue  
Garden Grove, CA 92644  
Telephone: 714.200.4122  
Email: anha@anhadstudio.com

BUILDING DEPARTMENT SUBMITTAL

REVISIONS

PROJECT DIRECTOR  
SENIOR ASSOCIATE  
ASSOCIATED  
PROJECT NUMBER  
PROJECT DATE

SHEET TITLE

TYPICAL  
FLOOR PLAN

NOT BALCONY  
CALCULATION

ANHA DESIGN STUDIO HAS PREPARED THIS SET OF ARCHITECTURAL DRAWINGS FOR THE PROJECT DESCRIBED HEREIN. THESE DRAWINGS ARE THE PROPERTY OF ANHA DESIGN STUDIO AND ARE NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ANHA DESIGN STUDIO. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. ANHA DESIGN STUDIO IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS THAT OCCUR AFTER THE DATE OF COMPLETION OF THESE DRAWINGS.

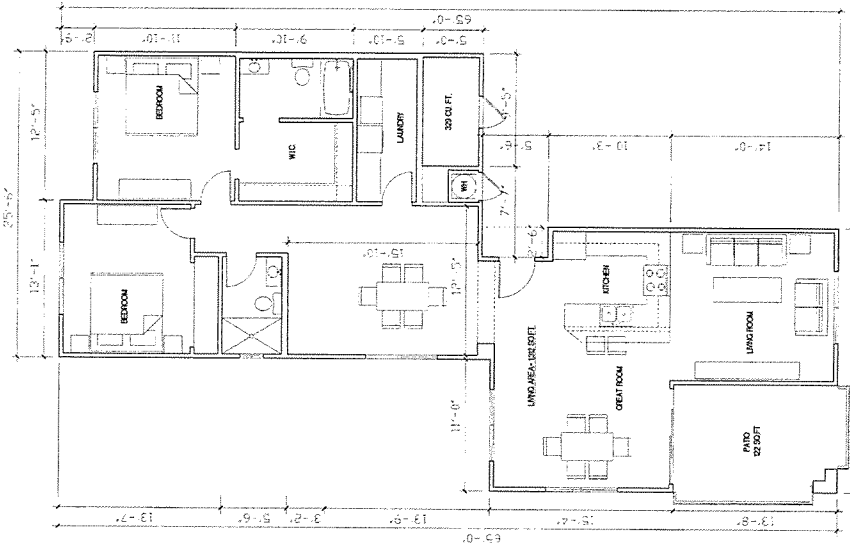
SHEET NUMBER

A1.6

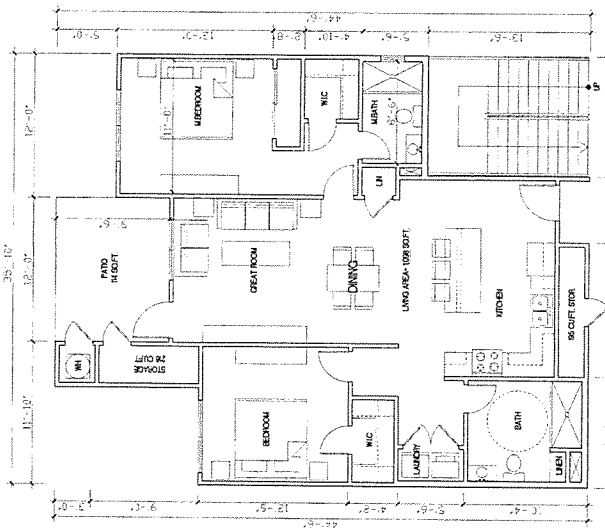
FOR REFERENCE DATE

10/25/2016

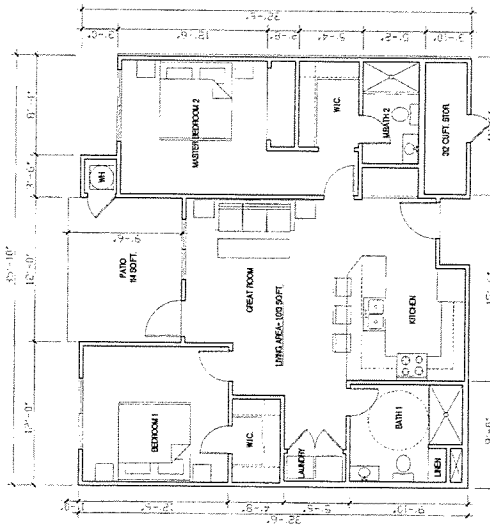
ANHA design studio



PLAN 2C - 2BEDS - 1UNIT  
UNIT NUMBER: 40  
2 BEDS - 2BATHS  
LIVING AREA: 1,312 SF



PLAN 2B - 2BEDS - 3UNITS  
UNIT NUMBER: 13,27,29  
2 BEDS - 2 BATHS  
LIVING AREA: 1,059 SF



PLAN 2A - 2BEDS - 15UNITS  
UNIT NUMBER: 1,4,10,11,12,14,17,24,25,26,28,31,36,37,38  
2 BEDS - 2 BATHS  
LIVING AREA: 1,013 SF

TYPICAL UNIT SCALE: 1/8" = 1'-0"





STAMP:



ANHA design studio  
910 Trade Avenue  
Garden Grove, CA 92644  
Telephone: 714.200.4122  
Email: anha@anhadstudio.com

46 UNITS  
APARTMENT  
6218 - 6242 Garden Grove Boulevard  
Garden Grove, CA 92644

Keystones D C  
910 Trade Avenue  
Garden Grove, CA 92644  
Telephone: 714.200.4122  
Email: anha@anhadstudio.com

BUILDING DEPARTMENT SUBMITTAL

REVISIONS

PROJECT DIRECTOR  
PROJECT MANAGER  
SENIOR ASSOCIATE  
ASSOCIATE  
PROJECT ENGINEER  
PROJECT COORDINATOR

SHEET TITLE

ELEVATIONS

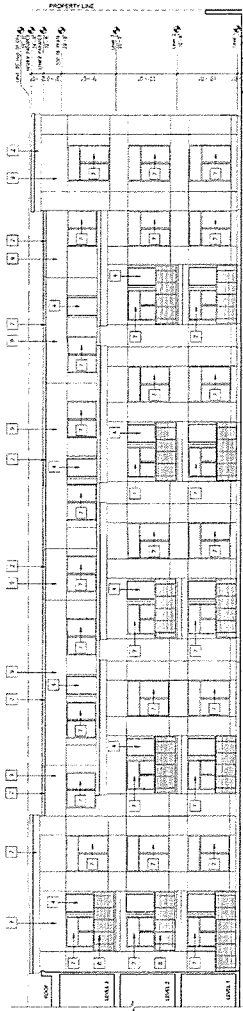
PROJECT NUMBER  
PROJECT REFERENCE DATE

PROJECT NUMBER

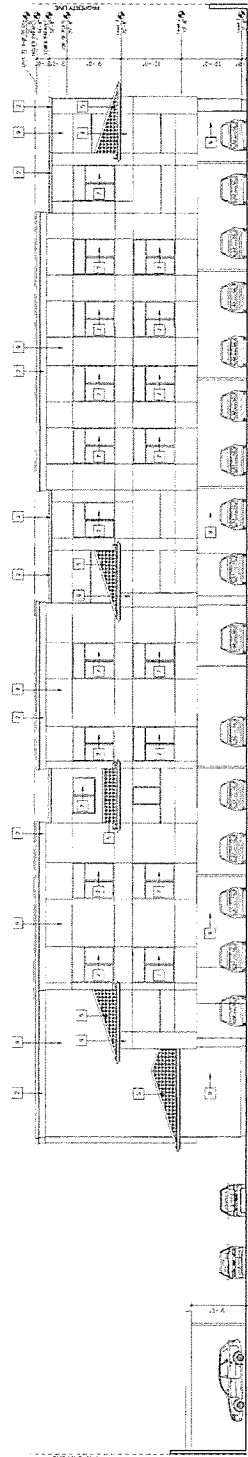
A1.9

PROJECT REFERENCE DATE

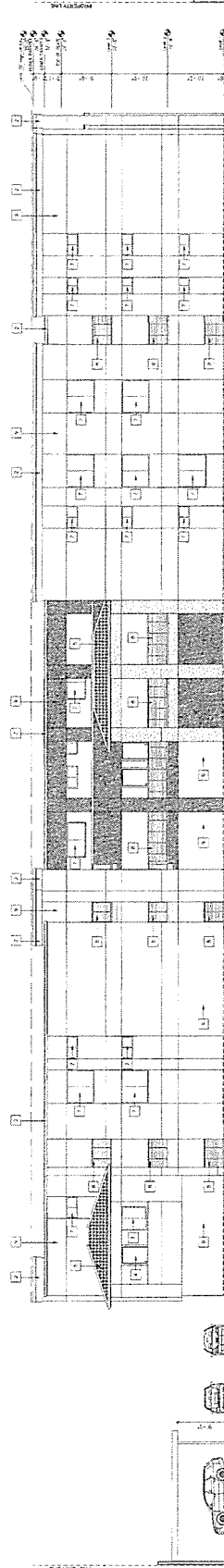
10/22/2018



COURT YARD - SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



EAST ELEVATION  
SCALE: 1/8" = 1'-0"

EXTERIOR FINISHES

1. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
2. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
3. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
4. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
5. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
6. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
7. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
8. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
9. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
10. EXTERIOR WALLS: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.

ROOF PLAN NOTES

1. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
2. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
3. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
4. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
5. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
6. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
7. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
8. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
9. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
10. ROOF FINISHES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.

REQUIRED ATTIC VENTILATION

1. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
2. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
3. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
4. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
5. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
6. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
7. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
8. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
9. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
10. ATTIC VENTILATION: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.

ELEVATION/ROOF NOTES

1. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
2. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
3. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
4. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
5. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
6. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
7. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
8. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
9. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.
10. ELEVATION/ROOF NOTES: 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION OVER 1/2" CONCRETE ON 2" X 4" STUDS.

RESOLUTION NO. 5944-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-062-2019 AND LOT LINE ADJUSTMENT NO. LLA-020-2019, FOR A PROPERTY LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, EAST OF COAST DRIVE, AT 8218 AND 8242 GARDEN GROVE BOULEVARD, ASSESSOR PARCEL NOS. 097-011-06 AND 097-011-07.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session, assembled on February 7, 2019, approved Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019, subject to the Conditions of Approval attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by David Nguyen (the "Applicant"), partial owner of the subject parcels.
- 2.
3. The applicant is requesting Site Plan approval to construct a 46-unit apartment complex, located at 8218 and 8242 Garden Grove Boulevard, with a 27.8% affordable housing density bonus for "low-income" families. Pursuant to the State Density Bonus Law, the applicant is requesting two (2) concessions from the R-3 (Multiple-Family Residential) zone development standards: (1) to allow the third-story to exceed the maximum 50% threshold for third floor areas; and (2) to reduce the minimum distance between the residential building and an open parking space. In conjunction with this request, the applicant is also requesting approval of a Lot Line Adjustment to remove an existing property line to consolidate the two (2) existing parcels into a single lot.
- 4.
5. The proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to the Class 32 exemption for "In-Fill Development Projects" (CEQA Guidelines Section 15332). As set forth in the Class 32 exemption, the proposed project is: (1) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (3) the project site has no value as habitat for endangered, rare or threatened species; (4) approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality; and (5) the site can be adequately served by all required utilities and public services. The project is therefore, exempt from CEQA review.
6. The properties have a General Plan Land Use designation of Medium Density Residential and are currently zoned R-3 (Multiple-family residential).



7. The existing land use, zoning, and General Plan designations of properties in the vicinity of the subject property have been reviewed.
8. Report submitted by City staff was reviewed.
9. Pursuant to a legal notice, a public hearing was held on February 7, 2019, and all interested persons were given an opportunity to be heard.
10. The Planning Commission gave due and careful consideration to the matter during its meeting of February 7, 2019.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 and 9.40.190 are as follows:

FACTS:

The subject site (the "property") is a combination of a 32,400 square foot lot (APN: 097-011-06) and an abutting 33,600 square foot lot (APN: 097-011-07) that will be consolidated into one 66,000 square foot lot, located on the south side of Garden Grove Boulevard, just east of Coast Street, at 8218 and 8242 Garden Grove Boulevard. The property has a General Plan Land Use Designation of Medium Density Residential (MDR) and is zoned R-3 (Multiple-Family Residential). The property is adjacent to R-3 zoned properties to the east, west and south, and commercial uses that are within the City of Stanton, across Garden Grove Boulevard, to the north.

The lot at address 8218 Garden Grove Boulevard is currently improved with a used car dealership, while the lot at address 8242 Garden Grove Boulevard is currently improved with two (2) separate auto repair shops. Each property currently has separate access, vehicular circulation and parking. As part of the Project, all existing structures and improvements will be demolished. The demolished buildings will be replaced with the new two-story, 46-unit apartment building, open space areas, and associated parking and landscaping improvements.

The Project will use the State Density Bonus Law allowances for density, concessions, and parking standards. The Project will provide eight (8) units for "low-income" residents. A Density Bonus Housing Agreement with the City providing that the continued affordability of these eight (8) target units for at least fifty-five (55) years will be required.

The Applicant has developed the proposal based on the allowances of the State Density Bonus Law. Based on the number of proposed target units (8) reserved for low-income households, and pursuant to State Law, the Project would be eligible for the maximum 35% density bonus, which would equate to 49 units. The Project proposes 46 units, which equates to a 27.8% density bonus increase, which is less than what the maximum 35% density bonus would provide.

The applicant is proposing to construct a new 46-unit, three-story walk-up apartment building in a gated complex. The building layout consists of one (1), two (2), and three (3) bedroom units in a "U-shaped" configuration accessed off either a single or double-loaded corridor. Corridors for the second and third-story units rely on stair access. The unit mix consists of 19 one (1) bedroom units, 19 two (2) bedroom units, and 8 three (3) bedroom units of varying sizes.

The Project meets the parking requirements of State Law, which allows for one (1) on-site parking space for each one (1) bedroom unit and two (2) on-site parking spaces for each two (2) to three (3) bedroom units. The units will range from one (1) to three (3) bedrooms in size. Based on the number of 1-bedroom and 2/3-bedroom units, the Project provides a total of 73 parking stalls, which complies with the parking requirements pursuant to State Law.

Project open space is provided in a combination of common active recreation areas, common passive recreation areas, and private recreation areas. The common active recreation area, totaling 7,782 square feet, is centrally located between the two (2) main segments of the apartment building. This active open space includes multiple seating areas, a barbecue area, and a playground (tot-lot) with play equipment. Walkways, groundcover/turf and other landscape areas make up the common passive open space, which totals 861 square feet. Private open space is located in the decks and balconies within individual units. The total private open space provided is 5,551 square feet.

The building architecture will reflect a contemporary style with straight lines and a flat roof. Building materials will consist of light and dark-colored finished stucco, dark accent trims, and stone veneer accents. Balconies are enclosed by metal railing and stucco. The stairways, portions of the tuck-under parking, and the trash areas will feature low-pitched tiled roofs.

As conditioned, the Project will satisfy all required standards and provisions pertaining to landscaping.

To facilitate the Project, the applicant is also requesting approval of a Lot Line Adjustment to consolidate the two (2) parcels (a 32,400 square foot lot (APN: 097 011-06) and an abutting 33,600 square foot lot (APN: 097 011 07)) into a single lot. After consolidation, the site will maintain a final lot area of 66,000 square feet.

#### FINDINGS AND REASONS:

##### SITE PLAN

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

The subject site has a General Plan Land Use Designation of Medium Density Residential and is zoned R-3 (Multiple-family Residential). The project is consistent with both the Medium Density Residential General Plan designation and R-3 zone since it proposes a contemporary multiple-family residential project that provides additional housing for the community that will be available for larger family sizes, provides a high quality project design that will preserve residential property values, and provides both common and private open space areas that are available to serve the residents of the subject project. The requested concessions to development standards are reasonable and required to be granted by the State Density Bonus Law, and the project otherwise meets the standards of the R-3 (Multiple-Family Residential) zoning of the property, as they pertain to the access, building setbacks, number of parking spaces, and landscaping. Therefore, the proposed project will improve the site and fulfill the goals and policies of the General Plan and Land Use Code by creating a well-maintained and attractive development that enhances the existing residential neighborhood.

The two (2) underlying parcels will be consolidated into one cohesive Project through a Lot Line Adjustment, which shall be recorded prior to issuance of a building permit to facilitate the proposed development.

The design and improvement of the proposed project is consistent with the spirit and intent of the General Plan, through its goals, policies, and implementation programs, including specifically:

LU-IMP-2B - New development shall be similar in scale to the adjoining residential neighborhood to preserve its character. The Project will contain a three-story apartment building and parking, which is similar in scale to the three-story residential uses to the east and two-story residential uses to the south.

Policy LU-4.1 Locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses. The Project is located south of a shopping center containing a variety of restaurants, retail, and other commercial uses, which are within a short walking distance.

LU-IMP-6C - Encourage façade renovation, enhanced parking area landscaping, improved lighting, development of pad buildings, and the use of pedestrian amenities, such as fountains, plazas, promenades, seating, and like features. The project has been designed to comply with all requirements of Title 9 of the Municipal Code. The placements of the structures, the site design, the parking lot layout, the number of on-site parking spaces, and the landscape areas are consistent with the spirit and intent of the requirements of the Municipal Code.

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.

The applicant meets the parking requirements for affordable housing, pursuant to the allowances of State Density Bonus Law. Additionally, the proposed development has been designed to meet the Code's requirements for access and on and off-site circulation.

Furthermore, the City's Fire Department has also reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to surrounding streets should there be an emergency.

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, if and where necessary, will be made adequate to accommodate the development. The property is not located in a sewer deficiency area.

The proposed development will also provide landscaping and proper grading of the site in order to improve drainage in the area. The Public Works Engineering and Water Services Division have reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels.

4. The project will not adversely impact the City's ability to perform its required public works functions.

The proposed project has been designed to provide drive lanes and a parking layout that enables residents to maneuver effectively through the site. Sufficient on-site parking is provided to accommodate residents. Issues raised by the project have been addressed in the project design and the appropriate conditions of approval included by the Public Works Department will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels, and will ensure that the project will not adversely impact the City's ability to perform its required public works functions.

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

The proposed project is consistent with the existing residential uses and improvements in the surrounding area. The proposed project will significantly improve the aesthetics of the property by modernizing the property through

the construction of a contemporary apartment building. Other site improvements will include new landscaping, a new parking lot, and an entrance fitted with decorative enhanced concrete. The resulting development will be an improvement, visually, for the community while also maintaining a reasonable degree of physical, functional, and visual compatibility with neighboring uses and the desirable neighborhood characteristics. Therefore, the proposed project is consistent with the surrounding area and compatible with the existing uses on the properties.

6. Through the planning and design of buildings and building placement, 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 provide an attractive and appropriately-scaled apartment complex with consideration for building appearance, building placement, landscaping, and other amenities in order to create an attractive environment. The building architecture will reflect a contemporary style with straight lines and a flat roof. Building materials will consist of light and dark-colored finished stucco, dark accent trims, and stone veneer accents. Balconies are enclosed by metal railing and stucco. The building layout consists of one, two, and three-bedroom units in a "U-shaped" configuration accessed off either a single or double-loaded corridor. Several units face a ground floor courtyard recreation area containing seating, a barbecue area, and a playground. All landscaped areas are required to adhere to the landscaping requirements of the Title 9 of the Municipal Code, which includes the City's Landscape Water Efficiency Guidelines. The necessary agreements for the protection and maintenance of all landscaping will be achieved through the conditions of approval for the Project

#### LOT LINE ADJUSTMENT:

1. The parcels, as the result of the Lot Line Adjustment, will conform to the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and State Subdivision Map Act.

The proposed Lot Line Adjustment will consolidate two existing parcels into a single 66,000 square foot lot in order to facilitate the development of a 46-unit multiple-residential density bonus housing project, which, as described above, is consistent with State law and the City's General Plan and Land Use Code. The subject parcels have a General Plan Land Use Designation of Medium Density Residential and are zoned R-3 (Multiple-family Residential). The resulting 66,000 square foot lot area will exceed the 7,200 square foot minimum lot area required in the R-3 zoning district.

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 does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The Lot Line Adjustment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.40.190.
3. 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-062-2019 and Lot Line Adjustment No. LLA-020-2019.

## **EXHIBIT "A"**

### **Site Plan No. SP-062-2019 Lot Line Adjustment No. LLA-020-2019**

8218 and 8242 Garden Grove Boulevard  
(Assessor's Parcel Nos. 097-011-06 and 07)

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. The applicant shall provide the City with a copy of the recorded Notice within ten (10) days of its recordation.
2. All Conditions of Approval set forth herein, or contained in Resolution No. 5944-19, shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, David Nguyen, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Except for minor modifications approved by the Community and Economic Development Director pursuant to Condition No. 4, below, any changes to the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-062-2019.
3. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project, approved site plan, floor plan, and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where otherwise expressly specified in the individual condition.

6. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Services Division. Lighting adjacent to residential properties shall be restricted to low, decorative, wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window areas of nearby residences. Provide a lighting plan for review and approval by the Planning Services Division prior to issuance of a building permit.
7. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building and Safety Division Plan Check. The project shall also be subject to the following:
  - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
  - b. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall be screened to the satisfaction of the Community and Economic Development Department.
  - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
  - d. All ground, roof, or wall-mounted mechanical equipment shall be screened from public view from adjacent properties and the public right-of-way and shall also be screened, to the extent feasible, from on-site areas.

### **Public Works Engineering Division**

8. The applicant shall be subject to Traffic Mitigation Fees, Citywide Park Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.



9. A separate street permit is required for work performed within the public right-of-way.
10. Grading/street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30'-0" outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. The Street Improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
11. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
12. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
13. The new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120 (Option #2).
14. All parking spaces that abut a sidewalk that is not elevated with a curb face to the stall, shall have wheel stops.
15. Prior to issuance of a grading permit, the applicant shall design lighting for the walkway lighting within the development in a manner meeting the approval of the City Engineer and the Planning Services Division. If pedestrian-scaled light poles are proposed, they shall be shown on the precise grading plan.
16. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design of the parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
17. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards latest edition.

18. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment permit is obtained for placement in street.
19. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
  - a. Addresses Site Design Best Management Practices (BMPs) based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
  - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
  - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
  - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
  - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
  - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
20. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
  - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
  - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
  - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on site.
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.

21. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law-AB 1826:
  - a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash;
  - b. Provide solid roof or awning to prevent direct precipitation;
  - c. Connection of trash area drains to the municipal storm drain system is prohibited;
  - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control;
  - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
  - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
  - g. Pursuant to state mandated commercial organic recycling law AB 1826, the applicant is required to coordinate storage and removal of the organic waste with local recycling/trash company.
22. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above requires removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.
23. Prior to issuance of a grading permit, the applicant shall submit to the Planning Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat for review and approval of the lot line adjustment application.

24. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
25. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
  - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
26. The applicant shall identify temporary parking sites for construction crew, construction trailers, and office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
27. Prior to issuance of a grading permit, the applicant shall submit for review and approval a worksite traffic control plan that is satisfactory to the City Traffic Engineer.
28. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
29. Any required lane closures shall occur outside of peak travel periods.
30. Prior to the issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
31. The applicant shall remove substandard driveway approaches, curb and the existing landscape within sidewalk area along Garden Grove Boulevard and construct street frontage improvements as identified below. All landscape, sidewalk and lighting improvements installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Division. A separate street improvement plan

shall be prepared for Garden Grove Boulevard and submitted to the Engineering department for improvements within the City right of way.

Garden Grove Boulevard

- a. The applicant shall remove the existing sidewalk and driveway approaches along the property frontage and construct a ten-foot sidewalk per City Standard Plan B-106.
- b. The new driveway approaches to the site on Garden Grove Boulevard shall be constructed in accordance with City of Garden Grove Standard Plan B-120 (option #2). Standard Plan B-120 calls for a minimum width of 30 feet for commercial and multiple residential projects.
- c. New wheelchair ramps and landings shall be constructed per latest Caltrans Standard Plan ASSA.
- d. The applicant shall construct 5-inch curb and gutter replacing the driveway approaches along the property frontage at 40' from centerline in accordance with City Standard Plan B-113 (Type C-S Modified).
- e. The new drive approach to the development on Garden Grove Boulevard shall restrict left turn out movement. Applicant shall install a R3-5R sign at the east side of the new driveway approach to prevent left-turn-out movement.
- f. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Garden Grove Boulevard with Planning Division and Water Division.
- g. Any proposed new landscaping in public right of way shall be approved by Planning Division and maintained by the property owner.

**Building and Safety Division**

32. Project shall comply with the 2016 CA Building Code (CBC), CA Mechanical Code (CMC), CA Plumbing Code (CPC), CA Electrical Code (CEC), CA Green Building Standards Code (CGBSC) and the 2016 CA Building Energy Efficiency Standards.
33. Future electric vehicle (EV) charging shall be provided per CGBSC Section 4.106.4 and Table 4.106.4.3.1
34. Construction waste reduction, disposal, and recycling shall comply with CGBSC Chapter 5; CALGreen Mandatory checklist and City Construction Waste Management forms shall be completed and imprinted on plan.

35. Outdoor water usage in landscape shall comply with CGBSC and the City of Garden Grove Landscape Water Efficiency Guidelines . A worksheet showing compliance shall be included in landscaping plans for review.
36. Project shall comply with CBC Chapter 11B for exterior/interior accessibility requirements.
37. Multiple-story dwellings without elevators shall comply with CBC Section 11B-233.3.1.2.5.
38. 5% of the total units shall meet mobility feature requirements per CBC Section 11B-233.3.1.1 and 2% of the total units shall meet communication features per CBC Section 11B-233.3.1.3.
39. Parking facilities shall comply with CBC Section 11B-208.
40. All common areas shall be made accessible and shall comply with CBC Chapter 11B.
41. Play areas for children ages two and over shall comply with CBC Section 11B-204.
42. Fire-rated constructions shall comply with CBC Chapter 7.
43. Egress and accessible means of egress shall comply with CBC Chapter 10. Plans, when submitted for review, shall include an exiting analysis and maximum travel distance.
44. Short term bicycle parking shall be provided in accordance with CGBSC Section 5.106.4.

**Garden Grove Fire Department**

45. Show on plans the deferred submittal for fire sprinklers and alarms.
46. The Garden Grove Fire Department turning radius and access shall be shown in CAD on the plans.
47. Plans shall dimension distances between fire hydrants.

**Public Works Water Services Division**

48. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. The RPPD installation shall be per City Standard B-770. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross-connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device

tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.

49. In the event that this property uses a septic tank, the owner shall remove/abandon the unit and shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints.

### **Community & Economic Development Department**

50. This approval is for the construction of a new three-story, 46-unit apartment building. The property consists of two underlying parcels being combined pursuant to a Lot Line Adjustment. The approved Lot Line Adjustment shall be recorded prior to the issuance of building permits.
51. Prior to the Certificate of Occupancy or installation of any signage, the applicant shall submit for review and approval by the Community & Economic Development Department a Sign Program for the building. All signage shall comply with Chapter 20 of Title 9 of the City's Municipal Code. The applicant shall work with the Fire Department to determine the location of building numbers.
52. The applicant shall submit a complete and detailed landscaping plan with irrigation systems included for review and approval by the Community & Economic Development Department prior to the issuance of a building permit. Drought tolerant plantings are encouraged. The landscape plan shall include the type (both common and botanical names), size, location, and quantity of all proposed plant material. The proposed landscaping shall be planted prior to the finalization of the building permit. The plan shall be consistent with the landscape requirements set forth and/or incorporated in the Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance, associated Water Efficiency Guidelines, and all recent applicable revisions from the State of California on water conservation measures. The landscape plan is also subject to the following:
  - a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. Subsurface systems are encouraged. The irrigation plan for any new trees shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used, they shall be low flow/precipitation sprinkler heads for water conservation.
  - b. Areas considered "shared passive" or "passive" recreation areas shall consist of landscape areas that incorporate pathways, waterscape, hardscape (i.e., large rocks or boulders, benches, gazebos, raised planters), and unique features that enhance the appearance, desirability,

and usability of the area. The intent is to provide landscaped areas that can be utilized for walking, sitting, viewing plants and vegetation, reading, and similar types of activities.

- c. Landscaping shall be maximized on the site where possible. The narrow planters and wall trellises shall have plants carefully selected to provide maximum impact.
  - d. All landscape areas are the responsibility of the applicant/property owner(s).
  - e. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water run-off. This is also to be inclusive of any applicable Water Quality Management Plan (WQMP), the Orange County Drainage Area Management Plan (DAMP), and/or other water conservation measures applicable to this type of development.
  - f. No trees shall be planted closer than five feet (5') from the public right of-way. Trees planted within fifteen feet (15') of any public right of-way shall be planted in a root barrier shield. All landscaping along street frontages, adjacent to driveways, shall be of the low height variety to ensure safe sight clearance. All proposed trees, planted within fifteen feet (15') of any public right of way, shall be non-fruit bearing, evergreen trees that require minimal maintenance.
53. The project includes a 27.8% density bonus for which the applicant shall reserve eight (8) dwelling units for occupancy by low-income households for a period of 55 years commencing with the issuance of the certificate of occupancy for the project. The applicant shall at all times during the term of the affordability period comply with the requirement to rent the eight (8) target units to low-income households at an affordable rent as required by the Garden Grove Municipal Code and State Law. Landlords receive fair market rent from tenants who are recipients of subsidies under Section 8 of the U.S. Housing Act of 1937, which do not qualify as affordable rent for purposes of the eight (8) target units set aside for low-income households. A Density Bonus Housing Agreement, pursuant to Ordinance 2668 and Section 9.12.030.070 (Density bonuses and other incentives for affordable housing) (Subsection I - "Density Bonus Housing Agreement") of Title 9, shall be prepared by the City, at the applicant/owner's expense. The Density Bonus Housing Agreement shall be approved by the City Council and recorded prior to issuance of a building permit for any structure in the housing development. The Density Bonus Housing Agreement shall run with the land and bind on all future owners and successors in interest. The Density Bonus Housing Agreement shall include, without limitation, the following:



- a. The total number of units approved for the Housing Development, the number, location, and level of affordability of target units, and the number of density bonus units.
  - b. Standards for determining affordable rent for the target units.
  - c. The location, unit size in square feet, and number of bedrooms of target units.
  - d. Provisions to ensure affordability for 55 years pursuant to Government Code section 65915 and otherwise in accordance with Subsection G of section 9.12.030.070.
  - e. A schedule for completion and occupancy of target units in relation to construction of non-restricted units.
  - f. A description of any concessions or incentives or waivers and modifications being provided by the City.
  - g. A description of remedies for breach of the agreement by either party. The City may identify tenants or qualified purchasers as third party beneficiaries under the agreement.
  - h. Procedures for qualifying tenants and prospective purchasers of target units.
  - i. Any other provisions to ensure implementation and compliance with section 9.12.030.070.
  - j. Procedures for establishing affordable rent, filling vacancies, and maintaining target units for eligible tenants.
  - k. Provisions requiring verification of household incomes.
  - l. Provisions requiring maintenance of records to demonstrate compliance with section 9.12.030.070.
  - m. The property owner shall restrict tenancy occupancy to a "2 + 1" formula, 2 persons per bedroom plus one additional person (ex: a two bedroom unit can only house five persons).
  - n. The property owner shall provide a professional caretaker, as defined and required by Title 25, Division 4, Article 5, Section 42 of the State Housing Law Regulations.
54. All proposed walls, fences, and hedges shall be consistent with Garden Grove Municipal Code Section 9.18.130.
55. The applicant shall abate all graffiti vandalism on or within the subject site. Best Management Practices shall be incorporated in the management of the site to deter and/or abate any graffiti vandalism throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
56. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:

- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  - b. Sunday and Federal Holidays - may work same hours, but subject to noise restrictions as established in section 8.47.010 of the Municipal Code.
57. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use of methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters and the use of low-sodium parking lot lights to ensure compliance with Title 24.
  58. Building colors and material samples shall be submitted to the Planning Division for review and final approval prior to issuance of building permits.
  59. Each unit shall provide a separate storage area having a minimum of 300 cubic feet of private and secured storage space. The storage may be provided within the tuck under parking and carports provided it does not interfere with garage use for automobile parking.
  60. A copy of the resolution approving Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019, including these Conditions of Approval, shall be kept on the premises at all times.
  61. The permittee shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019 and his/her agreement with all conditions of the approval.
  62. The applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney and shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

63. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-062-2918 and Lot Line Adjustment No. LLA-020-2019 has begun.
  
64. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the rights granted by this approval of Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019 shall become null and void if construction of the project is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-062-2019 and Lot Line Adjustment No. LLA-020-2019 shall expire if the building permits for the project expire.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.2.	<b>SITE LOCATION:</b> North side of 11 <sup>th</sup> Street between Kerry Street and Brookhurst Street, at 9861 11 <sup>th</sup> Street
<b>HEARING DATE:</b> February 7, 2019	<b>GENERAL PLAN:</b> Medium Density Residential
<b>CASE NOS.:</b> Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019	<b>EXISTING ZONE:</b> R-3 (Multiple-Family Residential) <b>PROPOSED ZONE:</b> Planned Unit Development No. PUD-010-2019
<b>APPLICANT:</b> Melia Homes, Inc. (Attn: Chad Brown)	<b>APN:</b> 098-120-18
<b>PROPERTY OWNER:</b> Consolidated Industries, Inc. (Attn: Michael F. Tatham)	<b>CEQA DETERMINATION:</b> Mitigated Negative Declaration

## **REQUEST:**

A request by Melia Homes to develop a 1.8-acre lot, located at 9861 11th Street (Assessor's Parcel No. 098-120-18), with a multiple-family residential project (the "Project") consisting of 31 two- and three-story townhomes. The specific land use entitlement approvals requested include the following: (i) Residential Planned Unit Development zoning to facilitate the development of the townhome project; (ii) Site Plan approval to construct the 31 two- and three-story townhomes along with associated site improvements; (iii) Tentative Tract Map approval to create the one-lot subdivision for the purpose of selling each townhome as a condominium; and (iv) Variance approval to deviate from the minimum lot size for a Residential Planned Unit Development.

## **BACKGROUND:**

The subject 1.8-acre lot is currently improved with a 33,200 square foot intermediate care facility for the developmentally disabled, which currently operates with 59 beds and is planned to operate on-site through May 2019. The facility was originally developed to accommodate 147 patients. However, due to state licensing constraints, the facility is now limited to 59 beds. The existing 33,200 square foot single-story structure is surrounded by asphalt parking areas with two (2) driveways providing vehicular access from 11<sup>th</sup> Street.

The subject property has a General Plan Land Use Designation of Medium Density Residential, which provides an allowable density of up to 32 dwelling units per acre,

and is zoned R-3 (Multiple-Family Residential), which allows up to 24 dwelling units per acre. The subject property is adjacent to R-3 zoned properties to the north, south, east, and across 11<sup>th</sup> Street to the south. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion, and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west.

The applicant proposes to construct a multiple-family residential project consisting of 31 two- and three-story townhomes along with associated site improvements. Approval of a Planned Unit Development (PUD) is necessary to accommodate the proposed project, along with a Site Plan, Tentative Tract Map, and a Variance to deviate from the minimum three-acre lot size requirement for a residential Planned Unit Development. The Site Plan, Tentative Tract Map, and Variance approvals by the Planning Commission would be contingent upon the City Council's approval of the proposed Planned Unit Development zoning and adoption of a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program ("MMRP").

### **DISCUSSION:**

#### **PLANNED UNIT DEVELOPMENT NO. PUD-010-2019:**

The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 zone. The applicant is requesting approval of Planned Unit Development No. PUD-010-2019 to establish a precise plan in order to facilitate and permit the development of the site with the proposed residential townhome project. If PUD-010-2019 is approved, the site would have a zoning designation of Residential Planned Unit Development zoning (PUD-010-2019), with R-3 base zoning.

A Planned Unit Development (PUD) is a precise plan, adopted by City Council ordinance that provides the means for the regulation of buildings, structures and uses of land in order to facilitate the implementation of the General Plan. The Planned Unit Development (PUD) zoning designation establishes development standards and uses specific to a particular project provided that the quality of the project achieved through the PUD zoning is greater than could be achieved with traditional zoning. The specific development standards applicable to a Planned Unit Development are those set forth in the ordinance approving the PUD. Where a Planned Unit Development is silent regarding operating conditions, maintenance or other standards regulating a particular use, the Land Use Code standards applicable to the base zone (in this case, R-3) apply.

Through the residential Planned Unit Development, and the flexibility in site design it accommodates, the proposed Project provides a greater quality development by utilizing certain modifications to traditional strict zoning standards, which include: a reduced separation between habitable portions of buildings in front-to-front orientations; a reduced separation between habitable portions of buildings to open guest parking stalls; encroachment of private open patios in the front yard setback; and allowing an additional powder room for a residential unit. Such minor deviations have been previously approved for other similar residential projects in the City.

Planned Unit Development No. PUD-010-2019 would permit development of the property in accordance with the proposed Site Plan and Tentative Tract Map for the project and would accommodate the development of 31 two- and three-story residential townhome units as part of a multiple-family residential development that will be compatible with the existing neighborhood, which is comprised primarily of multiple-family residential developments.

SITE PLAN:

Project Statistics

	<b>Provided</b>	<b>Code Requirement</b>
<b>Lot Size</b>	1.8 acres	3 acres <sup>1</sup>
<b>Density</b>	17.2 units per acre	24 units per acre (max)
<b>Parking</b>		
Enclosed (Garaged)	62	62
Open Guest Spaces	30	30
Total Parking Spaces	92	92
<b>Recreation Area</b>	9,453 S.F.	9,300 S.F. (min)
<b>Building Height</b>	33'-6"	35'-0" (max)

<sup>1</sup> The code requires a minimum lot size of 3 acres for a residential Planned Unit Development (PUD). Therefore a Variance is required in order to implement the PUD zoning designation.

**Building Design**

	<b>Number of Bedrooms/Baths</b>	<b>Living Area<sup>2</sup></b>	<b>Total Number of Units</b>
<b>Plan A</b>	2 Bedrooms, 3 Baths	1,650 S.F.	12
<b>Plan B</b>	3 Bedrooms, 3 Baths	1,700 S.F.	15
<b>Plan C</b>	3 Bedrooms, 4 Baths	1,940 S.F.	4

<sup>2</sup> Garages are not included in total living area.

Site Design and Circulation

The project consists of 31 two- and three-story townhomes with attached enclosed two-car garages. The units are dispersed amongst three (3) main structures: Nine attached (9) units in a structure along the easterly property line; ten (10) attached units in a structure located toward the rear (northwest corner) of the property; and twelve (12) attached units in a structure located toward the front of the property.

The attached two-car garages for each unit are accessible from the private driveways, which circulate throughout the development. The width of the drive aisles have been designed to accommodate two-way traffic and ranges between 25'-0" to 28'-0" in width. The private driveways have been designed in accordance with City Standards, and provides the required turnaround access for trash trucks and emergency vehicles. A total of 30 open guest parking stalls will be conveniently located throughout the development. The remaining 62 parking spaces are comprised of 31 enclosed, attached two-car garages for the 31 townhomes.

Vehicular access to the site will be from 11<sup>th</sup> Street via an enhanced entry driveway that will include decorative paving and landscaping. No vehicular access gate is proposed. Various sidewalks will provide pedestrian access to the site from the 11<sup>th</sup> Street public right-of-way.

Unit Nos. 1-6 will have entries facing the 11<sup>th</sup> Street public right-of-way with private porch areas that are open to the sky. The remaining units will have entries facing, and accessible from, private walkways, which circulate throughout the development. The common/active recreation area is centrally located and conveniently accessible to all units within the development.

#### Perimeter Walls and Landscaping

A new, six-foot high, decorative masonry block wall will be constructed along the perimeter of the site on the northerly, westerly, and easterly property lines, as necessary. The private porch recreation areas, at ground level, will be enclosed by 3'-0" high fences to delineate the private open spaces.

