



AGENDA

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

APRIL 6, 2017

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

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

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

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: March 16, 2017
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
 - C.1. GENERAL PLAN AMENDMENT NO. GPA-001-2017
PLANNED UNIT DEVELOPMENT NO. PUD-006-2017
TENTATIVE TRACT MAP NO. TT-17927-2017
SITE PLAN NO. SP-028-2017
DEVELOPMENT AGREEMENT NO. DA-006-2017

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE
DECLARATION FOR THE LEWIS STREET REORGANIZATION
BETWEEN THE CITY OF GARDEN GROVE AND THE CITY OF
ORANGE (RO 17-01) AND RESIDENTIAL PROJECT

APPLICANT: SHEA HOMES (JOHN DANVERS)

LOCATION: NORTHWEST CORNER OF LAMPSON AVENUE AND
LEWIS STREET AT 12901 LEWIS STREET

REQUEST: A request by Shea Homes to develop a gated residential subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange at Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (APN Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01). The Project proposes two floor plans, each of which would feature four bedrooms and a two-car garage accessed from the front of each unit. All units would feature private outdoor areas to the sides and rear of the units. The Project could also include the development of a private recreation area that would be located near the entrance of the residential community. The recreation area would feature the following amenities: a playground, an open turf area, two covered barbeque dining areas, and a shade structure with bench seating. The project site currently contains a church and a school consisting of nine buildings, two play yards, and a parking lot. The project includes a proposed sphere of influence change and annexation of 0.901 acres from the City of Orange to the City of Garden Grove.

As part of the Project, the Planning Commission will consider a recommendation for City Council approval of amendments to the City's General Plan Land Use map and Zoning map in conjunction with the proposed annexation and to modify the General Plan Land Use designation of the project site from Civic Institution to Low Density Residential and to adopt Residential Plan Unit Development zoning with R-1 (Single-Family Residential) base zoning for the entire site. The Planning Commission will also consider contingent approval of a Site Plan and Tentative Tract Map to subdivide the property into 70 single-family lots and to facilitate development of the proposed 70-unit small lot single-family residential subdivision, along with a

recommendation for City Council approval of a Development Agreement with the applicant. The Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration for the project.

STAFF RECOMMENDATION: Recommend adoption of the Mitigated Negative Declaration and approval of GPA-001-2017, PUD-006-2017, and DA-006-2017 to City Council, and approval of TT-17927-2017 and SP-028-2017, subject to the recommended conditions of approval.

- D. ITEMS FOR CONSIDERATION
 - D.1. REVIEW OF THE CODE OF ETHICS
- E. MATTERS FROM COMMISSIONERS
- F. MATTERS FROM STAFF
- G. ADJOURNMENT

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

Meeting Minutes
Thursday, March 16, 2017

Oath of Office administered to Planning Commissioners by the City Clerk.

CALL TO ORDER: 7:04 p.m.

ROLL CALL:

Commissioner Brietigam
Commissioner Kanzler
Commissioner Lazenby
Commissioner Lehman
Commissioner Nguyen
Commissioner Salazar
Commissioner Truong

Absent: None.

SELECTION OF CHAIR:

Motion 1:

Action: Commissioner Lazenby nominated Commissioner Brietigam for Chair.

Action: Motion failed with a 2-0 vote as follows:

Ayes: (2) Brietigam, Lazenby,

Abstain: (5) Kanzler, Lehman, Nguyen, Salazar, Truong

Motion 2:

Action: Commissioner Lehman nominated Commissioner Kanzler for Chair.

Action: Motion approved with a 6-0 vote as follows:

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

Abstain: (1) Lazenby

SELECTION OF VICE CHAIR:

Action: Commissioner Lehman nominated Commissioner Brietigam for Vice Chair. No further nominations received.

Action: Motion approved with a 6-0 vote as follows:

Ayes: (6) Kanzler, Lazenby, Lehman, Nguyen, Salazar, Truong
Abstain: (1) Brietigam

Commissioner Kanzler assumed the duties of Chair.

PLEDGE OF ALLEGIANCE: Led by Vice Chair Brietigam.

ORAL COMMUNICATIONS - PUBLIC - None.

February 16, 2017 MINUTES:

Action: Received and filed.

Motion: Brietigam Second: Lehman

Ayes: (7) Brietigam, Kanzler, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

STUDY SESSION - PLANNING COMMISSION ORIENTATION - GENERAL DISCUSSION OF THE BROWN ACT, CONFLICTS OF INTEREST, AND RELATED MATTERS AND ISSUES WITHIN THE PLANNING COMMISSION'S JURISDICTION.

City Attorney James Eggart led the discussion on the Role of the Planning Commission and Staff, the Brown Act, Fair Hearings, Disclosure of Economic Interests, Conflicts of Interest, and related matters and issues within the Planning Commission's jurisdiction.

MATTERS FROM COMMISSIONERS: Commissioners introduced themselves. Vice Chair Brietigam commented that the current man power of the Garden Grove Police and Fire Departments did not meet staff levels. Chair Kanzler asked for a future update on the Bicycle Master Plan. Staff mentioned that the City had an online project list that was updated quarterly; that the City's website was being overhauled and improved to be more user friendly; and that April 1st was the next Open Streets event, which would include a bicycle greenway. Community & Economic Development Director, Lisa Kim, welcomed the Commissioners and mentioned that an Economic Development initiative was under way.

MATTERS FROM STAFF: Staff introduced themselves. Staff then gave a brief description of the item(s) for the Thursday, April 6th and 20th Planning Commission

meetings. Vice Chair Brietigam asked staff for informational sheets that would explain planning terminology.

ADJOURNMENT: At 8:19 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, April 6, 2017, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Brietigam Second: Lehman

Ayes: (7) Brietigam, Kanzler, Lazenby, Lehman, Nguyen,
Salazar, Truong

Noes: (0) None

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street
HEARING DATE: April 6, 2017	CURRENT GENERAL PLAN LAND USE DESIGNATION: Civic/Institutional PROPOSED GENERAL PLAN LAND USE DESIGNATION: Low Density Residential
CASE NO: General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, & Development Agreement No. DA-006-2017	CURRENT ZONING: R-1 (Single-Family Residential) PROPOSED ZONING: PUD-006-2017 (Planned Unit Development) (Base Zone: R-1)
APPLICANT: Shea Homes	CEQA DETERMINATION: Mitigated Negative Declaration
PROPERTY OWNER(S): Christ Catholic Cathedral Facilities Corp.	APNs: 231-041-26, 231-041-27, 231-041-28, & 231-255-01

REQUEST:

A request by Shea Homes to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01).

A portion of the project site is located within the city limits of the City of Orange. The project includes a proposed sphere of influence change and annexation of 0.901 acres from the City of Orange to the City of Garden Grove. Subsequent to the City Council approval of the project, an application with the Orange County Local Agency Formation Commission ("LAFCO") will be submitted to concurrently amend the spheres of influence of the Cities of Garden Grove and Orange, and to approve the annexation of the 0.901 acres into the City of Garden Grove.

Before LAFCO can consider approval of the sphere of influence change and annexation, the City of Garden Grove must act to extend the City's General Plan and zoning to the property to be annexed. As part of the Project, the Planning Commission will consider a recommendation for City Council approval of amendments to the City's General Plan Land Use Map and Zoning Map in conjunction with the proposed annexation. Said amendments would: (i) modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential

and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning; (ii) amend the City of Garden Grove's official General Plan Land Use Map to include the annexed properties under the General Plan Land Use Designation of Low Density Residential; and (iii) amend the City's official Zoning Map to "pre-zone" the annexed properties and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning.

The Planning Commission will also consider contingent approval of a Site Plan and Tentative Tract Map to subdivide the proposed 70-unit small-lot, single-family residential subdivision, along with a recommendation for City Council approval of a Development Agreement with the applicant. Finally, the Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the project.

BACKGROUND:

The site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Until 1962, the site and much of the surrounding area was planted with orchards and pastures. In 1965, the orchards on the site were cleared and the church, rectory, parish hall, administrative buildings, classroom buildings, recreation area for the school, and parking areas were constructed. At that time, a Conditional Use Permit was not required for religious institutions, and much of the surrounding area was developed for residential use. In 1972, a school building was constructed on the west side of the site, Lewis Street was realigned to the present configuration, and the SR-22 freeway was constructed. From 1977 to 1995, development of the surrounding area continued and the site remained unchanged.

In 1999, the City of Garden Grove approved Site Plan No. SP-239-99, Conditional Use Permit No. CUP-445-99, and Variance No. V-250-99, which allowed for the construction of a 15,500 square foot sanctuary church building and a spire above the height limits permitted in the R-1 zone, CUP approval to operate a religious institution, and variance approval to allow a reduction in the number of required on-site parking spaces. In 2005, the church improvements were completed, and the site has remained unchanged ever since.

Currently, a portion of the project site, at the northeast corner, is located within the jurisdictional territory and Sphere of Influence of the City of Orange. These project site areas to be annexed into the City of Garden Grove are not within the Garden Grove Sanitary District's service area. The properties to be annexed are currently located within the O-P (Office Professional) zone under the City of Orange Zoning Map.

DISCUSSION:Annexation/Sphere of Influence Change:

Orange County LAFCO is the government agency charged with controlling the boundaries of cities and special districts. Per state statute, Orange County LAFCO has the authority to adopt and update a "sphere of influence" for each city and to approve or disapprove all boundary changes/annexations. A city's "sphere of influence" includes that property located outside of the city that is designated for potential future annexation to the city. In order for Orange County LAFCO to approve the annexation of property to a city, the city's "sphere of influence" must include the property, and the city's General Plan must cover the property. A city may also "pre-zone" property within its sphere of influence so that zoning and development standards are already in place when and if the property is ultimately annexed to the city.

Subsequent to City Council approval of the subject entitlements (i.e., General Plan Amendment, PUD zoning, Tentative Tract Map, Site Plan, and Development Agreement), the City of Garden Grove will submit an application to LAFCO requesting to amend its sphere of influence and to approve annexation of the subject 0.901 acres from the City of Orange to the City of Garden Grove. The Cities of Garden Grove and Orange have discussed and agreed in principal on the terms of the proposed reorganization of the city boundaries and annexation of the subject 0.901 acres to the City of Garden Grove. The City of Orange has not objected to the proposed reorganization and annexation. In summary, the reorganization consists of: (i) the detachment of 0.901 acres from the City of Orange; (ii) annexation of the same territory to the City of Garden Grove and the Garden Grove Sanitary District; and (iii) concurrent amendment to each agency's sphere of influence. The reorganization would adjust the boundary between the City of Garden Grove and the City of Orange so that it would follow the centerline of Lewis Street north to the centerline of El Prado Avenue. Just north of the triangular section of undeveloped land created by the rerouting of Lewis Street as a result of the construction of the SR-22 freeway, the adjusted boundary would rejoin the existing boundary between the two cities.

City Staff has discussed the parameters of the proposal with the property owners and LAFCO and is in support of the request. The property owners have entered into an agreement with the City to pay all processing fees associated with the annexation and necessary City land use actions and, following the annexation, to pay all generally applicable City taxes and assessments, including the City's Paramedic Tax and City-wide street lighting and park maintenance assessments. These additional tax and assessment revenues will help offset the incremental additional costs of providing fire, police, and other City services to the annexed property.

A property tax-sharing agreement must be negotiated and approved by both the City of Orange (as the de-annexing agency) and the City of Garden Grove (as the annexing agency) prior to the LAFCO taking formal action on the boundary reorganization. Upon completion of the annexation, the City will take over responsibility for providing police, fire, and other city services, including water service, to the property, and will also assume ownership of, and responsibility for all

right-of-way and public facilities adjacent to the property that are currently owned by the City of Orange. A copy of the Orange County LAFCO "Standard Terms and Conditions" pertaining to the proposed annexation are attached to the Staff Report for the Planning Commission's information.

Before Orange County LAFCO can act on the City's forthcoming application and approve the sphere of influence amendments and annexation, the City of Garden Grove must amend its General Plan to cover the property and adopt "pre-zoning" for the property. The Planning Commission is requested to review and make a recommendation to the City Council regarding the proposed General Plan Land Use Map and Zoning Map amendments needed to facilitate the annexation of the subject 0.901 acres to the City of Garden Grove.

General Plan Amendment No. GPA-001-2017:

The proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed.

The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Accordingly, Staff finds that the Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses.

Planned Unit Development No. PUD-006-2017:

As part of the Project, the City's Zoning Map would be amended to "pre-zone" the portion of the project site to be annexed and to change the zoning of the portion of the project site located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. Upon LAFCO approval of the proposed annexation, the annexed properties would automatically become subject to PUD-006-2017 zoning, with R-1 base zoning. PUD-006-2017 is the residential Planned Unit Development zoning that establishes the development standards of the development, which are subject to the special requirements set forth in Municipal Code Section 9.12.040.060 for Small Lot Subdivisions.

SITE PLAN:**PROJECT STATISTICS:**

	Provided	Code
Lot Size	9.01 Acres	3.0 Acres
Density	7.8 units/acre	9 units/acre
Private/Common Open Space	14,089 sq. ft.	14,000 sq. ft. (200 sq. ft. per unit)
Parking		
Enclosed Garage	140	140
Guest Parking Space in Driveway	70	70
Unassigned Guest Parking On-Street	53	53
Total	263	263
Building Height	28'-0"	35'-0"

Building Type Summary	Number of Bedrooms/Baths	Unit Size	# of Units
Plan 1	4 Bed, 4 Baths	2,451 sq. ft.	35
Plan 2	4 Bed, 4 Baths	2,689 sq. ft.	35
Total # of Units			70

Site Design and Circulation

The project consists of 70 single-family residential detached units with attached enclosed two-car garages. Each unit is accessible from the private street, which circulates throughout the development.

The width of the private street typically ranges from 28'-0" (where on-street parallel parking stalls are provided on one side of the street) to 36'-0" (where on-street parallel parking stalls are provided on both sides of the street).

Main access to the site will be from Lewis Street via an enhanced entry driveway that will include decorative paving and landscaping. There will be two (2) 20'-0" wide remote operable vehicular access gates, one providing ingress and the other providing egress. The main entry gate is designed to meet the City of Garden Grove's standard gate entry requirements. The site will maintain one (1) emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, which will be fitted with a Fire Department Knox box system for emergency access. A code-protected pedestrian gate adjacent to the vehicular gate will also be included for residents and guests.

Between each home, a 4'-0" side yard setback is provided to the property lines providing a total of 8'-0" of separation between units. Sides of units that abut the internal private street are setback 8'-0". Depending on the abutting use, each unit

provides a rear setback ranging from 15'-0" to 30'-0", meeting the minimum required by Code. Each unit meets the minimum driveway depth requirement of 19'-0" in front of each garage.

The Municipal Code requires a minimum of 200 square feet per unit of common recreation area that is accessible to all residents and guests within the community. Based on the number of units proposed, the development is required to provide a common recreation area that is at least 14,000 square feet in area. The project complies with Code requirements, by providing a 14,089 square foot active recreational open space area which is located near the entrance of the residential community and is available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

Parking

The project provides a total of 263 parking spaces, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces includes: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest on-street parking spaces.

Perimeter Walls and Landscaping

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six-foot high block walls are proposed along the interior property lines of each unit. All block walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners.

In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA-maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

Unit Design

The project consists of 70 single-family residential homes with two (2) different two-story floor plans (Plan 1 and Plan 2), and all with attached two-car garages. Plan 1 is a 2,451 square foot unit with four (4) bedrooms and four (4) bathrooms.

Plan 2 is a 2,689 square foot unit, also with four (4) bedrooms and four (4) bathrooms. Plan 1 features a customizable option for the fourth bedroom, which would increase the size of this room. All units feature private outdoor areas to the sides and rear of the units. Each garage will have access from the private driveway within the development.

Building Architecture

The architectural style of the homes incorporates influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles. Plan 1 will be available in two (2) elevation styles – Monterey and Formal Spanish. Plan 2 will be available in three (3) elevation styles – Formal Spanish, Andalusian, and Santa Barbara. Each home will exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims.

TENTATIVE TRACT MAP:

In accordance with the State Subdivision Map Act, the developer has filed a tentative tract map for the project to subdivide the subject property into 70 separate lots. The Tentative Tract Map is in conformance with the zoning requirements for the site, as well as the City's Subdivision Ordinance and the State Subdivision Map Act.

DEVELOPMENT AGREEMENT:

The applicant will enter into a Development Agreement with the City. Pursuant to the proposed Development Agreement, the applicant will be guaranteed four years in which to construct the project in accordance with the approved General Plan designation, PUD zoning, Site Plan and Tentative Tract Map, and the City will receive from the developer a Development Agreement fee not to exceed \$134,120.00. The Development Agreement is intended to ensure that the Project Applicant has provided funding sufficient to ensure that the infrastructure and public facilities required by development of the Project site are constructed, and that the infrastructure and public facilities would be available no later than when required to serve the demand generated by development of the property. The Planning Commission recommendation on the Development Agreement will be forwarded to the City Council for final action.

Environmental Review:

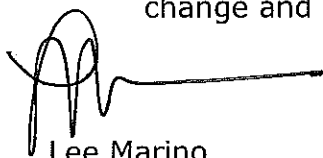
In conjunction with the proposed project, the City (through a consultant) has prepared an initial study and Mitigated Negative Declaration ("IS/MND") in accordance with the California Environmental Quality Act ("CEQA") analyzing the potential environmental impacts of the proposed small lot subdivision with 70 single-family detached residential units and related street and open space improvements. In accordance with CEQA, 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.

These mitigation measures are included as Conditions of Approval. City Staff is requesting that the Planning Commission hold a public hearing and adopt the attached Resolution recommending that the Garden Grove City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Adopt the attached Resolution No. 5877-17 recommending that the Garden Grove City Council: (i) approve General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the properties to be annexed under the General Plan Land Use Designation of Low Density Residential; (ii) adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning for the portion of the project site that is located within the City of Garden Grove and amend the City's official Zoning Map to "pre-zone" the properties to be annexed and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning; (iii) adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project; and (iv) approve Development Agreement No. DA-006-2017; and
- Adopt the attached Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, subject to the recommended Conditions of Approval, and contingent upon (1) City Council adoption of Resolution No. 5877-17, and (2) Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence change and annexation.



Lee Marino
Planning Services Manager



By: Chris Chung
Associate Planner

Attachment No. 1: Site Map

Attachment No. 2: Orange County LAFCO Standard Terms and Conditions



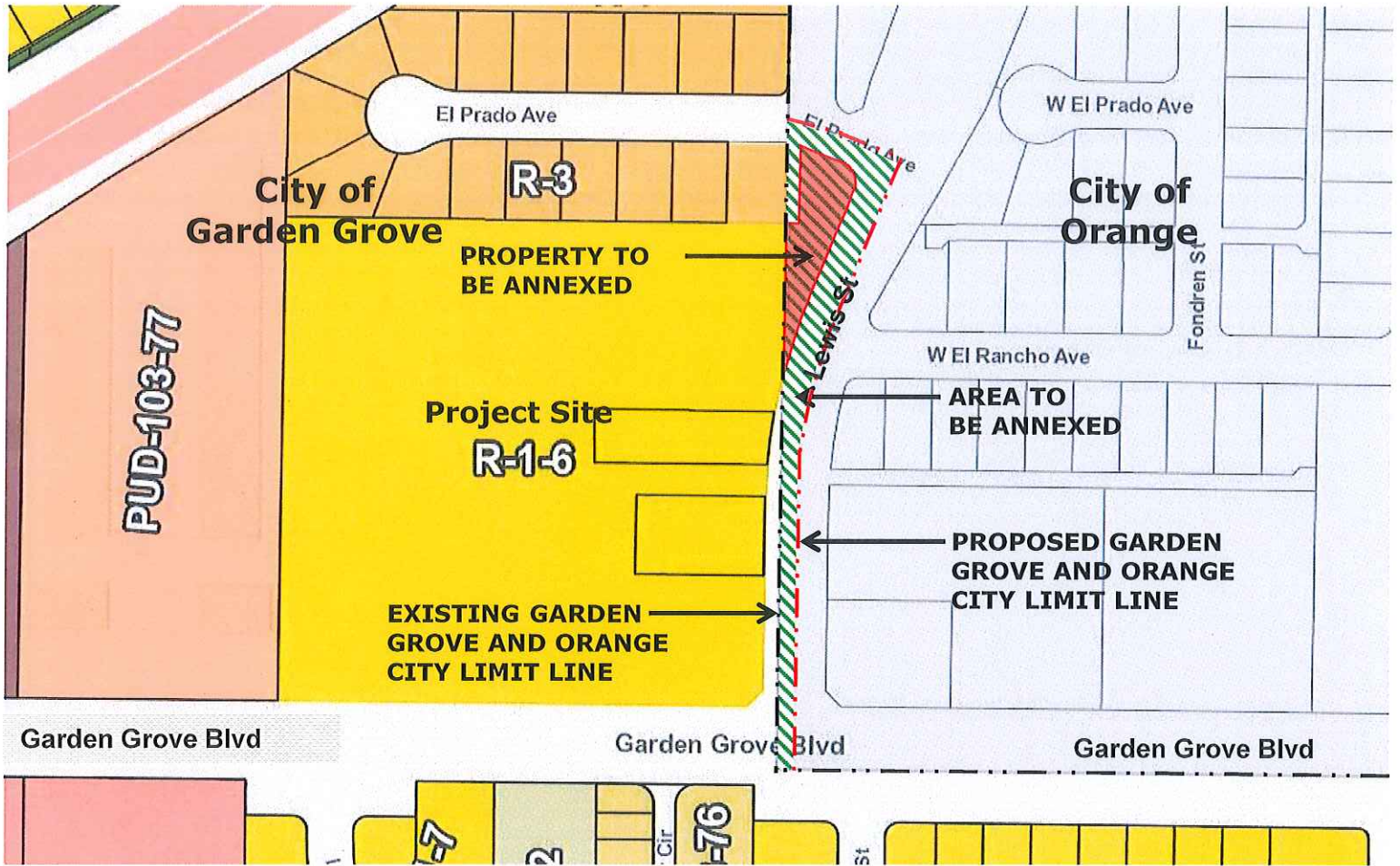
GENERAL PLAN AMENDMENT GPA-001-2017

PLANNED UNIT DEVELOPMENT NO. PUD-006-2017

TENTATIVE TRACT MAP NO. TT-17927-2017





SITE PLAN NO. SP-028-2017

DEVELOPMENT AGREEMENT NO. DA-006-2017



Proposed Annexation and City Limit Reorganization



-  PROPERTY TO BE ANNEXED
-  AREA (0.901 ACRES) TO BE ANNEXED
-  EXISTING GARDEN GROVE AND ORANGE CITY LIMIT LINE
-  PROPOSED GARDEN GROVE AND ORANGE CITY LIMIT LINE

OC LAFCO Standard Terms & Conditions

NOW, THEREFORE, the Local Agency Formation Commission of the County of Orange DOES HEREBY RESOLVE, DETERMINE and ORDER as follows:

- Section 1. Pursuant to the California Environmental Quality Act, the Commission has reviewed and considered the (Enter CEQA Document) for the rezoning, general plan amendment, annexation and concurrent sphere of influence amendment of the subject territory adopted by the City of Garden Grove on (Enter Date). The Commission directs the Executive Officer to file a Notice of Determination, as a responsible agency under Section 15096.
- Section 2. The sphere of influence of the City of Garden Grove is hereby amended to include the subject territory. The Statement of Determinations and amended sphere of influence map are shown as Exhibit "A" and are hereby adopted.
- Section 3. The sphere of influence of the City of Stanton is hereby amended to exclude the subject territory. The Statement of Determinations and amended sphere of influence map are shown as Exhibit "B" and are hereby adopted.
- Section 4. The proposal is approved subject to the following terms and conditions:
- a) Payment of County Clerk-Recorder and State Board of Equalization fees.
 - b) Upon annexation of the territory to the city, all right, title, and interest of the County, including the underlying fee title where owned by the County in any and all sidewalks, trails, landscaped areas, street lights, open space, signals, storm drains, water quality treatment basins and /or structures, and water quality treatment systems serving roadway and bridges shall vest in the City, except for those properties to be retained by the County and specifically listed by these conditions.
 - c) Upon annexation of the territory, the City shall be the owner of, and responsible for, all of the following property owned by the County: public roads, adjacent slopes, street lights, traffic signals, mitigation sites that have not been accepted

by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area and storm drains within street right-of-way and appurtenant slopes, medians and adjacent property. City shall also be responsible for the ongoing mitigation, but not the ownership of, mitigation sites that were installed on other County property, such as flood control property that were installed as a condition of road construction projects in or associated with the road projects in the annexed area and mitigation site that is annexed to the City.

- d) Upon the effective date of annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, appurtenant facilities (except regional OCFCD flood control facilities for which OCFCD has a recorded flood control easement or ownership interest), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently operated and maintained by the County of Orange; (2) accept and adopt the County of Orange Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Orange County Public Works Department/Planning & Development Services/Subdivision & Infrastructures should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Manager of Flood Control Division, Orange County Public Works Department for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to OCFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which OCFCD has a recorded flood control easement or owns fee interest, by submitting maps and proposals to the Manager of Flood Control Division, Orange County Public Works Department, for review and comment. If such facilities are in need of improvement to provide the required flood control and/or erosion protection for the development, require the developer to enter into an agreement with OCFCD for the design, review, construction, acceptance, and maintenance of such

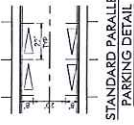
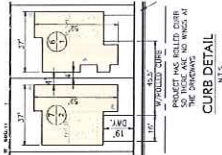
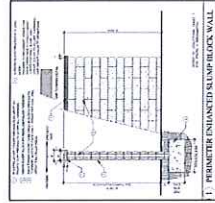
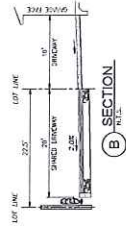
necessary flood control improvements, and; (5) for development proposals that are adjacent to regional drainage courses which are not owned or maintained by OCFCD, but are in need of improvements to provide the required flood control and/or erosion protection for the development, required the developer to enter into an agreement with OCFCD for the design, review, construction, acceptance, and maintenance of proposed regional flood control facilities.

- e) The applicant agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- f) Upon annexation of the territory to the city, the City shall assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, appurtenant facilities and site drainage that are within the annexation area.
- g) The effective date shall be the date of recordation.

Section 5. The subject territory is found to be inhabited, is within the County of Orange, and is assigned the following distinctive short-form designation:
"Carmel/Lampson Reorganization to the City of Garden Grove (RO 12-09)" (See Vicinity Map - Exhibit C).

Section 6. The Commission authorizes and directs the Executive Officer to conduct protest proceedings pursuant to Government Code Sections 57000 et seq. and set a 21-day protest period.

Section 7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Section 56882 of the Government Code.