The project will provide new landscape installations through the development, including all common areas such as the active and passive recreation areas, in addition to landscaping within the front setback area facing 11<sup>th</sup> Street. The applicant is required to provide a landscape and irrigation plan to the City, through a complete Landscape Documentation Package, that complies with the landscaping requirements, including the City's Landscape Water Efficiency Guidelines, of Title 9 of the Municipal Code. The Planning Division will review the type and location of all proposed plant materials. As part of the landscape plan, a variety of trees, shrubs, and flowers are required for all common and private areas.

#### Unit Design

The proposed Project consists of 31 two- and three-story townhomes with three (3) different floor plan designs (Plan A, B, and C), with an attached two-car garage provided for each unit.

Plan A (Units 2, 3, 10, 11, 13, 20, 21, 23, 25, 26, 29, and 30) is a three-story dwelling unit that consists of a total living area of 1,650 square feet, in addition to a 440 square foot attached two-car garage. The first floor consists of the two-car

garage, den, powder room (public 1/2 bathroom), and a 142.5 square foot private patio that is uncovered and open to the sky. The second floor consists of the kitchen, living room, dining room, and a 60 square foot deck. The third floor consists of two (2) bedrooms, two (2) bathrooms (1 private full bathroom and 1 public full bathroom), and washer and dryer closet.

Plan B (Units 1, 4, 5, 8, 9, 12, 14, 15, 18, 19, 22, 24, 27, 28, and 31) is a two-story dwelling unit that consists of a total living area of 1,700 square feet, in addition to a 480 square foot attached two-car garage. The first floor consists of the two-car garage, kitchen, dining room, living room, a powder room (public 1/2 bathroom), and a 144 square foot private patio that is uncovered and open to the sky. The second floor consists of the loft, three (3) bedrooms, two (2) bathrooms (1 private full bathroom and 1 public full bathroom) and a laundry room.

Plan C (Unit 6, 7, 16, and 17) is a three-story dwelling unit that consists of a total living area of 1,940 square feet, in addition to a 440 square foot attached two-car garage. The first floor consists of the two-car garage, den, powder room (public 1/2 bathroom), and a 142.5 square foot private patio that is uncovered and open to the sky. The second floor consists of the kitchen, living room, dining room, a bedroom, a bathroom (public full bathroom), and a 41 square foot deck. The third floor consists of two (2) bedrooms, two (2) bathrooms (1 private full bathroom and 1 public full bathroom), and a laundry room.

### Building Architecture

The building elevations are designed to look like contemporary multi-family homes. Each unit's front building elevation incorporates projecting and recessed building masses, along with varied rooflines in order to articulate the building's facade. The buildings' architectural detailing includes the use of wood trellises, wood timber columns, iron railings, tile roofing, foam corbel detailing, varied window shapes, multi-pane windows, and decorative trim around the windows and doors to enhance the building.

The exterior building materials for each unit consist of a stucco finish that will be painted a natural color scheme consisting of complimentary tones. The roofing material will consist of tile with a color palette that compliments the exterior finishes.

### Recreation Area

The project, as a whole, is required to provide a minimum 9,300 square feet (300 square feet per unit) of recreation space, which is split amongst active, passive, and private recreation areas. The Project provides a total of 9,453 square feet of recreation area.

The project is required to provide an active recreation area that is a minimum of 3,600 square feet of contiguous recreation space with amenities. The proposed



Project provides a 3,786.5 square foot active recreation area that is centrally located and conveniently accessible to all units within the development. Said active recreation area will provide a tot lot, various seating areas, and landscaping. The Project will also provide 2,453 square feet of passive recreation area, which is connected to the active recreation area, with additional seating areas, walkways, and landscaping.

Each dwelling unit will provide a private patio, at ground level, in the form of an enclosed front porch area, which ranges between 142.50 to 144 square feet, and is uncovered and open to the sky. The Plan A and Plan C floor plans will provide a 2nd floor deck for additional private recreation area.

Staff has reviewed the plans and finds that the proposed Project complies with all recreation requirements of the Municipal Code.

### Parking

The project provides a total of 92 parking spaces, which meets the minimum number of parking spaces required by the Municipal Code. The breakdown of parking spaces includes 62 garaged parking spaces and 30 unassigned open guest parking spaces.

As part of the Initial Study report prepared for the Mitigated Negative Declaration for the Project, a technical memo was prepared by Translutions, a licensed traffic engineering firm, to determine the potential impacts relating to trip generation (the expected number of vehicle trips originating in or destined for a particular traffic analysis zone) and parking demand (the projected parking demand for the site). Based on the trip generation and project parking demand analyses conducted, Translutions concluded that the proposed Project is unlikely to have any significant impacts on nearby traffic circulation and that the number of parking spaces provided would be adequate to meet the parking demand for the Project. A traffic study would typically be required by the City if the trip generation for a project was projected to increase by more than 50 trips during peak times. The trip generation rates in the report were based on the nationally referenced rates from the Institute of Transportation Engineers' (ITE) *Trip Generation* (10<sup>th</sup> Edition) – commonly referred to as the "ITE Manual". The analyses of the report found that the projected new trip generation, resulting from the proposed residential project (197 daily trips), would actually be less (by -23 trips) than the current trip generation of the existing intermediate care facility (220 daily trips). The City's Traffic Engineering Division reviewed the report and concurred with the report's findings.

### VARIANCE:

Section 9.12.030.020.C.2 of Title 9 of the Municipal Code requires all residential Planned Unit Developments to provide a minimum lot size of three (3) acres. The subject lot is 1.8 acres in area, which is less than the minimum required. The applicant is requesting a Variance from the minimum three-acre lot size

requirement to facilitate the approval of the proposed residential Planned Unit Development.

Pursuant to State law and Garden Grove Municipal Code Section 9.32.030.D.6, in order to grant a property owner's request for a Variance, the Planning Commission must make each of the following five (5) findings:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The City of Garden Grove is built-out with very few vacant sites available. Most current projects are in-fill, which is defined as the development of new housing or other buildings on scattered vacant or currently developed sites in a built-up area. The acquisition of additional land to meet the three-acre lot size requirement is not feasible as the property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The limited size of the site prevents the applicant from proposing a residential project that strictly meets all of the required development standards of the R-3 (Multiple-Family Residential) zone. The Planned Unit Development (PUD) zoning designation establishes development standards and uses specific to a particular project, and independent of certain aspects of the Municipal Code, provided that the quality of the project achieved through the PUD zoning is greater than could be achieved through traditional zoning. Changing the zoning of the property to a residential Planned Unit Development will ensure the property is consistent with the spirit and intent of the General Plan, which, in part, encourages the development of residential units to meet the city's regional housing needs and to further the goals of the City's Housing Element.

Additionally, the intent of Goal LU-3 of the General Plan is to add higher density residential development adjacent to major thoroughfares in the City. The subject site is in close proximity to Brookhurst Street, which is a major arterial street. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, particularly in regards to limited developable lot size and feasibility to acquire additional land, that do not apply generally to other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City. As mentioned prior, due to the location of the property, and the surrounding existing improvements, the applicant is unable to acquire additional land area to meet the three-acre size requirement of the PUD. The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height.

2. That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

The Variance is necessary for the property to be developed with the same property rights that exist for other similar residential developments located throughout the City that may not meet minimum lot size requirements. The proposed Variance will allow the Project to deviate from the three-acre lot size requirement for a residential Planned Unit Development. There are other similar residential projects in the immediate vicinity, within the same zone, or other similar zoned properties through the City that do not meet the minimum three-acre lot size requirement and therefore required the approval of the same Variance. The property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The location of the project site precludes the applicant from being able to acquire additional land area to meet the three-acre requirement. The approval of the requested Variance is necessary to ensure the preservation and enjoyment of a substantial property right possessed by other property in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City.

3. That the granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The proposed Variance will allow the project to deviate from the three-acre lot size requirement for a residential Planned Unit Development. The subject site is located in an area improved with multiple-family and single-family homes. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west. Therefore, the proposed Project will be compatible with the existing residential developments in the area. The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height. The project will be required to comply with all applicable building and safety codes and regulations to ensure that there is not an adverse impact on public health, safety, or welfare. Furthermore, the proposal has been reviewed by all City Departments in order to ensure compliance with all applicable code provisions.

4. That the granting of such Variance will not adversely affect the City's General Plan.

The proposed Variance will allow the project to deviate from the three-acre lot size requirement of the residential PUD zone. The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height. The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 zone. Furthermore, the Medium Density Residential land use designation is intended for a variety of types and densities of multiple-family residential dwellings as well as to promote housing opportunities in close proximity to employment and commercial centers.

The proposed Project meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Goal LU-3, which intends to add higher density residential development adjacent to major thoroughfares in the City;

Policy LU-2.2, which strives to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life;

Policy LU-2.4, which intends to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood;

LU-IMP-2B, which intends for new development to be similar in scale to the adjoining residential neighborhood to preserve its character;

LU-IMP-3D, which intends for multi-family housing on local streets with appropriate setbacks to be consistent with neighborhood development patterns; and

Policy LU-4.1, which strives to locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.

The proposed Project will be consistent with the spirit and intent of the General Plan and will help in meeting the City's regional housing needs. Therefore, the granting of the requested Variance will not adversely affect the City's General Plan.

5. That approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The Variance is necessary for the property to be developed with the same property rights that exist for other similar residential developments located throughout the City. The proposed Variance will allow the Project to deviate from the three-acre lot size requirement for a residential Planned Unit Development. There are other similar residential projects in the immediate vicinity, within the same zone, or other similar zoned properties through the City that do not meet the minimum three-acre lot size requirement and therefore required the approval of the same Variance. The property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The Project is subject to extensive Conditions of Approval that impose requirements and limitations similar to those placed on other multiple-family residential projects and properties in the immediate vicinity, within the same zone, or on other similarly zoned properties throughout the City, and which are intended to assure that the granting of a variance to allow PUD zoning will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

#### TENTATIVE TRACT MAP:

In accordance with the State Subdivision Map Act, the developer has filed a Tentative Tract Map for the project. The map creates a one-lot subdivision for the purpose of selling each townhome unit as a condominium. The proposed Tentative Tract Map is consistent with the City's General Plan, the City's Zoning Code, the City's Subdivision Ordinance, and the State Subdivision Map Act.

#### California Environmental Quality Act (CEQA):

In conjunction with the proposed Project, the City (through an environmental consultant) has prepared an Initial Study report and Mitigated Negative Declaration ("IS/MND") in accordance with the California Environmental Quality Act ("CEQA") analyzing the potential environmental impacts of the proposed residential townhome project. In accordance with CEQA Guidelines, the City made the IS/MND available for public review and comment prior to the meeting. The IS/MND concludes that the proposed Project will have no, or a less than significant, impact on all relevant environmental factors, provided specified mitigation measures are incorporated, as per the Mitigation Monitoring and Reporting Program ("MMRP"). The mitigation measures are included within the MMRP. The applicant will be required to coordinate with an environmental consultant to implement the mitigation measures in the MMRP, as identified in the Mitigated Negative

Declaration, and shall provide updates about the implementation process to the Community and Economic Development Department until completion of the project.

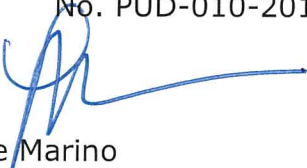
Neighborhood Meeting:

On November 7, 2018, the applicant voluntarily held a neighborhood meeting at the site of the Islamic Society of Orange County, which is in close proximity (just to the west) of the project site. The neighborhood meeting was held by applicant to present the Project details, to garner feedback from the community attendees, and to answer any questions about the proposed Project. Approximately forty (40) persons were in attendance for the meeting. Questions and concerns raised by the attendees included, but were not limited to, the following topics: existing traffic issues; if the residential project was a gated complex; potential exacerbating of existing on-street parking issues; potential overcrowding in the new residential units; if the project would include Section 8 housing tenants; construction time frame; if the environmental study is commissioned by the applicant or the City; if the project exceeds the maximum number of dwelling units allowed by the R-3 zone; and if the project had already been approved by the City. In response the various inquiries, the applicant stated, in part: that the Project will not be gated; that the proposed Project would decrease the existing traffic (trip generation) compared to the existing use; that the Project proposes substantially less dwelling units than the maximum allowed by the zone; that the Project provides adequate parking on-site and complies with the City's parking requirements; that the Project has not yet been approved by the Planning Commission and City Council; and that the units will be market rate for-sale townhomes and will not be not restricted as affordable housing.

**RECOMMENDATION:**

Staff recommends that the Planning Commission hold a public hearing and take the following actions:

1. Adopt the attached Resolution No. 5945-19 recommending that the Garden Grove City Council adopt a Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program, and approve Planned Unit Development No. PUD-010-2019; and
2. Adopt the attached Resolution No. 5946-19 approving Site Plan No. SP-063-2019, Variance No. V-022-2019, and Tentative Tract Map No. TT-18169-2019, subject to the recommended Conditions of Approval, and contingent upon Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, and adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-010-2019.



Lee Marino  
Planning Services Manager



By: Chris Chung  
Urban Planner

Attachment: Draft Initial Study/Mitigated Negative Declaration and  
Mitigation Monitoring and Reporting Program



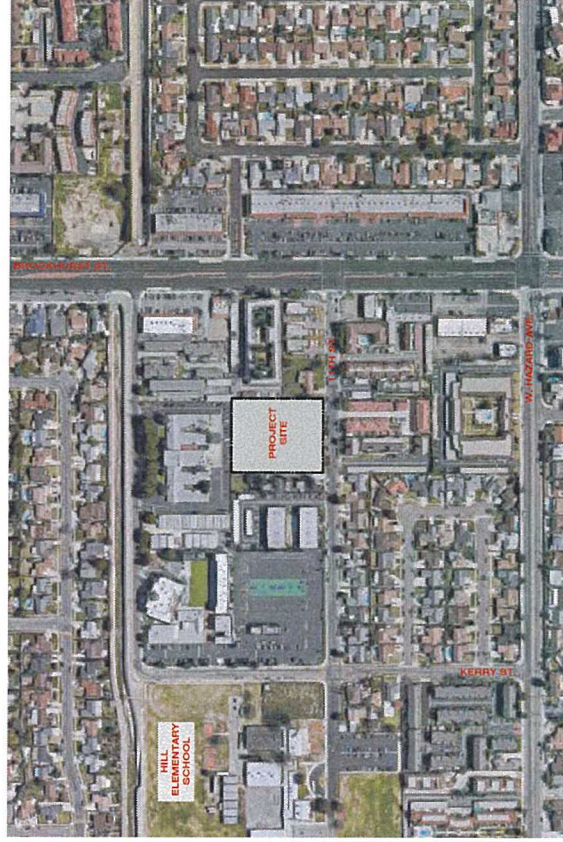


SHEET INDEX

- SD-00 PROJECT INFORMATION
- SD-01 SITE PLAN
- SD-01.1 FIRE ACCESS PLAN
- SD-02 UNIT TYPE 'A' PLANS
- SD-03 UNIT TYPE 'B' PLANS
- SD-04 UNIT TYPE 'C' PLANS
- SD-05 BUILDING ELEVATIONS
- SD-06 BUILDING ELEVATIONS
- SD-07 BUILDING ELEVATIONS
- SD-08 MASSING MODEL
- SD-09 MASSING MODEL
- SD-10 MASSING MODEL
- SD-11 MASSING MODEL



REQUIRED	PROPOSED	NOTES								
FRONT YARD MIN. 20'-0" REAR YARD MIN. 15'-0" SIDE YARD MIN. 15'-0"	20'-0" FRONT YARD MIN. 20'-0" REAR YARD MIN. 15'-0" SIDE YARD MIN. 15'-0"	GARDEN GROVE MUNICIPAL CODE # 12.040.020 A GARDEN GROVE MUNICIPAL CODE # 12.040.050 GARDEN GROVE MUNICIPAL CODE # 12.040.050 A GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
35'-0"	35'-0"	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
40%	40%	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
100 SF PER UNIT	100 SF PER UNIT	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
300 SF PER UNIT	300 SF PER UNIT	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
MIN. 50% OF OPEN SPACE TO BE ON GRADE (4,600 SF)	MIN. 50% OF OPEN SPACE TO BE ON GRADE (4,600 SF)	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
PAVED AREA FOR CIRCULATIONS	PAVED AREA FOR CIRCULATIONS	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
EXCLUSIVE OF SETBACKS	EXCLUSIVE OF SETBACKS	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
REQUIRED	PROPOSED	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
12 X 2.5 SPACE PER UNIT (30 SPACES)	12 X 2.5 SPACE PER UNIT (30 SPACES)	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
19 X 2.5 SPACE PER UNIT (42 SPACES)	19 X 2.5 SPACE PER UNIT (42 SPACES)	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
PROJECT TOTAL	PROJECT TOTAL	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
UNIT SUMMARY	UNIT SUMMARY	GARDEN GROVE MUNICIPAL CODE # 12.040.050 A								
PLAN	DESCRIPTION	QUANTITY	NET AREA	NET AREA SUBTOTAL	GROSS AREA	GROSS AREA SUBTOTAL	GRID AREA	GRID AREA SUBTOTAL	PRIVATE	TOTAL PRIVATE
A	2 BEDROOM + DEN / 2.0 BATH	12 UNIT	1,545 SF	18,540 SF	1,606 SF	19,146 SF	1,606 SF	19,146 SF	142.5 SF	1,710 SF
B	3 BEDROOM + DEN / 2.0 BATH	15 UNIT	1,815 SF	22,275 SF	1,710 SF	23,985 SF	1,710 SF	23,985 SF	144 SF	2,100 SF
C	3 BEDROOM + DEN / 3.0 BATH	4 UNIT	1,800 SF	7,200 SF	1,500 SF	8,700 SF	1,500 SF	8,700 SF	142.5 SF	912 SF
TOWNHOMES UNIT TOTAL		31 UNIT		47,015 SF	5,016 SF	52,031 SF	5,016 SF	52,031 SF		4,440 SF



VICINITY MAP SCALE: N.T.S.

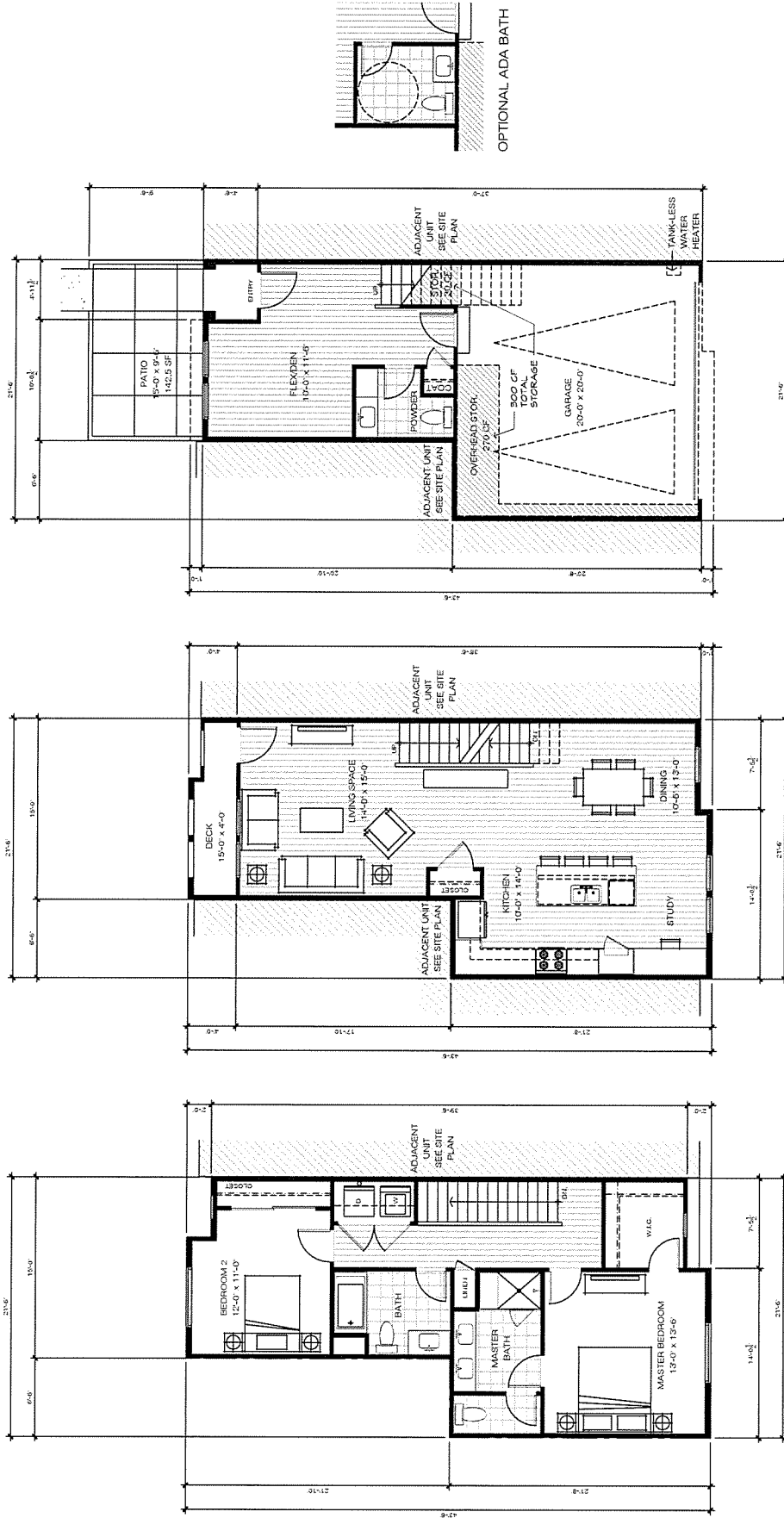
PROJECT INFORMATION  
 WITHHEE MALCOLM ARCHITECTS, LLP  
 2151 West 100th Street, Torrance, CA 90504  
 www.withheemalcolm.com  
 JOB NO. B7103

9861 11TH STREET  
 Garden Grove, CALIFORNIA  
 AUGUST 6TH, 2018

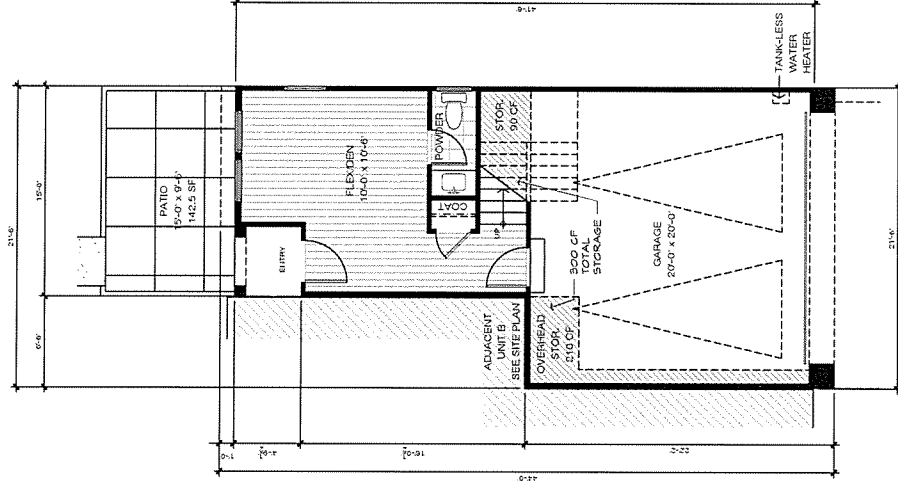
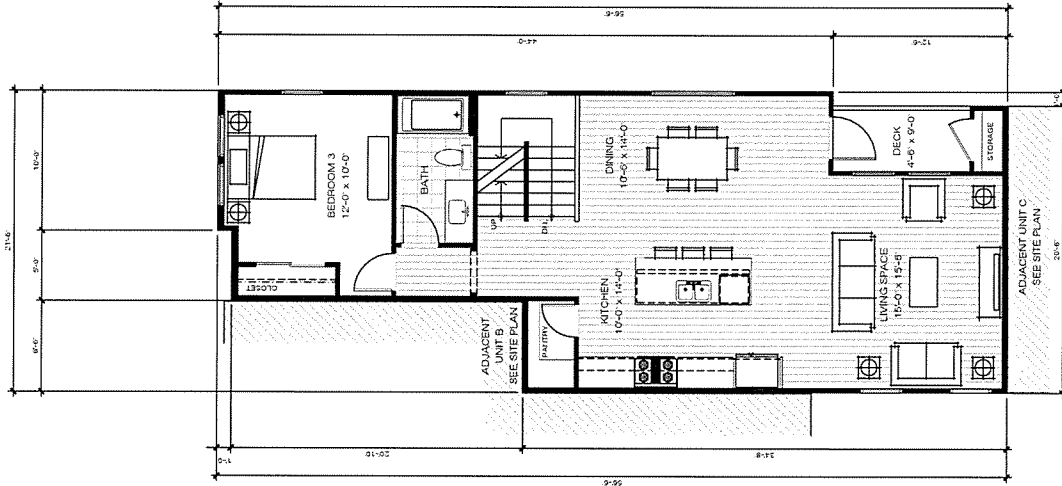
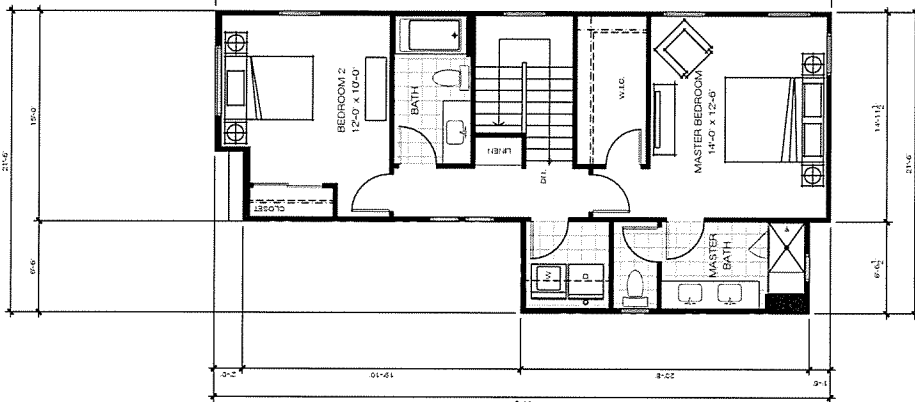
SD-00











- FIRST FLOOR - 290 SF
- SECOND FLOOR - 935 SF
- THIRD FLOOR - 715 SF
- TOTAL - 1,940 SF
- GARAGE - 440 SF

PLAN TYPE C  
3 BR + 3 & 1/2 BATH / DEN

9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

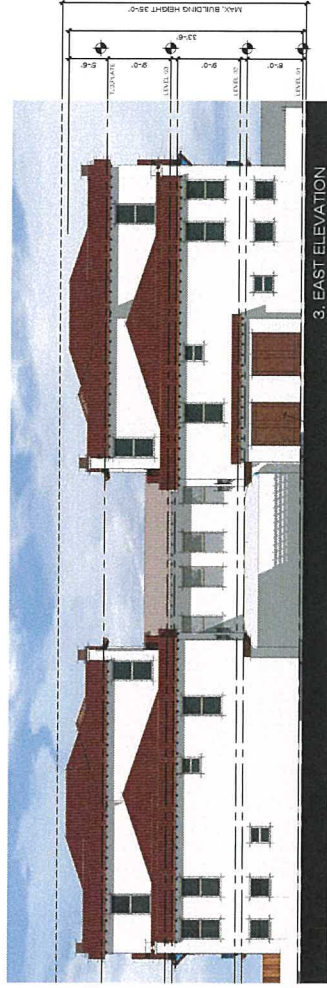
WITHEE MALCOLM ARCHITECTS, LLP  
235 West 190th Street Torrance, CA 90504  
310.217.8888  
JOB NO. 07193

SD-04





4. WEST ELEVATION



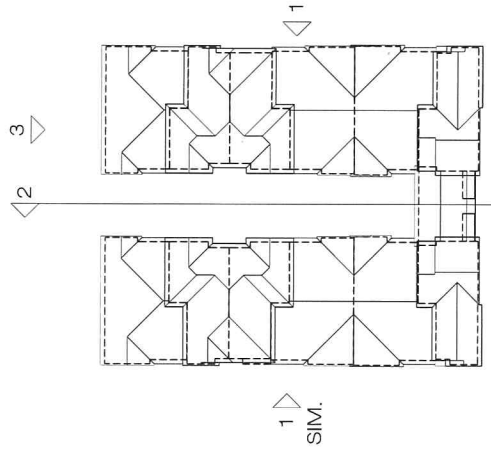
3. EAST ELEVATION



2. GARAGE ELEVATION / SECTION



1. FRONT (SOUTH) ELEVATION (NORTH ELEVATION SIMILAR)



1. BUILDING 1 KEY PLAN

- MOOD TRELLIS
- UNIT BLANK LIVING / DINING AREA / DRIVE WAY
- METAL IRON RAILING
- MAYNE DALTON
- WALLS
- GARAGE DOOR OR SIMILAR IN OPTIONAL WINDOW
- TILE ROOF WITH MIX COLOR PALETTE
- PAINTED FACIAS & RAFTER
- DEEPT DEEP BROWN OR SIMILAR
- RECESSED DUAL GLAZED WINDOW
- WHITE COLORED FRAME
- WROUGHT IRON PLANTER
- EXTERIOR STUCCO TYP.
- WALLS MILK MUSTACHE OR SIMILAR
- FOAM CORBEL
- EXTERIOR LIGHTING
- SOLID WOOD ENTRY DOOR

9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

BUILDING 1 ELEVATIONS

WITHEE MALCOLM ARCHITECTS, LLP  
2325 West 190th Street Torrance, CA 90504  
310.217.8888  
JOB NO. BT103

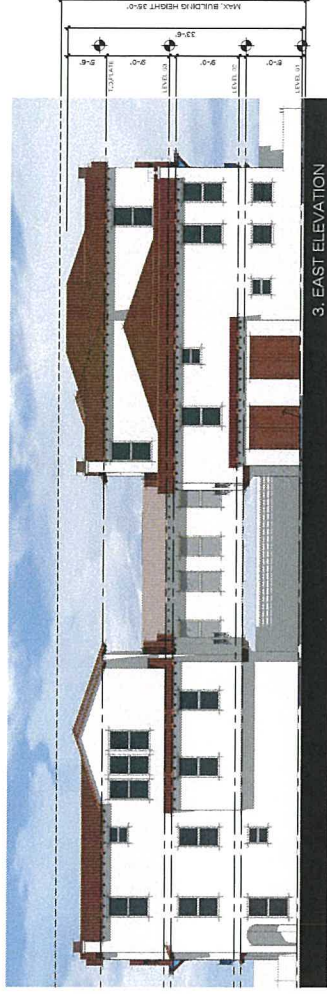


SD-05



4. WEST ELEVATION

METAL IRON RAILINGS



3. EAST ELEVATION

UTILITY CLOSET



2. GARAGE ELEVATION / SECTION

JULIET BALCONY

UNIT PLAN C LIVING DINING AREA OR DRIVE WAY

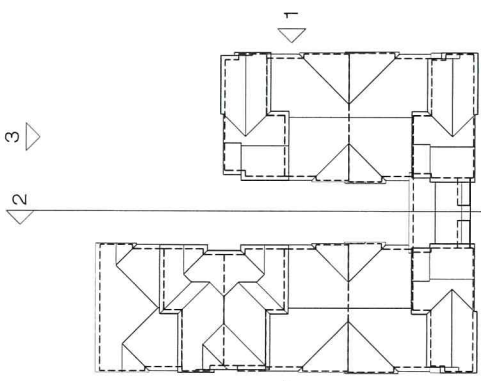
MAYNE GAL-TON W/100 STEEL GARAGE DOOR OR SIMILAR W/ OPTIONAL WINDOW

WOOD TRELLIS

WOOD TRELLIS

TILE ACCENT

- TILE ROOF WITH MIX COLOR PALETTE
- PAINTED FACIAS & RAFTER TAILS
- DEEPT DEEP BROWN OR SIMILAR
- RECESSED DUAL-GLAZED UNIT PLAN C LIVING DINING AREA OR DRIVE WAY
- WHITE COLORED FRAME
- WROUGHT IRON PLANTER
- EXTERIOR STUCCO TYP. MUSTACHE MILK
- MUSTACHE OR SIMILAR
- FOAM CORBEL
- EXTERIOR LIGHTING
- SOLID WOOD ENTRY DOOR



1. FRONT (SOUTH) ELEVATION (NORTH ELEVATION SIMILAR)



BUILDING 2 KEY PLAN

9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

BUILDING 2 ELEVATIONS

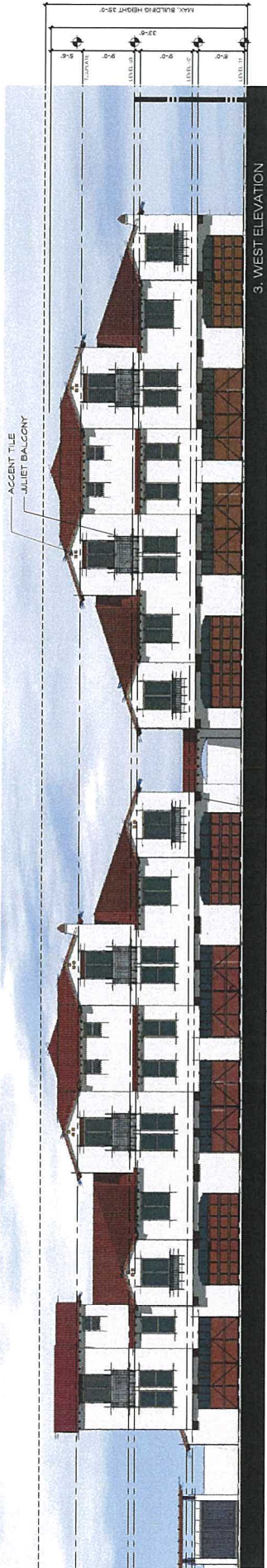
WITHEE MALCOLM ARCHITECTS, LLP  
2151 West 190th Street Torrance, CA 90504  
www.withee.com  
JOB NO. B7103

SD-06

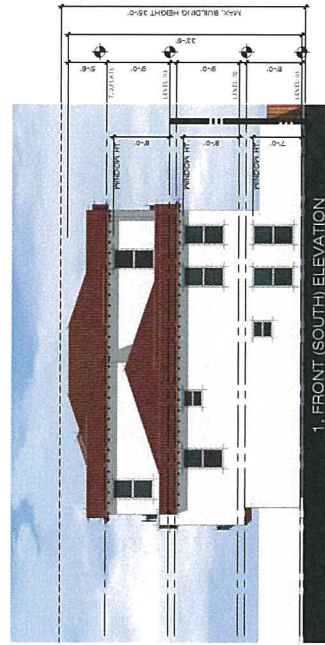




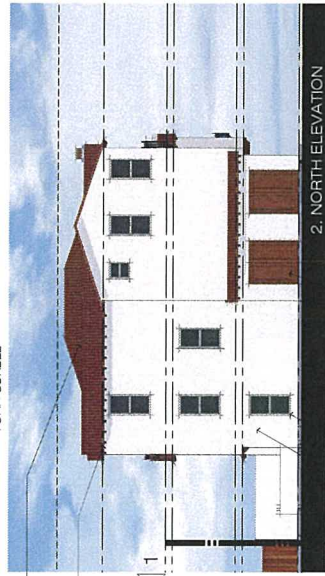
4. EAST ELEVATION



3. WEST ELEVATION



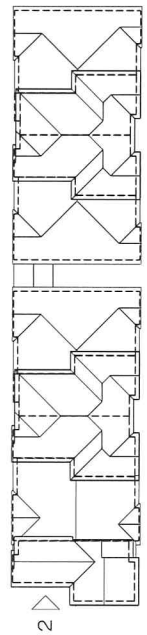
1. FRONT (SOUTH) ELEVATION



2. NORTH ELEVATION

- MAYNE DALTON 3100 STEEL GARAGE DOOR OR SIMILAR W/ OPTIONAL WINDOW
- TILE ROOF WITH MIX GRANITE FACIAS & RAFTER TAILS
- DE GOTT DEEP BROWN OR SIMILAR

- FOAM CORBEL
- UTILITY CLOSET



BUILDING 3 KEY PLAN

- EXTERIOR STUCCO, TYP
- DE GOTT OR SIMILAR MUSTACHE
- RECESSED DUAL SLAZED VINYL WINDOWS
- WHITE COLORED FRAME

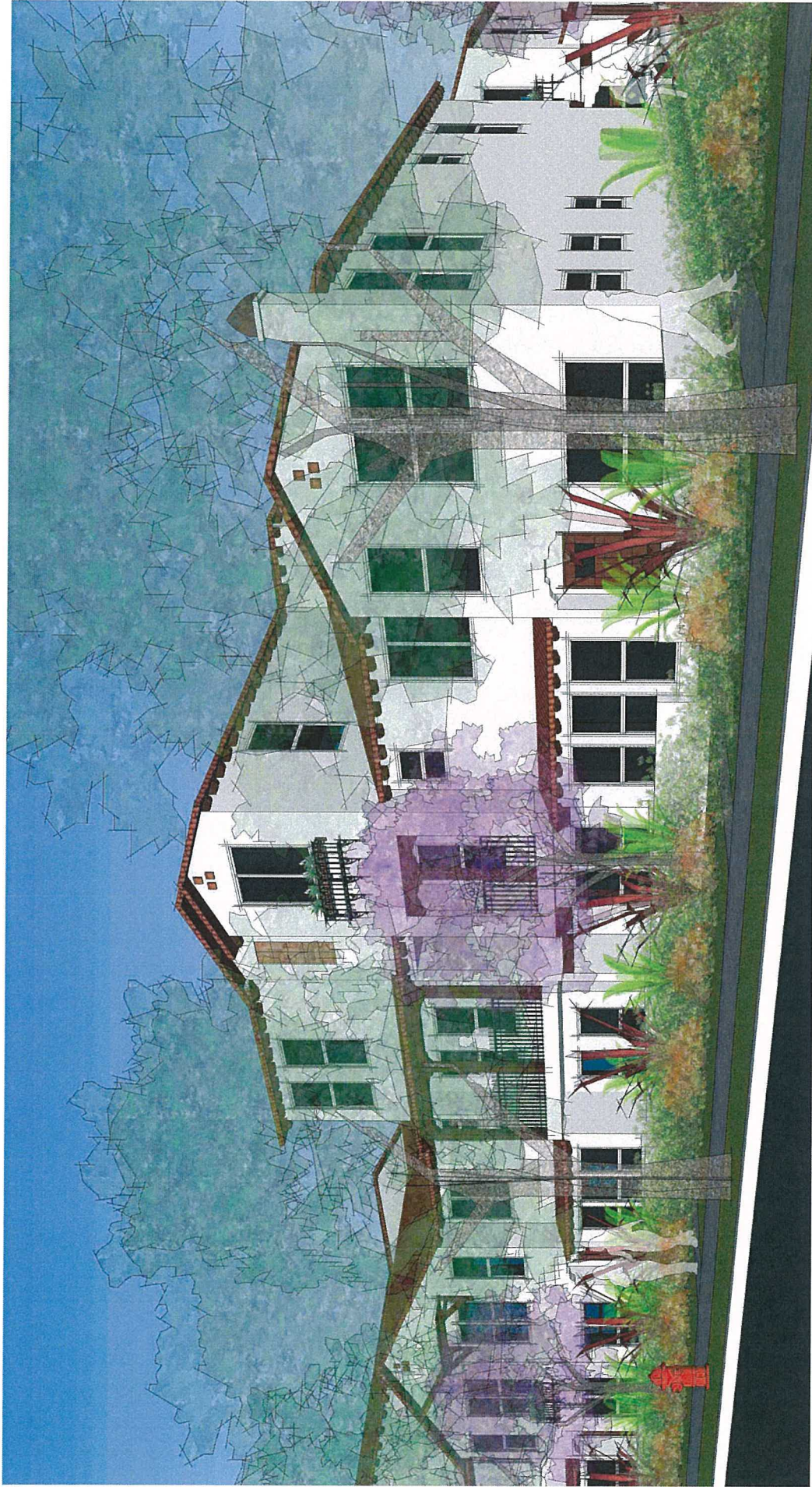
9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

BUILDING 3 ELEVATIONS

WITHEE MALCOLM ARCHITECTS, LLP  
2151 West 180th Street Torrance, CA 90504  
www.withee.com  
JOB NO. B7103



SD-07



9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

MASSING MODEL

WITHEE MALCOLM ARCHITECTS, LLP

2327 West 190th Street Torrance, CA 90504

TEL: 310.271.8888

FAX: 310.271.8888

WWW.WITHEEARCHITECTS.COM



SD-08



9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

MASSING MODEL

WITHEE MALCOLM ARCHITECTS, LLP

2007 Foothill Blvd, Suite 1000, Garden Grove, CA 92643  
TEL: 949.272.8882 FAX: 949.272.8883  
WWW.WITHEEARCHITECTS.COM  
2018 F.O.B.#7103



SD-09



MASSING MODEL

9861 11TH STREET  
Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

WITHEE MALCOLM ARCHITECTS, LLP

2021 South 198th Street, Suite 100, Portland, OR 97224  
503.251.8882  
www.wma.com  
JOB NO. 87103



SD-10



9861 11TH STREET

Garden Grove, CALIFORNIA  
AUGUST 6TH, 2018

WITHEE MALCOLM ARCHITECTS, LLP  
2525 West 150th Street, Emeryville, CA 94604  
415.577.8888  
www.wma.com

JOB NO. B7103



SD-11



RESOLUTION NO. 5945-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL: (I) ADOPT A MITIGATED NEGATIVE DECLARATION AND AN ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 11<sup>TH</sup> STREET TOWNHOME PROJECT; AND (II) APPROVE PLANNED UNIT DEVELOPMENT NO. PUD-010-2019 FOR A PROPERTY LOCATED AT 9861 11<sup>TH</sup> STREET, ASSESSOR'S PARCEL NO. 098-120-18.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 7, 2019, does hereby recommend that the City Council adopt a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the 11<sup>th</sup> Street Townhome Project and adopt an ordinance approving Planned Unit Development No. PUD-010-2019, for land located on the north side of 11<sup>th</sup> Street between Kerry Street and Brookhurst Street, at 9861 11<sup>th</sup> Street, Assessor's Parcel No. 098-120-18.