ZONING INFORMATION:
 ZONING MAP 231-194-26-27
 APN 231-194-26-27 41,640 SQ. FT. 8.56 AC.
 PARCEL 1 (APN 231-194-26-01) 8,811 SQ. FT. 0.20 AC.
 TOTAL 50,451 SQ. FT. 1.07 AC.

BUILDING AREA:
 PLAN 1 (1,104 SF)
 PLAN 2 (1,104 SF)
 TOTAL BUILT UP AREA 2,208 SF
 TOTAL BLDG AREA 2,208 SF (81.6%)
 UNDEVELOPED 1,834 SF

LAND USE INFORMATION:
 PROPOSED LAND USE - COMMERCIAL
 PROPOSED LOT USE - 2-1-1-8
 STREET FRONTAGE (300 FT) 1,104 SF (0.20 AC)
 STREET FRONTAGE (300 FT) 1,104 SF (0.20 AC)
 STREET FRONTAGE (300 FT) 1,104 SF (0.20 AC)
 TOTAL LOT FRONTAGE 3,312 SF (0.76 AC)

COMMON REGULATION AREA REQUIRED:
 20' STRIPES - 14,400 SF
 COMMON REGULATION AREA PROVIDED: 20' STRIPES - 14,400 SF

PARKING PROVIDED:
 2 SPACES PER UNIT
 114 53.2%
 23 20.2%
 TOTAL PARKING (137) 1,283 100%

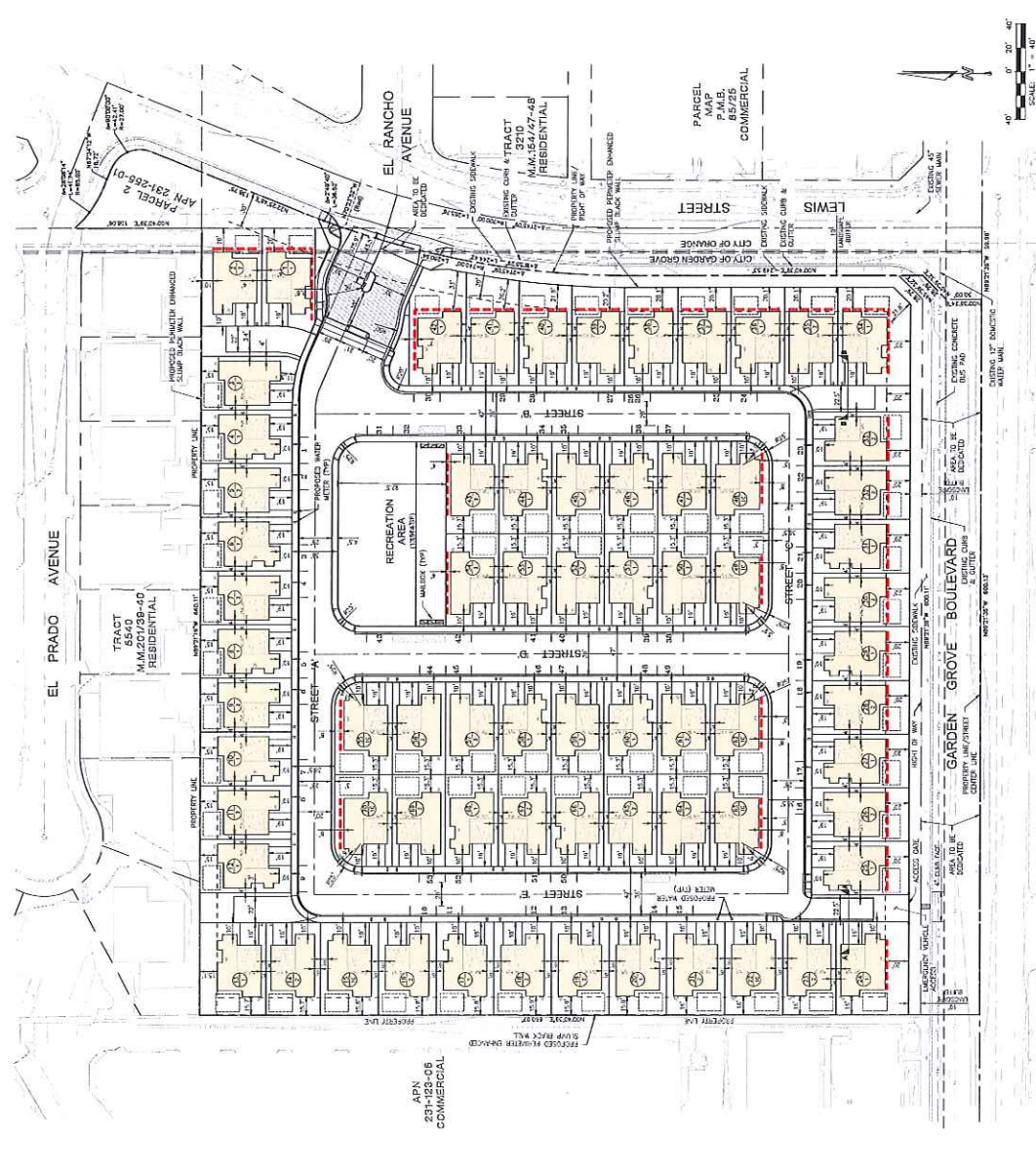
PERMITTED RESTRICTIONS:
 FROM - TRAILS STREET FRONTAGE 15'
 FROM - TRAILS STREET FRONTAGE 15'
 FROM - TRAILS STREET FRONTAGE 15'
 FROM - TRAILS STREET FRONTAGE 15'

LAND USE INFORMATION:
 PROPOSED LAND USE - COMMERCIAL
 PROPOSED LOT USE - 2-1-1-8
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PERMITTED RESTRICTIONS:
 FROM - TRAILS STREET FRONTAGE 15'
 FROM - TRAILS STREET FRONTAGE 15'
 FROM - TRAILS STREET FRONTAGE 15'
 FROM - TRAILS STREET FRONTAGE 15'

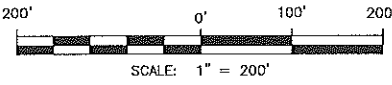
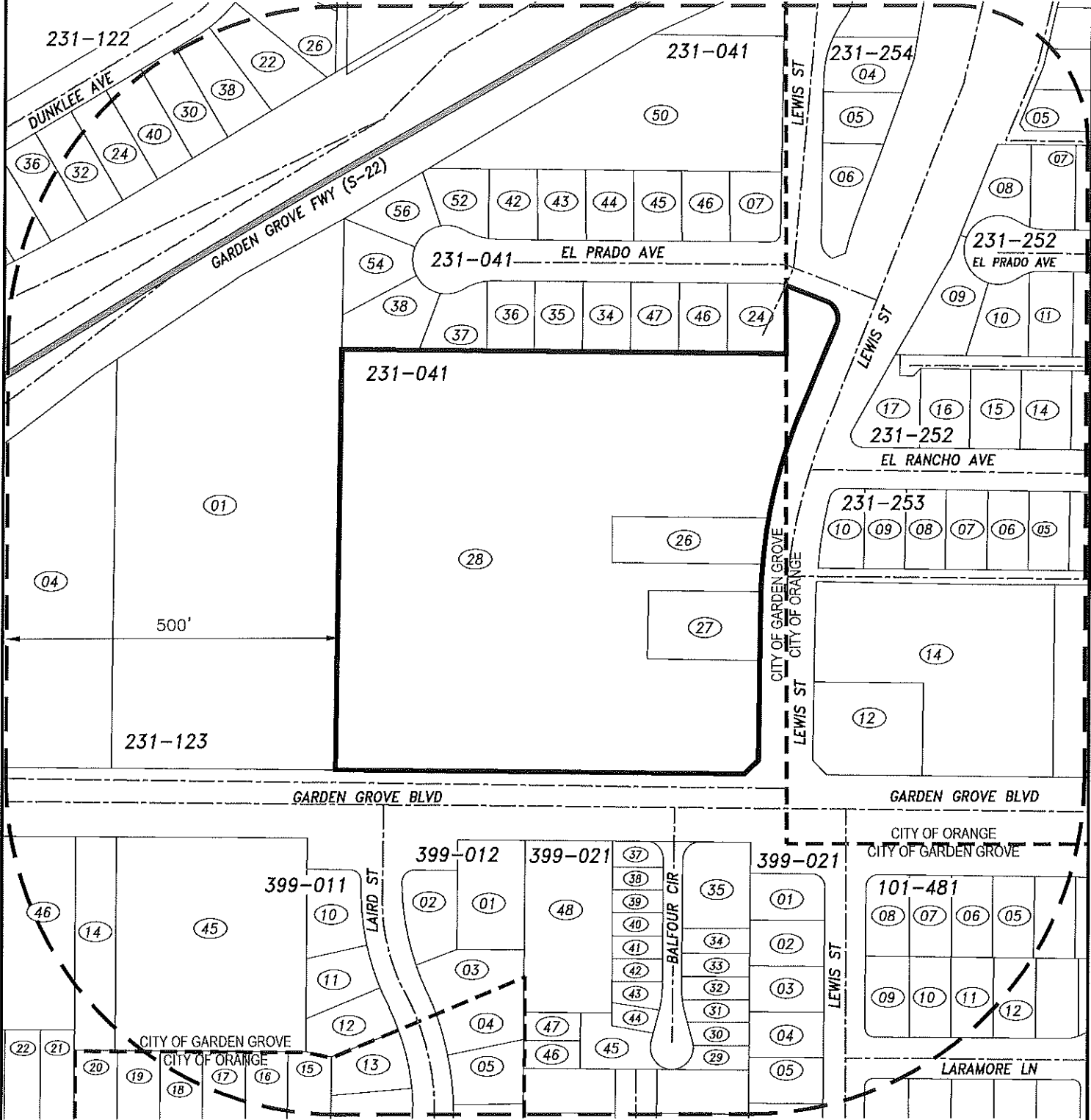


40' 0" 20' 40'
 SCALE: 1" = 40'

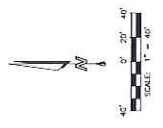
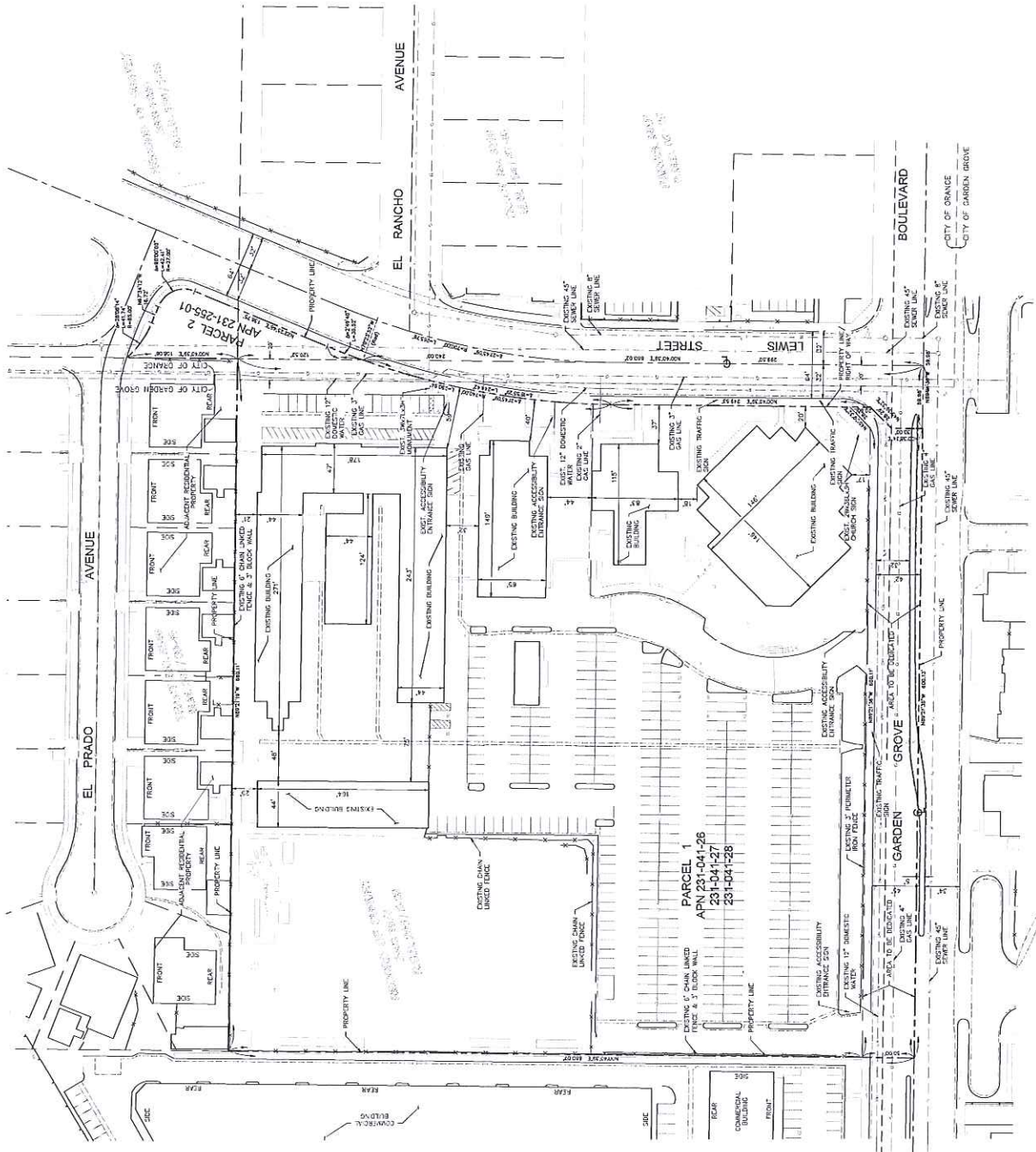
SITE PLAN
LEWIS STREET/GARDEN GROVE BLVD.

OWNER/SUBDIVIDER:
 ENGINEER: **FUSCOE**
 2405 GARDEN GROVE BLVD.
 IRVINE, CALIFORNIA 92618
 TEL: 949.251.1234 FAX: 949.251.1235
 WWW.FUSCOE.COM
 DATE: 08/16/2016
 SCALE: AS SHOWN
 SHEET #: 1 of 1

AREA MAP



LEWIS STREET HOMES - TRACT 17927
 FOR SHEA HOMES (APPLICANT)
 DATE: JUNE 3, 2016
 PARCEL 1 (APN: 231-041-26, 27 AND 28)
 PARCEL 2 (APN: 231-255-01)



EXISTING FACILITIES PLAN
LEWIS STREET HOMES
TRACT 17927

OWNER/SUBDIVIDER: **Sheep** ENGINEER: **FUSCOE**

FUSCOE
 ENGINEERS & ARCHITECTS
 14000 Harbor Blvd., Suite 200
 Irvine, California 92618
 Tel: 949.453.1155 www.fuscoecorp.com

Sheep
 2400, Suite 200
 Irvine, California 92618
 Tel: 949.453.1155

DATE:	06/15/2015
SCALE:	AS SHOWN
SHEET #:	1 of 1

VESTING TENTATIVE TRACT MAP NO. 17927

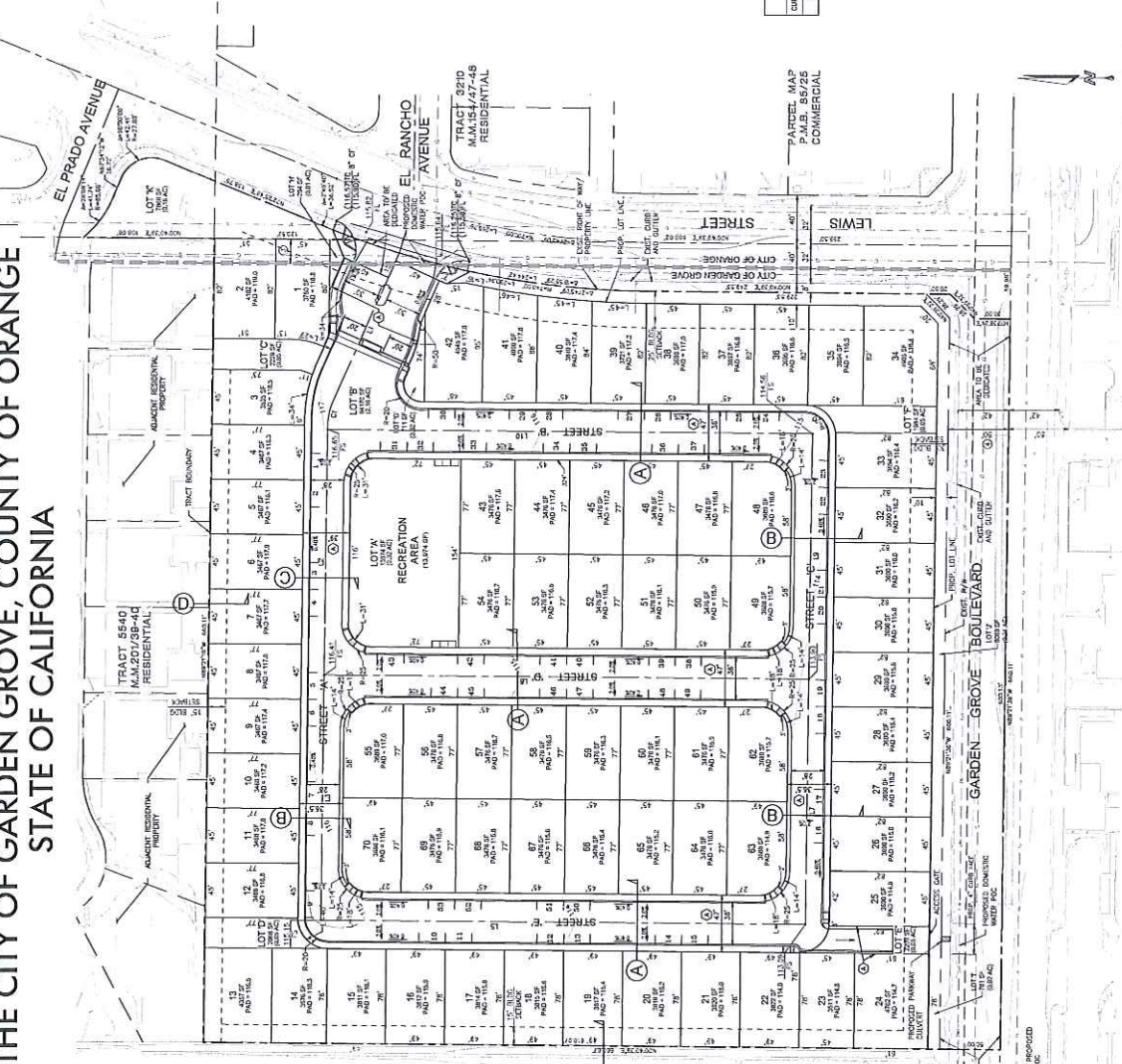
FOR CONDOMINIUM PURPOSE

IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE STATE OF CALIFORNIA

05/15/2016

LINE 8817 / 10000000 AND

PLAN SET: A



LINE DATA

LINE #	BEARING	DISTANCE
L1	S 62°22'14" E	13.241'
L2	S 88°27'36" E	204.50'
L3	S 88°27'36" E	201.50'
L4	S 202°29'24" W	422.00'
L5	S 88°27'36" E	203.00'
L6	S 202°29'24" W	422.00'
L7	S 88°27'36" E	203.00'
L8	S 202°29'24" W	422.00'
L9	S 88°27'36" E	203.00'
L10	S 202°29'24" W	422.00'

CURVE DATA

CURVE #	DATA	LENGTH	RADIUS	TANGENT
C1	S 22°21'4" E	20.48'	50.21'	10.20'



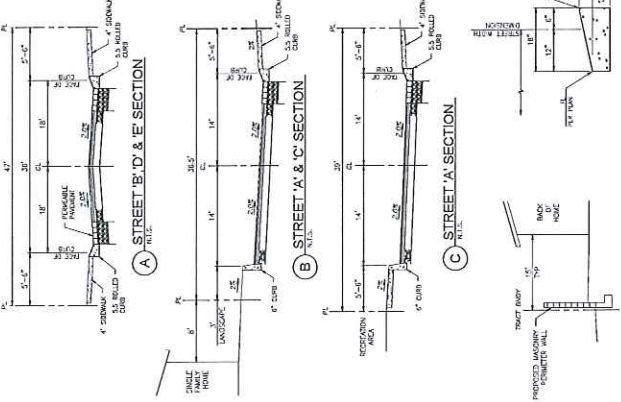
PROJECT NO. 245-013
 SHEET 2 OF 2
 VESTING TENTATIVE TRACT NO. 17927
 FOR CONDOMINIUM PURPOSES
 LEWIS STREET / GARDEN GROVE BLVD.
 GARDEN GROVE, CALIFORNIA



PREPARED UNDER THE SUPERVISION OF
 ARCHITECT: HOOK & HOOK
 REG. NO. C-00000 EXP. DATE 03/31/16

APPROVED BY: [Signature]
 SHEET NO. 2 OF 2
 DATE: 05/15/2016

NO.	DATE	REVISIONS



TYPE 'A' (LOW SLOPE)
 TYPE 'B' (MODIFIED ROLLED CURB DETAIL)
 TYPE 'C' (MODIFIED ROLLED CURB DETAIL)
 TYPE 'D' (TRACT BNDY SECTION)

LETTERED LOT TABLE (LOW SLOPE)

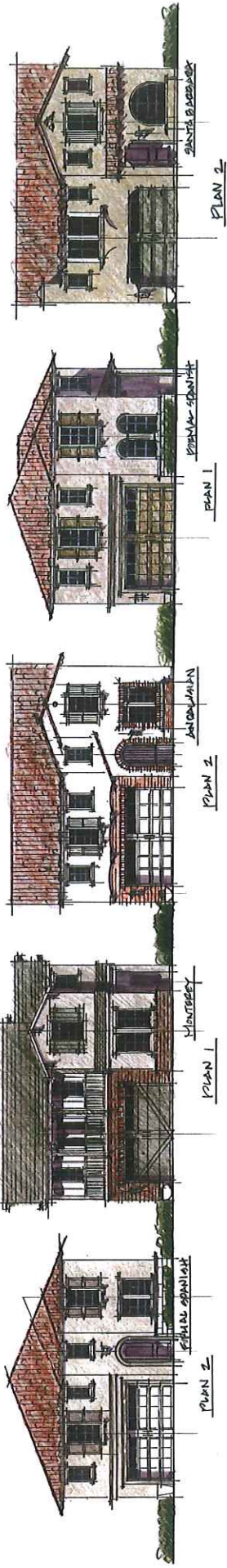
LOT	AREA SF	AREA AC
A	1,024.5	0.23 AC
B	14,178.9	3.18 AC
C	2,229.5	0.51 AC
D	2,229.5	0.51 AC
E	2,229.5	0.51 AC
F	2,229.5	0.51 AC
G	2,229.5	0.51 AC
H	2,229.5	0.51 AC
I	2,229.5	0.51 AC
J	2,229.5	0.51 AC
K	2,229.5	0.51 AC

SINGLE FAMILY LOTS TABLE

NO.	AREA SF	AREA AC
1	3,760.5	0.86 AC
2	4,125.0	0.94 AC
3	3,232.5	0.74 AC
4	3,232.5	0.74 AC
5	3,232.5	0.74 AC
6	3,232.5	0.74 AC
7	3,232.5	0.74 AC
8	3,232.5	0.74 AC
9	3,232.5	0.74 AC
10	3,232.5	0.74 AC
11	3,232.5	0.74 AC
12	3,232.5	0.74 AC
13	3,232.5	0.74 AC
14	3,232.5	0.74 AC
15	3,232.5	0.74 AC
16	3,232.5	0.74 AC
17	3,232.5	0.74 AC
18	3,232.5	0.74 AC
19	3,232.5	0.74 AC
20	3,232.5	0.74 AC
21	3,232.5	0.74 AC
22	3,232.5	0.74 AC
23	3,232.5	0.74 AC
24	3,232.5	0.74 AC
25	3,232.5	0.74 AC
26	3,232.5	0.74 AC
27	3,232.5	0.74 AC
28	3,232.5	0.74 AC
29	3,232.5	0.74 AC
30	3,232.5	0.74 AC
31	3,232.5	0.74 AC
32	3,232.5	0.74 AC
33	3,232.5	0.74 AC
34	3,232.5	0.74 AC
35	3,232.5	0.74 AC

COMMERCIAL BUILDING

NO.	AREA SF	AREA AC
36	10,000.0	2.28 AC
37	10,000.0	2.28 AC
38	10,000.0	2.28 AC
39	10,000.0	2.28 AC
40	10,000.0	2.28 AC
41	10,000.0	2.28 AC
42	10,000.0	2.28 AC
43	10,000.0	2.28 AC
44	10,000.0	2.28 AC
45	10,000.0	2.28 AC
46	10,000.0	2.28 AC
47	10,000.0	2.28 AC
48	10,000.0	2.28 AC
49	10,000.0	2.28 AC
50	10,000.0	2.28 AC
51	10,000.0	2.28 AC
52	10,000.0	2.28 AC
53	10,000.0	2.28 AC
54	10,000.0	2.28 AC
55	10,000.0	2.28 AC
56	10,000.0	2.28 AC
57	10,000.0	2.28 AC
58	10,000.0	2.28 AC
59	10,000.0	2.28 AC
60	10,000.0	2.28 AC
61	10,000.0	2.28 AC
62	10,000.0	2.28 AC
63	10,000.0	2.28 AC
64	10,000.0	2.28 AC
65	10,000.0	2.28 AC
66	10,000.0	2.28 AC
67	10,000.0	2.28 AC
68	10,000.0	2.28 AC
69	10,000.0	2.28 AC
70	10,000.0	2.28 AC