BE IT FURTHER RESOLVED, FOUND, AND DETERMINED AS FOLLOWS:

1. The Planning Commission has considered the proposed Mitigated Negative Declaration together with comments received during the public review process.
2. The Planning Commission finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. The Planning Commission finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the project, with the proposed mitigation measures, will have a significant effect on the environment.
4. The Planning Commission recommends City Council adopt the Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program.
5. The record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community and Economic Development.

BE IT FURTHER RESOLVED in the matter of Planned Unit Development No. PUD-010-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Melia Homes, Inc., with the authorization of the property owner, Consolidated Industries, Inc.

2. The applicant requests (a) City Council adoption of Residential Planned Unit Development No. PUD-010-2019 for a 1.8-acre lot, located at 9861 11th Street (Assessor's Parcel No. 098-120-18), and currently zoned R-3 (Multiple-Family Residential) to allow and facilitate the development of a multiple-family residential project (consisting of 31 two- and three-story townhomes; (b) Planning Commission approval of Site Plan No. SP-063-2019 to construct the 31 two- and three-story townhomes along with associated site improvements; (c) Planning Commission approval of Tentative Tract Map No. TT-18169-2019 to create a one-lot subdivision for the purpose of selling each townhome as a condominium; and (d) Planning Commission approval of Variance No. V-022-2019 to deviate from the 3-acre minimum lot size for a Residential Planned Unit Development (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 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.
4. The property has a General Plan Land Use designation of Medium Density Residential and is currently zoned R-3 (Multiple-Family Residential). The subject 1.8-acre lot is currently improved with a 33,200 square foot intermediate care facility for the developmentally disabled.
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 February 7, 2019, 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 February 7, 2019, and considered all oral and written testimony presented regarding the project, the initial study, and the Mitigated Negative Declaration.
9. Concurrently with its adoption of this Resolution (5945-19), the Planning Commission adopted Resolution No. 5946-19 approving Site Plan



No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019, for land located on the north side of 11<sup>th</sup> Street between Kerry Street and Brookhurst Street, Assessor's Parcel No. 098-120-18, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; (ii) Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, and adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-010-2019 with R-3 (Multiple-Family Residential) base zoning. The facts and findings set forth in Resolution No. 5946-19 are hereby incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.12.030.020 and 9.32.030, are as follows:

FACTS:

The subject 1.8-acre lot is currently improved with a 33,200 square foot intermediate care facility for the developmentally disabled, which currently operates with 59 beds and is planned to operate on-site through May 2019. The facility was originally developed to accommodate 147 patients. However, due to state licensing constraints, the facility is now limited to 59 beds. The existing 33,200 square foot single-story structure is surrounded by asphalt parking areas with two (2) driveways providing vehicular access from 11<sup>th</sup> Street.

The subject property has a General Plan Land Use Designation of Medium Density Residential, which provides an allowable density of up to 32 dwelling units per acre, and is zoned R-3 (Multiple-Family Residential), which allows up to 24 dwelling units per acre. The subject property is adjacent to R-3 zoned properties to the north, south, east, and across 11<sup>th</sup> Street to the south. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west.

The applicant proposes to construct a multiple-family residential project consisting of 31 two- and three-story townhomes along with associated site improvements. Approval of a Planned Unit Development (PUD) is necessary to accommodate the proposed project, along with a Site Plan, Tentative Tract Map, and a Variance to deviate from the minimum three-acre lot size requirement for a residential Planned Unit Development. The Site Plan, Tentative Tract Map, and Variance approvals by the Planning Commission would be contingent upon the City Council's approval of the proposed Planned Unit Development zoning and adoption of a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program ("MMRP").

The application for the Residential Planned Unit Development zoning (PUD-010-2019) is being processed in conjunction with Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019. If approved by the City Council, Planned Unit Development No. PUD-010-2019 will create a precise plan and zoning for the property with implementation provisions corresponding to the project proposed pursuant to Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019.

#### FINDINGS AND REASONS:

##### Planned Unit Development:

1. The location of the buildings, architectural design, and proposed use are compatible with the character of existing residential development in the vicinity, and the project will be well-integrated into its setting.

The subject 1.8-acre lot is located in an area that is adjacent to R-3 zoned properties to the north, south, east, and across 11<sup>th</sup> Street to the south. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west. Planned Unit Development No. PUD-010-2019 would permit development of the property in accordance with the proposed Site Plan and Tentative Tract Map for the project and would accommodate the development of 31 two- and three-story residential townhome units as part of a multiple-family residential development that will be compatible with the existing neighborhood, which is comprised primarily of multiple-family residential developments and multi-story structures. The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 zone. The proposed development will include parking spaces on-site to adequately serve the development, along with private and common recreation space. The proposed development will be an added value to the neighborhood, and will add additional housing units that will further the goals of the City's Housing Element.

2. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

The project consists of 31 two- and three-story townhomes with attached enclosed two-car garages. The units are dispersed amongst three (3) main structures: Nine attached (9) units in a structure along the easterly property line; ten (10) attached units in a structure located toward the rear (northwest corner) of the property; and twelve (12) attached units in a structure located toward the front of the property. The attached two-car garages for each unit are accessible from the private driveways, which circulate throughout the development. The width of the drive aisles have been designed to accommodate two-way traffic and ranges between 25'-0" to 28'-0" in width. The private driveways have been designed in accordance with City Standards, and provides the required turnaround access for trash trucks and emergency vehicles. A total of 30 open guest parking stalls will be conveniently located throughout the development. The remaining 62 parking spaces are comprised of 31 enclosed, attached two-car garages for the 31 townhomes. Vehicular access to the site will be from 11<sup>th</sup> Street via an enhanced entry driveway that will include decorative paving and landscaping. No vehicular access gate is proposed. Various sidewalks will provide pedestrian access to the site from the 11<sup>th</sup> Street public right-of-way. Unit Nos. 1-6 will have entries facing the 11<sup>th</sup> Street public right-of-way with private porch areas that are open to the sky. The remaining units will have entries facing, and accessible from, private walkways, which circulate throughout the development. The common/active recreation area is centrally located and conveniently accessible to all units within the development. No vehicular access gate is proposed.

The project provides a total of 92 parking spaces, which meets the minimum number of parking spaces required by the Municipal Code. The breakdown of parking spaces includes 62 garaged parking spaces and 30 unassigned open guest parking spaces.

As part of the Initial Study report prepared for the Mitigated Negative Declaration for the Project, a technical memo was prepared by Translutions, a licensed traffic engineering firm, to determine the potential impacts relating to trip generation (the expected number of vehicle trips originating in or destined for a particular traffic analysis zone) and parking demand (the projected parking demand for the site). Based on the trip generation and project parking demand analyses conducted, Translutions concluded that the proposed Project is unlikely to have any significant impacts on nearby traffic circulation and that the number of parking spaces provided would be adequate to meet the parking demand for the Project. A traffic study would typically be required by the City if the trip generation for a project was projected to increase by more than 50 trips during peak times. The trip generation rates in the report were based on the nationally referenced rates from the Institute of Transportation Engineers' (ITE) *Trip Generation* (10<sup>th</sup> Edition) – commonly referred to as the "ITE Manual". The analyses of the report found that the projected new trip generation, resulting from the

proposed residential project (197 daily trips), would actually be less (by -23 trips) than the current trip generation of the existing intermediate care facility (220 daily trips). The City's Traffic Engineering Division reviewed the report and concurred with the report's findings.

The Engineering Division has reviewed the plan and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts on surrounding streets. Therefore, the design of the project complies with the spirit and intent of the Garden Grove Municipal Code for multiple-family residential uses and will provide for a stable and desirable environment.

3. Provision is made for both public and private open spaces.

The project, as a whole, is required to provide a minimum 9,300 square feet (300 square feet per unit) of recreation space, which is split amongst active, passive, and private recreation areas. The Project provides a total of 9,453 square feet of recreation area.

The project is required to provide an active recreation area that is a minimum of 3,600 square feet of contiguous recreation space with amenities. The proposed Project provides a 3,786.5 square foot active recreation area that is centrally located and conveniently accessible to all units within the development. Said active recreation area will provide a tot lot, various seating areas, and landscaping. The Project will also provide 2,453 square feet of passive recreation area, which is connected to the active recreation area, with additional seating areas, walkways, and landscaping.

Each dwelling unit will provide a private patio, at ground level, in the form of an enclosed front porch area, which ranges between 142.50 to 144 square feet, and is uncovered and open to the sky. The Plan A and Plan C floor plans will provide a 2nd floor deck for additional private recreation area.

The proposed Project complies with all recreation requirements of the Municipal Code.

4. Provision is made for the protection and maintenance of private areas reserved for common use.

Through the conditions of approval for the project, all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior to the start of construction and will be required to be adhered to for the life of the project.

5. The quality of the project achieved through the proposed Planned Unit Development zoning is greater than could be achieved under the current zoning.

The City of Garden Grove is built-out with very few vacant sites available. Most current projects are in-fill, which is defined as the development of new housing or other buildings on scattered vacant or currently developed sites in a built-up area. The acquisition of additional land to meet the three-acre lot size requirement is not feasible as the property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The limited size of the site prevents the applicant from proposing a residential project that strictly meets all of the required development standards of the R-3 (Multiple-Family Residential) zone. A Planned Unit Development (PUD) is a precise plan that establishes development standards and uses specific to a particular project, and independent of certain aspects of the Municipal Code, provided that the quality of the project achieved through the PUD zoning is greater than could be achieved through traditional zoning. Adopting a residential Planned Unit Development for the site will ensure development of the property consistent with the spirit and intent of the General Plan, which, in part, encourages the development of residential units to meet the City's regional housing needs and to further the goals of the City's Housing Element. Additionally, the intent of Goal LU-3 of the General Plan is to add higher density residential development adjacent to major thoroughfares in the City. The subject site is in close proximity to Brookhurst Street, which is a major arterial street.

The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with most R-3 development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height. The project has been designed to create a residential community that is compatible with the surrounding multiple-family and single-family homes in the area. The Residential Planned Unit Development (PUD) zoning allows the project to have an overall quality that is greater than the current zoning as it allows a more integrated design of multiple-family residential buildings. The design creates a sense of neighborhood with walkways, landscaping frontages, and active, passive, and private open spaces, and shared open space amenities. The proposed development will be an added value to the neighborhood, and will add additional housing units that furthers the goals of the City's Housing Element.

6. The PUD is internally consistent with the goals, objectives, and elements of the General Plan.

The General Plan Land Use Designation of the subject site is Medium Density Residential, which is intended for a variety of types and densities of multiple-family residential dwellings as well as to: (i) provide an excellent environment for family life; preserve residential property values; (iii) provide access to schools, parks, and other community services; (iv) promote housing opportunities in close proximity to employment and commercial centers and; (v) provide a high-quality architectural design. The proposed project would create a neighborhood of 31 two- and three-story townhomes, with attached two-car garages, that satisfies each of these objectives and results in a density of 17.2 dwelling units per acre, which is well below the density allowed by the Medium Density Residential General Plan Land Use Designation (max 32 units per acre) and the R-3 zone (max 24 units per acre). Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of a Planned Unit Development that will establish zoning standards for the site consistent with the proposed Site Plan and Tentative Tract Map.

Furthermore, the Medium Density Residential land use designation is intended for a variety of types and densities of multiple-family residential dwellings as well as to promote housing opportunities in close proximity to employment and commercial centers.

The proposed Project meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Goal LU-3, which intends to add higher density residential development adjacent to major thoroughfares in the City;

Policy LU-2.2, which strives to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life;

Policy LU-2.4, which intends to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood;

LU-IMP-2B, which intends for new development to be similar in scale to the adjoining residential neighborhood to preserve its character;

LU-IMP-3D, which intends for multi-family housing on local streets with appropriate setbacks to be consistent with neighborhood development patterns; and

Policy LU-4.1, which strives to locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.

The proposed Project will be consistent with the spirit and intent of the General Plan and will help in meeting the City's regional housing needs.

7. The PUD will promote the public interest, health, and welfare.

The PUD will facilitate a new 31-unit multiple-family residential housing development, which will be an added value to the neighborhood and will add additional housing units that will further the goals of the City's Housing Element.

8. The subject parcel is physically suitable for the requested PUD designation, compatible with surrounding land uses, and consistent with the General Plan.

The subject 1.8-acre lot is located in an area that is adjacent to R-3 zoned properties to the north, south, east, and across 11th Street to the south. The existing surrounding uses include: two-story apartment buildings to the north; a two story apartment building to the east of the site's northern portion and a single family residence to the east of the site's southern portion; two-story townhomes across 11th Street to the south; and a vacant site, which was recently approved by the City to develop a three story apartment building, to the west. Planned Unit Development No. PUD 010 2019 would permit development of the property in accordance with the proposed Site Plan and Tentative Tract Map for the project and would accommodate the development of 31 two- and three-story residential townhome units as part of a multiple-family residential development that will be compatible with the existing neighborhood, which is comprised primarily of multiple family residential developments and multi-story structures. The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 zone. The proposed development will include parking spaces on-site to adequately serve the development, along with private and common recreation space. The proposed development will be an added value to the neighborhood, and will add additional housing units that will further the goals of the City's Housing Element.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE 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.

1. The Planned Unit Development possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.08.030.020 (Planned Unit Development).
2. The implementation provisions for Planned Unit Development No. PUD-010-2019 are found under Planning Commission Resolution No. 5946-19 for Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019.
3. The following Standards of Development shall apply to PUD-010-2019:

**STANDARDS OF DEVELOPMENT:**

All standards of development as specified in the attached Exhibit "B" (Standards of Development for Planned Unit Development No. PUD-010-2019) shall apply. Deviations from the development standards contained in Exhibit "B" shall be approved by the Planning Commission. Wherever a development standard is not specified in the PUD, the latest provisions of the Garden Grove Municipal Code shall apply.



## **EXHIBIT "B"**

### **STANDARDS OF DEVELOPMENT FOR PLANNED UNIT DEVELOPMENT NO. PUD-010-2019**

ATTACHMENT TO PLANNING COMMISSION RESOLUTION NO. 5945-19

#### SECTION I. APPLICABILITY

The provisions contained in this Planned Unit Development (PUD) supplemental text shall apply, as specified, to the multiple-family residential uses permitted under PUD-010-2019, and pursuant to the implementation provisions for PUD-010-2019 as found under Planning Commission Resolution No. 5946-19 for Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019. Deviations from the Development Standards contained herein shall be approved by the Garden Grove Planning Commission. Except as otherwise stated in this text, the requirements of the City of Garden Grove Municipal Code development standards for the R-3 (Multiple-Family Residential) zone and applicable zoning ordinances shall apply.

#### SECTION II. GENERAL DEVELOPMENT STANDARDS

##### A. Purpose and Intent

Planned Unit Development No. PUD-010-2019 is comprised of a 31-unit multiple-family residential townhome project on a single-lot located at 9861 11<sup>th</sup> Street (Assessor's Parcel No. 098-120-18). The implementation provisions for PUD-010-2019 are found under Planning Commission Resolution No. 5946-19 for Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019. The project consists of 31 two- and three-story townhomes with attached enclosed two-car garages. The units are dispersed amongst three (3) main structures: Nine attached (9) units in a structure along the easterly property line; ten (10) attached units in a structure located towards the rear (northwest corner) of the property; and twelve (12) attached units in a structure located towards the front of the property. The attached two-car garages for each unit are accessible from the private driveways, which circulate throughout the development. A total of 30 open guest parking stalls are conveniently located throughout the development. The remaining 62 parking spaces are comprised of 31 enclosed, attached two-car garages for the 31 townhomes. All buildings shall be of high architectural quality, both individually as well as in the context of the total complex. The shape, scale, exterior design, and exterior finish of each building shall be consistent.

B. Permitted Uses

All uses permitted in the R-3 (Multiple-Family Residential) zone, pursuant to the Garden Grove Municipal Code and subject to applicable general limitations on uses, special operating conditions and development standards, and parking requirements, and also subject to any additional limitations as stated in the Covenants, Conditions, and Restrictions ("CC&R's") for the residential development.

C. Setbacks

1. Front (Street Side – Northerly Property Line) Setback

Buildings/structures shall provide a minimum setback of 20 feet.

Private open (recreation) patios shall provide a minimum setback of 12 feet and shall not cover more than 50% of its respective front setback area, which is defined as the width of the dwelling unit's front entry elevation. Private open (recreation) patios shall not contain any buildings/structures (including patio covers) or storage, and shall be uncovered and open to the sky.

2. Side Yard (Westerly and Easterly Property Lines)

Buildings/structures shall provide a minimum setback of 12.5 feet.

3. Rear Yard (Northerly Property Line)

Buildings/structures shall provide a minimum setback of 15 feet.

D. Separation of Main Buildings

Separation requirements shall apply to habitable portions only. Garages, projections, balconies, and other non-habitable areas, are not included in these separation requirements.

3-story to 3-story structures (front-to-front orientation) shall maintain a minimum separation of 40 feet.

3-story to 3-story structures (rear-to-rear orientation) shall maintain a minimum separation of 28 feet.

E. Separation of Parking Areas and Vehicular Accessways

Minimum distance between open, guest parking areas and habitable portions of residential units is 5 feet.

Minimum distance between vehicular accessways and habitable portions of residential units is 5 feet.

F. Bathrooms

Maximum Number of Bathrooms Per Number of Bedrooms.

Dwelling units shall provide no more bathrooms than as specified below:

Number of Sleeping Rooms:	1	2	3	4
Number of Bathrooms:	1	2	3	4

A dwelling unit may contain one (1) additional powder room (1/2 bathroom), one (1) above the maximum number of bathrooms permitted based on the total number of bedrooms in the unit (as specified in the table above), provided the design of the floor plan warrants the need for an additional powder room, and subject to review and approval by the Community and Economic Development Department, Planning Division.

At least 50% of the bathrooms provided within a residential unit shall be accessed solely from a public area such as a hallway, living room, family room, or a laundry room, and not directly from a sleeping room.

RESOLUTION NO. 5946-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE ADOPTING APPROVING SITE PLAN NO. SP-063-2019, VARIANCE NO. V-022-2019 AND TENTATIVE TRACT MAP NO. TT-18169-2019, FOR PROPERTY LOCATED AT 9861 11<sup>th</sup> STREET, ASSESSOR'S PARCEL NO. 098-120-18.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 7, 2019, does hereby approve Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019, for land located on the north side of 11<sup>th</sup> Street between Kerry Street and Brookhurst Street, Assessor's Parcel No. 098-120-18, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; (ii) Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, and adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-010-2019 with R-3 (Multiple-Family Residential) base zoning.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Melia Homes, Inc., with the authorization of the property owner, Consolidated Industries, Inc.
2. The applicant requests (a) City Council adoption of Residential Planned Unit Development No. PUD-010-2019 for a 1.8-acre lot, located at 9861 11th Street (Assessor's Parcel No. 098-120-18), and currently zoned R-3 (Multiple-Family Residential) to allow and facilitate the development of a multiple-family residential project (consisting of 31 two- and three-story townhomes; (b) Planning Commission approval of Site Plan No. SP-063-2019 to construct the 31 two- and three-story townhomes along with associated site improvements; (c) Planning Commission approval of Tentative Tract Map No. TT-18169-2019 to create a one-lot subdivision for the purpose of selling each townhome as a condominium; and (d) Planning Commission approval of Variance No. V-022-2019 to deviate from the 3-acre minimum lot size for a Residential Planned Unit Development (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 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.

4. Concurrently with its adoption of this Resolution (5946-19), the Planning Commission adopted Resolution No. 5945-19 recommending that the City Council: (i) adopt the Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the 11<sup>th</sup> Street Townhome Project; and (ii) approve Planned Unit Development No. PUD-010-2019. The facts and findings set forth in Resolution No. 5945-19 are hereby incorporated into this Resolution by reference.
5. The property has a General Plan Land Use designation of Medium Density Residential and is currently zoned R-3 (Multiple-Family Residential). The subject 1.8-acre lot is currently improved with a 33,200 square foot intermediate care facility for the developmentally disabled.
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on February 7, 2019, and all interested persons were given an opportunity to be heard.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of February 7, 2019, 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 Sections 9.32.030 and 9.40.060, are as follows:

FACTS:

The subject 1.8-acre lot is currently improved with a 33,200 square foot intermediate care facility for the developmentally disabled, which currently operates with 59 beds and is planned to operate on-site through May 2019. The facility was originally developed to accommodate 147 patients. However, due to state licensing constraints, the facility is now limited to 59 beds. The existing 33,200 square foot single-story structure is surrounded by asphalt parking areas with two (2) driveways providing vehicular access from 11<sup>th</sup> Street.

The subject property has a General Plan Land Use Designation of Medium Density Residential, which provides an allowable density of up to 32 dwelling units per acre,

and is zoned R-3 (Multiple-Family Residential), which allows up to 24 dwelling units per acre. The subject property is adjacent to R-3 zoned properties to the north, south, east, and across 11<sup>th</sup> Street to the south. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west.

The applicant proposes to construct a multiple-family residential project consisting of 31 two- and three-story townhomes along with associated site improvements. Approval of a Planned Unit Development (PUD) is necessary to accommodate the proposed project, along with a Site Plan, Tentative Tract Map, and a Variance to deviate from the minimum three-acre lot size requirement for a residential Planned Unit Development. The Site Plan, Tentative Tract Map, and Variance approvals by the Planning Commission would be contingent upon the City Council's approval of the proposed Planned Unit Development zoning and adoption of a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program ("MMRP").

The application for Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 is being processed in conjunction with an application for approval of Planned Unit Development No. PUD-010-2019. If approved by the City Council, Planned Unit Development No. PUD-010-2019 will create a precise plan and zoning for the property with implementation provisions corresponding to the project proposed pursuant to Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019.

#### 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.

The General Plan Land Use Designation of the subject site is Medium Density Residential, which is intended for a variety of types and densities of multiple-family residential dwellings as well as to: (i) provide an excellent environment for family life; preserve residential property values; (iii) provide access to schools, parks, and other community services; (iv) promote housing opportunities in close proximity to employment and commercial centers and; (v) provide a high-quality architectural design. The proposed project would create a neighborhood of 31 two- and three-story townhomes, with attached two-car garages, that satisfies each of these objectives and results in a density of 17.2 dwelling units per acre, which is well below the density allowed by the Medium Density Residential General Plan Land Use

Designation (max 32 units per acre) and the R-3 zone (max 24 units per acre). Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of a Planned Unit Development that will establish zoning standards for the site consistent with the proposed Site Plan and Tentative Tract Map.

Furthermore, the Medium Density Residential land use designation is intended for a variety of types and densities of multiple-family residential dwellings as well as to promote housing opportunities in close proximity to employment and commercial centers.

The proposed Project meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Goal LU-3, which intends to add higher density residential development adjacent to major thoroughfares in the City;

Policy LU-2.2, which strives to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life;

Policy LU-2.4, which intends to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood;

LU-IMP-2B, which intends for new development to be similar in scale to the adjoining residential neighborhood to preserve its character;

LU-IMP-3D, which intends for multi-family housing on local streets with appropriate setbacks to be consistent with neighborhood development patterns; and

Policy LU-4.1, which strives to locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.

The proposed Project will be consistent with the spirit and intent of the General Plan and will help in meeting the City's regional housing needs.

2. The project 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 project consists of 31 two- and three-story townhomes with attached enclosed two-car garages. The units are dispersed amongst three (3) main structures: Nine attached (9) units in a structure along the easterly property line; ten (10) attached units in a structure located towards the rear

(northwest corner) of the property; and twelve (12) attached units in a structure located towards the front of the property. The attached two-car garages for each unit are accessible from the private driveways, which circulate throughout the development. The width of the drive aisles have been designed to accommodate two-way traffic and range between 25'-0" to 28'-0" in width. The private driveways have been designed in accordance with City Standards, and provides the required turnaround access for trash trucks and emergency vehicles. A total of 30 open guest parking stalls will be conveniently located throughout the development. The remaining 62 parking spaces are comprised of 31 enclosed, attached two-car garages for the 31 townhomes. Vehicular access to the site will be from 11<sup>th</sup> Street via an enhanced entry driveway that will include decorative paving and landscaping. No vehicular access gate is proposed. Various sidewalks will provide pedestrian access to the site from the 11<sup>th</sup> Street public right-of-way. Unit Nos. 1-6 will have entries facing the 11<sup>th</sup> Street public right-of-way with private porch areas that are open to the sky. The remaining units will have entries facing, and accessible from, private walkways, which circulate throughout the development. The common/active recreation area is centrally located and conveniently accessible to all units within the development. No vehicular access gate is proposed.

The project provides a total of 92 parking spaces, which meets the minimum number of parking spaces required by the Municipal Code. The breakdown of parking spaces includes 62 garaged parking spaces and 30 unassigned open guest parking spaces.

As part of the Initial Study report prepared for the Mitigated Negative Declaration for the Project, a technical memo was prepared by Translutions, a licensed traffic engineering firm, to determine the potential impacts relating to trip generation (the expected number of vehicle trips originating in or destined for a particular traffic analysis zone) and parking demand (the projected parking demand for the site). Based on the trip generation and project parking demand analyses conducted, Translutions concluded that the proposed Project is unlikely to have any significant impacts on nearby traffic circulation and that the number of parking spaces provided would be adequate to meet the parking demand for the Project. A traffic study would typically be required by the City if the trip generation for a project was projected to increase by more than 50 trips during peak times. The trip generation rates in the report were based on the nationally referenced rates from the Institute of Transportation Engineers' (ITE) *Trip Generation* (10<sup>th</sup> Edition) – commonly referred to as the "ITE Manual". The analyses of the report found that the projected new trip generation, resulting from the proposed residential project (197 daily trips), would actually be less (by -23 trips) than the current trip generation of the existing intermediate care facility (220 daily trips). The City's Traffic Engineering Division reviewed the report and concurred with the report's findings.



The Engineering Division has reviewed the plan and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts on surrounding streets. Therefore, the design of the project complies with the spirit and intent of the Garden Grove Municipal Code for multiple-family residential uses and will provide for a stable and desirable environment.

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

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 project will not adversely impact the Public Works Department's ability to perform its required function.

The Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval and mitigation measures to minimize any adverse impacts, and to ensure the project will not adversely impact the Public Works Department's ability to perform its required function(s).

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

The subject 1.8-acre lot is located in an area that is adjacent to R-3 zoned properties to the north, south, east, and across 11<sup>th</sup> Street to the south. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west. Planned Unit Development No. PUD-010-2019 would permit development of the property in accordance with the proposed Site Plan and Tentative Tract Map for the project and would accommodate the development of 31 two- and three-story residential townhome units as part of a multiple-family residential development that will be compatible with the existing neighborhood, which is comprised primarily of multiple-family residential developments and multi-story structures. The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of

multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 zone. The proposed development will include parking spaces on-site to adequately serve the development, along with private and common recreation space. The proposed development will be an added value to the neighborhood, and will add additional housing units that will further the goals of the City's Housing Element.

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

The proposed lot is sufficient in size and shape to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height. The project has been designed to create a residential community that is compatible with the surrounding multiple-family and single-family homes in the area. The Residential Planned Unit Development (PUD) zoning allows the project to have an overall quality that is greater than the current zoning as it allows a more integrated design of multiple-family residential buildings. The design creates a sense of neighborhood with walkways, landscaping frontages, and active, passive, and private open spaces, and shared open space amenities. The proposed development will be an added value to the neighborhood, and will add additional housing units that furthers the goals of the City's Housing Element.

Variance:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The City of Garden Grove is built-out with very few vacant sites available. Most current projects are in-fill, which is defined as the development of new housing or other buildings on scattered vacant or currently developed sites in a built-up area. The acquisition of additional land to meet the three-acre lot size requirement is not feasible as the property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The limited size of the site prevents the applicant from proposing a residential project that strictly meets all of the required development standards of the R-3 (Multiple-Family Residential) zone. The Planned Unit Development (PUD) zoning designation establishes development standards and uses specific to a particular project, and

independent of certain aspects of the Municipal Code, provided that the quality of the project achieved through the PUD zoning is greater than could be achieved through traditional zoning. Changing the zoning of the property to a residential Planned Unit Development will ensure the property is consistent with the spirit and intent of the General Plan, which, in part, encourages the development of residential units to meet the city's regional housing needs and to further the goals of the City's Housing Element.

Additionally, the intent of Goal LU-3 of the General Plan is to add higher density residential development adjacent to major thoroughfares in the City. The subject site is in close proximity to Brookhurst Street, which is a major arterial street. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, particularly in regards to limited developable lot size and feasibility to acquire additional land, that do not apply generally to other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City. As mentioned prior, due to the location of the property, and the surrounding existing improvements, the applicant is unable to acquire additional land area to meet the three-acre size requirement of the PUD. The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height.

2. That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

The Variance is necessary for the property to be developed with the same property rights that exist for other similar residential developments located throughout the City that may not meet minimum lot size requirements. The proposed Variance will allow the Project to deviate from the three-acre lot size requirement for a residential Planned Unit Development. There are other similar residential projects in the immediate vicinity, within the same zone, or other similar zoned properties through the City that do not meet the minimum three-acre lot size requirement and therefore required the approval of the same Variance. The property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The location of the project site precludes the applicant from being able to acquire additional land area to meet the three-acre requirement. The approval of the requested Variance is necessary to ensure the preservation and enjoyment of a substantial property right possessed by other property in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City.

3. That the granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The proposed Variance will allow the project to deviate from the three-acre lot size requirement for a residential Planned Unit Development. The subject site is located in an area improved with multiple-family and single-family homes. The existing surrounding uses include: two-story apartment buildings to the north; a two-story apartment building to the east of the site's northern portion and a single-family residence to the east of the site's southern portion; two-story townhomes across 11<sup>th</sup> Street to the south; and a vacant site, which was recently approved by the City to develop a three-story apartment building, to the west. Therefore, the proposed Project will be compatible with the existing residential developments in the area. The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height. The project will be required to comply with all applicable building and safety codes and regulations to ensure that there is not an adverse impact on public health, safety, or welfare. Furthermore, the proposal has been reviewed by all City Departments in order to ensure compliance with all applicable code provisions.

4. That the granting of such Variance will not adversely affect the City's General Plan.

The proposed Variance will allow the project to deviate from the three-acre lot size requirement of the residential PUD zone. The proposed lot area is sufficient in size to accommodate the proposed development, and the Project has been designed to comply with development standards of the zoning code, including setbacks, lot coverage, parking, recreation space, and building height. The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 zone. Furthermore, the Medium Density Residential land use designation is intended for a variety of types and densities of multiple-family residential dwellings as well as to promote housing opportunities in close proximity to employment and commercial centers.

The proposed Project meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Goal LU-3, which intends to add higher density residential development adjacent to major thoroughfares in the City;

Policy LU-2.2, which strives to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life;

Policy LU-2.4, which intends to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood;

LU-IMP-2B, which intends for new development to be similar in scale to the adjoining residential neighborhood to preserve its character;

LU-IMP-3D, which intends for multi-family housing on local streets with appropriate setbacks to be consistent with neighborhood development patterns; and

Policy LU-4.1, which strives to locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.

The proposed Project will be consistent with the spirit and intent of the General Plan and will help in meeting the City's regional housing needs. Therefore, the granting of the requested Variance will not adversely affect the City's General Plan.

5. That approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The Variance is necessary for the property to be developed with the same property rights that exist for other similar residential developments located throughout the City. The proposed Variance will allow the Project to deviate from the three-acre lot size requirement for a residential Planned Unit Development. There are other similar residential projects in the immediate vicinity, within the same zone, or other similar zoned properties through the City that do not meet the minimum three-acre lot size requirement and therefore required the approval of the same Variance. The property is bounded by existing residential developments to the north and east, an apartment development to the west that is expected to commence construction in the near future, and 11<sup>th</sup> Street to the south. The Project is subject to extensive Conditions of Approval that impose requirements and limitations similar to those placed on other multiple-family residential projects and properties in the immediate vicinity, within the same zone, or on other similarly zoned properties throughout the City, and which are intended to

assure that the granting of a variance to allow PUD zoning will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Tentative Tract Map:

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

The proposed map is consistent with the provisions of the General Plan for the land use designation for Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan land use designation and the R-3 zone, and is therefore consistent with the General Plan.

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

The design and improvements of the proposed subdivision meets the spirit and intent of the General Plan and furthers the following goals, policies, and implementation programs:

Goal LU-3, which intends to add higher density residential development adjacent to major thoroughfares in the City;

Policy LU-2.2, which strives to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life;

Policy LU-2.4, which intends to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood;

LU-IMP-2B, which intends for new development to be similar in scale to the adjoining residential neighborhood to preserve its character;

LU-IMP-3D, which intends for multi-family housing on local streets with appropriate setbacks to be consistent with neighborhood development patterns; and

Policy LU-4.1, which strives to locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.

3. The site is physically suitable for the proposed type of development.

The site has a net lot area of 1.8-acres. The project has been designed to comply with the development requirements of the R-3 (Multiple-Family Residential) zone, including setbacks, parking, landscaping, and recreation area. In addition, the proposed private driveway system throughout the development has been designed per the City's standard and provides adequate access for trash trucks and emergency vehicle access.

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.

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.

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

The General Plan Land Use designation for the subject property is Medium Density Residential, which allows for up to 32 dwelling units per acre. The subject property is currently zoned R-3, which allows for the development of multiple-family dwellings for up to 24 dwelling units per acre. The proposed Project will consist of 17.2 dwelling units per acre, which is well below the density allowed by the General Plan and the R-3 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, and the Planning Division, have reviewed the proposed development and have applied conditions of approval as mitigating measures against any potential negative impacts that the project may have on the community.

7. 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 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 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 requirements.

The proposed subdivision has been specifically designed to accommodate the proposed 31-unit residential townhome project on the property and is being processed in conjunction with a request for approval of Planned Unit Development zoning for the specific project proposed.

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

The project has been designed in accordance with Government Code Section 66473.1, which encourages the orientation of the units to take advantage of shade and prevailing breezes.

10. The design, density, and configuration of the subdivision strike a balance between the effect 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 proposed tentative tract map will create a one-lot subdivision for planned condominium development purposes. The individual townhome/condominium units will range in size from 1,650 square feet to 1,940 square feet, which is compatible with the size of other condominium units in the general area. The project has been reviewed in relation to the housing needs and goals of the City and is compatible with existing residential developments in the vicinity. The property is located in an area with the existing multiple-family and single-family residences. The proposal is to construct 31 new multiple-family residential townhomes that will increase the number of available housing in the area, and further the goals of the Housing Element of the General Plan. The project complies with the density requirements of the General Plan, as well as most of the R-3 (Multiple-Family Residential) zone development standards.

11. The subject property is not located within in 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 THE 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, Variance, and Tentative Tract Map possess characteristics that would justify the request in accordance with Municipal Code Sections No. 9.32.030.3 (Site Plan), 9.32.030.6 (Variance), 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-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019.
3. The effectiveness of approval of Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 shall be contingent upon City Council adoption a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project and the adoption and effectiveness of an ordinance approving Planned Unit Development No. PUD-010-2019.

## **EXHIBIT "A"**

**Site Plan No. SP-063-2019  
Variance No. V-022-2019  
Tentative Tract Map No. TT-18169-2019**

9861 11<sup>th</sup> Street  
Assessor's Parcel No. 098-120-18

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record against the property a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office. Proof of such recordation is required within 30 days of this approval. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Melia Homes, Inc., the developer of the project, the current owner of the Property, Consolidated Industries, Inc., the future owner(s) and tenants(s) of the Property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019.
2. Approval of Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 shall be contingent upon City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project and an ordinance approving Planned Unit Development No. PUD-010-2019, and shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan, Tentative Tract Map and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications, to the project and/or these Conditions of Approval, determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

4. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

### **Public Works Engineering Division**

6. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
7. A separate street permit is required for work performed within the public right-of-way.
8. The applicant shall be subject to Traffic Mitigation Fees, In-Lieu Park Fees Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
9. The applicant shall submit an in-lieu fee of one-percent (1%) of the total estimated construction cost of the developer's project, in-lieu of under-grounding the existing off-site utilities which include the power poles, overhead wires, and associated structures used for the transmission of electrical energy, located primarily along the frontage of the project site facing 11th Street, as determined by the City Engineer. Unless otherwise specified, all other on-site and off-site utilities shall be under-grounded as necessary.
10. Grading and street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30'

outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.

11. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
12. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
13. The new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-121.
14. Provide additionally maneuvering area (minimum 5 feet) at the end of the private parking driveways on the west side of the property.
15. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, if any shall have wheel stops.
16. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within and frontage of the development in a manner meeting the approval of the City's Lighting Administrator. Location of lighting poles shall be shown on the precise grading and street improvement plans.
17. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
18. In accordance with the Orange County Storm Water Program Manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
19. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
  - Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.

- Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
  - Incorporates structural and Treatment Control BMPs as defined in the DAMP.
  - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
  - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
  - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
20. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
- Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
  - Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
  - Demonstrate that an adequate number of copies of the approved Project WQMP are available on site.
  - Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
21. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.

22. Prior to issuance of a grading permit, the applicant shall submit to the Planning Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat for review and approval of the tract map.
23. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
24. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
25. Prior to issuance of a grading permit, the applicant submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
26. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
27. Any required lane closures should occur outside of peak travel periods.
28. Construction vehicles should be parked off traveled roadways in a designated parking.
29. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
30. TIES TO HORIZONTAL CONTROL:  
  
Prior to recordation of a final tract map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.

31. DIGITAL MAP SUBMISSION:

Prior to recordation of a final tract map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.

32. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:

- The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.

33. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law-AB 1826:

- Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
- Provide solid roof or awning to prevent direct precipitation.
- Connection of trash area drains to the municipal storm drain system is prohibited.
- Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
- See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
- The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
- Pursuant to state mandated commercial organic recycling law-AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.

34. The applicant shall remove substandard driveway approaches, curb, sidewalk and the existing landscape and trees (total 8 trees) within sidewalk area along 11<sup>th</sup> Street and construct street frontage improvements as identified below. All landscape, sidewalk and lighting improvements installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Division. A separate street improvement plans shall be prepared for 11<sup>th</sup> Street and submitted to the engineering department for improvements within the City right of way. Prior to final map approval, the applicant shall design and construct street frontage improvements as identified below:

11<sup>th</sup> Street

- Applicant shall remove the existing easterly and westerly substandard driveway approaches and existing landscaping on 11<sup>th</sup> Street and construct new curb, gutter and sidewalk.
- The new driveway approaches to the site on 11<sup>th</sup> Street shall be constructed in accordance with City of Garden Grove Standard Plan B-121. Standard Plan B-121 calls for a minimum width of 30-feet for commercial and multi residential projects.
- Applicant shall construct 6-inch curb and gutter replacing the westerly driveway approaches along the property frontage at 30' from centerline in accordance with City Standard Plan B-114.
- Applicant shall remove all trees within the landscaping area that are fronting the project on 11<sup>th</sup> Street and plant total of eight Western Redbuds (single trunk) trees.
- Applicant shall remove and replace 4-foot sidewalk fronting the project on 11<sup>th</sup> Street in accordance with City Standard B-105.
- Applicant shall remove and replace the pavement of the street from the edge of the northerly gutter to the edge of southerly gutter along the property frontage per City Standard Plan B-104 and the direction of the City Engineer.
- Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on 11<sup>th</sup> Street with Planning Division and Water Division.
- Any proposed new landscaping in public right of way shall be approved by Planning Division and maintained by the owner.



**Garden Grove Fire Department**

35. Fire sprinkler system is required throughout the entire project per the California Fire Code and adopted City standards (NFPA). NFPA 13D compliant system is required throughout with a density and configuration as required by that standard. Sprinkler systems shall meet further City water standards as determined by the fire and water departments (i.e., testable double check valves, fire flow water meters if required).
36. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72.
37. Fire hydrants to be shown on submitted grading plan. Fire hydrants shall be provided on-site, and the number of hydrants and locations are subject to Fire Department and Water Services Department approval. The fire hydrants shall be on a loop system approved by the Fire Department. Prior to any combustible material being delivered to the site, the fire hydrants shall be installed and fully operational and an all-weather road must be provided for fire truck access.
38. The final roadway layout and construction shall maintain a minimum width clearance of 20-feet and a minimum height clearance of 13'-6". All designated corners shall meet the Fire Department minimum turning radius. Applicant shall submit CAD drawing to the Fire Department for review showing fire engine accessibility and meeting the Fire Department minimum turning radius. The roadway shall be constructed to support 75,000 pounds (CFC 07102.1). During grading plan preparation, the applicant shall work with the Garden Grove Fire Department in determining the exact location of on-site curb returns, curb locations, and any other related matters pertaining to Fire Truck access and turning maneuvers throughout the entire site. Upon completion of the project, the Homeowner's Association shall become fully responsible for replacing any damaged curbs and gutters throughout the development. All fire related matters/issues referenced on construction plans and documents, and during construction, shall be referenced as "per the Garden Grove Fire Department."
39. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2010 Edition.
40. Where required, red curbing will be required in designated fire access lanes as directed by the Fire Department and such red curbing and any related Fire Lane signage shall be maintained at all times by the Homeowner's Association.

**Building and Safety Division**

41. Project shall comply with the 2016 CA Building Code (CBC), CA Residential Code, CA Mechanical Code (CMC), CA Plumbing Code (CPC), CA Electrical Code (CEC), CA Green Building Standards Code (CGBSC) and the 2016 CA Building Energy Efficiency Standards.
42. All non-structural portions of the building(s) shall comply with the 2016 CA Residential Code (CRC).
43. Future electric vehicle (EV) charging shall be provided per CGBSC Sections 4.106.4.1 and 4.106.4.1.1.
44. Construction waste reduction, disposal and recycling shall comply with CGBSC Section 4.408 and City Construction Waste Management forms shall be completed and imprinted on plan.
45. Outdoor water usage in landscape shall comply with CGBSC and the City's Landscape Water Efficiency Guidelines. A worksheet showing compliance shall be included in landscaping plans for review.
46. Project shall comply with CBC Chapter 11A for exterior/interior accessibility requirements.
47. At least 10% (4 units) of the total units shall be made adoptable and shall comply with CBC Section 1102A.3 and CBC Chapter 11A, Division IV.
48. All common use areas shall comply with CBC Section 1127A.
49. All public use areas shall comply with CBC Chapter 11B.
50. Building(s) shall be solar ready and shall comply with Building Energy Efficiency Standards Section 110.10.
51. Common walls between units shall be fire resistance rating in accordance with CRC Section R302.2 and a minimum of 50 STC shall be provided.
52. Parapet is required between units and shall comply with CRC Sections R302.2.2 and R302.2.3.
53. Each individual unit shall be "structural independence" in accordance with CRC Section R302.2.4.
54. Penetrations in common walls and/or floor shall comply with CRC Section R302.4.

**Public Work's Water Services Division**

Prior to final map approval, the applicant shall design and construct improvements as identified below:

55. The applicant shall install 1" water meter and service with residential fire service connections in the 11<sup>th</sup> Street right-of-way. Meter located within the complex to be located in the side walk. No water meters to be located within the drive aisle.
56. Existing fire service DCDA (Double Check Detector Assembly) to be removed and connection at the street to be abandoned per Water Services Inspectors instructions.
57. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall installed on the landscape system. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
58. A composite utility site plan shall be part of the water plan approval.
59. Water system within private streets shall be constructed per City Standards by developer and dedicated to the City. Bonding will be required.
60. There shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by the Water Services Division.
61. There shall be no structures or utilities built on or crossing water or sewer main easements.
62. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
63. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
64. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.

65. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
66. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests.
67. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
68. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
69. Owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints. All on-site sewer to be per California Plumbing Code.
70. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

**Planning Services Division**

71. The applicant shall submit a complete landscape plan governing the entire development. The plans shall be consistent with the plans submitted to the Planning Commission for review and approval, except as modified herein. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines. The landscape plan is also subject to the following:
  - a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, Boston Ivy or other acceptable vines, shall be used.

- c. The applicant shall be responsible for installing and maintaining the common area landscaping until such time as the project nears complete sell-out and the Homeowner's Association takes over maintenance responsibility.
  - d. Trees planted within ten feet (10') of any public right of way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low height variety to ensure safe sight clearance. The number of street trees to be planted along the 11<sup>th</sup> Street frontage shall be incorporated into the front landscape setback, no street trees will be planted in the sidewalk. The street right-of-way plans may be modified to have the sidewalk adjacent to the curb, meeting City Standards, in order to minimize tree overhanging in the street.
  - e. The landscape treatment along the street frontages, including the area designated as public right-of-way, shall incorporate the landscape area between the sidewalk and the development wall with ground cover, shrubs and bushes, and trees that highlight the project's entrance as well as enhance the exterior appearance along 11<sup>th</sup> Street. The plant material for the entrances shall be the type to inhibit graffiti such as vines and dense growing shrubs and bushes, and shall be maintained.
  - f. All landscape areas, in common areas are the responsibility of the Homeowner's Association. Maintenance of this landscape area shall be included within the CC&R's for the project.
  - g. Final design and configuration of the enhanced landscaping along the 11<sup>th</sup> Street frontage shall be reviewed and approved by the Planning Division as part of the required landscape plans.
72. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
73. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&R's) for review and approval by the City Attorney's office and Community and Economic Development Department prior to final map approval. The approved CC&R's shall be recorded at the same time that the subdivision map is recorded and two copies (a hard copy and an electronic copy) of the recorded

CC&R's shall be provided to the Planning Division. The CC&R's shall include the following stipulations and/or provisions:

- a. All units shall maintain the ability to park two cars within the garages at all times. Garages shall not be converted to any other use.
- b. There shall be no business activities, day care, or garage sales conducted within or from the garages.
- c. Parking spaces in the garages shall be made available to the occupants of the unit at all times.
- d. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces in the garages for their dwelling unit. However, the 30 unassigned open, on-street, guest parking spaces, located throughout the development, may be utilized by residents or guests for temporary parking. Any issues arising from the use, application, or restriction of such open parking spaces shall be at the resolve of the Homeowner's Association.
- e. All graffiti vandalism shall be abated within the premises. Best management practices shall be implemented to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
- f. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
- g. The CC&R's shall include provisions providing the owners or tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as street sweepers, trash trucks, fire trucks, etc., from maneuvering around the cul-de-sac.
- h. Storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited.
- i. The CC&R's shall include stipulations that maintenance of the private drive aisles, storm drain, sewer system, open space areas within the interior of

the development, and the common landscaped areas, are the responsibility of the Homeowner's Association.

- j. Each unit shall have a minimum of 200 cubic feet of storage space, which may be provided in the garage parking areas, and typical closet space within the unit shall not count toward this requirement.
- k. Private open (recreation) patios shall provide a minimum setback of 12 ft. and shall not cover more than 50% of its respective front setback area, which is defined as the width of the dwelling unit's front entry elevation. Private open (recreation) patios shall not contain any buildings/structures (including patio covers) or storage, and shall be uncovered and open to the sky.
- l. The Standards of Development and Conditions of Approval for Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019, shall be incorporated into the CC&Rs, and provisions corresponding to any applicable Conditions of Approval shall be included in the CC&Rs.
- m. The following provisions shall be included within the CC&R's (in substantially the same form as below or as otherwise approved by the City Attorney):
  - i. Compliance with Stormwater Quality Regulations: The Homeowner's Association shall implement, and fund implementation of, the Operation and Maintenance ("O&M") Plan for the Property, which was approved by the City as part of the Water Quality Management Plan ("WQMP") required for development of the Property, and shall operate and maintain the Best Management Practices ("BMPs") described in the O&M Plan for the Property, which includes:
    - a. Description of all post-construction BMPs (non-structural and structural),
    - b. Description of the Property owner's(s') responsibilities and required training of persons performing BMP implementation, operation and maintenance,
    - c. Implementation frequency and operating schedule,
    - d. Inspection/maintenance frequency and schedule,
    - e. Specific maintenance activities,
    - f. Required permits from resource agencies, if any,
    - g. Forms to be used in documenting implementation, operation and maintenance activities,
    - h. Recordkeeping requirements.

A copy of the approved O&M Plan is described in the current WQMP for the Project, as it may be amended from time to time according to its

terms, which is on file with the City of Garden Grove Community and Economic Development Department, and is incorporated herein by this reference. The Committee shall maintain a copy of the current WQMP at a location on the Property.

The Property shall be, and the Homeowner's Association shall ensure, that the Property is used and maintained in full compliance with the provisions of the O&M Plan and Chapter 6.40 (Stormwater Quality) of the Garden Grove Municipal Code, as it may be amended. The City shall have the right to inspect the Property for the purpose of verifying compliance with this provision. The City of Garden Grove shall be an intended third-party beneficiary to this provision. The City shall have the right and authority, but not the obligation, to enforce this provision by any legal or equitable means, or by any method available to the Property owners as provided elsewhere in the Declaration, against the Declarant, Homeowner's Association, Owners, their successors and assigns, or other persons in possession of the Property. This provision shall not be amended or terminated without the written approval of the City of Garden Grove Community and Economic Development Department.

- ii. Enforcement: The City is hereby made a party to this Declaration solely for purposes of enforcing its provisions and the Standards of Development and Conditions of Approval of Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019. The City, its agents, departments and employees shall have the unrestricted right and authority, but not the obligation, to enforce the provisions of this Declaration and the Standards of Development and Conditions of Approval of Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019. In the enforcement of this Declaration, the City shall not be limited to the procedures or processes described in this Declaration and may use any remedy provided under law or equity, including the City's Municipal Code. The City, its agents, departments and employees may further refuse to issue any building, electrical or plumbing permit that may be in violation of these Declarations or Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 approvals. However, the City shall not be liable for failing or refusing to enforce the provisions of these Declarations or the Standards of Development and Conditions of Approval of Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019. The alternative dispute resolution provisions set forth in Section / Article [SECTION] of this Declaration shall not apply to or legally bind the City.



- iii. Assessments: The City may levy special assessments against the properties in connection with its actions to enforce the conditions of this Declaration or Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 approvals, or to abate the violation thereof. The City shall have the same power as the Association to levy special assessments pursuant to the provisions of [SECTION] of this Declaration in the event that it incurs expenses in the enforcement of the conditions of these Declarations or Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 approvals. Notice of intention to make such assessment shall be mailed by the City to the Owner of each affected [LOT/UNIT] affording the Owner thirty (30) days' notice to satisfy or reimburse the City's expenditure. In the event of the failure of any Owner of any affected [LOT/UNIT] to reimburse the City within thirty (30) days, notice of such assessment shall be mailed by the City to said Owner, and said assessment shall thereafter be due as a separate debt to the City within thirty (30) days following the mailing of such notice. Any such delinquent assessment may be and may become a lien upon the interest of the defaulting Owner in the Lot upon the execution by the City and the recording in the Orange County Recorder's office of a notice of delinquent assessment under the same conditions that the Association could record the same pursuant to the provisions of [SECTION]. The City may foreclose on such notice of delinquent assessment in the same manner and with the same power as the Association could foreclose on such notice pursuant to the provisions of [SECTION]. It is the intent of Declarant, which intent shall be binding upon all of Declarant's successors in interest in the Properties, that the City shall be deemed an interest holder pursuant to the provisions of these Declarations in order to enforce the rights which have been given to the City generally in these Declarations and specifically pursuant to this Section.
- iv. Attorney Fees: The City shall be entitled to recover its attorney's fees incurred in connection with its actions to enforce the conditions of these Declarations or Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 approvals, or to abate the violation thereof.
- v. Public Safety Access: The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.

- vi. Modification/Termination: This Declaration shall not be terminated or substantially amended without the prior written approval of the City of Garden Grove Community and Economic Development Department.
74. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:
- a. The facades of the units shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
  - b. Prior to the finalization of working drawings for Planning Division, Engineering Division, and Building and Safety Division Plan Check, the applicant shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all rooms, except the laundry area, hallways, and bathrooms. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5-feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit.
  - c. Should the applicant elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community and Economic Development Department prior to releasing units for model purposes. The phasing plan shall include, but not be limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community and Economic Development, Fire, and Public Works Departments prior to issuance of building permits. Notwithstanding if the applicant elects to construct the Project in phases, the applicant shall record a single final map, not multiple phased final maps, and the CC&Rs shall apply to the entire property covered by the Tentative Tract Map at the time of recordation.
75. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by

- a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
- a. Decorative masonry walls are required along the north, west, and east property lines and shall be constructed to a minimum height of 6'-0", as measured from highest point of finished grade. These walls shall use decorative masonry or stucco block with decorative caps, subject to the Community and Economic Development Department's approval.
  - b. The applicant shall make good faith efforts to work with the existing property owners along the project perimeter in designing and constructing the required perimeter block walls. The purposes of this requirement is to avoid having double walls and minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the other property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the applicant shall work with City Staff to address this situation. The Community and Economic Development Director shall be authorized to approve minor alterations the size and/or location of the landscape planter to accommodate the placement of such wall.
76. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
77. The common recreation area improvements shall be reviewed and approved by the Community and Economic Development Department, Planning Division prior to issuance of building permits. The common recreation area shall be completed at the time that the applicant completes no more than 50 percent of the units (15 units). The improvements within the main open space shall include a children's playground (tot lot), open turf area, built-in bench seating, a hedge screen and landscaping around the area, and related equipment and improvements.
78. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building and Safety Division Plan Check. The project shall also be subject to the following:

- a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
  - b. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks or any parking areas, and shall be screened to the satisfaction of the Community and Economic Development Department.
  - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
79. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
80. Building color and material samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. The buildings shall include multi-toned stuccoed exteriors, window and door trim, decorative paneled front doors, multi-paned windows, window boxes, shutters, paneled roll-up garage doors, decorative entry, and varied roof lines with tile roofing material. All side and rear elevations that face a street or a common usable open space area shall maintain the same, or enhanced, level of detail as the fronts of the homes, including but not limited to, window trims, and multi-paned windows.
81. The driveway entrance off 11<sup>th</sup> Street, located along the southerly property line, shall have enhanced concrete treatment subject to the Community and Economic Development Department's approval.
82. All recreation areas, landscaping along the interior project street and entryway, any landscaping within the public right-of-ways fronting along the project site, shall be maintained for the life of the project and such maintenance provisions shall be included in the CC&R's.
83. Decorative mailboxes shall be provided that include elements that are complimentary to the architectural style of the buildings. Final design of the mailboxes shall be reviewed and approved by the Planning Division prior to the issuance of building permits

84. All on-site lighting shall be decorative. Final design of the street lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
85. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
86. The applicant shall implement the Mitigation Monitoring and Reporting Program as identified in the adopted Mitigated Negative Declaration, and shall provide updates about the implementation process to the City of Garden Grove, Community Department until completion of the project.
87. The applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Planned Unit Development No. PUD-010-2019, Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019 (collectively, the "Project entitlements"), and/or the adopted Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney and shall further pay any adverse financial award, which may issue against the City, including but not limited to any award of attorney fees to a party challenging such project approval.
88. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-063-2019, Variance No. V-022-2019 and Tentative Tract Map No. TT-18169-2019, has begun.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.3.	<b>SITE LOCATION:</b> Southwest side of Westminster Avenue, approximately 740 feet east of Brookhurst Street, at 10142 and 10152 Westminster Avenue
<b>HEARING DATE:</b> February 7, 2019	<b>GENERAL PLAN:</b> Light Commercial
<b>CASE NO.:</b> Site Plan No. SP-064-2019	<b>ZONE:</b> C-1 (Neighborhood Commercial)
<b>APPLICANT:</b> Annie Tran	<b>CEQA DETERMINATION:</b> Exempt 15303 (c) New Construction or conversion of small structures
<b>PROPERTY OWNER(S):</b> Diana Pham	<b>APN:</b> 099-162-38 & 099-162-30

## **REQUEST:**

The applicant is requesting Site Plan approval to construct a new 3,000 square foot two-story, medical/office building on a 14,000 square foot site (two 7,000 square foot lots), located at 10142 and 10152 Westminster Avenue, along with associated improvements including façade enhancements on the existing auto repair facility on the west lot, new drive aisles, parking and landscaping, collectively known as the "Project". The request also includes the demolition of an existing 800 square foot medical office building and 400 square foot detached garage.

## **PROJECT STATISTICS:**

	<b>Provided</b>	<b>Code</b>
<b>Landscaping</b>	All Required Setbacks	All Required Setbacks
	1,264.5 S.F. (15%)	10% of Net Dev. Site Area (826.9 S.F.)
<b>Parking</b>	22	22 (plus 2 bicycle parking)
<b>Building Height</b>	32'-0"	35'-0" Maximum
<b>Building Setbacks</b>		
North (Front)	15'-0"	15'-0"
South (Rear)	45'-0" (to the building)	5'-0"
West (Interior Side)	0'-0"	0'-0"
East (Interior Side)	0'-6"	0'-0"

**BACKGROUND:**

The subject property (the "property") is a combination of two 7,000 square foot lots (14,000 square feet total) located on the south side of Westminster Avenue, approximately 740 feet east of Brookhurst Street. The property has a General Plan Land Use Designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The property is adjacent to C-1 zoned properties to the west, south and east, and PUD-108-96 (Planned Unit Development) zoned properties, across Westminster Avenue, to the north. The lot at address 10152 Westminster Avenue, the eastern lot, is currently improved with a medical office building, which is a converted single-family detached building. The lot at address 10142 Westminster Avenue, the western lot, is currently improved with, and operates as, a 1,502 square foot auto repair shop (7 Minute Smog Check). The two properties are under one ownership and share a common driveway through an existing easement, which encompasses the immediate front driveway approach area off Westminster Avenue. The properties have a slight difference in grade and are separated by a wall.

**DISCUSSION:**

SITE PLAN:

Site Design, Circulation & Floor Plan:

The applicant is proposing to construct a new 3,000 square foot two-story medical/office building, which will be situated on the northeast corner of the site, with the auto repair shop to remain on the westerly site. The site will be redesigned to function as a cohesive development with a shared driveway, drive aisles and parking, but will remain as two (2) separate legal lots. The existing 800 square foot medical office building and 400 square foot detached two-car garage will be demolished and replaced with the new medical/office building. In addition, the façade of the existing 1,502 square foot auto repair shop will be upgraded to match the new medical/office building. The remainder of the site will be improved with the new drive aisles, parking and landscaping. In order to facilitate the new shared driveway, the east lot will be re-graded to match the elevation of the western lot. Additionally, Conditions of Approval will require that the property owner record a reciprocal easement agreement ("REA") to establish an easement in order to maintain reciprocal access across the property line for shared driveway access and shared parking. Said REA shall be recorded on title of both properties and shall be maintained in perpetuity for the life of the integrated development. Parking bays will be located on the south portion of the property, along with a shared trash enclosure. The site contains one (1) EV charging space and one van-accessible parking space, which are situated below the second floor of the new medical/office building as tuck-under parking. The medical/office building's second floor is accessed via a staircase located at the south end of the building.

The applicant has proposed to occupy each tenant space of the new medical/office building with specific uses and the parking requirements (the minimum number of parking spaces required) have been calculated as such. The ground floor contains one 1,141 square foot medical tenant space consisting of two (2) exam rooms, a waiting room, a billing room, an office, file storage rooms, one (1) unisex restroom, a lounge, a medicine room, a lab, and a utility room. The second floor contains two (2) general office tenant spaces, which are 908 square feet and 905 square feet, respectively.

Although the applicant is proposing specific uses (medical and general office) in each tenant space of the new building, any use permitted in the C-1 zone would be allowed to occupy and operate within the building subject to satisfying the requirements for parking, zoning, and any other local, state, or federal requirements respective to each use.

The following table reflects the parking calculations for the Project:

Suite #	Square Footage/#	Proposed Use	Parking Ratio (per sq ft of gross floor area)	# of Parking Spaces Required (Minimum)
100	1,141	Medical	170	6.7
200	905	General Office	250	3.6
201	908	General Office	250	3.6
	2	Service Bays	3 (3 per bay)	6
	322.4	Auto Repair Office	200	1.6
Total # of Parking Spaces Required (Minimum) =				22
Total # of Parking Spaces Provided On-Site =				22

**Figure 1**

The proposed new building and reconfigured site is designed for medical office uses, general office uses, and auto repair shop. Municipal Code Section 9.16.040.150, Parking Spaces Required, requires one (1) parking space per 170 square feet of gross floor area for "Medical, dental, and related service support facilities" uses, and one (1) parking space per 250 square feet of gross floor area for "General business offices" uses. The parking requirement for the auto repair shop is one (1) space per 200 square feet of gross floor area of office space, plus three (3) spaces per service bay. Thus, as shown in the above exhibit, Figure 1, the Code requires a minimum of twenty-two (22) parking spaces. The Project provides a total of twenty-two (22) parking spaces (10 standard spaces, 4 compact spaces, 1 ADA (Americans with Disabilities Act) van accessible space, 1 electric vehicle charging space, and 6 spaces available to accommodate queued vehicles as part of the auto repair



business operation). A condition of approval will restrict the uses of each tenant, as noted in Figure 1 above, and as proposed by the Project applicant. Should the City receive a proposal to change the use(s) of a tenant space(s), the applicant will be required to demonstrate compliance with all Municipal Code requirements, and any other requirements set forth in the California Building Code, and/or other related local, state, or federal requirements.

In the event the site cannot accommodate the parking demand at any given time, which causes a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, the business owner/property owner will be required to create and implement a parking plan to relieve the situation. Conditions of approval will require the business owner/property owner to submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation; instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation. If the City's Community and Economic Development Director deems such action is necessary to remedy parking and circulation problems, such action must be implemented within 30 days of written notice. Failure to take appropriate action will be deemed a violation of the Conditions of Approval and may result in the City restricting the overall use of the negatively impacting operation.

#### Building Architectural Design:

The new medical/office building architecture will reflect a modern style with straight lines and a flat roof complimented by large expanses of glazing. Building materials will consist of light-colored finished stucco, dark accent trims, wood siding, and stone veneer accents. The main entrance will be punctuated by a metal canopy and signage. In addition, the facade of the existing auto repair building will be updated and enhanced in a style consistent with the new building.

#### Landscaping:

The Municipal Code requires that all setback areas be landscaped. Additionally, Code requires that a minimum of ten (10) percent of the parking lot areas are to be landscaped. The proposed site includes a total of 8,269 square feet of parking area, and therefore requires a minimum of 826.9 square feet of landscaping, exclusive of the required landscaped setback areas. The total proposed landscaped area for the site, including all landscaped setback areas, is 3,264 square feet, which consists of a variety of trees, plants, and groundcover. The applicant is required to submit a landscape and irrigation plan to the City that complies with the landscaping requirements of Title 9 of the Municipal Code, as well as the State's Model Water Efficient Landscape Ordinance.

Signage:

The applicant is required to submit a detailed and fully dimensioned sign program governing the entire site to the Planning Division for review and approval.

Furthermore, exterior advertisement displays and exterior wall advertisements are not allowed. Advertisements can only be placed on the windows provided that the combined signage does not exceed 15% of the total window area.

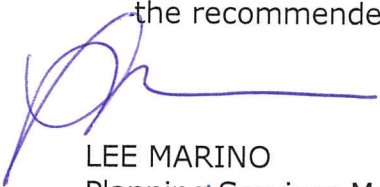
California Environmental Quality Act:

The proposed development is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA's Class 3, New Construction or Conversion of Small Structures (CEQA Guidelines §15303).

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt the attached Resolution approving Site Plan No. SP-064-2019, subject to the recommended Conditions of Approval.



LEE MARINO  
Planning Services Manager



By: Gena Guisar, AICP  
Planning Consultant























1425 BIRCH ST. NORTH, #102, 201  
 HAYWARD, CALIF. 94541  
 TEL: (714) 363-0066  
 FAX: (714) 363-0061  
 EMAIL: info@wdesign.com

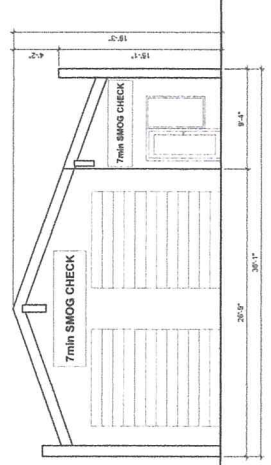
REV	DESCRIPTION	DATE

**SMOG SHOP ELEVATIONS**

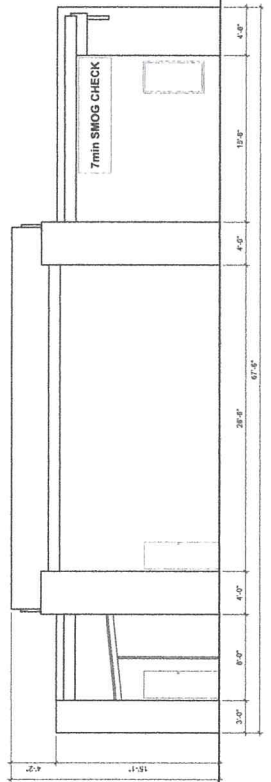
MEDICAL BLDG. & SMOG SHOP  
 10142 & 10152  
 WESTMINSTER AVE  
 GARDEN GROVE, CA 92844

SCALE	AS NOTED
DRAWN BY	MD
CHECKED BY	AT
PLAN DATE	12/04/18
PRINT DATE	12/04/18
PROJECT No.	180227PT
SHEET No.	

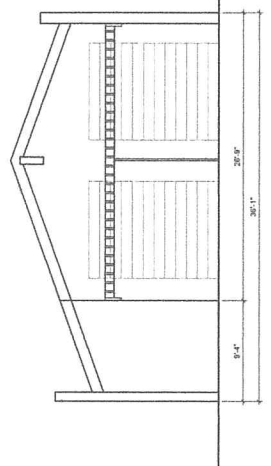
**A - 8**



**NORTH ELEVATION**

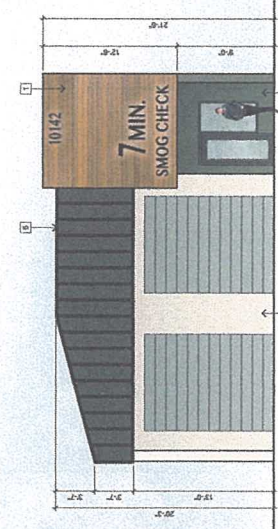


**EAST ELEVATION**

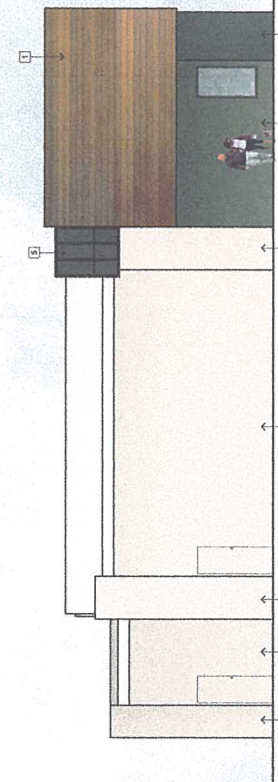


**SOUTH ELEVATION**

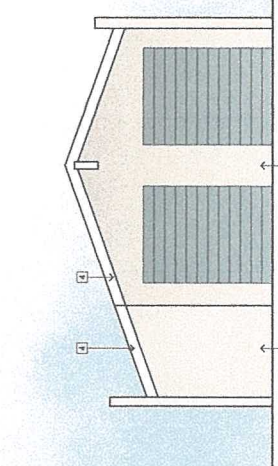
**EXISTING ELEVATIONS**  
 SCALE: 3/16" = 1'-0"



**NORTH ELEVATION**

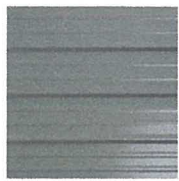


**EAST ELEVATION**



**SOUTH ELEVATION**

**PROPOSED ELEVATIONS**  
 SCALE: 3/16" = 1'-0"



1 METAL ROOF



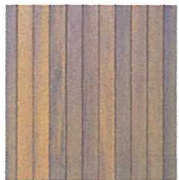
2 DUNN EDWARDS IGLOO: DEW379



3 DUNN EDWARDS COTTAGE WHITE: DEW318



4 DUNN EDWARDS STONE MASON: DET615



5 WOOD SIDING

**NOTE**  
 ALL DOORS AND WINDOWS TO REMAIN

RESOLUTION NO. 5947-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-064-2019, FOR TWO PROPERTIES LOCATED ON THE SOUTH SIDE OF WESTMINSTER AVENUE, APPROXIMATELY 740 FEET EAST OF BROOKHURST STREET, AT 10142 AND 10152 WESTMINSTER AVENUE, ASSESSOR'S PARCEL NOS. 099-162-38 AND 099-162-30.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 7, 2019, approves Site Plan No. SP-064-2019.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-064-2019, the Planning Commission of the City of Garden Grove does hereby determine and report as follows:

1. The subject case was initiated by Annie Tran pursuant to the authorization of the property owner, Diana Pham.
2. The applicant is requesting Site Plan approval to construct a new 3,000 square foot two-story, medical/office building on a 14,000 square foot site (two 7,000 square foot lots) located at 10142 and 10152 Westminster Avenue, along with associated improvements, which include façade enhancements for an existing 1,536 auto repair shop, grading, new drive aisles, a parking lot and landscaping, collectively known as the "Project". The project will also consist of demolition of an existing 800 square foot medical office building and 400 square foot detached garage.
3. The proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303(c) (New Construction or Conversion of Small Structures) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). The proposed project consists of the construction of a new commercial structure not exceeding 10,000 square feet in an urbanized area.
4. The property has a General Plan Land Use designation of Light Commercial and is currently zoned C-1 (Neighborhood Commercial). The property contains an existing medical office facility in a converted single-family detached building and an auto repair facility, both of which are currently active businesses.
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 February 7, 2019, 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 February 7, 2019, 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 9.32.030 are as follows:

FACTS:

The subject property (the "property") is a 14,000 square foot site (two 7,000 square foot lots), located on the south side of Westminster Avenue, approximately 740 feet east of Brookhurst Street. The property has a General Plan Land Use Designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The property is adjacent to C-1 zoned properties to the east, west and south, and PUD-108-96 (Planned Unit Development) zoned properties, across Westminster Avenue, to the north. The lot at address 10152 Westminster Avenue, the eastern lot, is currently improved with a medical office building, which is a converted single-family detached building. The lot at address 10142 Westminster Avenue, the western lot is currently improved with, and operates as, a 1,502 square foot auto repair shop (7 Minute Smog Check). The two properties are under one ownership and share a common driveway through an existing easement, which encompasses the immediate front driveway approach area off Westminster Avenue. The properties have a slight difference in grade and are separated by a wall.

The applicant is proposing to construct a new 3,000 square foot, two-story medical/office building, which will be situated on the northeast corner of the site, with the auto repair shop to remain on the westerly site. The site will be redesigned to function as a cohesive development with a shared driveway, drive aisles and parking, but will remain as two (2) separate legal lots. The existing 800 square foot medical office building and 400 square foot detached two-car garage will be demolished and replaced with the new medical/office building. In addition, the façade of the existing 1,502 square foot auto repair shop will be upgraded to match the new medical/office building. The remainder of the site will be improved with the new drive aisles, parking and landscaping.

Parking bays will be located on the south portion of the property, along with a shared trash enclosure. The site contains one (1) EV charging space and one van-accessible parking space, which are situated below the second floor of the new medical/office building as tuck-under parking. The medical/office building's second floor is accessed via a staircase located at the south end of the building.

In order to facilitate the new shared driveway, the east lot will be re-graded to match the elevation of the western lot. Additionally, Conditions of Approval will require that the property owner record a reciprocal easement agreement ("REA") to establish an easement in order to maintain reciprocal access across the property line for shared driveway access and shared parking. Said REA shall be recorded on

title of both properties and shall be maintained in perpetuity for the life of the integrated development.

FINDINGS AND REASONS:

**SITE PLAN:**

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

The subject site has a General Plan Land Use Designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The Project complies with the land use designation and the zoning requirements for the property. The Light Commercial (LC) designation is intended to allow a range of commercial activities, including medical and general office services that serve local residential neighborhoods and the larger community. The Project will not exceed the maximum Floor Area Ratio ("FAR") permitted by Light Commercial Land Use Designation. The General Plan allows a maximum FAR of 0.55 for LC, and the Project FAR is 0.33.

The design and improvement of the proposed project is consistent with the spirit and intent of the General Plan, through its goals, policies, and implementation programs, including specifically:

Policy LU-1.7 – To encourage the design of new commercial developments as integrated centers, rather than as small individual strip developments; and

LU-IMP-6C – Encourage façade renovation, enhanced parking area landscaping, improved lighting, development of pad buildings, and the use of pedestrian amenities, such as fountains, plazas, promenades, seating, and like features.

The project has been designed to comply with all requirements of Title 9 of the Municipal Code. The placements of the structures, the site design, the parking lot layout, the number of on-site parking spaces, and the landscape areas are consistent with the spirit and intent of the requirements of the Municipal Code.

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.

The proposed project has been designed to provide drive lanes and a parking layout that enable customers to maneuver effectively through the site. Sufficient on-site parking is provided to accommodate the proposed medical/office building and existing auto repair building. An easement for

shared parking and driveways will be recorded and maintained for the life of the development.

Furthermore, the City's Traffic Engineering Division and the Fire Department have also reviewed the plans, and all appropriate conditions of approval will eliminate 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 Project utilizes access off Westminster Avenue, which will be adequate to accommodate the development once the developer provides the necessary improvements for the project. Utilities and drainage channels in the area, if and where necessary, will be made adequate to accommodate the development. The property is not located in a sewer deficiency area. The Public Works Department has incorporated conditions of approval to mitigate potential impacts to the sewer system.

The proposed development will also provide landscaping and proper grading of the site in order to improve drainage in the area. The Public Works Engineering and Water Services Division have reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels.

4. The project will not adversely impact the City's ability to perform its required public works functions.

The project has been reviewed by the Public Works Department, which has required various on-site and off-site improvements, including sidewalks, driveways, and grading improvements. The proposed project has been designed to provide drive lanes and a parking layout that enable customers to maneuver effectively through the site. Sufficient on-site parking is provided to accommodate the proposed medical/office building and existing auto repair building. All appropriate conditions of approval included by the Public Works Department will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels, and will ensure that the project will not adversely impact the City's ability to perform its required public works functions.

5. The development has a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The proposed project is consistent with the existing commercial uses and improvements in the surrounding area. The property is currently improved with existing commercial uses – the existing medical office building and the existing auto repair building. The proposed project will not see any change in the commercial use activities. Additionally, the proposed project will



significantly improve the aesthetics of the property by modernizing the property through the construction of a new medical/office building along with proposed enhancements to the façade of the existing auto repair building. Other site improvements will include new landscaping, a new parking lot, and an entrance fitted with decorative enhanced concrete. The resulting development will be an improvement, visually, for the community while also maintaining a reasonable degree of physical, functional, and visual compatibility with neighboring uses and the desirable neighborhood characteristics. Therefore, the proposed project is consistent with the surrounding area and compatible with the existing uses on the properties.

6. The planning and design of buildings, building placement, and provision of landscaping will provide an attractive environment for the occupants of the property.

The project has been designed to consider building appearance, building placement, landscaping, and other amenities in order to create an attractive environment. All landscaped areas are required to adhere to the landscaping requirements of the Title 9 of the Municipal Code, which includes the City's Landscape Water Efficiency Guidelines. The necessary agreements for the protection and maintenance of all landscaping will be achieved through the conditions of approval for the Project.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE 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 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
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-064-2019.

# **EXHIBIT "A"**

## **Site Plan No. SP-064-2019**

10142 and 10152 Westminster Avenue

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record against the subject property a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office. Proof of such recordation is required within 30 days of this approval. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Annie Tran, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission.
2. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply. Modifications which do not change the intent of the project may be approved by the Community and Economic Development Director.
3. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
4. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Building and Safety Division**

6. Project shall comply with the 2016 CA Building Code (CBC), CA Mechanical Code (CMC), CA Plumbing Code (CPC), CA Electrical Code (CEC), CA Green Building Standards Code (CGBSC) and the 2016 CA Building Energy Efficiency Standards.
7. Soil report in accordance with CBC Chapter 18 shall be provided for this project.
8. Construction waste reduction, disposal and recycling shall comply with CGBSC Chapter 5; CALGreen Mandatory checklist and City Construction Waste Management forms shall be completed and imprinted on plan.
9. All exterior and interior accessibility requirements shall comply with CBC Chapter 11B.
10. Fire-rated exterior wall shall comply with CBC Chapter 6
11. Fire-rated constructions shall comply with CBC Chapter 7.

**Public Works Engineering Division**

12. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
13. All vehicular access drives to the site shall be provided in locations approved by the City of Garden Grove's City Traffic Engineer.
14. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall shall have wheel stops.
15. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
16. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval

of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.

17. A separate street permit is required for work performed within the public right-of-way.
18. Grading/Street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
19. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
20. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
21. An agreement, declaration of covenants, conditions and restrictions, or similar document that provides for reciprocal access and parking between the two subject properties in perpetuity ("CC&Rs"), in a form acceptable to the City Engineer and City Attorney, shall be prepared by the applicant, approved by the City, and recorded prior to the issuance of a grading permit. The CC&Rs shall, at a minimum, specifically identify the reciprocal access areas and shared parking spaces and shall provide that such reciprocal access and parking may not be modified without City approval.
22. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
23. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:

- a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
  - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
  - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
  - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
  - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
  - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
24. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
- a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
  - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
  - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
25. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law-AB 1826:
- a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
  - b. Provide solid roof or awning to prevent direct precipitation.