Bassettian | Lagoni
 ARCHITECTURAL DESIGN
 1477 151796

STREETSCENE
GARDEN GROVE CHURCH SITE
 GREENSBORO, GA



147.151796

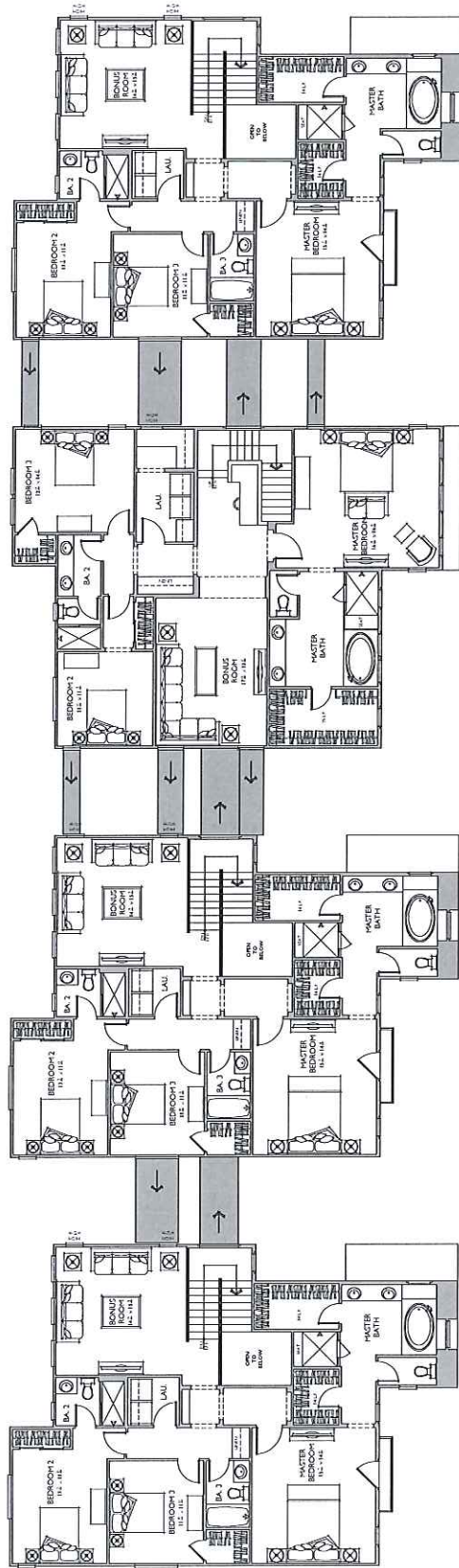


GARDEN GROVE LEWIS STREET

GARDEN GROVE , CA



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ARCHITECTURE • PLANNING • INTERIORS
2031 Orchard Drive, Suite 100 Newport Beach, CA, USA, 92660
Tel. +1 949 553 9100 www.bassenianlagoni.com Fax +1 949 553 0548
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SECOND FLOOR

PLAN 1
 Window Adjacency Analysis
GARDEN GROVE CHURCH SITE

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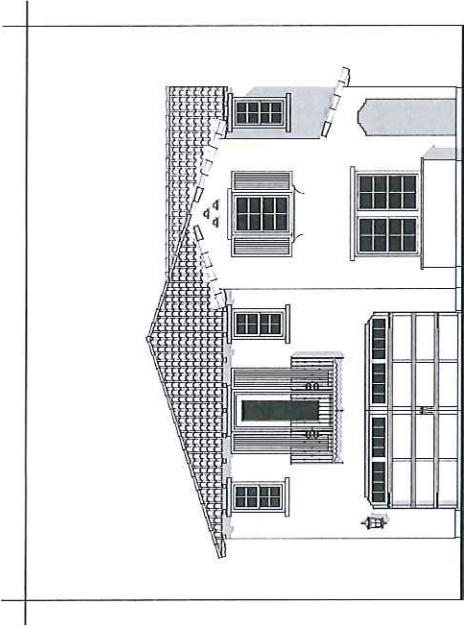
Garden Grove, CA

147.15196

SCALE 3/16" = 1'-0"

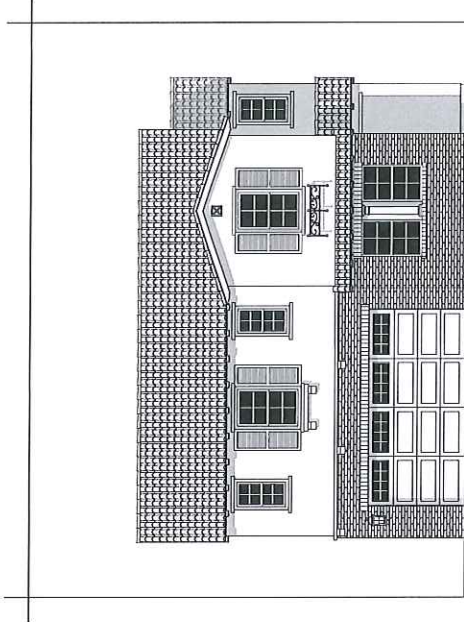


12.14.15
 NORTHERN CALIFORNIA ARCHITECTS
 2200 UNIVERSITY AVENUE
 BERKELEY, CA 94704
 PH: (925) 844-8888



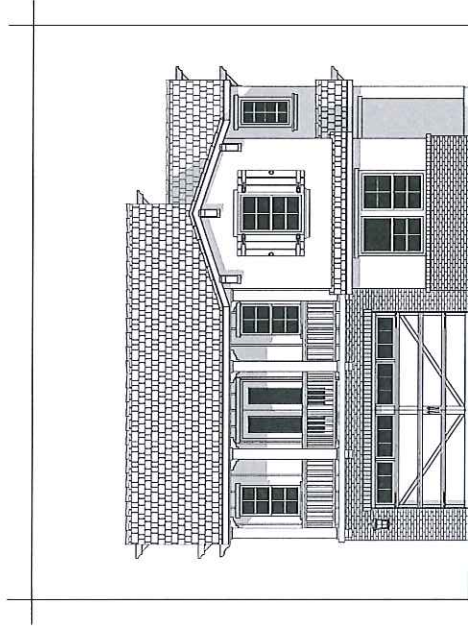
SANTA BARBARA

A



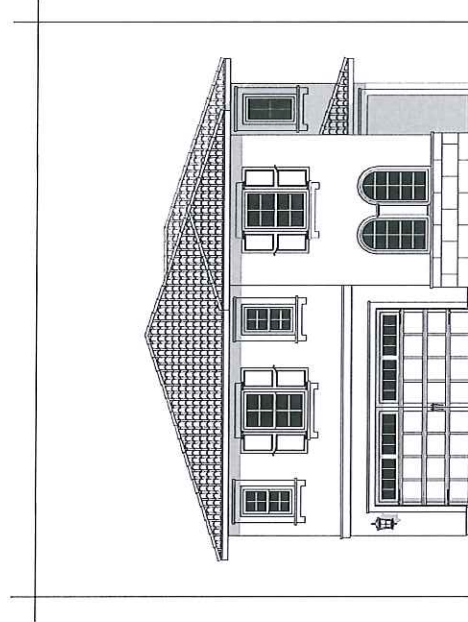
ANDALUSIAN

B



MONTEREY

C

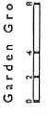


FORMAL SPANISH

D

PLAN I
 Front Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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 ARCHITECTURE • PLANNING • INTERIORS
 20099 25th Street, Suite 100
 Garden Grove, CA 92647
 Tel: 714.634.1111

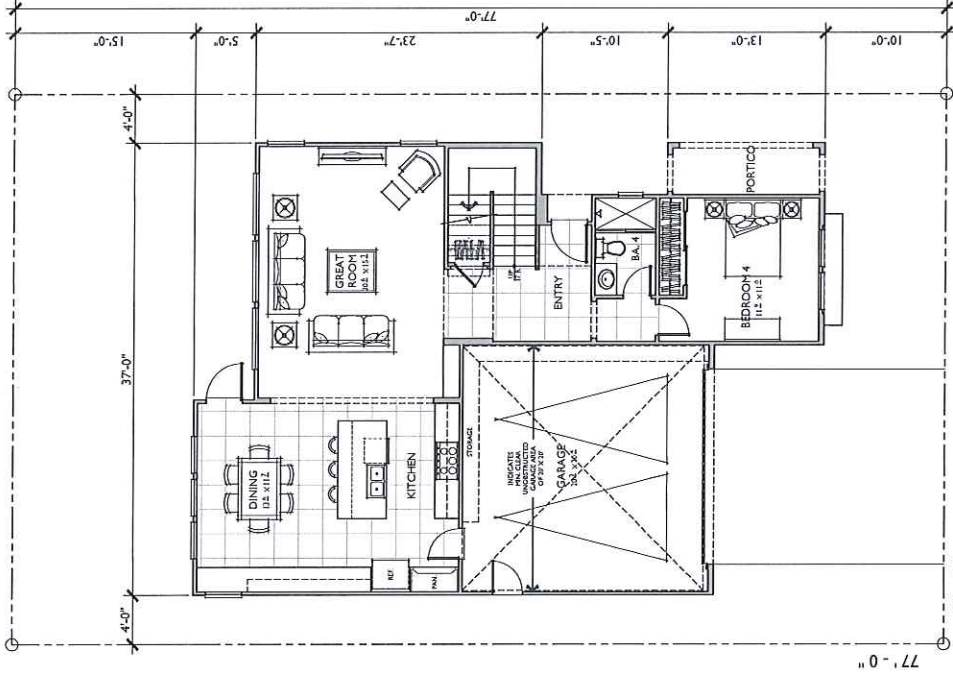


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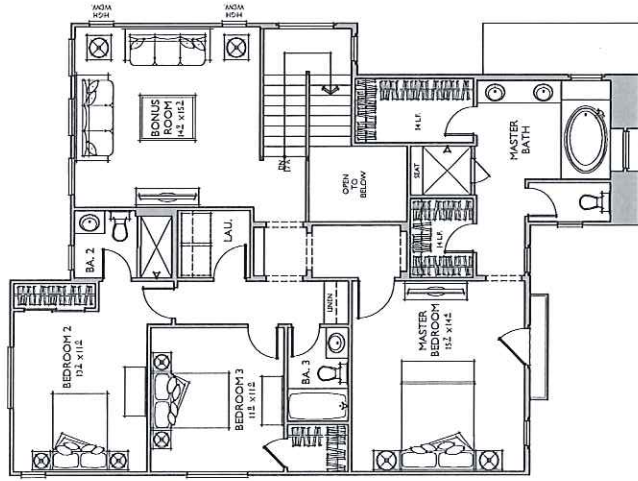
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NORTHERN CALIFORNIA DIVISION
 2000 SHAW CENTER DRIVE
 SUITE 100
 RICHMOND, CA 94804
 PH: (925) 244-4888

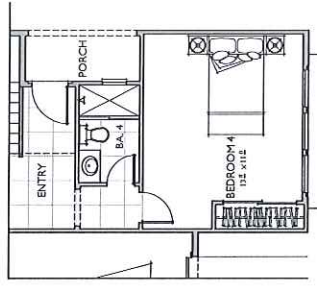




FIRST FLOOR



SECOND FLOOR



EXPANDED BEDROOM 4
48 SQ. FT.

PLAN I
2,451 SQ. FT.
4 BEDROOMS / BONUS ROOM / 4 BATHS
2 - CAR GARAGE

FLOOR AREA TABLE	
1ST FLOOR	1,094 SQ. FT.
2ND FLOOR	1,357 SQ. FT.
TOTAL	2,451 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORTICO	34 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION.

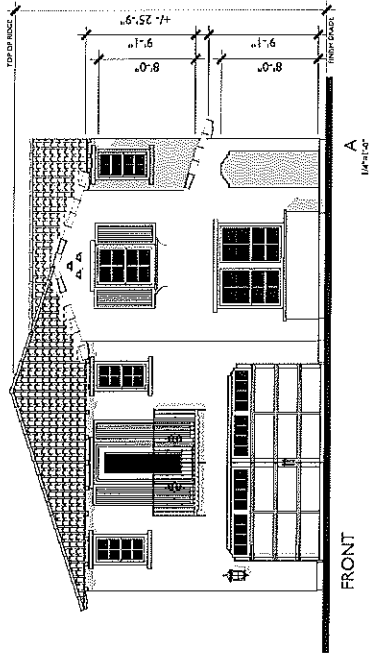
PLAN I
Reflects Santa Barbara Elevation
GARDEN GROVE CHURCH SITE
Garden Grove, CA

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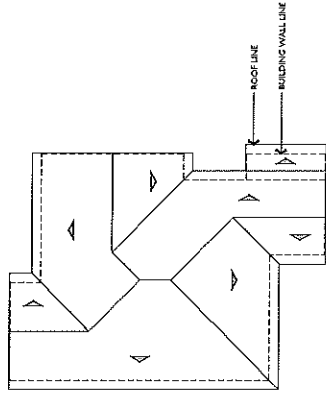
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12.14.15
NORTHSTAR CALIFORNIA DIVISION
1201 BINA CENTER DRIVE
SAN ANTONIO, TEXAS 78249
PH: (210) 344-8400