- c. Connection of trash area drains to the municipal storm drain system is prohibited.
  - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
  - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
  - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
  - g. Pursuant to state mandated commercial organic recycling law-AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
26. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.
27. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
- a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.
28. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.

29. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
30. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
31. Any required lane closures should occur outside of peak travel periods.
32. Construction vehicles should be parked off traveled roadways in a designated parking area.
33. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
34. All landscape, sidewalk and lighting improvements installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City of Garden Grove. Prior to issuance of a building permit, the applicant shall design and construct street frontage improvements as identified below:

Westminster Avenue

- a. The existing substandard driveway approach and landscape fronting the property along Westminster Avenue shall be removed, and curb and gutter, sidewalk and new driveway approach shall be constructed in accordance with City Standard;
- b. The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-120 (option #2). Standard Plan B-120 calls for a minimum width of 30-feet for commercial and multi residential projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- c. Construct 8-inch curb and gutter along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- d. Construct 8-foot sidewalk adjacent to the street curb in accordance with City Standard Plan B-106.

- e. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Westminster Avenue with the Planning Division and the Water Services Division.
- f. Any proposed new landscaping in public right of way shall be approved by the Planning Division and maintained by the owner.

**Public Works Water Services Division**

- 35. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. The RPPD installation shall be per City Standard B-770. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
- 36. In the event that this property uses a septic tank, the owner shall remove/abandon the unit and shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints.

**Police Department**

- 37. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.

**Fire Department**

- 38. The applicant shall ensure that the project/building complies with all life safety matters, as required by the Fire Department, which include, but not limited to: fire sprinklers, fire alarm, maximum occupancy, and emergency lighting throughout the building.

**Community and Economic Development Department**

- 39. The approved site plan and floor plan are an integral part of the decision approving this Site Plan. There shall be no additional changes in the design of the site plan or new medical/office building floor plan without the approval of the Community and Economic Development Department, Planning Division.



Any additional changes in the approved floor plan, which have the effect of expanding or intensifying the present use, shall require obtaining the proper entitlement(s).

- a. The medical uses occupying tenant spaces 100, 200 and 201 shall be restricted to those uses proposed by the applicant, as shown on the submitted plans as part of the Project, and shall be as follows: Suite 100 (1,141 square feet) to be occupied by a Medical office use; Suite 200 (905 square feet) to be occupied by a general office use; and Suite 201 (908 square feet) to be occupied by a general office use.
  - b. Should the City receive a proposal to change the use(s) of a tenant space(s), the applicant shall demonstrate compliance with all Municipal Code requirements, including, but not limited to, parking standards, any other requirements set forth in the California Building Code, and/or other related local, state, or federal requirements.
  - c. If, at any time, the subject site cannot accommodate the parking demand generated by the uses on the site, which causes a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, the applicant shall devise and implement a plan, prepared by a licensed traffic engineer and approved by the City, to relieve the situation. Upon written request by the City, the applicant shall to submit said plan to manage the parking issues for review and approval by the Community and Economic Development Department. The plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation. If the City's Community and Economic Development Director deems such action is necessary to address parking and circulation problems, such action must be implemented within 30 days of written notice. Failure to take appropriate action will be deemed a violation of the Conditions of Approval and may result in the City restricting the overall use of the subject site
40. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.
41. There shall be no deliveries to or from the premises between the hours of 10:00 p.m. and 8:00 a.m., seven (7) days a week. No delivery vehicles, including refrigerated trucks, shall be permitted to be left running or idling during deliveries.

42. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
43. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
44. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
45. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
46. Exterior advertisements displays or exterior wall advertisements shall not be allowed.
47. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
  - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  - b. Sunday and Federal Holidays may work the same hours, but subject to noise restrictions as stipulated in Section 8.47.010 of the Municipal Code.
48. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.

49. The applicant / property owner shall comply with the adopted City Noise Ordinance.
50. The building plans, including grading and development plans and all construction activity shall comply with the current editions of the California Building Regulations as found in the California Code of Regulations (CCR), Title 24, Parts 2 through 12 as adopted by the City of Garden Grove.
51. As a part of the finalized working drawings for the Planning Division, Engineering Division and Building and Safety Division, the developer shall submit a detailed and dimensioned plot plan, floor plans, exterior elevations, and landscape plans that reflect the above conditions of approval. The plans shall indicate landscape materials, wall materials and building materials proposed for the project.
52. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Division. Lighting in the common and parking areas shall be directed, positioned or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
53. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Division, for review and approval prior to submittal of plans for Building and Safety Division, Plan Check. The project shall also be subject to the following:
  - a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Division.
  - b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Division Services approves a method of screening complementary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the surrounding properties.
54. The applicant shall submit a complete landscape plan governing the entire development for review and approval by the Community and Economic Development Department prior to building permit issuance. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code, including the City's Water

Efficiency Guidelines, as well as recently adopted provisions by the State of California concerning drought tolerant landscape measures. Said plan shall include type, size, location and quality of all plant material. This includes enhanced landscaping for the walkway areas. The plan shall include an irrigation plan, and staking and planting specification. The landscape plan is subject to the following:

- a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  - b. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscape plan in order to ensure proper landscape screening and will be provided around each of these equipment/apparatus.
  - c. The applicant shall be responsible for the installation and maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to within the public right-of-way.
  - d. No trees shall be planted closer than five feet (5') from the public right-of-way. Trees planted within fifteen feet (15') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages, adjacent to driveways, shall be of the low-height variety to ensure safe sight clearance. All proposed trees, planted within fifteen feet (15') of any public right-of-way, shall be non-fruit bearing, evergreen trees that require minimal maintenance.
55. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
  56. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
  57. All driveway approaches shall be treated with decorative stamped concrete or interlocking pavers or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern and material shall be approved by the Community and Economic Development Department, Planning Division, and shall be shown on the final site plan and the grading plan.
  58. All on-site curbs, not associated with a parking space, shall be painted red.

59. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
  - a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
  - b. Property owners, tenants, employees, and business operators shall not store vehicles anywhere on the site.
  - c. The trash enclosure shall match the color and material type used for the block walls and shall be gated. The trash bins shall be kept inside the trash enclosure, and gates closed at all times except during disposal and pick-up. The property owner shall provide sufficient trash bins and pick-up to accommodate the site. The trash shall be picked up at least once per week.
  - d. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
60. The proposed development shall comply with all applicable provisions of the Garden Grove Local Implementation Plan (LIP), including but not limited to, providing a Water Quality Management Plan (WQMP) and Section 7 addressing reducing water run-off from the site (e.g., directing roof rain gutter's downspouts to permeable areas such as landscape planters).
61. The applicant shall work with the Planning Division to ensure that the proposed building colors are appropriate and not overly bright. The applicant shall submit the actual chip samples of the proposed paint colors to the Planning Division for review and approval.
62. A copy of the resolution approving Site Plan No. SP-064-2019, including these Conditions of Approval, shall be kept on the premises at all times.
63. The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-064-2019, and his/her agreement with all conditions of the approval.
64. Building shall comply with California Building Standards Code.
65. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-064-2019. The applicant shall pay the City's

defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

66. It shall be the applicant's responsibility to verify that any building or site improvements do not impermissibly interfere with any recorded easements on the subject property or the adjacent properties.
67. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the uses and development authorized by this approval of Site Plan No. SP-064-2019 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-064-2019 shall expire if the building permits for the project expire.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.4.	<b>SITE LOCATION:</b> South side of Central Avenue between Brookhurst Street and Flower Street, at 10052 Central Avenue
<b>HEARING DATE:</b> February 7, 2019	<b>GENERAL PLAN:</b> Low Medium Density Residential
<b>CASE NOS.:</b> Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019	<b>ZONE:</b> R-2 (Limited Multiple Residential)
<b>APPLICANT:</b> My Dam	<b>CEQA DETERMINATION:</b> Exempt - CEQA Guidelines § 15303 and 15305
<b>PROPERTY OWNER:</b> Linh Hoang Nguyen	<b>APN NOS.:</b> 099-031-08 and 09

**REQUEST:**

The applicant is requesting Site Plan approval to construct a new duplex, consisting of two (2), two-story attached dwelling units on an 11,700 square foot vacant site. In conjunction with this request, the applicant is also requesting approval of a Lot Line Adjustment to remove an existing property line to consolidate the two (2) existing parcels into a single lot.

**BACKGROUND:**

The subject site is comprised of two (2) separate, abutting parcels (Assessor's Parcel Nos. 099-031-08 and 09) located on the south side of Central Avenue, between Brookhurst Street and Flower Street, with a total combined lot area of 12,350 square feet. The subject lot was previously developed with an existing single-family dwelling and a detached garage. In July of 2018, a demolition permit was issued by the Building and Safety Division, and the existing structures were demolished shortly thereafter. The site is currently vacant and unimproved.

The site has a General Plan Land Use Designation of Low Medium Density Residential and is within R-2 (Limited Multiple Residential) zoning district. The site abuts a C-1 (Neighborhood Commercial) zoned property to the west, C-2 (Community Commercial) and R-2 zoned properties to the south, R-2 zoned properties, across Central Avenue, to the north, and an R-2 zoned property to the east.

The applicant is proposing to improve the vacant site with a new duplex consisting of two (2) new, attached, two-story dwelling units with two (2) attached two-car garages. The Municipal Code stipulates that the Community and Economic Development Director is authorized to review and approve a duplex or triplex

residential project, provided it complies with all requirements of the Duplex and Triplex development standards, per Municipal Code Section 9.16.065, and provided it does not require approval of any other discretionary action, including but not limited to, a variance, zoning change, general plan amendment, or other land use entitlements. The Municipal Code further stipulates that any duplex or triplex project that requires the approval of a discretionary action, shall require the approval of a Site Plan land use entitlement. The proposed duplex project includes an additional request for Lot Line Adjustment approval to consolidate the two (2) existing parcels into a single lot, thereby requiring Site Plan approval, and Planning Commission consideration.

Based on the title report of the subject properties, the site is comprised of two (2) separate abutting parcels under Assessor's Parcel Numbers (APN) 099-031-09 (Parcel A - 135' x 65') and 099-031-08 (Parcel B - 55' x 65'). Parcel B is land-locked and does not have street frontage. Combined, the properties have a current lot size of 12,350 square feet. The applicant is requesting to remove the shared property line in order to develop the site with the proposed duplex. In order for the proposed project to move forward, the Municipal Code requires Lot Line Adjustment approval to consolidate the two (2) lots into one.

Central Avenue has an ultimate right-of-way width of 60 feet, from property line to property line. Currently, the measurement from the centerline of Central Avenue to the front (northerly) property line of the subject site is 20 feet. As part of the project, a 10-foot public right-of-way dedication, along the 65-foot frontage of the subject site (the northerly property line), will be required to establish the 60-foot ultimate right-of-way for Central Avenue. Therefore, after the Lot Line Adjustment and 10-foot right-of-way dedication, the resulting lot size of the consolidated property will be 11,700 square feet.

## **DISCUSSION:**

### SITE PLAN:

#### Site Design and Circulation

Pursuant to Municipal Code Section 9.12.040.040.A, the minimum lot size requirement for a duplex in R-2 zone is 8,712 square feet. The total lot area of the project site, after lot consolidation and street dedication, is 11,700 square feet, which exceeds the minimum lot size required.

The project is designed with two (2) attached, two-story dwelling units with two (2) attached, two-car enclosed garages. Unit 1 will be located at the front of the lot, while Unit 2 will be located at the rear of the lot. Both units will have their respective entries oriented toward, and facing, Central Avenue.

Each unit will have an attached two-car enclosed garage with two (2) open guest parking spaces (tandem) in front of each garage. A new 20'-0" wide drive aisle, along the easterly property line, will serve as a single shared access for the proposed two (2) new units.



Unit Design

**Building Design**

	<b>Number of Bedrooms/Baths</b>	<b>Living Area<sup>1</sup></b>
<b>Unit 1 (Front)</b>	4 Bedrooms, 4 Baths	2,574 S.F.
<b>Unit 2 (Rear)</b>	4 Bedrooms, 4 Baths	3,683 S.F.

<sup>1</sup> Garages are not included in total living area.

Unit 1 will have a total living area of 2,574 square feet, excluding the 400 square foot attached two-car garage. The first floor provides 1,274 square feet of living area and will consist of a kitchen, a dining room, a family room, two (2) bathrooms (1 public powder room and 1 public full bathroom), and a bedroom. The second floor provides 1,300 square feet of living area and will consist of a loft area that opens to below, three (3) bedrooms, and two (2) bathrooms (1 private full bathroom and 1 public full bathroom). Unit 1 will also include a 50 square foot porch on the first floor, and a 111 square foot balcony on the second floor.

Unit 2 will have a total living area of 3,683 square feet, excluding the 400 square foot attached two-car garage. The first floor provides 1,830 square feet of living area and will consist of a living room, family room, a kitchen, a dining room, a bedroom, and two (2) bathrooms (1 public powder room and 1 private full bathroom). The second floor provides 1,853 square feet of living area and will consist of a loft area that opens to below, three (3) bedrooms, a laundry room, and two (2) bathrooms (1 private full bathroom and 1 "Jack-and-Jill" full bathroom). Unit 2 will also include a 26 square foot porch, a 102 square foot covered patio on the first floor, and a 64 square foot balcony on the second floor.

The total building footprint of the duplex will equate to 3,953 square feet of structures. Based on the lot size of 11,700 square feet (after lot consolidation and right-of-way dedication), the proposed lot coverage will be 33.8%, which is below the maximum 50% lot coverage requirement by Code.

Parking

Pursuant to Municipal Code Section 9.12.040.040.K, Parking Requirements for a Duplex, each unit is required to provide a two-car enclosed garage with minimum interior dimensions of 20' by 20', and the site shall provide a minimum of three (3) open guest parking spaces. The proposed project provides an attached two-car garage along with two (2) open guest (tandem) parking spaces in front of the garage for each unit. Therefore, the project complies with, and exceeds, the parking requirements of the Code.

Landscaping and Recreation Area

The Municipal Code requires all areas that are not designated for walkways, parking spaces, drive aisles, and private recreation areas, to be fully landscaped and irrigated. In addition, the applicant is required to provide a landscape and irrigation plan that complies with the requirements of Title 9 of the Municipal Code. Based on the

proposed plans, the project will provide landscaping in the front, side and rear yard setback areas, and additional landscaped areas to create a buffer between the driveway and the residential units, using a variety of plant materials. All landscaped areas/installations will be fitted with automatic irrigation systems and comply with the City's Water Efficiency Guidelines.

The Municipal Code requires a minimum, and continuous private recreation area of 225 square feet with a minimum interior dimension of 15' by 15', to be provided for each unit. The project includes private open patios (open to the sky) with dimensions of 15' by 15' (225 square feet) for Unit 1, and 15' by 65' (975 square feet) for Unit 2. Each private recreation area is located at the rear of each dwelling unit and is accessible from a common area within the dwelling. Additionally, each unit will provide a covered balcony on the second floor. The project complies with all landscaping and recreation requirements of the Municipal Code.

LOT LINE ADJUSTMENT:

In order for the project to move forward, and in accordance with the State Subdivision Map Act, the applicant is requesting approval of a Lot Line Adjustment to consolidate the two (2) parcels: Parcel A (099-031-09) and Parcel B (099-031-08) into a single lot. Parcel A has lot depth of 125' (after the 10-foot public right-of-way dedication), and Parcel B has a lot depth of 55'. Both Parcel A and B have a lot width of 65'. The consolidation of the lots is consistent with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the State Subdivision Map Act. After consolidation, and after the required public right-of-way dedication of 10 feet along the northerly property line, the site will maintain a final lot area of 11,700 square feet.


CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed development is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA's Class 3, New Construction or Conversion of Small Structures (CEQA Guidelines §15303), and Class 5, Minor Alterations in Land Use Limitations (CEQA Guidelines §15305).

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 5948-19 approving Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, subject to the recommended Conditions of Approval.

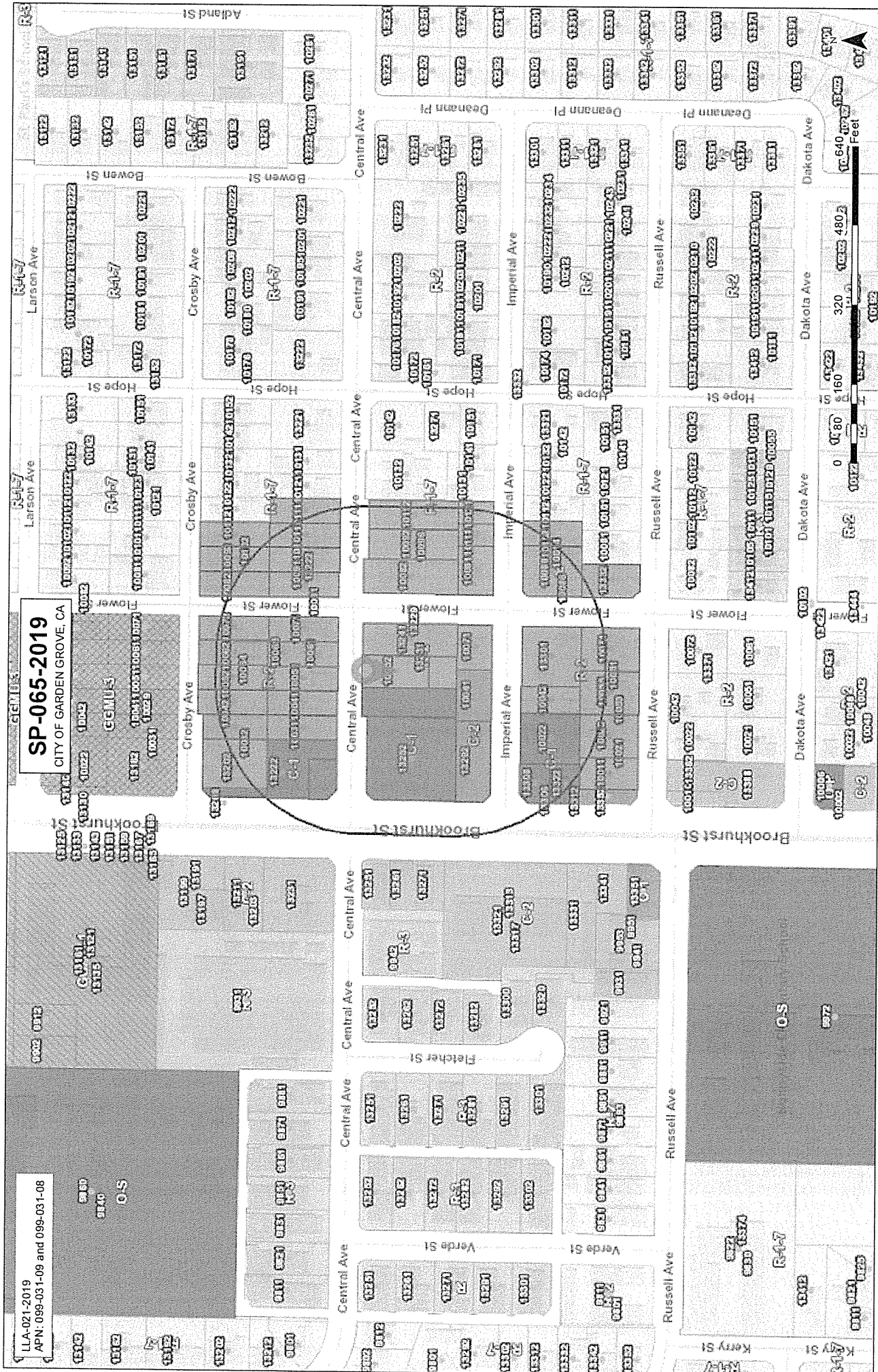


Lee Marino  
Planning Services Manager

By:



Huong Ly  
Assistant Planner



**SP-065-2019**  
 CITY OF GARDEN GROVE, CA

LLA-021-2019  
 APN: 099-031-09 and 099-031-08



0 160 320 480 640  
 Feet



Jeffrey Jonsson  
ARCHITECT

3000 10th Avenue  
Berkeley, CA 94710  
949.862.1111

3000 10th Avenue  
Berkeley, CA 94710  
949.862.1111

3000 10th Avenue  
Berkeley, CA 94710  
949.862.1111



NGUYEN  
RESIDENCE 1 AND 2  
10052 CENTRAL AVE  
GARDEN GROVE, CA

3000 10th Avenue  
Berkeley, CA 94710  
949.862.1111

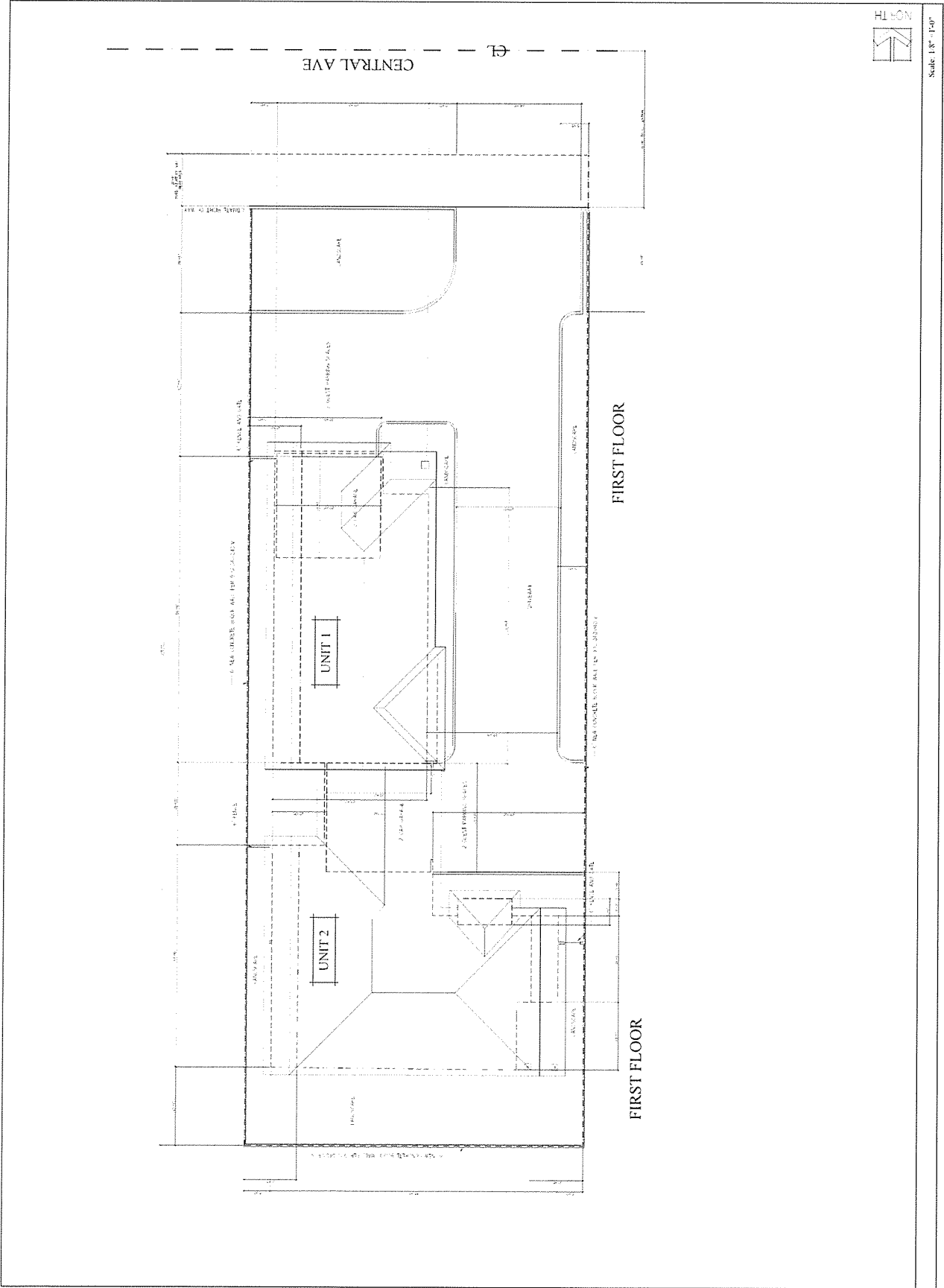
3000 10th Avenue  
Berkeley, CA 94710  
949.862.1111

SITE PLAN



Scale: 1/8" = 1'-0"

SP-1





NGUYEN  
RESIDENCE 2  
10052 CENTRAL AVE  
GARDEN GROVE, CA

PROJECT NO.

PROPOSED  
FIRST  
FLOOR PLAN  
UNIT 2

DATE: 11/14/16  
BY: J. JONSSON

SHEET  
A-1

PLAN NOTES

- 1. SEE DIMENSIONS AT ALL CORNERS & AT POINTS THAT
- 2. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 3. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 4. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 5. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 6. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 7. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 8. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 9. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH
- 10. SEE TRAILER HOOKS, HALL LIGHTS, DOWNER, ELEVATOR AND LIFELINE WITH

NOTES

1. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
2. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
3. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
4. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
5. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
6. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
7. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
8. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
9. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
10. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.

11. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
12. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
13. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
14. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
15. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
16. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
17. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
18. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
19. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
20. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.

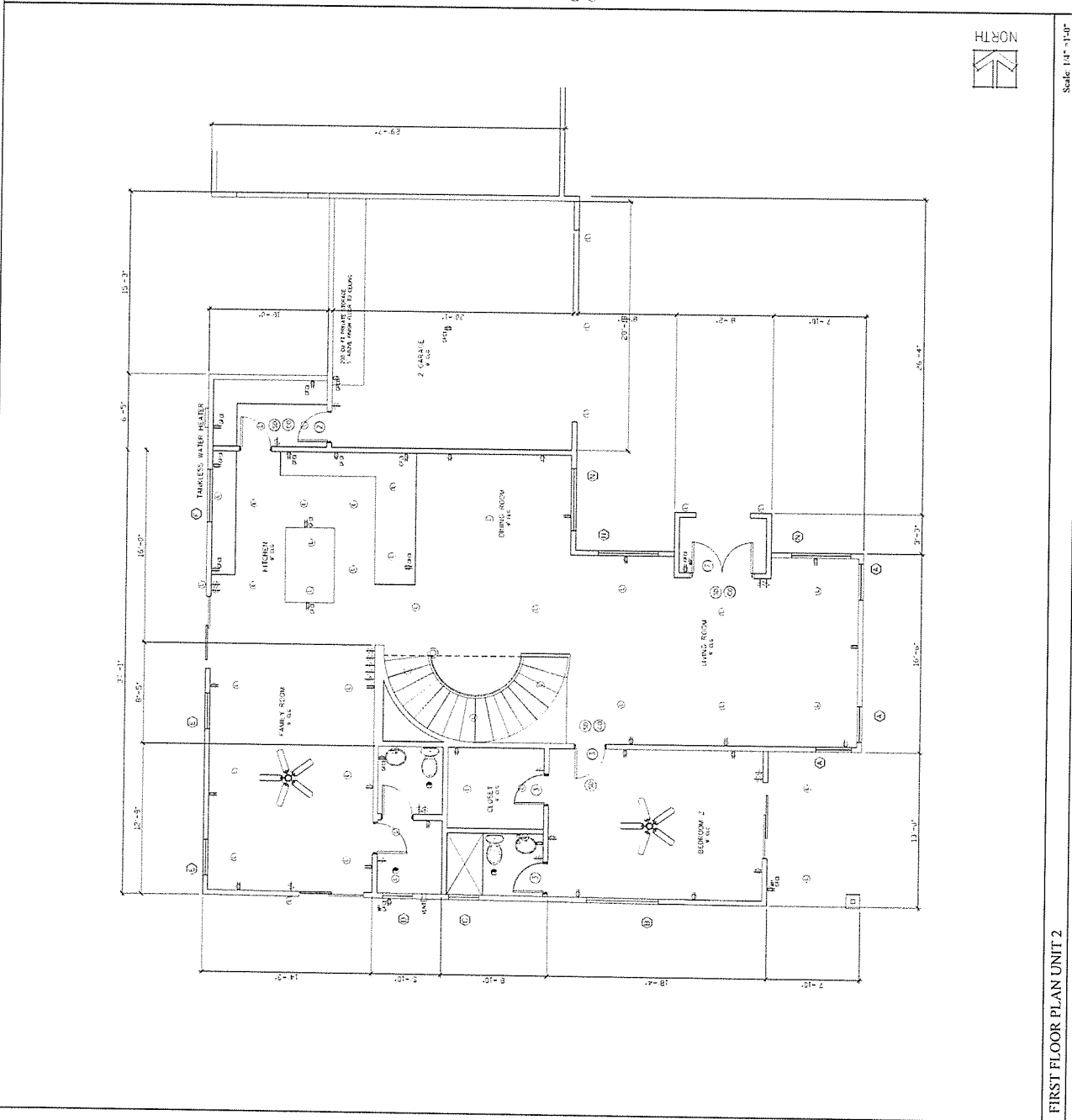
21. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
22. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
23. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
24. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
25. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
26. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
27. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
28. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
29. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
30. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.

31. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
32. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
33. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
34. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
35. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
36. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
37. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
38. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
39. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
40. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.

41. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
42. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
43. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
44. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
45. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
46. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
47. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
48. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
49. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.  
50. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.

LEGEND

- (1) INCANDESCENT LIGHT ON DIMMER
- (2) HIGH EFFICACY LED LIGHT ON DIMMER
- (3) FRAMED WALL
- (4) 30 CFM EXHAUST FAN



FIRST FLOOR PLAN UNIT 2

Scale 1/4" = 1'-0"



Jeffrey Jonsson  
 Architect  
 848 Cole Avenue  
 Unit C  
 Fremont, CA 94539  
 916 412 3353

Architectural  
 Engineering  
 11/20/07



NGUYEN  
 RESIDENCE 2  
 10052 CENTRAL AVE  
 GARDEN GROVE, CA

PROJECT NAME

SHEET TITLE

ELEVATIONS  
 UNIT 2

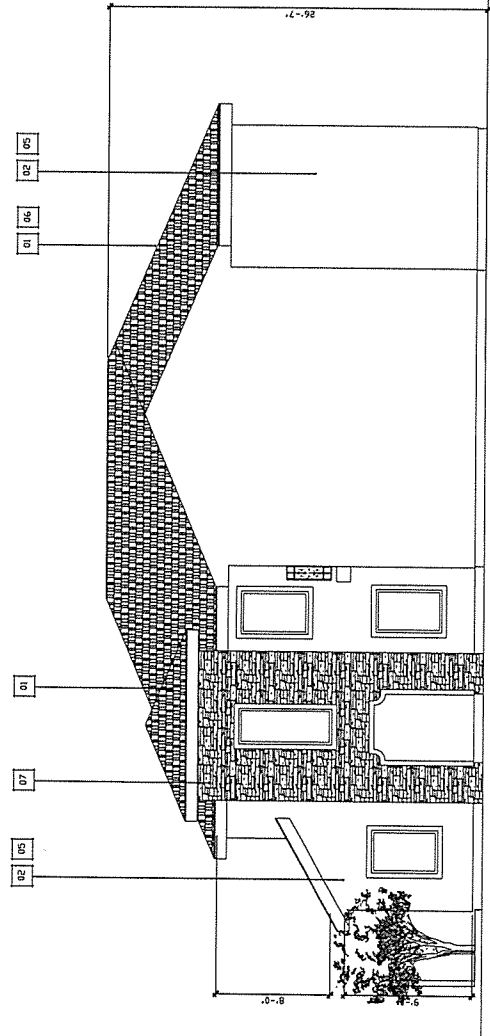


LAST ISSUE SHEET: 01/20/07  
 BY: CHJ

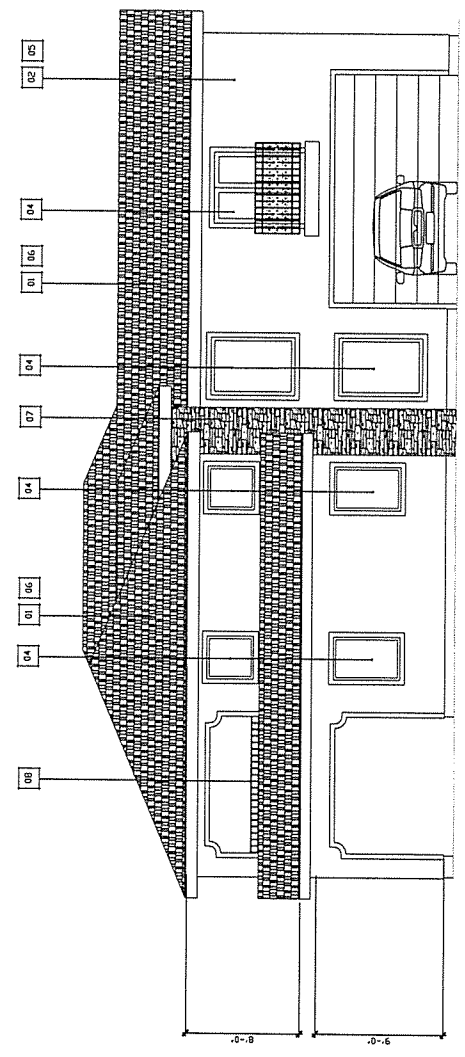
SHEET  
 A-3

ELEVATION NOTES

01. SEE CLASS A LIGHT BULB SPEC. SEE 800F AC. FOR 1992/01/13/07/17/08
02. NEW EXTERIOR WALLS IN LITTON TANK
03. NEW EXTERIOR WALLS IN LITTON TANK
04. NEW EXTERIOR WALLS AND FLOOR DETAILS
05. PROVIDE 1/2" POLYSTYRENE INSULATION IN ALL EXTERIOR WALLS
06. WOODGRAIN
07. WOODGRAIN
08. WOODGRAIN



FRONT ELEVATION BACK HOUSE



SIDE ELEVATION BACK HOUSE

Scale: 1/4" = 1'-0"



Jeffrey Jonsson  
 Architect  
 848 Cole Avenue  
 Unit C  
 Berkeley, CA 94702  
 949 412 2823

Architecture  
 Engineering  
 Planning



NGUYEN  
 RESIDENCE 2  
 10052 CENTRAL AVE  
 GARDEN GROVE, CA

PROJECT NAME:

SHEET TITLE:

ELEVATIONS  
 UNIT 2

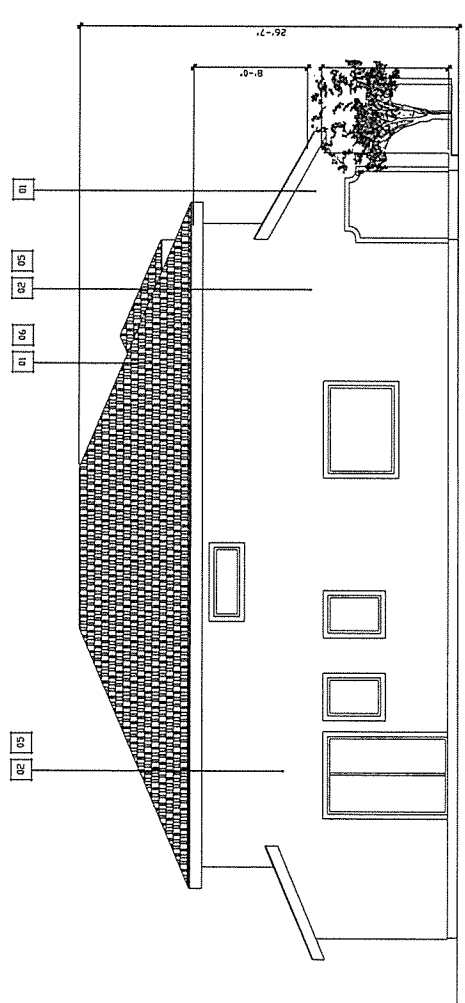


DATE TIME ARCH:	07/20/12
DATE TIME ENG:	
DATE TIME DES:	
DATE TIME CON:	
DATE TIME OTH:	
DATE TIME REV:	
DATE TIME APP:	
DATE TIME CMT:	

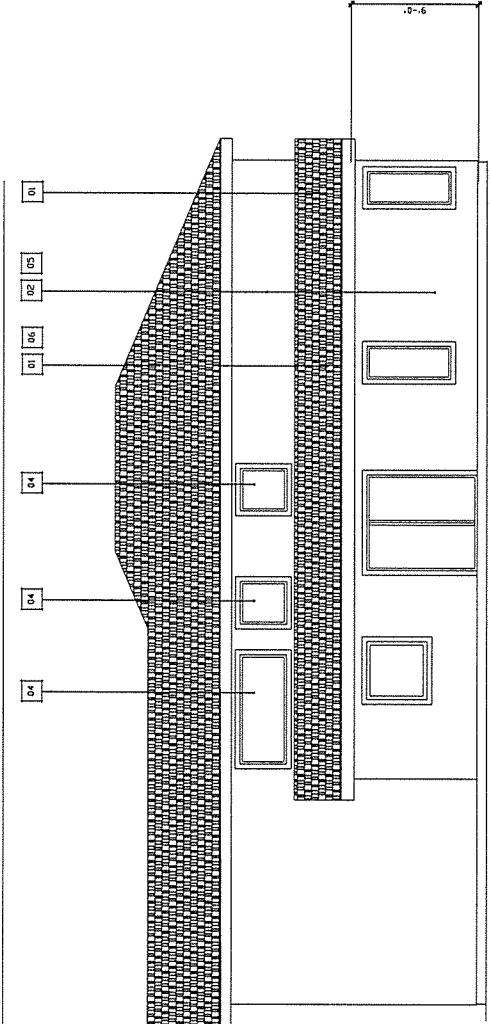
A-4

ELEVATION NOTES

- 01. SEE CLASS A LIGHT BUILT CONC. DE. ROOF DE. FOR 100% OF 01.11.07/17.02
- 02. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 03. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 04. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 05. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 06. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 07. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 08. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 09. SEE ELEVATION NOTES FOR LIGHTING FIXTURES
- 10. SEE ELEVATION NOTES FOR LIGHTING FIXTURES



REAR ELEVATION



SIDE ELEVATION

Scale: 1/4" = 1'-0"





NGUYEN  
RESIDENCE I  
10052 CENTRAL AVE  
GARDEN GROVE, CA

PROPOSED  
SECOND  
FLOOR PLAN  
UNIT 1

DATE: 11/11/11  
SCALE: 1/4" = 1'-0"

A-6

PLAN NOTES

1. NEW FINISHES AT 1/2" OVER 1/4" MIN. DEPT.
2. NEW TRAILER NEW DRIP TAIL LINEIN WORKING, COUPLER TOP AND CURBET WITH
3. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
4. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
5. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
6. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
7. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
8. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
9. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
10. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
11. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
12. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
13. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
14. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
15. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
16. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)
17. 1/2" x 1/2" x 1/2" (SEE 1045-11-015)

NOTES

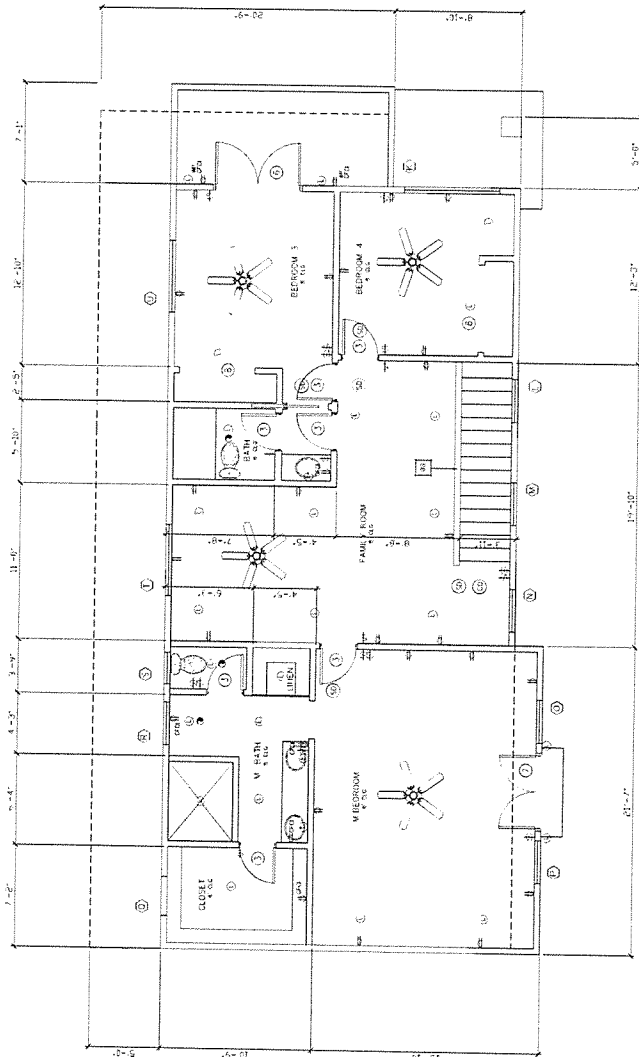
1. ALL FINISHES SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE CODES. ALL FINISHES SHALL BE INSTALLED IN ACCORDANCE WITH THE 2009 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE CODES. ALL FINISHES SHALL BE INSTALLED IN ACCORDANCE WITH THE 2009 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE CODES. ALL FINISHES SHALL BE INSTALLED IN ACCORDANCE WITH THE 2009 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE CODES.