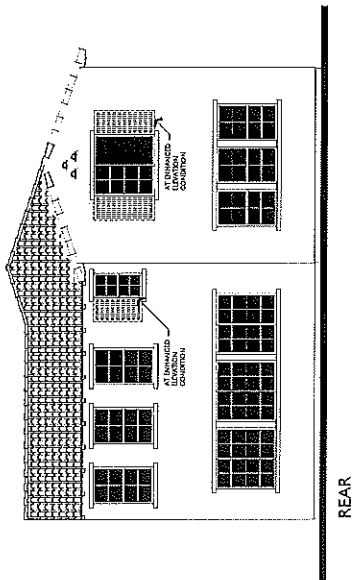




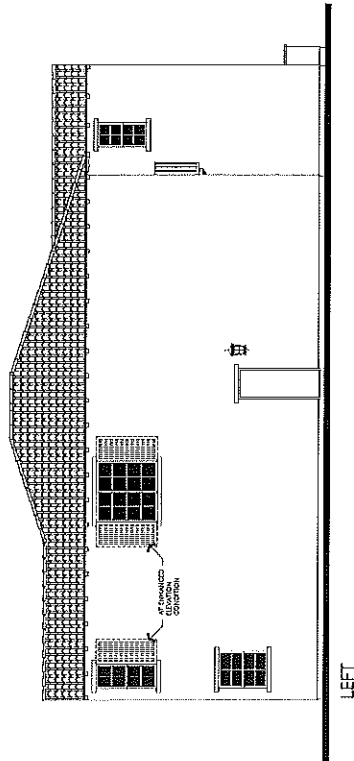
FRONT



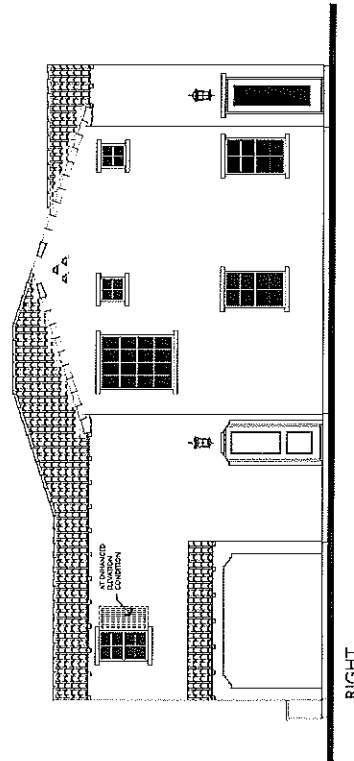
ROOF PLAN
 PITCH 4:12
 1/2" = 1'-0"
 RAFTERS 16"
 ROOF MATERIAL CONCRETE & TILE



REAR



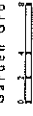
LEFT



RIGHT

PLAN I
 Santa Barbara Elevation
 GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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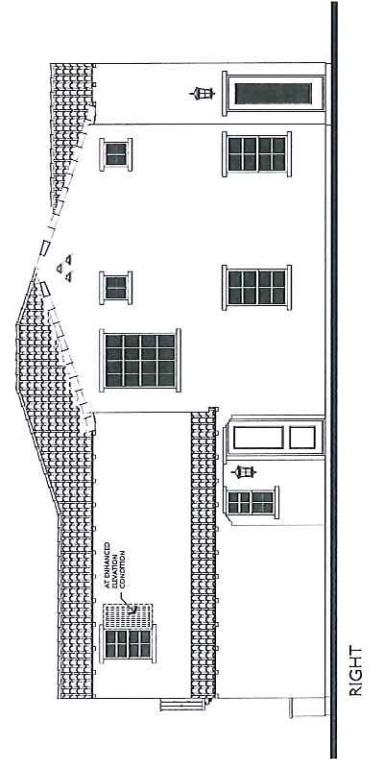
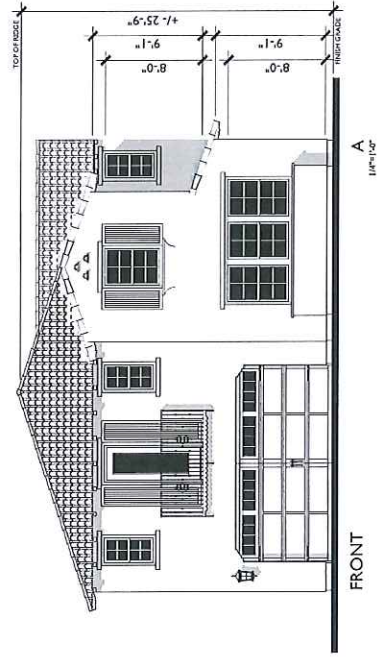
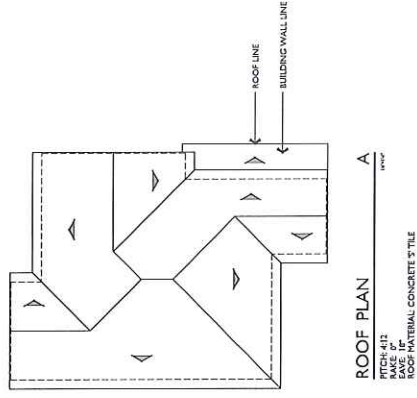


147.15196

Santa Barbara Elevation



12.14.15
 NORTHERN CALIFORNIA DIVISION
 800 BINA CENTER DRIVE
 SAN FRANCISCO, CA 94103
 PH: 415.774.8300



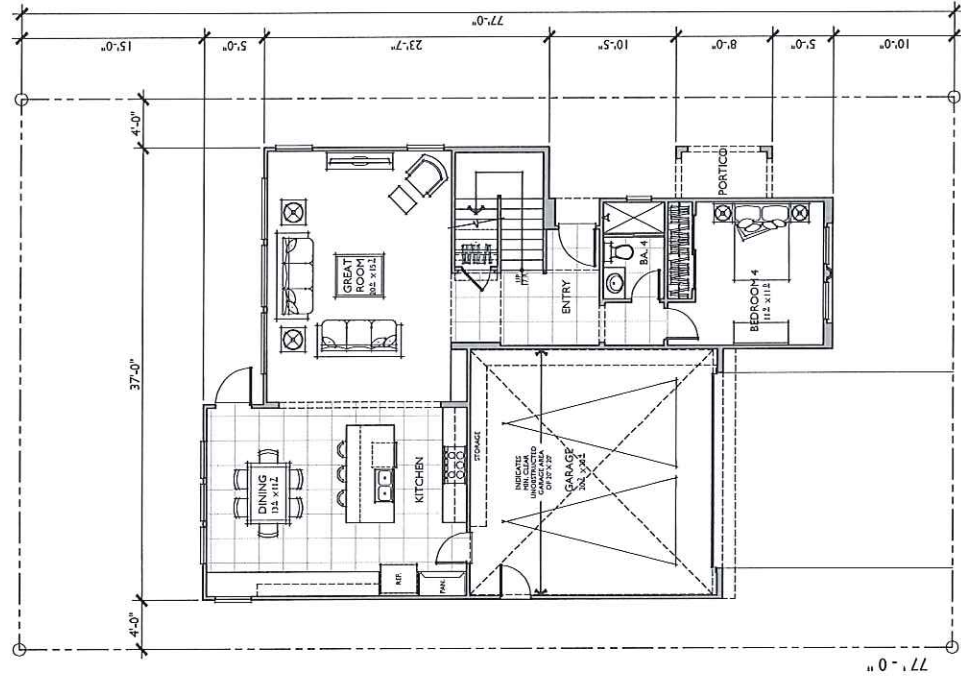
PLAN I
 Option Santa Barbara Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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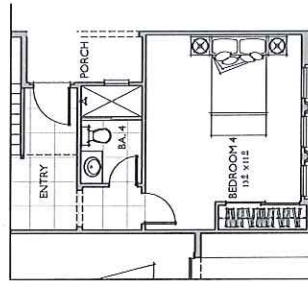
12.14.15
 NORTHWEST CALIFORNIA ARCHITECTURE
 2840 BRIDGE CENTER DRIVE
 SUITE 100
 SAN RAFAEL, CA 94903
 PH: (415) 242-2888



147.15196



FIRST FLOOR



EXPANDED BEDROOM 4

© ENHANCED CORNER LOTS 412 SQ. FT.

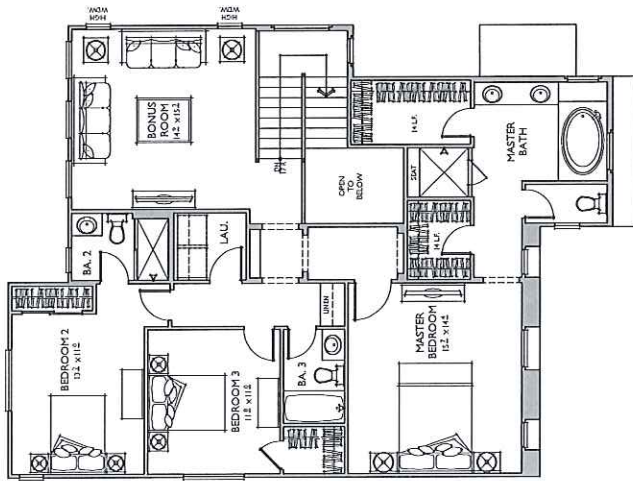
PLAN I
2,451 SQ. FT.
4 BEDROOMS / BONUS ROOM / 4 BATHS
2 - CAR GARAGE

FLOOR AREA TABLE

1ST FLOOR	1,094 SQ. FT.
2ND FLOOR	1,357 SQ. FT.
TOTAL	2,451 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORTICO	34 SQ. FT.

NOTE: GARAGE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION.

PLAN I 2, 4, 15
NORTHERN CALIFORNIA DIVISION
3200 UNIVERSITY AVENUE
LA JOLLA, CA 92037
PH: (760) 246-8899



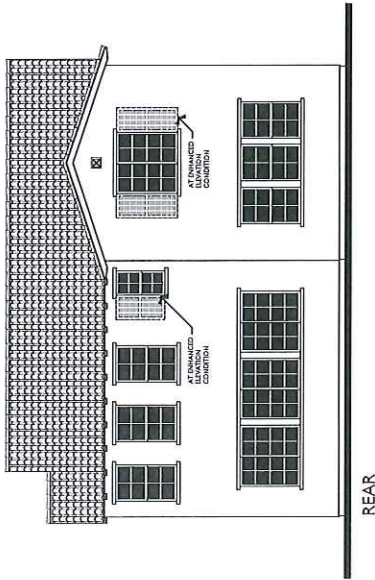
SECOND FLOOR

PLAN I
Reflects Andalusian Elevation
GARDEN GROVE CHURCH SITE
Garden Grove, CA

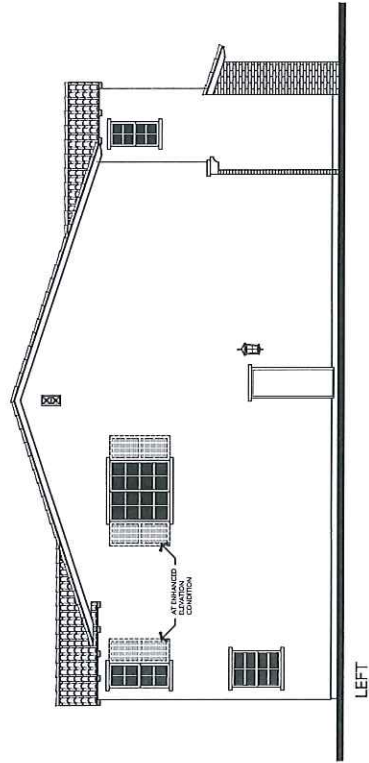
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147-15196

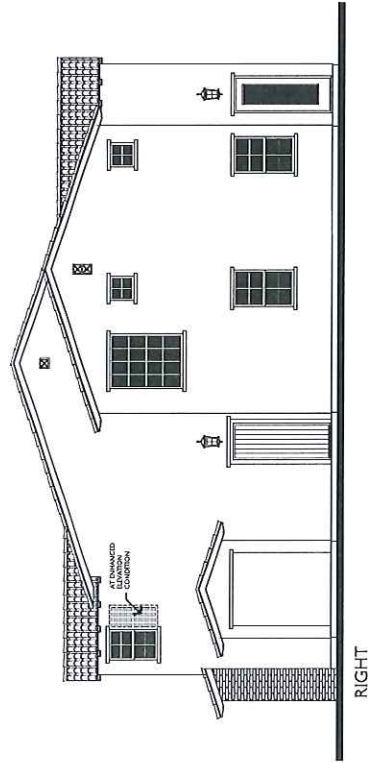
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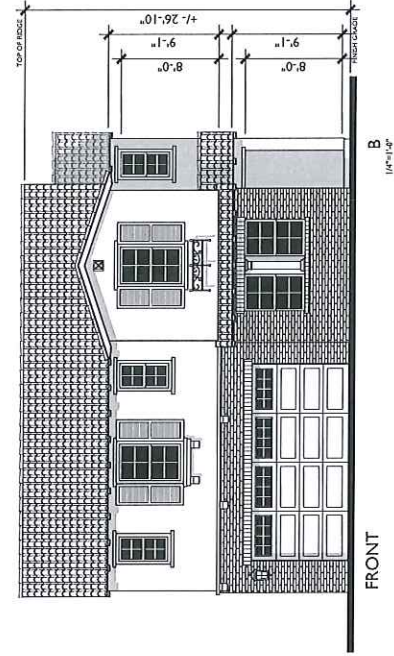
REAR



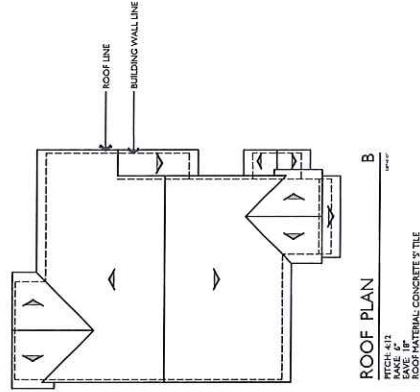
LEFT



RIGHT



FRONT



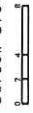
ROOF PLAN

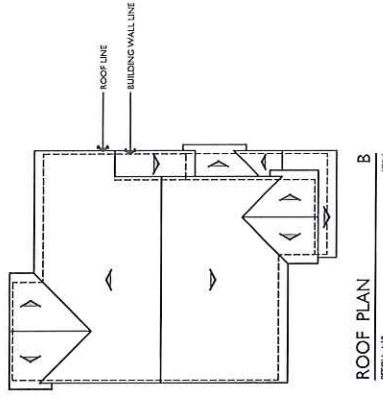
SCALE: 1/4" = 1'-0"
 FINISH: 1/4" = 1'-0"
 ROOF MATERIAL: CONCRETE 5" TILE

PLAN I
 Andalusian Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

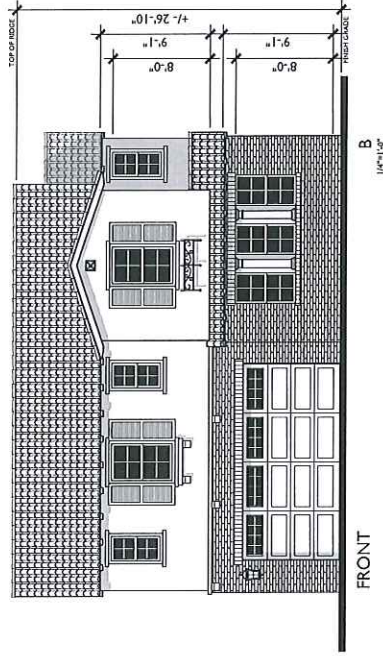
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147.15196

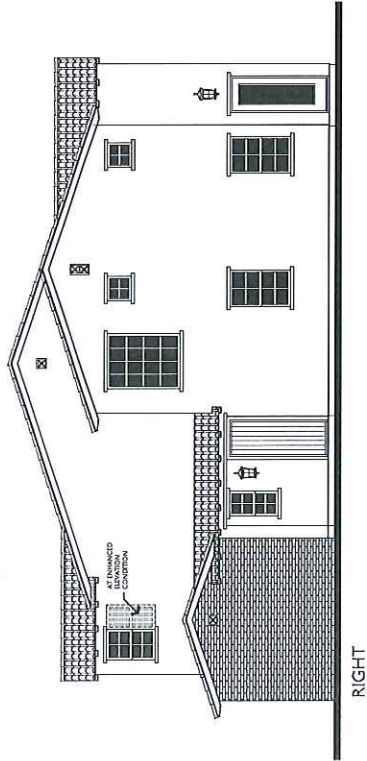




ROOF PLAN
 PITCH: 4/12
 EAVE: 1/4"
 ROOF MATERIAL: CONCRETE 3" TILE



FRONT



RIGHT

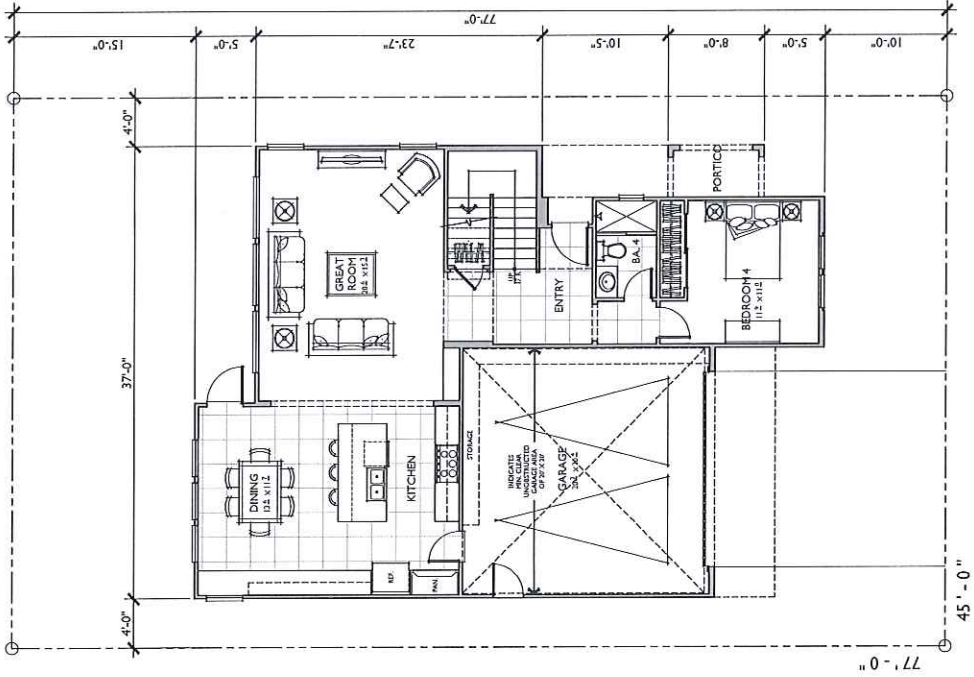
PLAN 1
 Option Andalusian Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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 2000 20th Street, Suite 100, Garden Grove, CA 92647
 (714) 634-1111

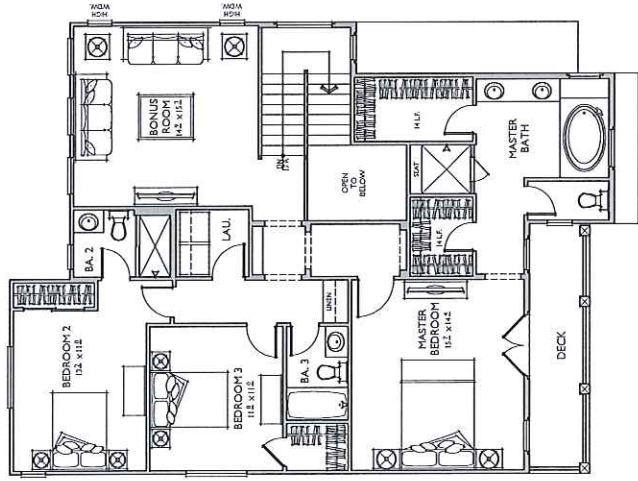
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 NORTHERN CALIFORNIA DIVISION
 280 SHAW CENTER DRIVE
 SUITE 100
 RENO, NV 89502-3688
 (775) 784-8888



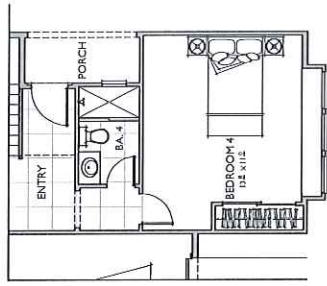
147-15196



FIRST FLOOR



SECOND FLOOR



EXPANDED BEDROOM 4
© ENHANCED CORNER LOTS

1/12/20 FT.

PLAN I
2,451 SQ. FT.
4 BEDROOMS / BONUS ROOM / 4 BATHS
2 - CAR GARAGE

FLOOR AREA TABLE	
1ST FLOOR	1,094 SQ. FT.
2ND FLOOR	1,357 SQ. FT.
TOTAL	2,451 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORTICO	34 SQ. FT.

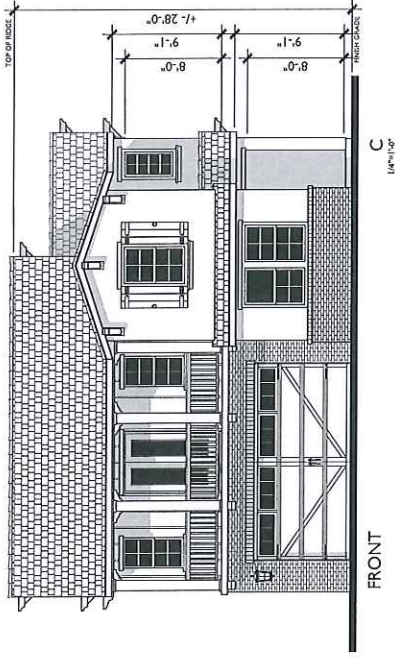
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

PLAN I
Reflects Monterey Elevation
GARDEN GROVE CHURCH SITE
Garden Grove, CA

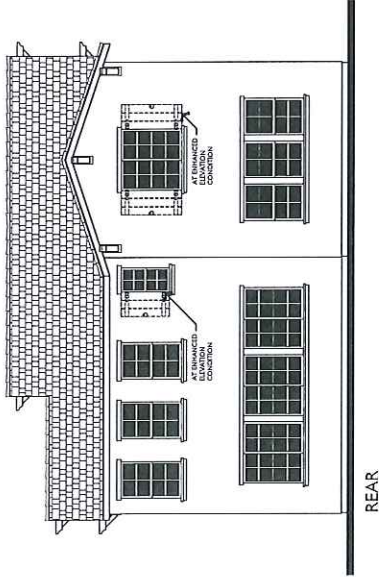
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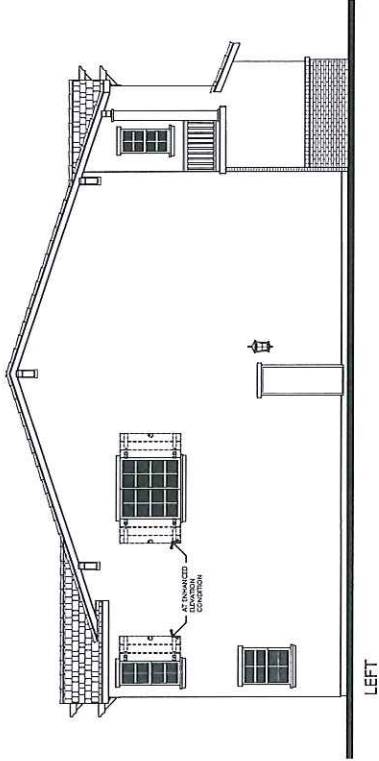
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NORTHERN CALIFORNIA DIVISION
3333 GARDEN GROVE DRIVE
GARDEN GROVE, CA 95628
PH: (925) 343-8888



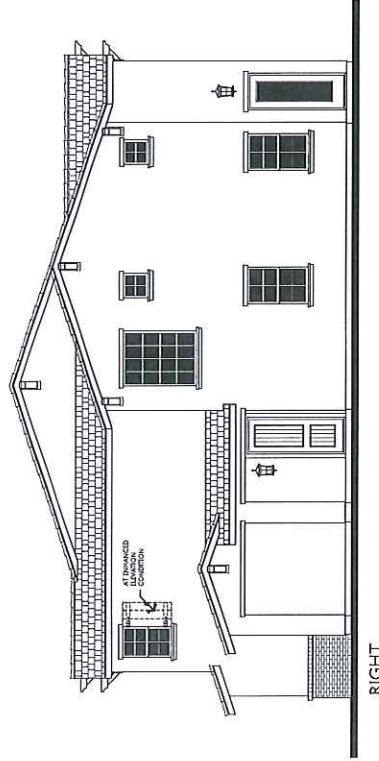
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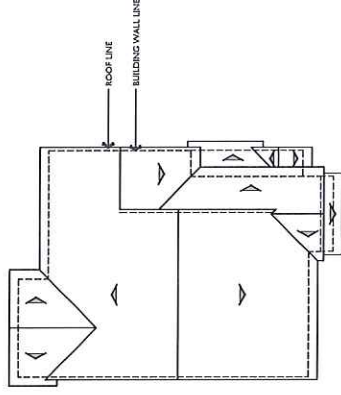
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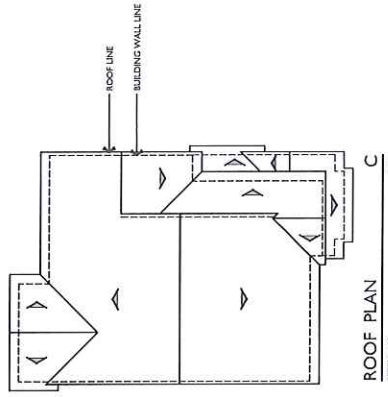
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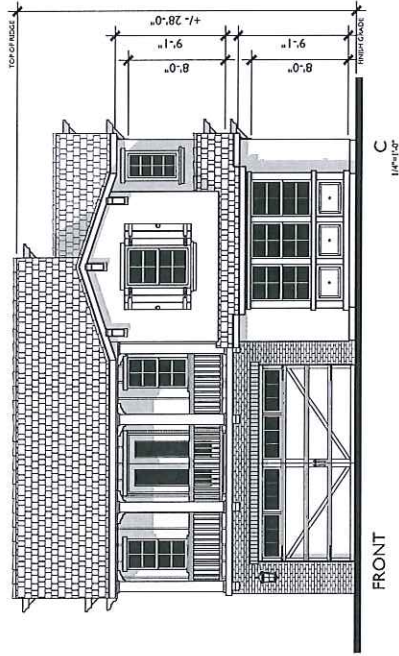
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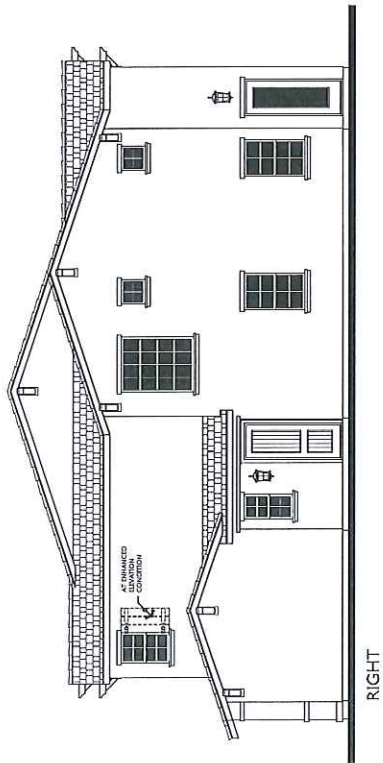
ROOF PLAN
PITCH: 12/12
EAVE: 1/2"
ROOF MATERIAL: CONCRETE S'TILE



ROOF PLAN
 PITCH: 4/12
 PAVE FOR
 ROOF MATERIAL: CONCRETE 5" TILE



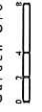
FRONT



RIGHT

PLAN I
 Option Monterey Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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 CONSULTANTS