2. ALL ELECTRICAL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA ELECTRICAL CODE (CEC) AND ALL APPLICABLE CODES. ALL ELECTRICAL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA ELECTRICAL CODE (CEC) AND ALL APPLICABLE CODES. ALL ELECTRICAL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA ELECTRICAL CODE (CEC) AND ALL APPLICABLE CODES.

3. ALL MECHANICAL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA MECHANICAL CODE (CMC) AND ALL APPLICABLE CODES. ALL MECHANICAL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA MECHANICAL CODE (CMC) AND ALL APPLICABLE CODES. ALL MECHANICAL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE 2009 CALIFORNIA MECHANICAL CODE (CMC) AND ALL APPLICABLE CODES.

LEGEND

- (1) INCANDESCENT LIGHT ON DIMMER
- (2) HIGH EFFICACY LED LIGHT ON DIMMER
- (3) FRAMED WALL
- (4) 30 CMV EXHAUST FAN



Scale: 1/4" = 1'-0"

SECOND FLOOR PLAN UNIT 1

**Jeffrey Jonsson**  
Architect

048 Circle Avenue  
Unit C  
Berkeley, CA 94702  
948 412 3929

Architecture  
Engineering  
Stamp



PROJECT NAME:

WEST ELEVATION

ELEVATIONS  
UNIT 1

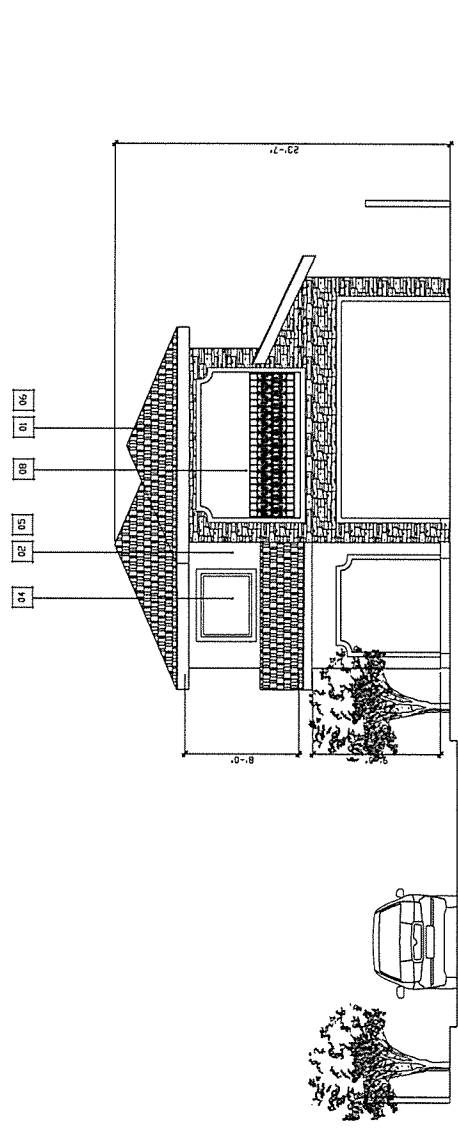


LAST ISSUE INTO CHARGE  
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_

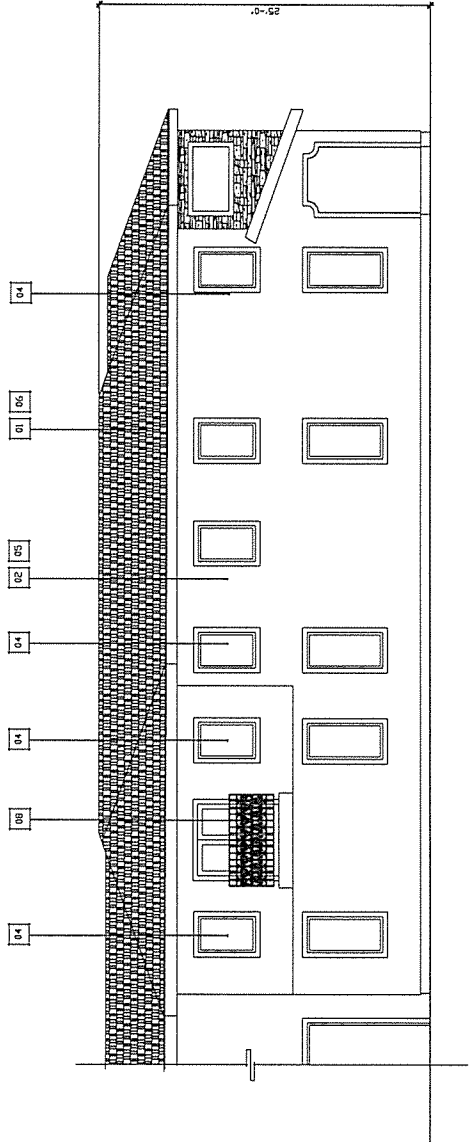
WEST  
A-7

**ELEVATION NOTES**

- 01. SEE CLASS A LIGHT BULB SPEC. SHE. B009 AC. FOR 1992/01/13/01/17 CRI
- 02. SEE ELEVATION NOTES UNIT 1, FINISHES
- 03. SEE ELEVATION NOTES UNIT 1, FINISHES
- 04. SEE ELEVATION NOTES UNIT 1, FINISHES
- 05. FINISHES TO BE SHOWN IN ALL ELEVATION WALLS
- 06. FINISHES TO BE SHOWN IN ALL ELEVATION WALLS
- 07. FINISHES TO BE SHOWN IN ALL ELEVATION WALLS
- 08. FINISHES TO BE SHOWN IN ALL ELEVATION WALLS
- 09. FINISHES TO BE SHOWN IN ALL ELEVATION WALLS
- 10. FINISHES TO BE SHOWN IN ALL ELEVATION WALLS



CENTRAL ELEVATION FRONT HOUSE



SIDE ELEVATION FRONT HOUSE

Scale: 1/4" = 1'-0"

Jeffrey Jonsson  
 Architect  
 848 Calle Arroyo  
 Unit C  
 San Clemente, CA  
 92673  
 949 412 3939

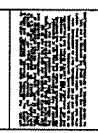
Architecture  
 Engineering  
 Planning  
 Stamp



PROJECT NAME:

SHEET TITLE

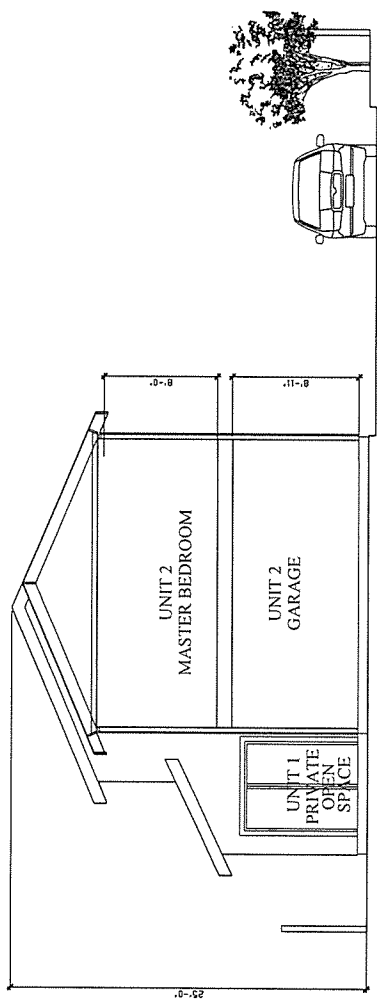
ELEVATIONS  
 UNIT 1



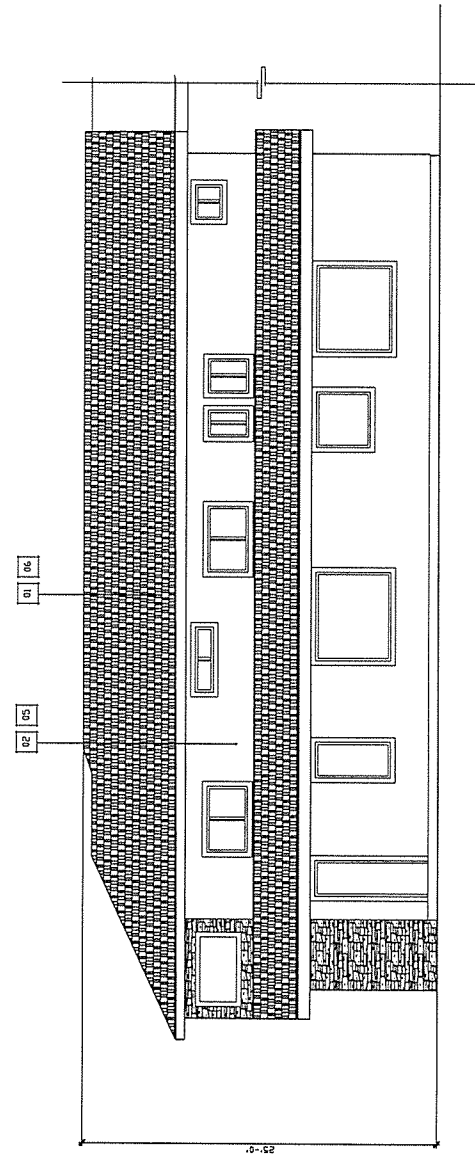
UNIT 1 SHEET NO. 02-20-18  
 PL. DATE

SHEET  
 A-8

ELEVATION NOTES  
 01. SEE QUOTE FOR SPECIFICATIONS AND PERMITS.  
 02. NEW EXTERIOR WALLS AND CEILING.  
 03. NEW EXTERIOR WALLS AND CEILING.  
 04. NEW EXTERIOR WALLS AND CEILING.  
 05. PROVIDE 1/2" POLYSTYRENE INSULATION AT EXTERIOR WALLS.  
 06. PROVIDE 1/2" POLYSTYRENE INSULATION AT EXTERIOR WALLS.



REAR ELEVATION UNIT 1



RIGHT SIDE ELEVATION UNIT 1

Scale 1/4" = 1'-0"

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:  
City of Garden Grove  
P.O. Box 3070  
Garden Grove, CA 92842  
Attn: Planning Services Division

SPACE ABOVE THIS LINE FOR RECORDERS USE

**LOT LINE ADJUSTMENT NO. LLA-021 -2019**

**RECORD OWNERS:**

PARCEL NO. 099-031-08

NAME: LINH HOANG NGUYEN

ADDRESS: 10052 CENTRAL AVENUE  
GARDEN GROVE, CA 92843

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PARCEL NO. 099-031-09

NAME: LINH HOANG NGUYEN

ADDRESS: 10052 CENTRAL AVENUE  
GARDEN GROVE, CA 92843

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(I/We) hereby certify that: 1) (I am/We are) the record owner(s) of all parcels proposed for adjustment by this application, 2) (I/We) have knowledge of and consent to the filing of this application, and 3) the information submitted in connection with this application is true and correct.

**APPLICANT/OWNER**

**APPLICANT/OWNER**

By: LINH HOANG NGUYEN  
Title: PROPERTY OWNER

By: LINH HOANG NGUYEN  
Title: PROPERTY OWNER

By: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Contact Person: JENNY TRAN

Address: JENNY TRAN

Daytime Phone No.: 714-914-7649

714-914-7649

**SPACE BELOW FOR OFFICIAL USE ONLY**

Date Received	Land Use Designation	CEQA Status	Subdivision Committee Action	Land Use <b>APPROVED</b>
			<b>APPROVED</b>	By:
Zoning	AP Numbers	Filing Fee	Date:	Date:
			Date Filed	Recording Date
			Receipt Number	

**City of Garden Grove**  
Planning Services Division  
(714) 741-5312

# EXHIBIT "A"

## LOT LINE ADJUSTMENT

LLA- 021 - 2019

## LEGAL DESCRIPTION

Owners	Existing Parcels AP Numbers	Proposed Parcels Reference Numbers
Parcel A	099-031-08	Parcel 1
Parcel B	099-031-09	Parcel 1

ALL THAT CERTAIN REAL PROPERTY SITUATED IN COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS:  
THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5,  
TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLAS, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE,  
STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 53 PAGE 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE  
COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

**PARCEL A:**

BEGINNING AT A POINT WHERE THE CENTERLINE OF FLOWER STREET AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238, OFFICIAL RECORDS, INTERSECTS THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNIE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234, OFFICIAL RECORDS; THEN WEST ALONG THE SOUTH LINE 55 FEET TO THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING WEST ALONG SAID SOUTH LINE 65 FEET; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET 210 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE EAST ALONG NORTH LINE 65 FEET TO POINT 95 FEET OF THE INTERSECTION OF SAID NORTH LINE WITH THE SAID CENTER LINE OF FLOWER STREET; THENCE SOUTH 210 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

APN: 099-031-08

**PARCEL B:**

BEGINNING AT A POINT WHERE THE CENTERLINE OF FLOWER STREET AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238, OFFICIAL RECORDS, INTERSECTS THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNIE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234, OFFICIAL RECORDS; THEN WEST ALONG THE SOUTH LINE 95 FEET TO THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING WEST ALONG SAID SOUTH LINE 65 FEET; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET 55 FEET; THENCE EAST 65 FEET TO POINT 95 FEET WEST OF THE CENTER LINE OF FLOWER STREET; THENCE SOUTH 35 FEET TO THE TRUE POINT OF BEGINNING.

APN: 099-031-09

**PARCEL 1 (NEW):**

BEGINNING AT A POINT WHERE THE CENTERLINE OF FLOWER STREET AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238, OFFICIAL RECORDS, INTERSECTS THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNIE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234, OFFICIAL RECORDS; THEN WEST ALONG THE SOUTH LINE 95 FEET TO THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING WEST ALONG SAID SOUTH LINE 65 FEET; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET 209.74 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE EAST ALONG NORTH LINE 65 FEET TO POINT 95 FEET OF THE INTERSECTION OF SAID NORTH LINE WITH THE SAID CENTER LINE OF FLOWER STREET; THENCE SOUTH 209.74 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

Prepared by: Lan N. Pham

RCE 29595, Expires: 3/31/2019

Address: 13139 Harbor Blvd.

Garden Grove, CA 92843

Telephone: 714-414-9215

Date:

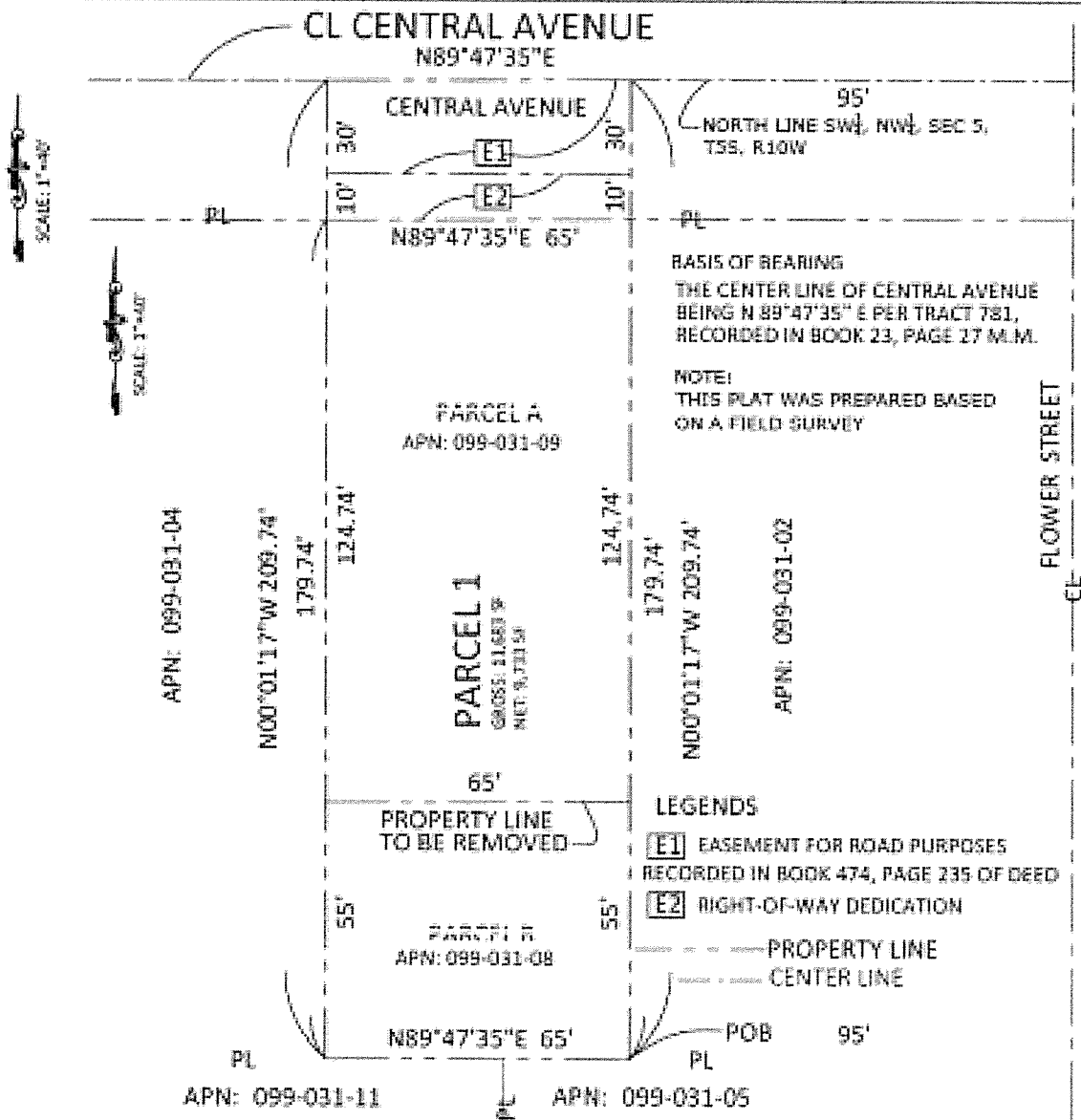
# EXHIBIT "B"

## LOT LINE ADJUSTMENT

### LLA- 021 - 2019

## MAP

Owners	Existing Parcels AP Numbers	Proposed Parcels Reference Numbers
LINH HOANG NGUYEN	099-031-08	Parcel 1
LINH HOANG NGUYEN	099-031-09	Parcel 1



Prepared by: Lan N. Pham  
 RCE 29595, Expires: 3/31/2019  
 Address: 13139 Harbor Blvd.  
 Garden Grove, CA 92843  
 Telephone: 714-414-9215

Date:



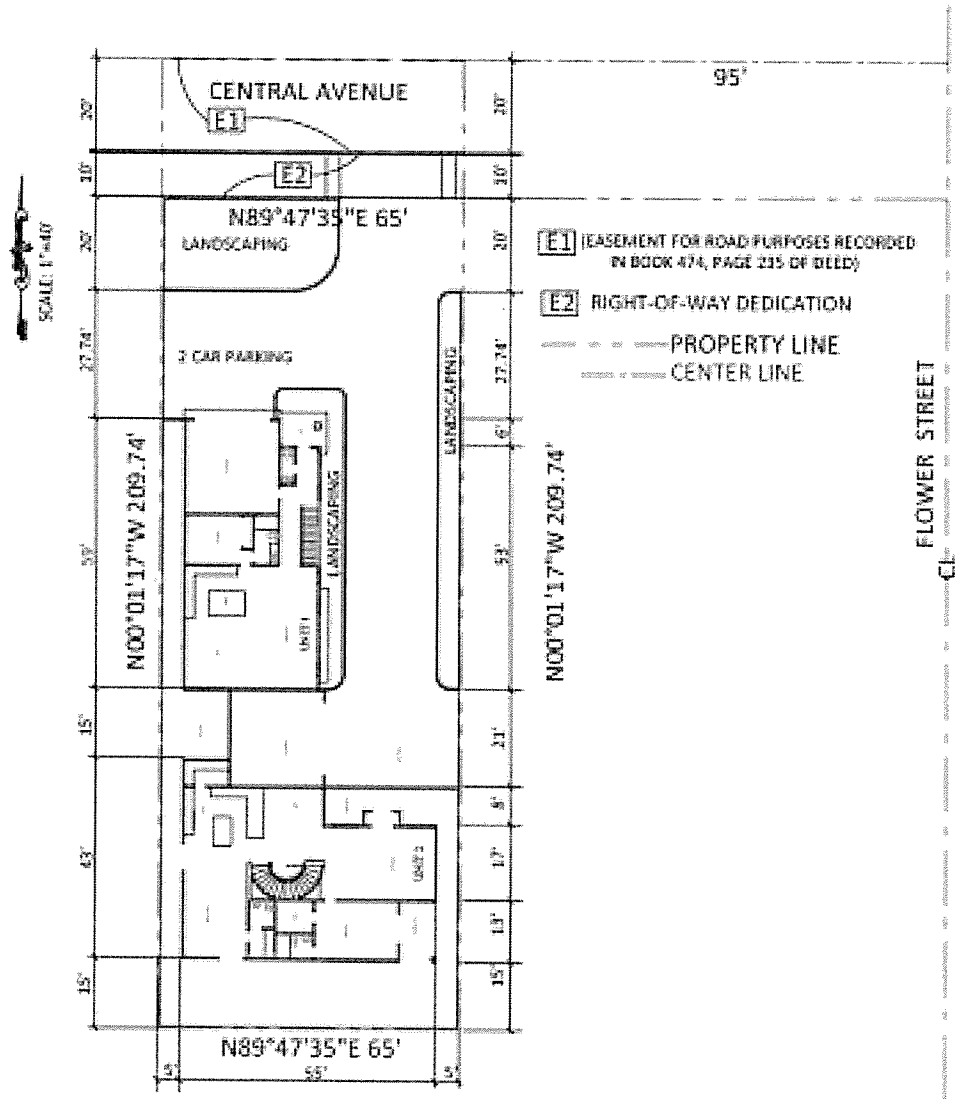
# EXHIBIT "C"

## LOT LINE ADJUSTMENT

### LLA- 021 - 2019

## SITE PLAN

Owners	Existing Parcels AP Numbers	Proposed Parcels Reference Numbers
LINH HOANG NGUYEN	099-031-08	Parcel 1
LINH HOANG NGUYEN	099-031-09	Parcel 1



Prepared by: Lan N. Pham  
 RCE 29595, Expires: 3/31/2019  
 Address: 13139 Harbor Blvd.  
 Garden Grove, CA 92843  
 Telephone: 714-414-9215

Date:

RESOLUTION NO. 5948-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-065-2019 AND LOT LINE ADJUSTMENT NO. LLA-021-2019, FOR PROPERTIES LOCATED ON THE SOUTH SIDE OF CENTRAL AVENUE, BETWEEN BROOKHURST STREET AND FLOWER STREET, AT 10052 CENTRAL AVENUE, ASSESSOR'S PARCEL NOS. 099-031-08 AND 09.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 7, 2019, does hereby approve Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, for land located on the south side of Central Avenue, between Brookhurst Street and Flower Street, Assessor's Parcel Nos. 099-031-08 and 09, subject to the Conditions of Approval attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by My Dam pursuant to the authorization of the property owner, Linh Hoang Nguyen.
2. The applicant is requesting Site Plan approval to construct a new duplex, consisting of two (2), two-story attached dwelling units on an 11,700 square foot vacant site. In conjunction with this request, the applicant is also requesting approval of a Lot Line Adjustment to remove an existing property line to consolidate the two (2) existing parcels into a single lot.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that the proposed project is categorically exempt from the CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures) and Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303 and 15305).
4. The property has a General Plan Land Use Designation of Low Medium Density Residential and is zoned R-2 (Limited Multiple Residential). The site is currently vacant and unimproved.
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 February 7, 2019, 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 February 7, 2019, and considered all oral and written testimony presented regarding the project; 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 Sections 9.32.030 and 9.40.190, are as follows:

FACTS:

The subject site is comprised of two (2) separate, abutting parcels (Assessor's Parcel Nos. 099-031-08 and 09) located on the south side of Central Avenue, between Brookhurst Street and Flower Street, with a total combined lot area of 12,350 square feet. The subject lot was previously developed with an existing single-family dwelling and a detached garage. In July of 2018, a demolition permit was issued by the Building and Safety Division, and the existing structures were demolished shortly thereafter. The site is currently vacant and unimproved.

The site has a General Plan Land Use Designation of Low Medium Density Residential and is zoned R-2 (Limited Multiple Residential). The site abuts a C-1 (Neighborhood Commercial) zoned property to the west, C-2 (Community Commercial) and R-2 zoned properties to the south, R-2 zoned properties, across Central Avenue, to the north, and an R-2 zoned property to the east.

The applicant is proposing to improve the vacant site with a new duplex consisting of two (2) new, attached, two-story dwelling units with two (2) attached two-car garages. The Municipal Code stipulates that the Community and Economic Development Director is authorized to review and approve a duplex or triplex residential project, provided it complies with all requirements of the Duplex and Triplex development standards, per Municipal Code Section 9.16.065, and provided it does not require approval of any other discretionary action, including but not limited to, a variance, zoning change, general plan amendment, or other land use entitlements. The Municipal Code further stipulates that any duplex or triplex project that requires the approval of a discretionary action, shall require the approval of a Site Plan land use entitlement. The proposed duplex project includes an additional request for Lot Line Adjustment approval to consolidate the two (2) existing parcels into a single lot, thereby requiring Site Plan approval.

Based on the title report of the subject properties, the site is comprised of two (2) separate abutting parcels under Assessor's Parcel Numbers (APN) 099-031-09 (Parcel A - 135' x 65') and 099-031-08 (Parcel B - 55' x 65'). Parcel B is land-locked and does not have street frontage. Combined, the properties have a current lot size of 12,350 square feet. The applicant is requesting to remove the shared property line in order to develop the site with the proposed duplex. In order for the proposed project to move forward, the Municipal Code requires Lot Line Adjustment approval to consolidate the two (2) lots into one.

Central Avenue has an ultimate right-of-way width of 60 feet, from property line to property line. Currently, the measurement from the centerline of Central Avenue to the front (northerly) property line of the subject site is 20 feet. As part of the project, a 10-foot public right-of-way dedication, along the 65-foot frontage of the subject site (the northerly property line), will be required to establish the 60-foot ultimate right-of-way for Central Avenue. Therefore, after the Lot Line Adjustment and

10-foot right-of-way dedication, the resulting lot size of the consolidated property will be 11,700 square feet.

FINDINGS AND REASONS:

Site Plan:

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

The project complies with the goals of the Low Medium Density Residential Land Use Designation for the property by providing additional housing for the community that will be available for larger family sizes, providing a high quality project design that will preserve residential property values, and providing both common and private open space areas that are available to serve the residents of the development. The project meets all requirements of the R-2 (Limited Multiple Residential) zoning of the property, as they pertain to the building setbacks, number of parking spaces, open space, and landscaping. Therefore, the proposed project will improve the site and fulfill the goals and policies of the General Plan and Land Use Code by creating a well-maintained and attractive development that enhances the existing residential neighborhood.

2. The project 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 proposed drive aisle, along the easterly property line, is adequate for vehicular access to both dwelling units. Additionally, the project exceeds the minimum parking requirements of the R-2 zone for duplexes. Finally, adequate pedestrian access is provided within the project.

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

Existing 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.

4. The project will not adversely impact the City's ability to perform its required public works functions.

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

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

The project has been designed to consider building appearance, building placement, landscaping, and other amenities in order to create an attractive environment that will be an enhancement to the neighborhood and is compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics. All landscaped areas are required to adhere to the landscaping requirements of the Title 9 of the Municipal Code including the City's Water Efficiency Guidelines. Through the conditions of approval for the project, the necessary agreements for the protection and maintenance of all landscaping will be achieved.

6. That through the planning and design of buildings and building placement, the provision of open space, landscaping and other site amenities, the project will attain an attractive environment for the occupants of the property.

The project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that will be an enhancement to the neighborhood.

The Municipal Code requires all areas that are not designated for walkways, parking spaces, drive aisles, and private recreation areas, to be fully landscaped and irrigated. In addition, the applicant is required to provide a landscape and irrigation plan that complies with the requirements of Title 9 of the Municipal Code. Based on the proposed plans, the project will provide landscaping in the front, side and rear yard setback areas, and additional landscaped areas to create a buffer between the driveway and the residential units, using a variety of plant materials. All landscaped areas/installations will be fitted with automatic irrigation systems and comply with the City's Water Efficiency Guidelines.

The Municipal Code requires a minimum, and continuous private recreation area of 225 square feet with a minimum interior dimension of 15' by 15', to be provided for each units. The project includes private open patios (open to the sky) with dimensions of 15' by 15' (225 square feet) for Unit 1, and 15' by 65' (975 square feet) for Unit 2. Each private recreation area is located at the rear of each dwelling unit and is accessible from a common area within the dwelling. Additionally, each unit will provide a covered balcony on the second floor. The project complies with all landscaping and recreation requirements of the Municipal Code.

The total building footprint of the duplex will equate to 3,953 square feet of structures. Based on the lot size of 11,700 square feet (after lot consolidation and right-of-way dedication), the proposed lot coverage will be 33.8%, which is below the maximum 50% lot coverage requirement by Code.

The applicant has proposed a contemporary architectural style for the apartment dwelling units that exhibit stucco exteriors with rock veneers, contemporary decorative wrought iron balcony, varying window sizes, decorative light fixtures, a hip roof design, and an effective use of articulation on the building façade and design.

Lot Line Adjustment:

1. The parcels, as the result of the Lot Line Adjustment, will conform to the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and State Subdivision Map Act.

The subject parcels have a General Plan Land Use Designation of Low Medium Density Residential and are zoned R-2 (Limited Multiple Residential). The subject site is comprised of two (2) separate abutting parcels under Assessor's Parcel Numbers (APN) 099-031-09 (Parcel A - 135' x 65') and 099-031-08 (Parcel B - 55' x 65'). Parcel B is land-locked and does not have street frontage. Combined, the properties have a current lot size of 12,350 square feet. The applicant is requesting to remove the shared property line to facilitate the development of the two-unit multiple-family residential development (duplex) proposed for the site. After consolidation, and after the required public right-of-way dedication of 10 feet along the northerly property line, the site will maintain a final lot area of 11,700 square feet. Pursuant to Municipal Code Section 9.12.040.040.A, the minimum lot size requirement for a duplex in R-2 zone is 8,712 square feet. The total lot area of the project site, after lot consolidation and street dedication, is 11,700 square feet, which exceeds the minimum lot size required. As discussed above, the proposed duplex development is consistent with the General Plan and Zoning Ordinance. The consolidation of the lots is consistent with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the State Subdivision Map Act.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE 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 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The Lot Line Adjustment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.40.190.
3. 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-065-2019 and Lot Line Adjustment No. LLA-021-2019.

# **EXHIBIT "A"**

## **Site Plan No. SP-065-2019 Lot Line Adjustment No. LLA-021-2019**

10052 Central Avenue  
(Assessor's Parcel Nos. 099-031-08 and 09)

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record on the property a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office,. Proof of such recordation is required within 30 days of this approval. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Anh Phan, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission.
2. Approval of this Site Plan and Lot Line Adjustment shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply. Modifications which do not change the intent of the project may be approved by the Community and Economic Development Director.
3. Minor modifications to the Site Plan, Lot Line Adjustment, and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
4. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.

5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Public Works Engineering Division**

6. The applicant shall be subject to Traffic Mitigation Fees, Citywide Park Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
7. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
8. A separate street permit is required for work performed within the public right-of-way.
9. Grading/street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
10. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a Non Priority Water Quality Management Plan that:
  - a. Incorporates all Source Control BMPs (routine structural and routine non-structural);
  - b. Incorporates Site Design BMPs; and



- c. Identifies the person(s) or entity(ies) that will be responsible for long-term operation and maintenance of the BMPs.
11. Prior to the issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County Standard Plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
12. The applicant shall construct new driveway approach in accordance with City of Garden Grove Standard Plan B-121 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
13. The grading/street improvement plan shall provide an accessibility route for the ADA pathway in conformance with the requirements of the department of justice standards, latest edition.
14. Orange County Storm Water Program manual requires all contractors to provide a dumpster on-site during construction unless an Encroachment Permit is obtained for placement in street.
15. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
  - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.
16. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
17. Prior to issuance of a grading permit, the applicant shall submit to the Planning Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat for review and approval of the lot line adjustment application.
18. Prior to the issuance of a building permit, the applicant shall dedicate to the City ten (10) feet of road right-of-way on Central Avenue along the property frontage for an ultimate half-width right-of-way width of 30 feet, to provide for future street improvements. Such dedication shall be in a form approved by the City Engineer and City Attorney and shall be recorded prior to permit issuance.

19. The applicant shall remove the existing chain-link fence within sidewalk area along Central Avenue and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Division.

Central Avenue

- a. The applicant shall remove the existing westerly substandard driveway approach and existing landscaping on Central Avenue and construct new curb, gutter, landscape and sidewalk per approved site plan.
- b. The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-121. The proposed deviation of 24 feet is acceptable by the City Traffic Engineer.
- c. Construct 6" curb and gutter along the property frontage at 20' from centerline in accordance with City Standard Plan B-114 (Type D-6).
- d. The applicant shall remove and replace the pavement of the street from the edge of the northerly gutter to the edge of new southerly gutter along the property frontage per City Standard Plan B-104 and the direction of the City Engineer.
- e. The applicant shall construct a 4-foot sidewalk adjacent to the ultimate right-of-way line and a 6-foot landscape parkway adjacent to the street curb in accordance with City Standard Plan B-105. The area between the sidewalk and curb within the 10 feet of road right-of-way shall be landscaped per the direction of the Planning Division.
- f. Applicant shall coordinate the location of all new water meters to be placed in sidewalk area on Garden Grove Boulevard with the Planning Division and Water Services Division.
- g. Any proposed new landscaping in public right-of-way shall be approved by the Planning Division.

**Garden Grove Fire Department**

20. Fire sprinkler system is required throughout each apartment building per the California Fire Code and adopted City standards (NFPA). NFPA 13D compliant system is required throughout with a density and configuration as required by that standard. Sprinkler systems shall meet further City water standards as determined by the fire and water departments (i.e., testable above-ground double check valves, fire flow water meters if required).

21. All Fire-related aspects of the proposed project shall comply with applicable California Fire Codes and the California Building Codes.

**Public Works Water Services Division**

22. Two new 1" water meters and services to be installed for the new units per City Standard B-719 within the Central Ave right-of-way.
23. The fire sprinkler riser shall have a single spring-loaded check valve.
24. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
25. If needed, the applicant shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 4" min dia., extra strength VCP with wedge lock joints. If the existing lateral is used then a clean-out is to be installed at the property line per City Standard S-105 if one is not already in place.
26. Applicant shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

**Community and Economic Development Department**

27. The applicant shall submit a detailed landscape and irrigation plan of all landscape areas. The plan shall be submitted to and be approved by the Community and Economic Development Department, Planning Services Division prior to the issuance of any permit for construction. Said plan shall include substantial plantings that create a natural setting and include type (both common and botanical names), size, location, and quantity of all plant material. The landscaping shall be planted prior to the finalization of the permit for construction. The landscape plan shall also include the following:
  - a. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines.
  - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) maybe of any size. These trees shall be incorporated into the landscaped frontage of Central Avenue. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.

- c. The height of the plant material and any fences located within the front setback areas, shall not exceed 36 inches in height in order to ensure visibility to the site from the public right-of-way.
  - d. Trees planted within ten (10) feet of any public right-of-way shall be planted in a root barrier shield. No street trees will be planted in the sidewalk, unless required by the City's Public Works Department. The landscape plan shall maximize the plantings along the perimeter wall where planters are possible. There shall be vine plantings along the length of the perimeter walls. The vines shall be mainly perennial and evergreen with some flowering, deciduous types interspersed.
  - e. A complete, permanent, and automatic remote control irrigation system shall be provided for all landscape areas shown on the plan. Subsurface irrigation systems are encouraged. The irrigation plan for any trees planted in the setback areas adjacent to the sidewalks and in the parking areas shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used in other areas, they shall be low flow/precipitation sprinkler heads for water conservation.
  - f. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plan and shall be screened from view by appropriate plantings.
  - g. The applicant is responsible for the installation of all landscaping, irrigation, and other site improvements on the property. Said responsibility shall extend to all landscaped areas, the playground, the landscape setbacks, sidewalk, curb and pavement of the site.
28. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
29. The approval and effectiveness of Site Plan No. SP-065-2019 shall be expressly contingent upon the effectiveness and recordation, by the County Surveyor's Office, of Lot Line Adjustment No. LLA-021-2019.
30. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to residential properties shall be restricted

to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.

31. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building and Safety Division plan check. The project shall also be subject to the following:
  - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
  - b. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division.
  - c. No roof-mounted mechanical equipment, including, but not limited to, dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
  - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
32. Each unit/residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
33. Each Unit shall have phone-jacks and cable-TV in all rooms, except any laundry area, hallways, and bathrooms.
34. The open private yard areas for each, as shown on the plan, shall remain as open areas and shall be utilized only by the occupants of each unit.
35. All units shall maintain the ability to park two (2) cars within the garages at all times. The garages shall be equipped with an automatic roll-up type garage door, and shall not be converted to any other use. There shall be no business activities, day care, or garage sales conducted within or from the garages. Parking spaces in the garages shall be made available to the occupants of the unit at all times. The applicant/property owner shall ensure that this condition

is complied with at all times by tenants of the units and shall include notice of this requirement in all lease agreements.

36. The main drive aisle serves the entire development for vehicular circulation. The applicant shall utilize effective signage, and/or other acceptable means (i.e., a painted/marked red fire lane), to communicate to residents and guests that there shall be no parking anywhere within the drive aisle, except for within the designated guest parking spaces. Additionally, there shall be no long term parking of vehicles in the guest parking spaces nor shall covered guest parking spaces be reserved for any particular units.
37. The applicant/property owner shall abate all graffiti vandalism within the premises. The property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
38. Each unit shall be provided with an air conditioning condensing unit so that there are no wall-mounted, window mounted, or roof type air conditioning systems on the building.
39. All units shall be equipped with trash compactors and shall provide a minimum of three cubic feet of space for the collection and storage of refuse and recyclable material. All exterior collection areas shall be located within a screened yard.
40. Each unit shall have a separate area for storage having a minimum of two hundred (200) cubic feet of private and secure space. This storage may be located within the enclosed garages, provided that it does not interfere with 20' by 20' vehicle parking area.
41. Enhanced concrete treatment shall be provided at a 20-foot depth within the entry drive from Central Avenue. Concrete treatment and color shall be approved by the Community and Economic Development Department prior to issuance of building permits.
42. Storage of boats, recreational vehicles, or commercial vehicles on the property shall be prohibited. The applicant/property owner shall ensure that this condition is complied with at all times by tenants of the units and shall include notice of this requirement in all lease agreements.
43. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:

- a. The facades of the units shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
  - b. Prior to the finalization of working drawings for Planning Services Division, Engineering Division, and Building and Safety Division, the developer shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect these Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all rooms, except the laundry area, hallways, and bathrooms. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5 feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit.
44. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
- a. Decorative masonry walls are required along the west, east, and south property lines and shall be constructed to a minimum height of 6'-0", as measured from highest point of finished grade. These walls shall use decorative masonry or stucco block with decorative caps, subject to the Community and Economic Development Department's approval.
  - b. The applicant shall work in good faith with the existing property owners along the project perimeter in designing and constructing the required perimeter block walls. This requirement is to avoid having double walls and minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. Furthermore, the outward facing portion of the new wall shall be compatible in design and match the color of the existing wall it is abutting. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the Developer shall work with City Staff to address this situation. Additionally, the applicant shall work in good faith with the existing property owners along the project

perimeter in designing and constructing any required perimeter blocks walls and/or retaining walls so as not to construct new walls that unreasonably cause shade and shadow issues to nearby homes or are unreasonably tall in height, as measured from grade on the side of the neighboring properties. The applicant shall work with the City to mitigate any such occurrences and issues relating to any walls, subject to final review and approval by the City.

45. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, use of solar, low-emission water heaters, and low-sodium parking lot lights, shall be required to ensure compliance with Title 24.
46. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits. The buildings shall include architectural enhancements such as multi-toned stucco exteriors with window and door trim, decorative siding, decorative lighting, decorative paneled front doors, shutters, and varied rooflines.
47. No security fencing/gate shall be permitted to be installed within the entry of the project, unless a vehicular turn-around area meeting Public Works Engineering Division requirements can be accommodated.
48. All recreation areas, landscaping along the interior project street and entryway, landscaped areas in all common areas, and any landscaping within the public right-of-ways shall be maintained for the life of the project.
49. The applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019 (collectively, the "Project entitlements"). The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
50. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these



Conditions of Approval constitute written notice of the amount of such fees. The applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, has begun.

51. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable laws and regulations.
52. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019 shall expire if the building permits for the project expire.
53. Project shall comply with the 2016 CA Building Code (CBC), CA Residential Code, CA Mechanical Code (CMC), CA Plumbing Code (CPC), CA Electrical Code (CEC), CA Green Building Standards Code (CGBSC) and the 2016 CA Building Energy Efficiency Standards.
54. A soil report in accordance with CBC Chapter 18 shall be provided for this project.
55. Precise grading and drainage plans are required when soil report recommends over-excavations.
56. Residential CALGreen checklist plans and City Waste Construction Management forms shall be imprinted on plans.
57. A 250 square-foot solar-ready roof area for shall be provided for each unit.
58. Each unit shall be provided with a minimum 40-Amp dedicated circuit for future electric vehicle charging.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.5.	<b>SITE LOCATION:</b> Northeast corner of Garden Grove Boulevard and Nutwood Street, at 10531-10561 Garden Grove Boulevard
<b>HEARING DATE:</b> February 7, 2019	<b>GENERAL PLAN:</b> Industrial/Residential Mixed Use 2
<b>CASE NO.:</b> Conditional Use Permit No. CUP-148-2019	<b>ZONE:</b> A-R (Adaptive Reuse)
<b>APPLICANT:</b> Dan Nguyen	<b>CEQA DETERMINATION:</b> Exempt
<b>PROPERTY OWNER:</b> NPT Investment, LLC	<b>APN:</b> 089-081-07 & 08

**REQUEST:**

A request for Conditional Use Permit approval to operate a new TV studio, Saigon Broadcasting Television Network ("SBTN"), within an existing 27,414 square foot building, located at 10531-10561 Garden Grove Boulevard (Assessor's Parcel Nos. 089-081-07 and 08).

**BACKGROUND:**

The subject site is improved with an existing 24,614 square foot two-story building, which is part of an integrated multi-tenant, multi-building (six buildings) business park, Burke Community Center Business Park, with shared drive aisles and shared parking spaces circulated throughout. Each building is comprised of two (2) primary suites (12 total suites), which in some cases are connected. The subject building is located on the southeast corner of the business park. The subject 24,614 square foot building includes two (2) 12,307 square foot connected suites.

The subject property is zoned A-R (Adaptive Reuse) and has a General Plan Land Use Designation of Industrial/Residential Mixed Use 2. The specific site/building is adjacent to A-R zoned properties to the north, west, and east, and GGMU1 and GGMU3 (Garden Grove Mixed Use 1 and 3) zoned properties, across Garden Grove Boulevard, to the south. The existing surrounding uses, adjacent to the business park, include a residential condominium complex, across Nutwood Street, to the west, industrial uses, across Acacia Avenue, to the north, and the east, and commercial uses, across Garden Grove Boulevard, to the south.

According to business license records, the subject building, located at 10531-10561 Garden Grove Boulevard, was previously occupied by, and in operation as, a wholesale beauty supply business. The building is currently unoccupied.

The applicant currently operates a TV studio, Saigon Broadcasting Television Network, in the adjacent 23,768 square foot building, located to the west of the subject building, and within the same business park (at the southwest corner), at 10501-10517 Garden Grove Boulevard. A law office was also sharing a portion of the building, operating as a general office use. When the applicant had initially established its TV studio business (at 10501-10517 Garden Grove Boulevard), based on the nature of its operation (without on-site filming including audiences and events) and the zoning requirements at the time, a Conditional Use Permit was not required. As part of this application, the applicant intends to close the current TV studio location and move its operation (along with the shared law offices) to the new building, at 10531-10561 Garden Grove Boulevard (the subject site).

In 2012, the City of Garden Grove established new mixed use zones throughout the City, including the subject property/business park, which was rezoned to A-R (Adaptive Reuse). As part of the new A-R zoning requirements, a "Radio/TV and Recording" use is now considered an automatically permitted use if 1,500 square feet or smaller, and a conditionally permitted use (approval of Conditional Use Permit required) when larger than 1,500 square feet. The proposed TV studio is larger than 1,500 square feet, thereby requiring the approval of a Conditional Use Permit.

### **DISCUSSION:**

The applicant is requesting Conditional Use Permit approval to operate a new TV Studio (a "Radio/TV and Recording" use), Saigon Broadcasting Television Network ("SBTN"), within the existing 24,614 square foot two-story building, in Suites 7 and 8 as shown on the attached site plan. The existing building includes approximately 8,500 square feet of existing office space (on both the first and second floors), with the remaining portions of the building having previously been used as industrial/warehousing space.

In November of 2018, a building permit was issued by the City to allow interior tenant improvements, which included approximately 2,800 square feet of additional office/storage space in Suite 7, all within the existing building (no new building footprint area added). Following the addition of the new office/storage space, the new gross floor area of the building will be approximately 27,414 square feet. The tenant improvements are currently under construction and undergoing building inspections by the Building & Safety Division.

The new TV studio, will occupy approximately 75% of the 27,414 square foot building (approximately 20,500 square feet), with the remaining floor area to be occupied by the shared law offices. The first floor of the proposed TV studio will consist of various offices, a stairwell, women's and men's restrooms, conference room, a waiting room, prop storage space, and TV studio areas for associated

activities such as filming and temporary studio sets. The second floor of the TV studio will consist of additional office spaces, a server room, and additional storage space. The law office portion of the building (first and second floors), which is not a part of this Conditional Use Permit request, will consist of various office space and conference rooms, an employee break room, men's and women's restrooms, reception area, respective stairwell, and storage spaces.

SBTN will operate as a typical TV studio, filming various types of television and internet media such as, but not limited to, children's shows, local news, game shows, and other similar shows. The shows are broadcast to both television and internet platforms. SBTN's operation, at its previous location (at 10501-10517 Garden Grove Blvd.), did not involve the presence and/or participation of audiences as part the filming process, and operated primarily as an industrial/warehousing use (prop manufacturing and storage) with ancillary office spaces for post-production editing. At the proposed new location, SBTN proposes to expand its TV studio operation to include, on an infrequent basis (typically once a quarter at most), and only during non-peak times (after other businesses are closed during the night on a weekday or on weekends), event type filming with up to a maximum of 300 persons (extras/guests) to participate in the filming/broadcasting process. SBTN has stated that such events would typically involve between 10 to 20 extras/guests, but that on occasion, a larger event may include up to a maximum of 300 persons. Additionally, said events are by invitation only and are closed to the public (private). Security guards would be present for any such events, and proposed Conditions of Approval would require as such. It should be noted, the typical daily operation of the TV studio, at its prior location (at 10501-10517 Garden Grove Blvd.) included ten (10) staff members maximum at any one time. The new TV studio will carry over the same staff members, and it is anticipated that the nature of the operation will not change, with exception to the proposed quarterly event filming activities.

#### Parking:

The parking supply of 241 parking spaces in the Burke Community Center Business Park ("business park") is shared between the building tenants, and parking spaces are not individually dedicated to any particular suite(s). Pursuant to CC&Rs previously approved by the City, there are reciprocal parking easements over all of the parcels in the business park. The CC&Rs also provide that all parking spaces must be maintained and available for parking at all times unless otherwise approved by the City.

The current/existing parking requirement for the business park is based on the Municipal Code parking requirements for industrial uses, which requires 2.25 parking spaces per 1,000 square feet of gross floor area (1 parking space per 444 square feet). Code requires a minimum of 228 parking spaces (see Table 1 below), and the business park provides 241 parking spaces. Therefore, there is an existing surplus of 13 parking spaces.

Table 1. Existing Parking Requirements and Parking Supply

Burke Community Center Business Park Existing Conditions					
Suite	Existing Land Use	Square Footage		City Parking Requirement (1 space per)	Parking Spaces Required
1	Industrial	11,884	SF	444 sq. ft.	26.7
2	Industrial	11,884	SF	444 sq. ft.	26.7
3	Industrial	6,264	SF	444 sq. ft.	14.1
4	Industrial	6,264	SF	444 sq. ft.	14.1
5	Industrial	6,264	SF	444 sq. ft.	14.1
6	Industrial	6,300	SF	444 sq. ft.	14.2
7	Industrial	12,307	SF	444 sq. ft.	27.7
8	Industrial	12,307	SF	444 sq. ft.	27.7
9	Industrial	6,450	SF	444 sq. ft.	14.5
10	Industrial	7,450	SF	444 sq. ft.	16.8
11	Industrial	6,950	SF	444 sq. ft.	15.6
12	Industrial	7,000	SF	444 sq. ft.	15.8
<b>TOTAL</b>		<b>101,324</b>	<b>SF</b>		<b>228</b>
<b>Parking Spaces Provided</b>					<b>241</b>
<b>Parking Surplus / (Deficit)</b>					<b>13</b>

Per the Municipal Code parking requirements, a "Radio/TV and Recording" use requires a minimum of 1 parking space per 200 square feet of gross floor area (5 parking spaces per 1,000 square feet). While a small portion (approximately 25%) of the building will be occupied by the law offices (general office requires less parking than a TV studio use - 1 parking space per 250 square feet), Staff conservatively calculated the parking requirements for the TV studio by including the entire 27,414 square feet of the building. Based on Code requirements, a minimum of 137 parking spaces would be required for the TV studio (see Table 2 below), which results in a deficit of 69 parking spaces (22% deficiency).

*Table 2. Proposed Parking Requirements and Parking Supply*

Burke Community Center Business Park Proposed Conditions					
Suite	Proposed Land Use	Square Footage		City Parking Requirement (1 space per)	Parking Spaces Required
1	Industrial	11,884	SF	444 sq. ft.	26.7
2	Industrial	11,884	SF	444 sq. ft.	26.7
3	Industrial	6,264	SF	444 sq. ft.	14.1
4	Industrial	6,264	SF	444 sq. ft.	14.1
5	Industrial	6,264	SF	444 sq. ft.	14.1
6	Industrial	6,300	SF	444 sq. ft.	14.2
7	TV Studio	15,107	SF	200 sq. ft.	75.5
8	TV Studio	12,307	SF	200 sq. ft.	61.5
9	Industrial	6,450	SF	444 sq. ft.	14.5
10	Industrial	7,450	SF	444 sq. ft.	16.8
11	Industrial	6,950	SF	444 sq. ft.	15.6
12	Industrial	7,000	SF	444 sq. ft.	15.8
<b>TOTAL</b>		<b>104,124</b>	<b>SF</b>		<b>310</b>
<b>Parking Spaces Provided</b>					<b>241</b>
<b>Parking Surplus / (Deficit)</b>					<b>(69)</b>

When a proposed parking deficiency is not more than 25%, the Municipal Code allows the submittal of a parking management plan prepared by a licensed traffic engineer, which evaluates the existing and proposed uses, conducts a parking demand analysis, and determines the projected parking demand, based on the proposed business/activities.

As part of the project, the applicant submitted a parking management plan prepared by a licensed traffic engineering firm, Kimley Horn (see attached). The existing parking characteristics for the business park were observed to determine the actual parking demand generated by the existing uses, including the existing to-be-relocated TV studio located in Suites 1 and 2 (10501-10517 Garden Grove Blvd.). Parking data was collected on a typical weekday (Wednesday) and a typical weekend day (Saturday) on an hourly basis between typical business hours of 8:00 a.m. to 7:00 p.m. to encompass morning, midday, and evening peak period conditions in the parking lot (the 241 parking spaces in the business park).

Review of the parking data indicated that peak occupancy occurred at 1:00 p.m., where the total number of occupied parking spaces did not exceed 39%. During the weekend, peak occupancy occurred at 11:00 a.m., where the total number of occupied parking spaces did not exceed 16%.

To determine future/projected parking demand, and as required by the Municipal Code, a 10% increase in the minimum number of spaces was added to the peak demand calculation to allow for potential fluctuations in parking demand. The parking demand observed for the existing TV studio (located at 10501-10517 Garden Grove Blvd.) was assumed to carry over to the new location, since no change is expected to the typical daily operation and staff of the TV studio. To account for the larger size of the new building, it was determined that the TV studio would require an additional 44 parking spaces, with a projected peak demand of 151 parking spaces (63% of the total shared parking available in the business park) occurring on a weekday. This projected parking demand represents a net surplus of 90 parking spaces in the business park. Therefore the existing parking supply is adequate to accommodate the new TV studio and the existing businesses. Projected peak demand was lower on a weekend, requiring a maximum of 71 parking spaces for the TV studio, and resulting in a net surplus of 170 parking spaces in the business park.

The report also evaluated the potential impacts and projected demand for the proposed event parking, which are expected to occur on an infrequent basis (typically once a quarter at most), and only during non-peak times (after other businesses are closed during the night on a weekday or on weekends). Such events are expected to generate a greater parking demand than typical operation conditions. Such events will involve various program recordings on an invite only basis, closed to the public, comprised of guests and staff members not exceeding a total of 300 persons. On average, attendance is expected to be lower than 300 persons. An analysis was conducted to verify that the parking supply within the Burke Community Center Business Park is adequate to accommodate these planned events. The analysis assumed that 300 persons would attend a single event.

The 2009 National Household Travel Survey, published by the Federal Highway Administration (FHWA), provides various statistics pertaining to vehicle occupancy rates based on trip purposes. The publication indicates that the average vehicle occupancy for a social/recreational trip is 2.20 persons per vehicle. By applying this rate to the 300 person count that would attend an event, 137 vehicles would be anticipated. However, it should also be noted that this value would typically be lower. The events hosted by the TV studio are expected to be family-oriented and may therefore be conducive to greater occurrence of ride-sharing (carpooling).

Given that the events would typically occur during non-peak hours, the 137 vehicles required would be accommodated by the existing parking supply. The parking demand at 7:00 p.m. on a weekday (after other businesses are closed) was observed and determined to be 90 spaces. That demand would continue to decrease throughout the night. If all 137 event vehicles parked within the business park, the parking demand would peak at an estimated 227 spaces and would not exceed the 241-space parking supply on a weeknight. Most of the businesses within the business park do not operate during the weekend. Therefore, available parking during the weekends would be greater, resulting in less of a parking demand. Assuming all 137 vehicles were present during such events, the demand

would peak at 208 parking spaces and would not exceed the 241-space parking supply on the weekend.

Finally, the parking study assessed the potential traffic impacts of the project and determined that the proposed relocation of the existing TV studio is not anticipated to cause any changes to traffic patterns in the vicinity. Based on the parking occupancy data, eighteen vehicles arrive before 8:00 a.m. during the morning peak period and occupy parking spaces adjacent to the TV production facility. Throughout the course of the day, there is a gradual ebb and flow of vehicles, with fluctuations of no more than 5 vehicles entering and leaving the parking lot over the course of an hour. These volumes are low and did not warrant additional analyses. The City Traffic Engineering Division reviewed the submitted report and concurred with the findings.

In accordance with Section 9.18.140.060.D.4 of the Garden Grove Municipal Code, in the event that future use changes in the business park result in more than a 10% increase in aggregate peak parking demand for the shared on-site parking spaces as determined by the parking study, an amended parking management plan must be submitted and approved by the City. In addition, the proposed Conditions of Approval require that, if, at any time, the business park cannot accommodate the parking demand generated by the TV studio business, the applicant will be required to devise and implement a plan, prepared by a licensed traffic engineer and approved by the City, to relieve the situation. Such a plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation.

Prior to the submittal of their Conditional Use Permit application, the applicant/operator, including the property owner, submitted notices in writing and via email, to all tenants and property owners of the Burke Community Center Business Park, including all members of the Garden Grove Business Park Association, in an effort to garner feedback, comments, or questions regarding the proposed TV studio use/relocation, its business activities, including most notably the proposed events activities and projected parking demand. The recipients were given approximately one month to comment on the proposal. During the comment period, no comments, including any opposition, were received from the tenants and property owners of the business park. The applicant also received correspondence from the Garden Grove Business Park Association acknowledging and approving the proposed business activities. At the time of this writing, no additional public comments were received by Staff.

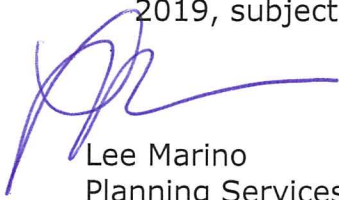
The Community and Economic Development Department has reviewed the applicant's request in full and supports the proposal.



**RECOMMENDATION:**

Staff recommends that the Planning Commission hold a public hearing and take the following action:

1. Adopt Resolution No. 5949-19 approving Conditional Use Permit No. CUP-148-2019, subject to the recommended Conditions of Approval.



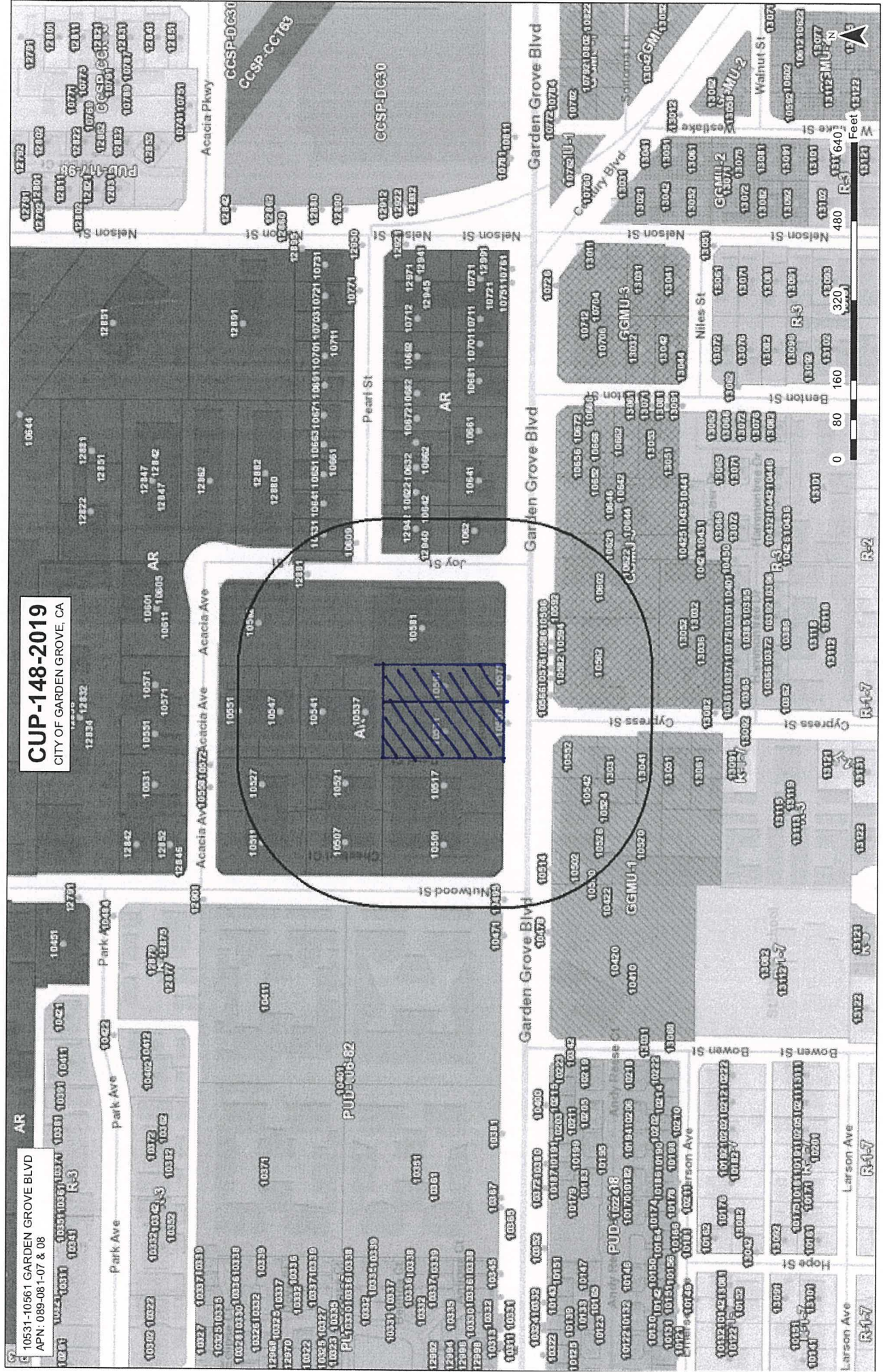
Lee Marino  
Planning Services Manager



By: Chris Chung  
Urban Planner

CUP-148-2019  
CITY OF GARDEN GROVE, CA

10531-10561 GARDEN GROVE BLVD  
APN: 089-081-07 & 08



AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

AR

AR

AR

AR

AR

AR

AR

AR

R-3

PUD-RUB-82

AR

AR

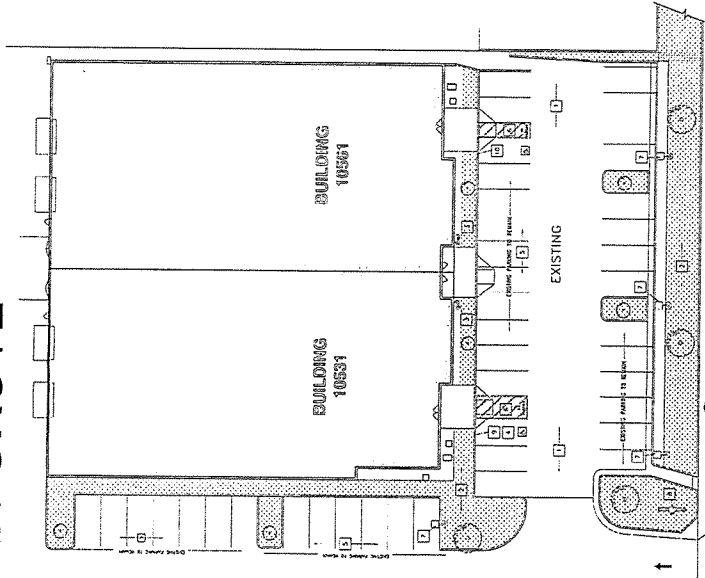
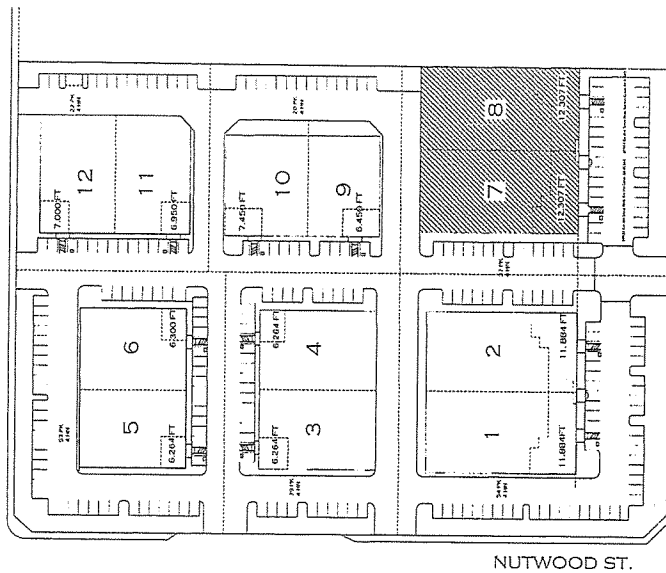
AR

AR

AR

# S B T N

## 10531-10561 GARDEN GROVE



GARDEN GROVE BLVD.

GARDEN GROVE BLVD.

NUTWOOD ST.

**SITE PLAN KEYED NOTES**

MARK	DESCRIPTION OF WORK
1	ASPHALT CONCRETE PAVEMENT TO REMAIN
2	LANDSCAPE PLANTER WITH IRRIGATION SYSTEM
3	SEWATER TREATMENT AND BACKFLOW PREVENTER TO REMAIN
4	VAI ACCESSIBLE PARKING
5	EXISTING TO REMAIN
6	14" VOLT UNCLE PAINTED STRIKES OF 4" DIAMETER @ 3' OC
7	EXISTING LOT LIGHT POLES TO REMAIN PROTECT IN PLACE
8	1" FIRE SPRINKLER SYSTEM MAIN PIPE TO REMAIN PROTECT IN PLACE
9	EXISTING TO REMAIN
10	EXISTING TO REMAIN
11	EXISTING TO REMAIN
12	EXISTING TO REMAIN

**NOTE:**  
 ANY ACCESSIBLE COMPONENT IS NOT IN COMPLIANCE PER FIELD VERIFICATION BY THE DESIGNER. THE DESIGNER HAS CONDUCTED VISUAL VERIFICATION OF ALL ACCESSIBLE COMPONENTS FOR COMPLIANCE WITH CURRENT ACCESSIBILITY STANDARDS (CBC Section 107.2.3).

- SITE LEGEND**
- (1) PAVED LOT LIGHT POLE
  - (2) DESIGNATED ACCESSIBLE PARKING SPOT
  - (3) FLAG POLE
  - (4) LANDSCAPING
  - (5) TREE

**CUP-148-2019**



SCALE: 1/8"=1'-0"

EXISTING SITE PLAN

DATE	DESCRIPTION	BY

**SS ntra**  
 Design Innovator Inc.  
 10200 Wilshire Blvd, Suite 200, Los Angeles, CA 90024  
 Phone: (310) 206-1111 Fax: (310) 206-1112

2

A0.1  
 EXISTING SITE PLAN









October 25, 2018

Mr. Chris Chung  
City of Garden Grove  
Planning Services Division  
11222 Acacia Parkway  
Garden Grove, CA 92840

***Subject: Parking Management Plan for the Proposed 10531-10561 Garden Grove Boulevard Project in the City of Garden Grove***

Dear Mr. Chung:

Kimley-Horn and Associates, Inc. (Kimley-Horn) has been retained by the applicant to prepare a parking management plan for the proposed development located at 10531-10561 Garden Grove Boulevard in the City of Garden Grove. The applicant proposes to relocate an existing TV production facility and an office from an existing building within the Burke Community Center Business Park to a different building in the same center. Kimley-Horn will provide an evaluation of parking needs based on standards established by the City of Garden Grove, and will provide empirical data and documentation of actual parking demand on the site to validate a deviation from the City's parking standard.

**PROJECT DESCRIPTION**

The project site is located at the northeast corner of Garden Grove Boulevard and Nutwood Street. The site is located within the Burke Community Center Business Park, which consists of 6 separate buildings with 12 total suites. The business park lies within an Adaptive Reuse (AR) zone per the Garden Grove Zoning Code. The applicant proposes to relocate an existing TV production facility and office from its existing location at 10501-10517 Garden Grove Boulevard (Suite 1 and 2) to an adjacent building within the same business park located at 10531-10561 Garden Grove Boulevard (Suite 7 and 8). The existing building consists of two 11,884-square-foot suites, totaling 23,768 square feet. The proposed building will be slightly larger, with two 12,307-square-foot suites totaling 24,614 square feet. The proposed building previously contained an industrial land use but has since been vacated. The existing building and proposed building within the business park are shown on **Figure 1**.

In the near future, the applicant intends to construct an additional 2,800 square feet of office and storage space within Suite 7 as part of Phase 2 of the project. The expansion will be utilized by the relocated business from the previous building. The total leasable floor area will total 27,414 square feet with the inclusion of the expansion.



FIGURE 1  
PROJECT LOCATION



## PARKING REQUIREMENTS

Based on the project description, a parking assessment was conducted to determine the site's compliance with City parking standards. Parking standards are presented in Section 9.18.140.030 of the City of Garden Grove Municipal Code. It should be noted that all parking within the Burke Community Center Business Park is shared between the building tenants, and that parking supply is not individually dedicated to each suite.

The current parking requirement for the entire business park was determined based on the City's parking requirement for industrial land use, which requires 2.25 spaces per 1,000 square foot of gross floor area (1 space per 444 square feet). The parking calculations are presented on **Table 1**, and show that the current site configuration requires 228 parking spaces. There are currently 241 parking spaces provided in the Burke Community Center Business Park, resulting in an existing parking surplus of 13 parking spaces.

*Table 1. Existing Parking Requirements and Parking Supply*

Burke Community Center Business Park Existing Conditions						
Suite	Existing Land Use	Square Footage		City Parking Requirement (1 space per)		Parking Spaces Required
1	Industrial	11,884	SF	444	sq. ft.	26.7
2	Industrial	11,884	SF	444	sq. ft.	26.7
3	Industrial	6,264	SF	444	sq. ft.	14.1
4	Industrial	6,264	SF	444	sq. ft.	14.1
5	Industrial	6,264	SF	444	sq. ft.	14.1
6	Industrial	6,300	SF	444	sq. ft.	14.2
7	Industrial	12,307	SF	444	sq. ft.	27.7
8	Industrial	12,307	SF	444	sq. ft.	27.7
9	Industrial	6,450	SF	444	sq. ft.	14.5
10	Industrial	7,450	SF	444	sq. ft.	16.8
11	Industrial	6,950	SF	444	sq. ft.	15.6
12	Industrial	7,000	SF	444	sq. ft.	15.8
<b>TOTAL</b>		<b>101,324</b>	<b>SF</b>			<b>228</b>
<b>Parking Spaces Provided</b>						<b>241</b>
<b>Parking Surplus / (Deficit)</b>						<b>13</b>

To assess the proposed relocation, the new parking requirement was determined based on the City's requirement for TV studios. Per the Municipal Code, professional studios involving TV recording are required to provide 1 parking space for each 200 square feet of gross floor area. While some of this area is anticipated to be for office use, the parking requirement for TV studio is higher and therefore more conservative. Additionally, the new parking requirement takes into consideration the additional square footage generated by the proposed Phase 2 expansion. **Table 2** summarizes the proposed parking requirements of the Burke Community Center Business

Park, with Buildings 7 and 8 treated as a TV studio. The parking requirement for the project would be 310 parking spaces, resulting in a deficit of 69 parking spaces. This deficit represents a 22 percent deviation between the required parking and the available parking within the business park.

Table 2. Proposed Parking Requirements and Parking Supply

Burke Community Center Business Park Proposed Conditions					
Suite	Proposed Land Use	Square Footage		City Parking Requirement (1 space per)	Parking Spaces Required
1	Industrial	11,884	SF	444 sq. ft.	26.7
2	Industrial	11,884	SF	444 sq. ft.	26.7
3	Industrial	6,264	SF	444 sq. ft.	14.1
4	Industrial	6,264	SF	444 sq. ft.	14.1
5	Industrial	6,264	SF	444 sq. ft.	14.1
6	Industrial	6,300	SF	444 sq. ft.	14.2
7	TV Studio	15,107	SF	200 sq. ft.	75.5
8	TV Studio	12,307	SF	200 sq. ft.	61.5
9	Industrial	6,450	SF	444 sq. ft.	14.5
10	Industrial	7,450	SF	444 sq. ft.	16.8
11	Industrial	6,950	SF	444 sq. ft.	15.6
12	Industrial	7,000	SF	444 sq. ft.	15.8
<b>TOTAL</b>		<b>104,124</b>	<b>SF</b>		<b>310</b>
<b>Parking Spaces Provided</b>					<b>241</b>
<b>Parking Surplus / (Deficit)</b>					<b>(69)</b>

**PARKING DATA COLLECTION AND OBSERVATIONS**

The existing parking characteristics for the Burke Community Center Business Park were observed to determine the actual parking demand generated by the existing uses, including the existing to-be-relocated TV production facility and office located within Suite 1 and 2. The site was broken into 6 parking zones for the parking data collection, to determine not only the total parking demand for each building and each use on an hourly basis, but also to develop an understanding of where throughout the site the parking demand occurred throughout the day. The parking zones are shown on **Figure 2**.

The parking data collection was conducted on a Wednesday and a Saturday in May 2018 to provide a representative sample of typical weekday and weekend parking conditions. Parking data was collected between 8:00 AM and 7:00 PM on each day to encompass morning, midday, and evening peak period conditions in the parking lot. The resulting information can be found in the **Appendix**. The data is summarized on **Table 3** and **Table 4** for weekday and weekend conditions, respectively. Additionally, this data is presented on **Figure 3** and **Figure 4**.

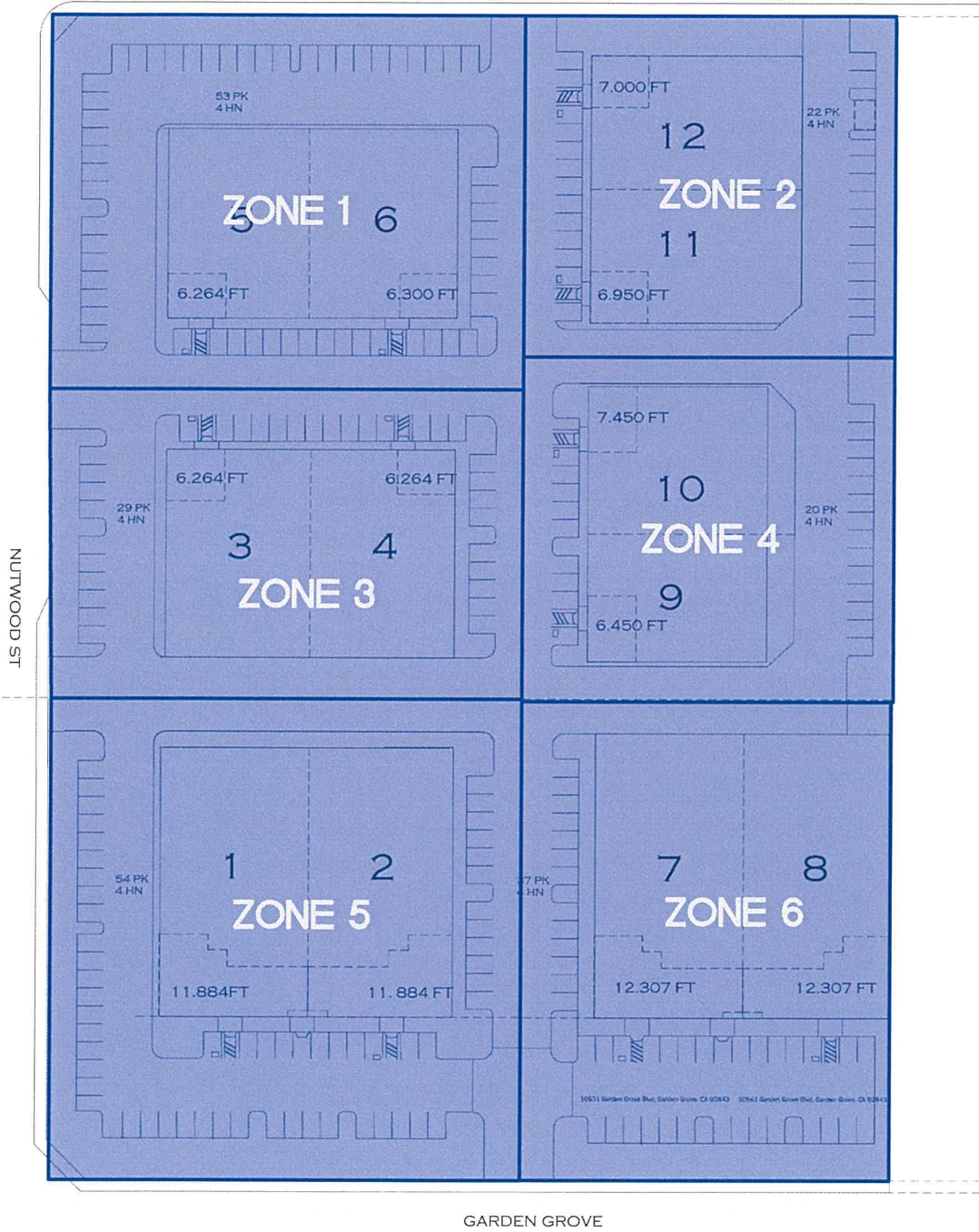


FIGURE 2  
PARKING DATA COLLECTION ZONES

Review of the parking data indicates that parking occupancy throughout the weekday peaked in the afternoon at 1:00 PM, but the total number of occupied spaces did not exceed 39% of the total parking supply during this peak period. During the weekend, the peak parking occupancy was observed at 11:00 AM and 12:00 PM, but did not exceed 16% of the total parking supply. A maximum occupancy of 93 parking spaces of the total 241 parking spaces provided was observed throughout the duration of the parking study. This number is far lower than the 228 parking spaces that are required per the City's Municipal Code.

*Table 3. Summary of Weekday Parking Occupancy*

Time	Parking Spaces Occupied							Percent Occupancy
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Total	
8:00 AM	14	3	12	1	17	1	48	20%
9:00 AM	17	3	16	1	21	1	59	24%
10:00 AM	24	5	17	2	32	2	82	34%
11:00 AM	25	4	19	3	32	6	89	37%
12:00 PM	27	5	20	4	30	5	91	38%
1:00 PM	27	5	19	4	32	6	93	39%
2:00 PM	24	4	21	2	36	2	89	37%
3:00 PM	21	4	20	2	38	2	87	36%
4:00 PM	21	4	22	2	36	2	87	36%
5:00 PM	16	4	18	2	33	2	75	31%
6:00 PM	13	3	16	2	32	2	68	28%
7:00 PM	7	0	8	1	29	1	46	19%
<b>Total Parking Spaces Available</b>	<b>57</b>	<b>26</b>	<b>33</b>	<b>24</b>	<b>59</b>	<b>42</b>	<b>241</b>	<b>100%</b>

*Table 4. Summary of Weekend Parking Occupancy*

Time	Parking Spaces Occupied							Percent Occupancy
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Total	
8:00 AM	6	0	6	1	12	0	25	10%
9:00 AM	5	0	8	1	14	0	28	12%
10:00 AM	5	0	9	1	17	0	32	13%
11:00 AM	6	1	9	1	22	0	39	16%
12:00 PM	6	1	8	1	22	0	38	16%
1:00 PM	6	1	6	1	23	0	37	15%
2:00 PM	6	0	6	1	22	0	35	15%
3:00 PM	5	0	5	1	21	0	32	13%
4:00 PM	4	0	3	1	14	0	22	9%
5:00 PM	1	0	3	1	13	0	18	7%
6:00 PM	1	0	3	1	10	0	15	6%
7:00 PM	0	0	3	1	2	0	6	2%
<b>Total Parking Spaces Available</b>	<b>57</b>	<b>26</b>	<b>33</b>	<b>24</b>	<b>59</b>	<b>42</b>	<b>241</b>	<b>100%</b>

Figure 3. Weekday Parking Occupancy (Percentage of Total)

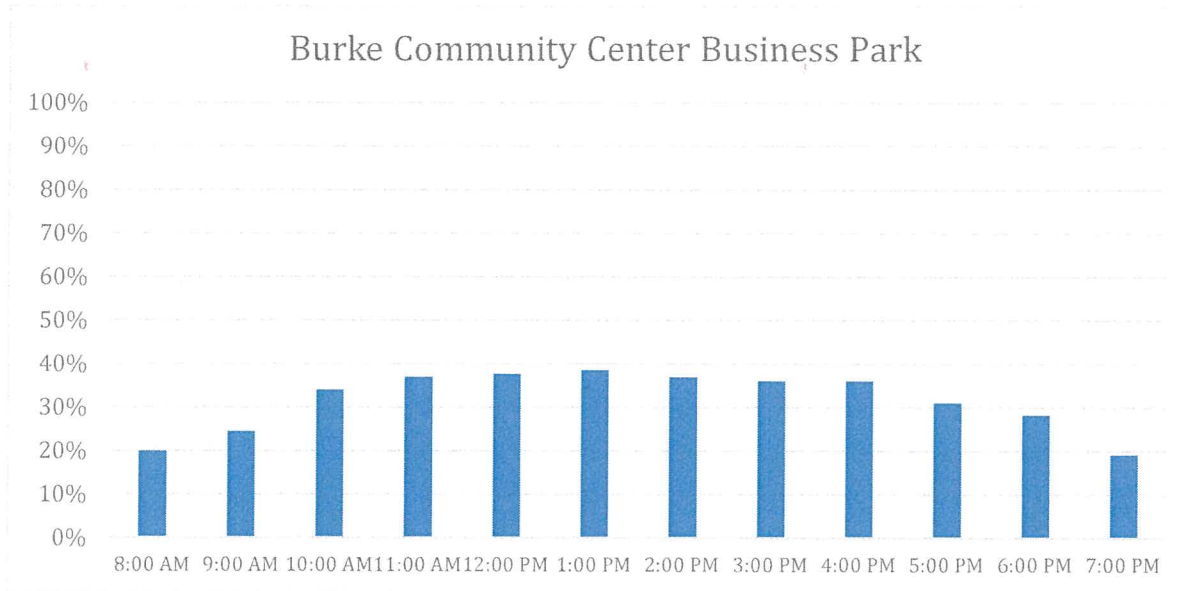
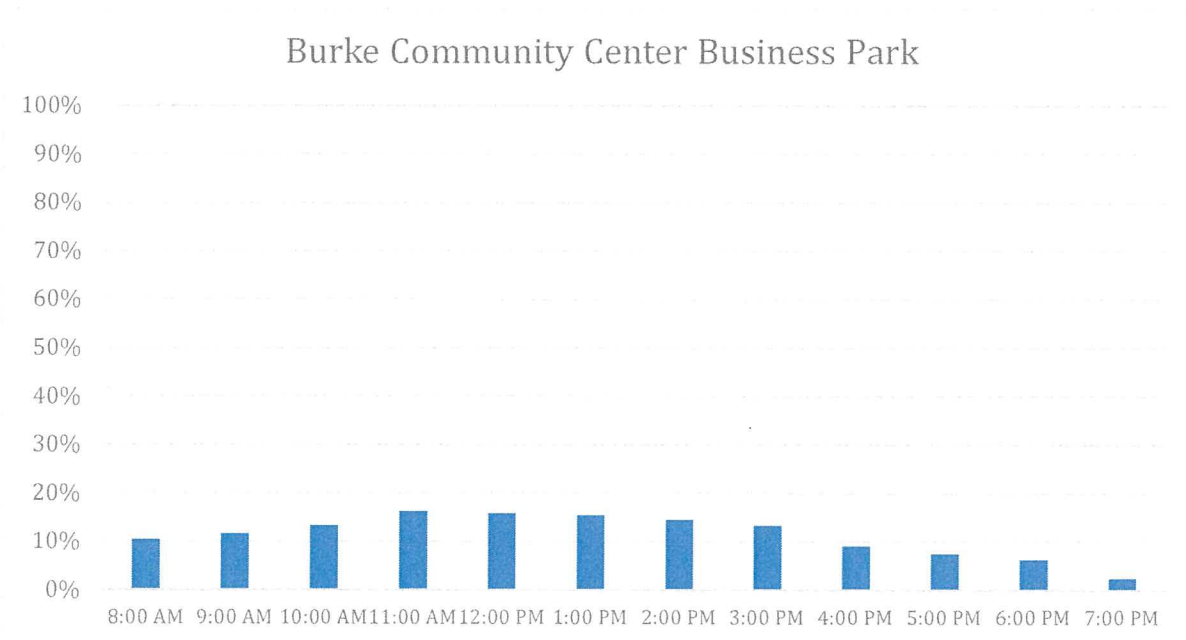


Figure 4. Weekend Parking Occupancy (Percentage of Total)



## FUTURE PARKING DEMAND

As required by the City of Garden Grove Municipal Code, the peak parking demand was calculated during the morning, midday, and evening periods within the Burke Community Center Business Park to determine the minimum number of parking spaces needed. Additionally, a 10% increase in the minimum number of spaces was added to the peak demand calculation to allow for potential fluctuations in parking demand.

The parked vehicles within Zone 5 and Zone 6, shown previously on Table 3, are assumed to be associated with the existing TV production facility and office land uses due to their proximity to the existing building. This parking demand was assumed to carry over to the proposed project location in Suite 7 and 8, and was factored at a rate of 1.15 to account for increases in floor area. This factor was derived from the ratio of the proposed floor area in Suites 7 and 8 (27,414 square feet) to the existing floor area in Suites 1 and 2 (23,768 square feet). The factored parking demand was added to the overall existing demand to calculate the future parking demand. The parking demand was higher during the weekday; therefore, weekday parking data was used in calculating the future parking demand of the site. The resulting calculated future parking demands throughout the day are presented on **Table 5**.

*Table 5. Summary of Future Parking Demand - Weekday*

Time	Existing Parking Demand	Added Parking Demand from Project*	Calculated Future Parking Demand**	Peak Demand
<b>8:00 AM</b>	48	21	76	32%
<b>9:00 AM</b>	59	25	93	39%
<b>10:00 AM</b>	82	39	134	56%
<b>11:00 AM</b>	89	44	147	61%
<b>12:00 PM</b>	91	40	145	60%
<b>1:00 PM</b>	93	44	151	63%
<b>2:00 PM</b>	89	44	147	61%
<b>3:00 PM</b>	87	46	147	61%
<b>4:00 PM</b>	87	44	145	60%
<b>5:00 PM</b>	75	40	127	53%
<b>6:00 PM</b>	68	39	118	49%
<b>7:00 PM</b>	46	35	90	37%

\* Projected parking demand derived from weekday observations in Zone 5 and Zone 6, which are assumed to be associated with the existing TV production facility and office in Suite 1 and 2. To account for the increase in square footage in the new building, a factor of 1.15 (27,414/23,768) was applied to the observed Zone 5 and 6 parking demand.

\*\* Includes sum of existing and added parking demand, with an additional 10% factor.

Even with a 10% increase to account for future change in land uses, the maximum number of spaces needed in the future scenario is significantly lower than the existing 241 parking spaces provided. A maximum parking demand of 151 spaces, which represents 63% of the total supply, has been identified for future conditions. This parking demand represents a net surplus of 90 spaces. Therefore, the existing parking supply is adequate.

Although lower than weekday demands, the calculated future parking demands during the weekend are presented on **Table 6**. Table 6 indicates that a maximum parking demand of 71 spaces would be projected throughout the weekend.

*Table 6. Summary of Future Parking Demand - Weekend*

Time	Existing Parking Demand	Added Parking Demand from Project*	Calculated Future Parking Demand**	Peak Demand
8:00 AM	25	14	43	18%
9:00 AM	28	16	49	20%
10:00 AM	32	20	58	24%
11:00 AM	39	25	71	29%
12:00 PM	38	25	70	29%
1:00 PM	37	27	71	29%
2:00 PM	35	25	66	27%
3:00 PM	32	24	62	26%
4:00 PM	22	16	42	17%
5:00 PM	18	15	37	15%
6:00 PM	15	12	30	12%
7:00 PM	6	2	9	4%

\* Projected parking demand derived from weekend observations in Zone 5 and Zone 6, which are assumed to be associated with the existing TV production facility and office in Suite 1 and 2. To account for the increase in square footage in the new building, a factor of 1.15 (27,414/23,768) was applied to the observed Zone 5 and 6 parking demand.

\*\* Includes sum of existing and added parking demand, with an additional 10% factor.

**EVENT PARKING**

The applicant has indicated that the proposed project site will occasionally host events that generate a greater parking demand than typical operating conditions. The TV production facility will sometimes hold various program recordings and celebratory affairs once a quarter (approximately 90 days) and will invite guests and additional staff members. These events will remain closed to the public and will only be accessible by invitation. The total attendance at these events is not anticipated to exceed 300 people. On average, attendance is expected to be lower than 300.

Events would be scheduled during the night on a weekday or during the weekend to avoid peak periods. An analysis was conducted to verify that the parking supply within the Burke Community Center Business Park is adequate to accommodate these planned events.

The analysis assumes that 300 people would attend a single event. While this number would be the maximum number of attendees and an uncommon occurrence, it was used to provide a conservative assessment of parking demand generated by these events.

The 2009 National Household Travel Survey, published by the Federal Highway Administration (FHWA), provides various statistics pertaining to vehicle occupancy rates based on trip purposes. The publication indicates that the average vehicle occupancy for a social/recreational trip is 2.20 persons per vehicle. By applying this rate to the 300 people that would attend the event, 137 vehicles would be anticipated. However, it should also be noted that this value may be lower. The

events hosted by the TV production facility are expected to be family-oriented and may therefore be conducive to a greater occurrence of ride-sharing.

Given that the events would occur during non-peak hours, the 137 vehicles would be accommodated by the existing parking supply. Per the assessment of future parking demand in the previous section, the parking demand at 7:00 PM on a weekday would be 90 spaces. That demand would continue to decrease throughout the night. If all 137 event vehicles parked within the Burke Community Center Business Park, the parking demand would peak at an estimated 227 spaces and would not exceed the 241-space parking supply on a weeknight.

Available parking during the weekends would be even greater. Most of the businesses within the Burke Community Center Business Park do not operate during the weekend. Therefore, parking demand is significantly lower. As shown in the previous section, a weekend maximum of 71 spaces would be occupied by existing and proposed land uses. If the additional 137 event vehicles parked within the parking lot, the demand would peak at an estimated 208 spaces and would not exceed the 241-space parking supply on the weekend.

### **TRAFFIC ASSESSMENT**

The project is not anticipated to cause any changes in traffic patterns in the vicinity. Traffic associated with the relocation of the TV production facility and office is expected to be minimal, given that the businesses will maintain their current daily operations and that no changes in staffing are expected. Moreover, information provided by site management indicates that approximately 10-20 employees are active in each suite, and that neither business attracts traffic from the public. The TV production facility is largely operated remotely and does not require a large number of personnel on site. The office component houses a law firm with limited staff.

Although TV production facilities are unique land uses with limited traffic-related data, a general idea of inbound and outbound trips can be established based on the parking occupancy data collected at the existing site. Based on the parking occupancy data, eighteen vehicles arrive before 8:00 AM during the morning peak period and occupy parking spaces adjacent to the TV production facility. Throughout the course of the day, there is a gradual ebb and flow of vehicles, with fluctuations of no more than 5 vehicles entering and leaving the parking lot over the course of an hour. These volumes are low and should not warrant additional analyses.

### **CONCLUSION**

- The applicant proposes to relocate an existing TV production facility and office from an existing location at 10501-10517 Garden Grove Boulevard (Suite 1 and 2) to an adjacent building within the same business park located at 10531-10561 Garden Grove Boulevard (Suite 7 and 8). The existing building consists of two 11,884-square-foot suites, totaling 23,768 square feet. The building where the business would relocate will be slightly larger, with two 12,307-square-foot suites totaling 24,614 square feet. As part of a proposed Phase 2 of the project, a 2,800 square-foot expansion will be added to the new building, for a new total floor area of 27,414 square feet.
- Per the City of Garden Grove Municipal Code, the existing land uses on the site result in a parking requirement of 228 spaces. There are currently 241 parking spaces provided in



the Burke Community Center Business Park, resulting in an existing parking surplus of 13 parking spaces.

- With the relocated TV production facility and office, the proposed parking requirement for the site would be 310 parking spaces, resulting in a deficit of 69 parking spaces. This deficit represents a 22 percent deviation between the required parking and the available parking within the business park.
- Parking observations at the existing site indicate that actual peak parking demands are much lower than both the parking required by the City Municipal Code, as well as the proposed parking required.
- The future parking demand was calculated based on the observed parking trends at the current site on a weekday. A maximum parking demand of 151 spaces, which represents 63% of the total supply, has been identified for future conditions. This parking demand represents a net surplus of 90 spaces. Therefore, the existing parking supply is adequate.
- The applicant has also indicated that quarterly events in which up to 300 people are present may occur. An analysis of this additional parking demand was conducted. Since these events are anticipated to be held during non-peak periods when existing parking demand in the Burke Community Center Business Park is at its lowest, the additional event parking could be accommodated via the existing parking supply.

## **APPENDIX**

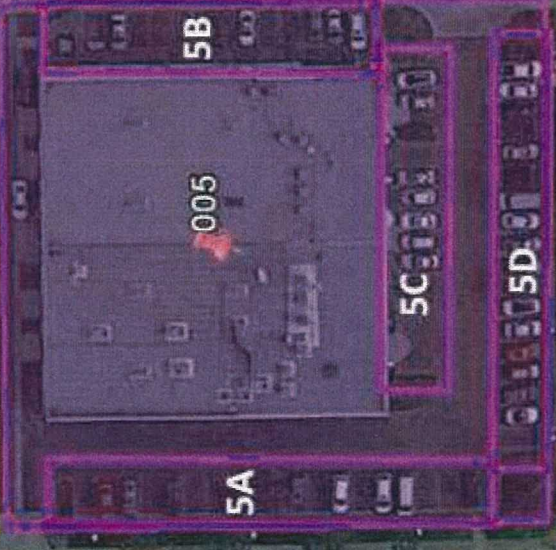
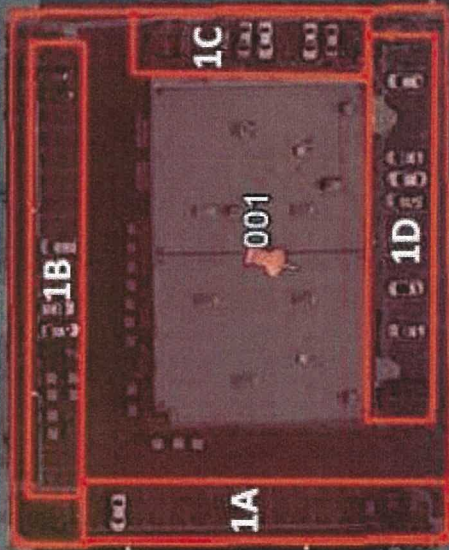
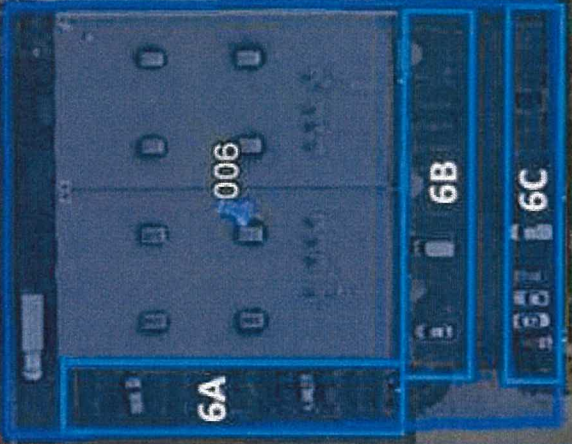
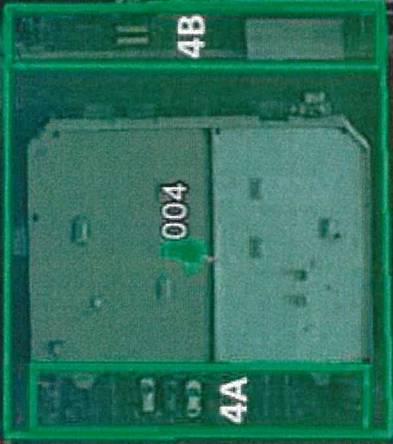
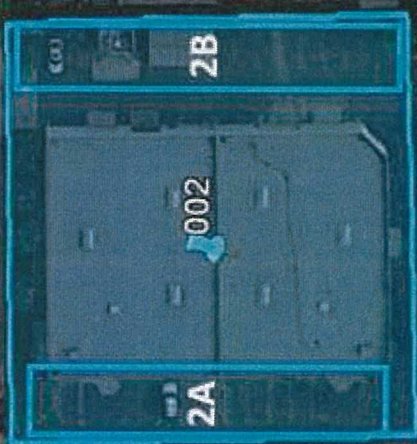
Joy St.

Nutwood St.

Greenbrier Terrac

Garden Grove Blvd

© 2018 Google



1D HC	Zone 2			Zone 3			Zone 4			Zone 5			6A Reg	Z0 Reg			
	2A Reg	2A HC	2B Reserved	3A Reg	3A Reserved	3B HC	4A Reg	4A Reserved	4B Reg	5A Reg	5A Reserved	5B Reg			5C Reg	5C Reserved	5D Reg
2	10	2	1	10	8	4	2	2	14	19	6	12	2	2	17	13	13
0	1	0	0	7	2	1	0	0	0	6	0	0	0	0	5	1	0
0	1	0	0	7	5	2	0	0	0	6	3	3	0	0	8	1	0
0	3	0	0	6	8	1	0	0	0	7	3	3	2	2	12	0	0
0	3	0	0	7	8	1	0	0	0	4	6	6	1	2	13	0	0
0	3	0	0	7	7	1	0	0	0	5	6	5	1	2	11	0	0
0	3	0	0	6	6	2	0	0	0	7	6	6	1	2	9	1	0
0	2	0	0	7	6	3	0	0	0	7	9	6	1	3	9	1	0
0	2	0	0	6	6	3	0	0	0	7	9	6	1	3	11	1	0
0	2	0	0	6	6	3	0	0	0	5	8	6	1	2	13	1	0
0	2	0	0	5	6	3	0	0	0	5	7	6	1	2	10	2	0
0	1	0	0	4	7	3	0	0	0	6	7	4	1	2	9	3	0
0	0	0	0	3	2	1	0	0	0	9	2	2	1	1	9	5	0



RESOLUTION NO. 5949-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-148-2019 FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF GARDEN GROVE BOULEVARD AND NUTWOOD STREET, AT 10531-10561 GARDEN GROVE BOULEVARD, ASSESSOR'S PARCEL NOS. 089-081-07 AND 08.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 7, 2019, does hereby approve Conditional Use Permit No. CUP-148-2019 for the property located on the northeast corner of Garden Grove Boulevard and Nutwood Street, at 10531-10561 Garden Grove Boulevard, Assessor's Parcel Nos. 089-081-07 & 08.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-148-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Dan Nguyen ("Applicant").
2. The Applicant has requested Conditional Use Permit approval to operate a new TV studio, Saigon Broadcasting Television Network ("SBTN"), within an existing 27,414 square foot building, located at 10531-10561 Garden Grove Boulevard (Assessor's Parcel Nos. 089-081-07 and 08).
3. The subject site has a General Plan Land Use Designation of Industrial/Residential Mixed Use 2 and is zoned A-R (Adaptive Reuse).
4. The Planning Commission has determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities, of the State CEQA Guidelines.
5. Existing land use, zoning, and General Plan Land Use designation of the property subject to this Conditional Use Permit and in its vicinity have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on February 7, 2019, 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 February 7, 2019; 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 Sections 9.32.030 and 9.18.140.060, are as follows:

FACTS:

The subject site is improved with an existing 24,614 square foot two-story building, which is part of an integrated multi-tenant, multi-building (six buildings) business park, Burke Community Center Business Park, with shared drive aisles and shared parking spaces circulated throughout. Each building is comprised of two (2) primary suites (12 total suites), which in some cases are connected. The subject building is located on the southeast corner of the business park. The subject 24,614 square foot building currently includes two (2) 12,307 square foot connected suites. Interior tenant improvements within the existing building are currently under construction, which include approximately 2,800 square feet of additional office/storage space in Suite 7. When they are completed, the new gross floor area of the building will be approximately 27,414 square feet. The subject building is presently unoccupied.

The subject property is zoned A-R (Adaptive Reuse) and has a General Plan Land Use Designation of Industrial/Residential Mixed Use 2. The specific site/building is adjacent to A-R zoned properties to the north, west, and east, and GGMU1 and GGMU3 (Garden Grove Mixed Use 1 and 3) zoned properties, across Garden Grove Boulevard, to the south. The existing surrounding uses, adjacent to the business park, include a residential condominium complex, across Nutwood Street, to the west, industrial uses, across Acacia Avenue, to the north, and the east, and commercial uses, across Garden Grove Boulevard, to the south.

The applicant currently operates a TV studio, Saigon Broadcasting Television Network, in the adjacent 23,768 square foot building, located to the west of the subject building, and within the same business park (at the southwest corner), at 10501-10517 Garden Grove Boulevard. A law office was also sharing a portion of the building, operating as a general office use. When the applicant had initially established its TV studio business (at 10501-10517 Garden Grove Boulevard), based on the nature of its operation (without on-site filming including audiences and events) and the zoning requirements at the time, a Conditional Use Permit was not required. As part of this application, the applicant intends to close the current TV studio location and move its operation (along with the shared law offices) to the new building, at 10531-10561 Garden Grove Boulevard (the subject site). The new TV studio, will occupy approximately 75% of the 27,414 square foot building (approximately 20,500 square feet), with the remaining floor area to be occupied by the shared law offices.

The applicant intends to operate as a typical TV studio, filming various types of television and internet media such as, but not limited to, children's shows, local news, game shows, and other similar shows. The shows are broadcast to both television and internet platforms. Event type filming with up to a maximum of 300 persons (extras/guests) participating may also take place on an infrequent basis during non-peak times.

In 2012, the City of Garden Grove established new mixed-use zones throughout the City, including the subject property/business park, which was rezoned to A-R

(Adaptive Reuse). As part of the new A-R zoning requirements, a "Radio/TV and Recording" use is now considered an automatically permitted use if 1,500 square feet or smaller, and a conditionally permitted use (approval of Conditional Use Permit required) when larger than 1,500 square feet. The proposed TV studio is larger than 1,500 square feet, thereby requiring the approval of a Conditional Use Permit.

The parking supply of 241 parking spaces in the business park is shared between the building tenants, and parking spaces are not individually dedicated to any particular suite(s). The parcels in the business park are subject to that certain Declaration of Covenants, Conditions and Restrictions and Reservations of Easements ("CC&Rs") recorded June 1, 1999 as Document No. 19990404161, previously approved by the City, which provide for reciprocal access easements and reciprocal easements for parking over the 241 spaces. The CC&Rs also require that all parking spaces must be maintained and available for parking at all times, and this provision may not be modified without the City's approval.

Per the Garden Grove Municipal Code parking requirements, a "Radio/TV and Recording" use requires a minimum of 1 parking space per 200 square feet of gross floor area (5 parking spaces per 1,000 square feet). Therefore, based on Code requirements, a minimum of 137 parking spaces would be required for the TV studio. Combining this number with the required parking for the remaining uses in the business park, the total number of required parking spaces would be 310, resulting in a deficit of 69 parking spaces. This deficit represents a 22% deviation between the required parking and the available parking with the business park.

Pursuant to Garden Grove Municipal Code Section 9.18.140.060, where an applicant seeks to provide for shared or joint use parking, preparation and approval of a parking management plan is required to allow any deviation from the Municipal Code's parking requirement standards. The Planning Commission may approve a reduction in parking spaces of up to 25% due to joint or shared use if justified by a parking demand study prepared by a traffic engineering professional and specified findings are made.

A parking demand study / parking management plan for the proposed project, dated October 25, 2018, was prepared by Kimley-Horn and Associates, Inc., a licensed traffic engineer. The parking demand study / parking management plan concluded that the existing supply of parking spaces was sufficient to accommodate the future parking demand in the business park, inclusive of the proposed relocated TV Studio. The facts, data and conclusions set forth in the October 25, 2018 parking demand study / parking management plan presented to the Planning Commission at the public hearing and made part of the record is hereby incorporated by reference into this Resolution.



FINDINGS AND REASONS:

1. The proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The subject site has a General Plan Land Use Designation of Industrial/Residential Mixed Use 2, which is intended to allow existing uses to remain and to allow for new uses. The Industrial/Residential Mixed Use 2 General Plan Land Use designation is implemented by the A-R (Adaptive Reuse) zoning district. A "Radio/TV and Recording" use greater than 1,500 square feet, such as a TV Studio, is a conditionally permitted use in the A-R zone; thus, it is consistent with the Industrial/Residential Mixed Use 2 General Plan Land Use designation

2. The requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The proposed project involves relocation of an existing television studio use to an adjacent building within the same integrated multi-tenant business park, Burke Community Center Business Park. The television studio use is compatible with the other existing uses in the business park, and its operation in the business park has not resulted in adverse effects. Therefore, it is not anticipated that the future operation of the television studio use in the adjacent building will adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

Additionally, the proposed project will not impact parking that is available to the existing tenants located within the integrated business park since there is ample on-site parking to support the proposed use and the existing uses on-site. As part of the project, the applicant submitted a parking management plan prepared by a licensed traffic engineering firm, Kimley Horn. Based on the projected parking demand of the TV studio, including projected demand during occasional event related parking, the parking demand analysis found that the existing parking supply of the business park is adequate to accommodate the new TV studio and the existing businesses. The parking study also found that the proposed new TV studio would have no impacts or cause changes to the existing traffic patterns in the vicinity. The conditions of approval for the project will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The site, with the existing site improvements and modifications, is of adequate size to accommodate the proposed uses within the surrounding area. The Public Works Department has reviewed the plans and all appropriate conditions of approval have been incorporated. All appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding areas.

4. That the proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is adequately served by Garden Grove Boulevard and Nutwood Street and has accessible driveways providing both ingress and egress. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

A parking demand study / parking management plan prepared for the project assessed the potential traffic impacts of the project and determined that the proposed relocation of the existing TV studio is not anticipated to cause any changes to traffic patterns in the vicinity. Based on the parking occupancy data, eighteen vehicles arrive before 8:00 a.m. during the morning peak period and occupy parking spaces adjacent to the TV production facility. Throughout the course of the day, there is a gradual ebb and flow of vehicles, with fluctuations of no more than 5 vehicles entering and leaving the parking lot over the course of an hour. The City Traffic Engineering Division reviewed the study and concurred with the findings.

Conditions of approval have been included to require upgrades of existing public service facilities serving the subject site as necessary.

5. The peak hours of use of the shared parking facility will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces.

A parking demand study / parking management plan evaluating the parking needs of the business park inclusive of the proposed relocated television studio was prepared by a licensed traffic engineering firm, Kimley-Horn and Associates, Inc. The existing parking characteristics for the business park were observed to determine the actual parking demand generated by the existing uses, including the existing to be relocated TV studio located in Suites 1 and 2 (10501-10517 Garden Grove Blvd.). Parking data was collected on a typical weekday (Wednesday) and a typical weekend day (Saturday) on an

hourly basis between typical business hours of 8:00 a.m. to 7:00 p.m. to encompass morning, midday, and evening peak period condition in the parking lot (the 241 parking spaces in the business park).

Review of the parking data indicated that peak occupancy occurred at 1:00 p.m., where the total number of occupied parking spaces in the business park did not exceed 39%. During the weekend, peak occupancy occurred at 11:00 a.m., where the total number of occupied parking spaces in the business park did not exceed 16%.

To determine future/projected parking demand, and as required by the Municipal Code, a 10% increase in the minimum number of spaces was added to the peak demand calculation to allow for potential fluctuations in parking demand. The parking demand observed for the existing TV studio (located at 10501-10517 Garden Grove Blvd.) was assumed to carry over to the new location, since no change is expected to the typical daily operation and staff of the TV studio. To account for the larger size of the new building, it was determined that the TV studio would require an additional 44 parking spaces, with a projected peak demand of 151 parking spaces (63% of the total shared parking available in the business park) occurring on a weekday. This projected parking demand represents a net surplus of 90 parking spaces in the business park. Therefore the existing parking supply is adequate to accommodate the new TV studio and the existing businesses. Projected peak demand was lower on a weekend, requiring a maximum of 71 parking spaces for the TV studio, and resulting in a net surplus of 170 parking spaces in the business park.

The parking demand study / parking management plan also evaluated the potential impacts and projected demand for the proposed event parking, which are expected to occur on an infrequent basis (typically once a quarter at most), and only during non-peak times (after other businesses are closed during the night on a weekday or on weekends). Such events are expected to generate a greater parking demand than typical operation conditions. Such events will involve various program recordings on an invite only basis, closed to the public, comprised of guests and staff members not exceeding a total of 300 persons. On average, attendance is expected to be lower than 300 persons. An analysis was conducted to verify that the parking supply within the Burke Community Center Business Park is adequate to accommodate these planned events. The analysis assumed that 300 persons would attend a single event.

The 2009 National Household Travel Survey, published by the Federal Highway Administration (FHWA), provides various statistics pertaining to vehicle occupancy rates based on trip purposes. The publication indicates that the average vehicle occupancy for a social/recreational trip is 2.20 persons per vehicle. By applying this rate to the 300 person count that would attend an event, 137 vehicles would be anticipated. However, this value would typically be lower. The events hosted by the TV studio are expected to

be family-oriented and may therefore be conducive to greater occurrence of ride-sharing (carpooling).

Given that the events would typically occur during non-peak hours, the 137 vehicles required would be accommodated by the existing parking supply. The parking demand at 7:00 p.m. on a weekday (after other businesses are closed) was observed and determined to be 90 spaces. That demand would continue to decrease throughout the night. If all 137 event vehicles parked within the business park, the parking demand would peak at an estimated 227 spaces and would not exceed the 241-space parking supply on a weeknight. Most of the businesses within the business park do not operate during the weekend. Therefore, available parking during the weekends would be greater, resulting in less of a parking demand. Assuming all 137 vehicles were present during such events, the demand would peak at 208 parking spaces and would not exceed the 241-space parking supply on the weekend.

6. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately.

The subject site is located in a large business park containing various uses with differing operational characteristics and hours of operation. For these reasons, the existing parking supply of 241 parking spaces in the business park is shared between the building tenants, and parking spaces are not individually dedicated to any particular suite(s). The pre-existing shared parking model at the site has not resulted in significant parking problems. The parking demand study / parking management plan prepared by Kimley-Horn and Associates, Inc. shows that the existing supply of parking spaces in the business park was more than adequate to accommodate the future parking demand in the business park, inclusive of the proposed relocated TV Studio. Parking observations at the existing site indicate that actual peak parking demands are much lower than the parking required by the City Municipal Code.

7. A parking demand study prepared by an independent traffic engineering professional approved by the City supports the proposed reduction.

A parking demand study / parking management plan for the proposed project, dated October 25, 2018, was prepared by Kimley-Horn and Associates, Inc., a licensed traffic engineer. The parking demand study / parking management plan concluded that the existing supply of parking spaces was sufficient to accommodate the future parking demand in the business park, inclusive of the proposed relocated TV Studio.

8. The applicant submitted a signed contract between the applicant and the other property owner(s) providing the off-street parking spaces subject to the shared parking arrangement.

The parcels in the business park are subject to that certain Declaration of Covenants, Conditions and Restrictions and Reservations of Easements ("CC&Rs") recorded June 1, 1999 as Document No. 19990404161, which was previously approved by the City. The CC&Rs provide for reciprocal access easements and reciprocal easements for parking over the existing 241 shared parking spaces within the business park. The CC&Rs also require that all parking spaces must be maintained and available for parking at all times. The City is an express third-party beneficiary of the CC&Rs, and this provision may not be modified without the City's approval.

#### INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Conditional Use Permits).
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 Conditional Use Permit No. CUP-148-2019.

## **EXHIBIT "A"**

### **Conditional Use Permit No. CUP-148-2019**

10531-10561 Garden Grove Boulevard  
(Assessor's Parcel Nos. 089-081-07 & 08)

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. Each owner of the property shall execute, and the applicant shall record, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on the property within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to the project applicant, the owner(s) and tenant(s) of the subject property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of the subject property and the business authorized by this Conditional Use Permit shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes to the conditions of approval require approval by the Planning Commission, except as otherwise provided herein.
3. Conditional Use Permit No. CUP-148-2019 authorizes the operation of an approximately 20,500 square foot television studio within an approximately 27,414 square foot two-story building on property located at 10531-10561 Garden Grove Boulevard and identified as Assessor's Parcel Nos. 089-081-07 and 089-081-08 in accordance with the plans presented at the meeting at which Conditional Use Permit No. CUP-148-2019 was approved and made part of the record. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code (GGMC) shall apply. Modifications, which do not change the intent of the project, may be approved by the Community and Economic Development Director.
4. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the approved use or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.

5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Police Department**

6. The hours of operation shall be limited to 8:00 a.m. to 7:00 p.m., seven (7) days a week, except for special events which are conditioned herein. In the event that problems arise concerning the operation of this business, the hours of operation may be reduced by order of the Chief of the Police Department.
7. Special events shall take place during non-peak times of parking demand (i.e., after other business are closed or during the weekend) in the business park.
8. Special events shall be by invitation only, closed to the public, and the frequency of said special events shall occur at no more than once per calendar quarter (i.e., maximum once every 90 days). No cover charge or other type of entrance fees shall be required for entrance into the establishment. There shall be no promotional/flyer parties for events not typically related to TV studio activities and events.
9. The sound emitted from the premises shall not be audible outside of the establishment.
10. There shall be no customers or patrons in or about the premises when the establishment is closed.
11. There shall be no gaming tables or gaming machines as outlined in GGMC Sections 8.20.010 and 8.20.050 on the premises at any time.
12. In the event security problems occur, and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department. During special events where the total number of persons within the TV studio establishment exceeds 20 persons, one or more California licensed, uniformed security guard(s) shall be on the premises during such special event hours and/or as requested by the Police Department.
13. The sale of alcohol for consumption on or off the premises is prohibited. There shall be no consumption of alcoholic beverages on the premises.

14. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation up to \$1,000 pursuant to GGMC Chapter 1.22.010.
15. A sign shall be posted on the exterior of the building noticing that there shall be no illegal dumping around the premises of the establishment.

**Fire Department**

16. The occupant load shall be determined by the Fire Department, and shall be posted in the tenant space in a location approved by the Fire Department. A Fire Department inspection shall be conducted prior to the operation of the business.
17. Emergency lighting shall be provided throughout the tenant space where required by the Fire Department.
18. Applicant is to submit an occupant load analysis as required by the Fire Department.
19. An up-to-date, 5-year certification for the fire sprinkler system is required.
20. The applicant/operator is required to install fire sprinklers with a fire alarm within the tenant space.

**Community and Economic Development Department**

21. The approval of Conditional Use Permit No. CUP-148-2019 allows the establishment to operate as a "Radio/TV and Recording" use (TV studio) as defined in the Municipal Code.
22. All activities associated with the TV studio shall be conducted within a fully enclosed permanent building.
23. No outside storage or displays shall be permitted at any time.
24. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the establishment's entrance(s), and shall also be visible to the public.



25. The property subject to Conditional Use Permit No. CUP-148-2019 is located within an integrated business park that is subject to reciprocal parking easements for shared parking for all uses within the business park pursuant to that certain Declaration of Covenants, Conditions and Restrictions and Reservations of Easements ("CC&Rs") recorded June 1, 1999 as Document No. 19990404161. There are a total of 241 shared on-site parking spaces in the business park. Pursuant to the GGMC, a minimum of 137 parking spaces is required for the approved TV Studio, resulting in a deficit of 69 parking spaces, or 22%, in the business park. Conditional Use Permit No. CUP-148-2019 was approved based on the findings and conclusions set forth in the Parking Management Plan prepared by Kimley-Horn and Associates, Inc., dated October 25, 2018, and contained in the record of the proceedings, which concluded that the existing supply of parking spaces was sufficient to accommodate the future parking demand in the business park, inclusive of the TV Studio. In accordance with GGMC Section 9.18.140.060.D.4, in the event that future use changes in the business park result in more than a 10% increase in aggregate peak parking demand for the shared on-site parking spaces as set forth in the Parking Management Plan, an amended parking management plan must be submitted and approved by the City, or Conditional Use Permit No. CUP-148-2019 shall be subject to revocation. In addition, if, at any time, the business park cannot accommodate the parking demand generated by the TV studio business resulting in a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, the applicant shall devise and implement a plan, prepared by a licensed traffic engineer and approved by the City, to relieve the situation. Upon written request by the City, the applicant shall submit said plan to manage the parking issues for review and approval by the Community and Economic Development Department. The plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other actions that may be deemed applicable to the situation. If the City's Community and Economic Development Director deems such action is necessary to address parking and circulation problems, such action must be implemented within 30 days of written notice. Failure to take appropriate action will be deemed a violation of the Conditions of Approval and may result in the City restricting the overall use of the subject site and/or revocation of Conditional Use Permit No. CUP-148-2019.
26. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.16.020.070.
27. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week.

28. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
29. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
30. All trash bins shall be kept inside the trash enclosure(s), and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least three (3) times a week.
31. Graffiti shall be removed from the premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours upon notification or application.
32. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
33. No roof-mounted mechanical equipment, including exhaust vents, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
34. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
35. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
36. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. Any opaque material applied to the store front, such as a window shall count toward the maximum window coverage area.

37. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
38. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Zoning Administrator, or other City decision-making body, or City staff action concerning Conditional Use Permit No. CUP-148-2019. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City, including, but not limited to, any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
39. A copy of the decision approving Conditional Use Permit No. CUP-148-2019 shall be kept on the premises at all times.
40. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-148-2019, and his/her agreement with all conditions of the approval.
41. Any Conditional Use Permit previously governing the subject property shall become null and void, and superseded in its entirety, by the approval of Conditional Use Permit No. CUP-148-2019.
42. The subject property and tenant space shall comply with the applicable California Building Code ("CBC") Standards.
43. The applicant shall provide, to the Building and Safety Division, occupant load analysis in accordance with CBC Section 1004 and Table 1004.1.2.
44. The number of exits and exit access doorways shall comply with CBC Section 1006.
45. The exit access doorway configuration shall comply with CBC Section 1007.
46. Accessible means of egress shall comply with CBC Section 1009.

47. Means of egress shall comply with Chapter 10 of the California Building Code.
48. The applicant shall provide, to the Building and Safety Division, an exiting plan and travel distance in accordance with CBC Section 1017.
49. All rooms and spaces shall be made accessible and shall comply with CBC Chapter 11B.
50. Fire separation between occupancies shall be provided in accordance with CBC Table 508.4.
51. Fire rated construction shall comply with CBC Chapter 7.
52. If deemed necessary by the Community and Economic Development Director, this Conditional Use Permit may be reviewed periodically by the City in order to determine if the business is operating in compliance with all Conditions of Approval. On a yearly basis, as determined by Staff, the business operator shall meet with members of the Planning Department and Police Department to discuss operating conditions of the business and to determine if the business is operating in compliance with the Conditions of Approval.
53. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-148-2019 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.

#### **Public Works Water Services Division**

54. If not already installed, a Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
55. Should any new fire suppression system connections or upgrades to existing fire suppression system connections be made, proof of above-ground Double Check Detector Assembly (DCDA) providing backflow protection for the fire

service of either one of the addresses is required. If no DCDA, such device shall be installed per City Standard B-773. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Division.

**Public Works Engineering Division**

56. The applicant shall be subject to Traffic Mitigation Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.