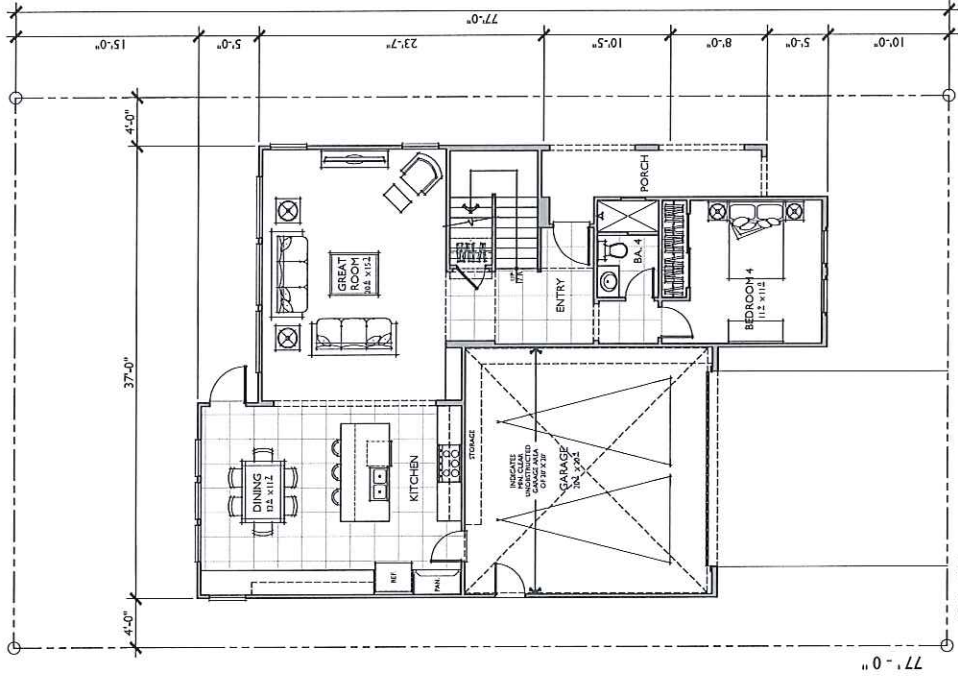


147-15196

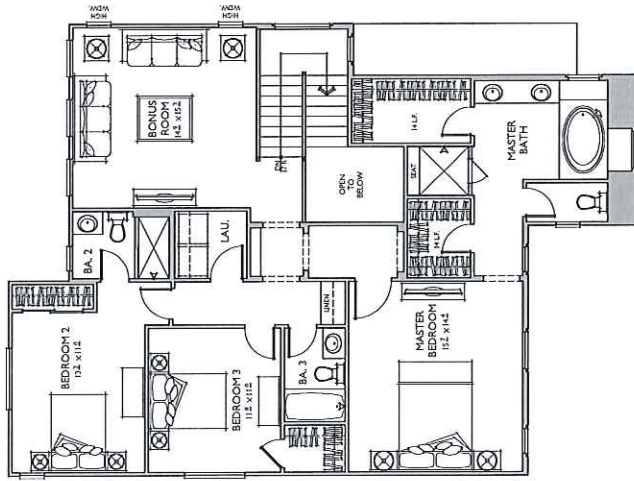
12.14.15

NORTHERN CALIFORNIA DIVISION
 283 BRGA CENTER DRIVE
 SACRAMENTO, CA 95833
 PH: (916) 343-8888

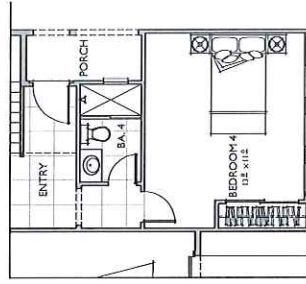




FIRST FLOOR



SECOND FLOOR



EXPANDED BEDROOM 4
48 SQ. FT.

PLAN I
2,451 SQ. FT.
4 BEDROOMS / BONUS ROOM / 4 BATHS
2 - CAR GARAGE

FLOOR AREA TABLE	
1ST FLOOR	1,094 SQ. FT.
2ND FLOOR	1,357 SQ. FT.
TOTAL	2,451 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORCH	79 SQ. FT.

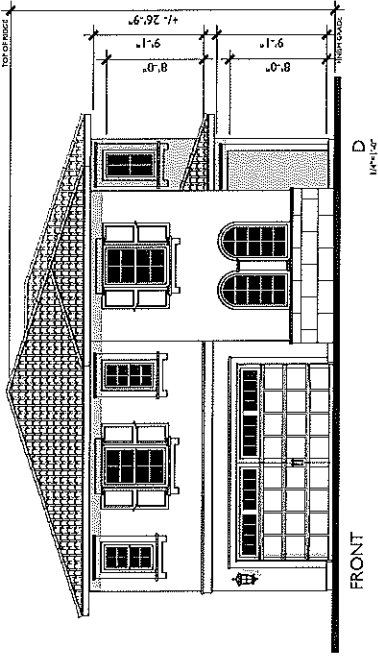
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION.

PLAN I
Reflects Formal Spanish Elevation
GARDEN GROVE CHURCH SITE
Garden Grove, CA

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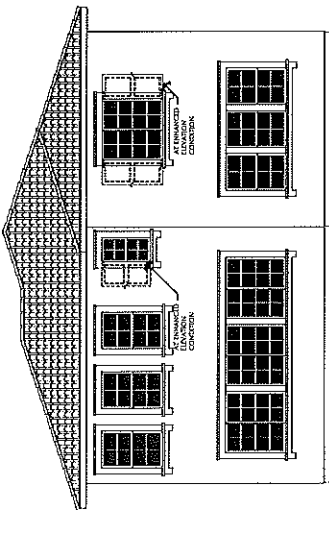
Spes
NORTHWEST CALIFORNIA DIVISION
353 BRIDGE CENTER DRIVE
EMERYVILLE, CA 94608
PH: (925) 234-8888

1 | 2 | 4 | 15

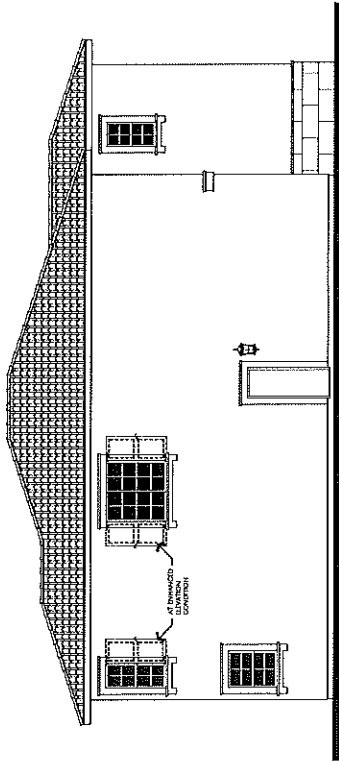


FRONT

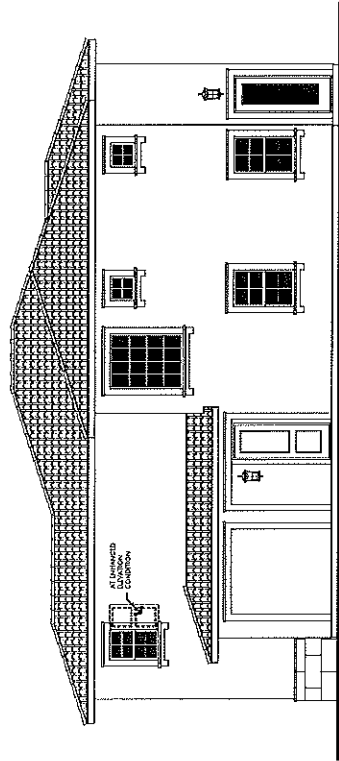
D 1/4"



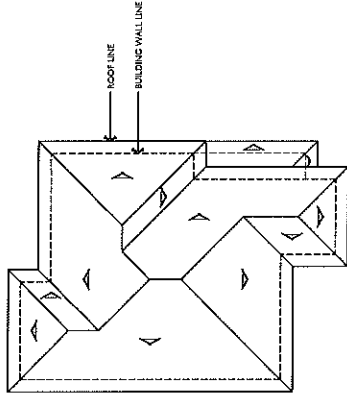
REAR



LEFT



RIGHT



ROOF PLAN

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

1/2" PARTIAL CONCRETE TILE

PLANI
 Formal Spanish Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

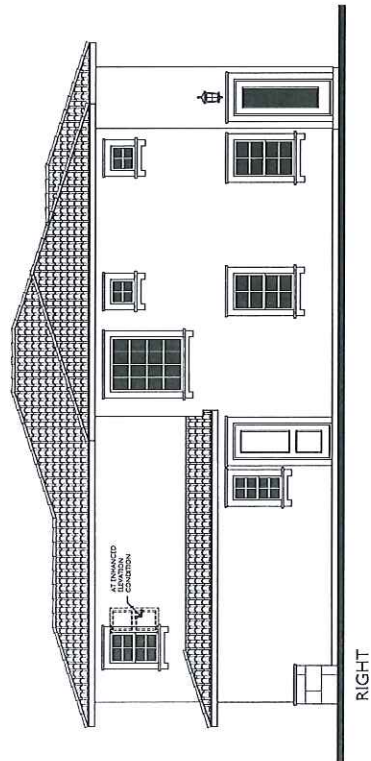
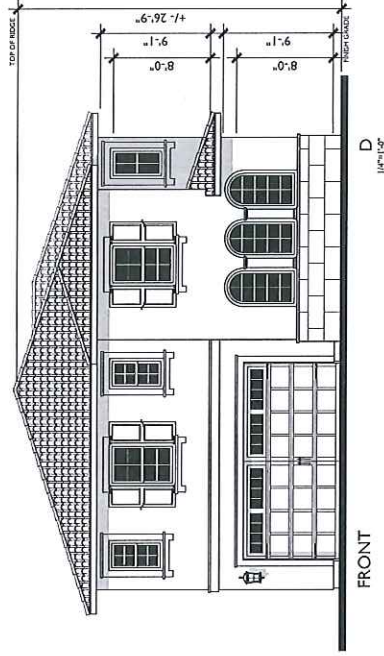
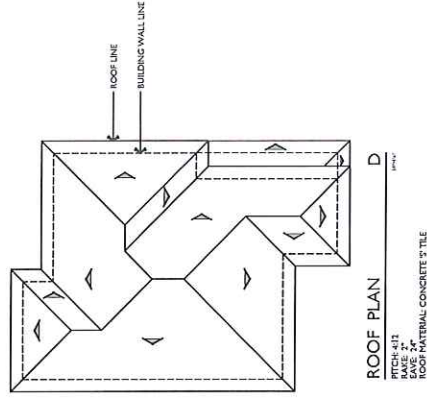
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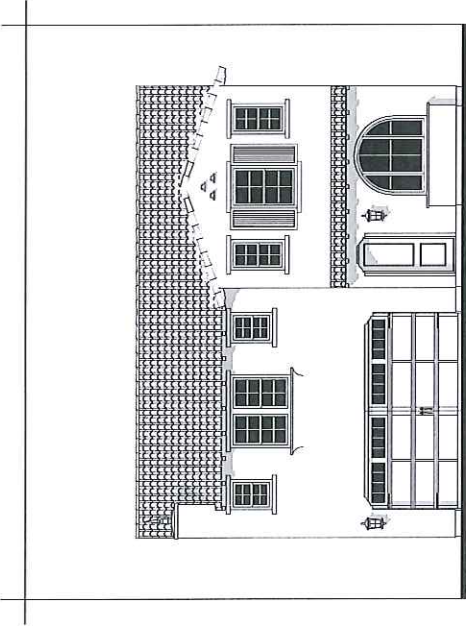
12.14.15
 NORTHERN CALIFORNIA DIVISION
 200 S. BAY CENTER DRIVE
 SAN FRANCISCO, CA 94111
 PH: (415) 344-8888

Sfes
 ARCHITECTS



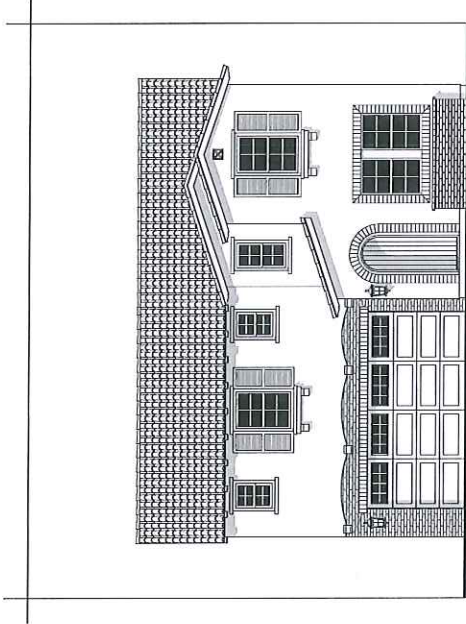
PLAN I
 Option Formal Spanish Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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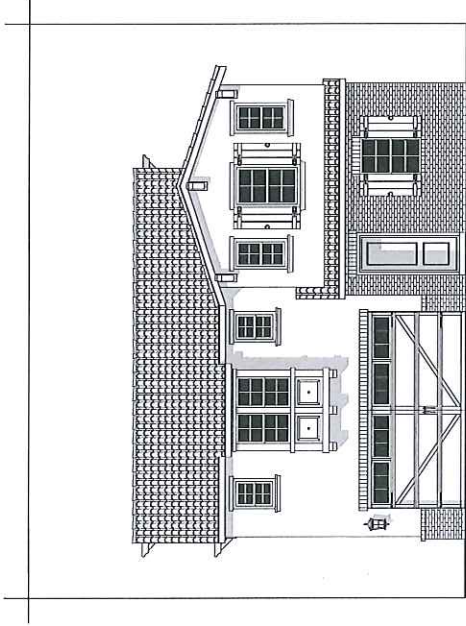
SANTA BARBARA

A



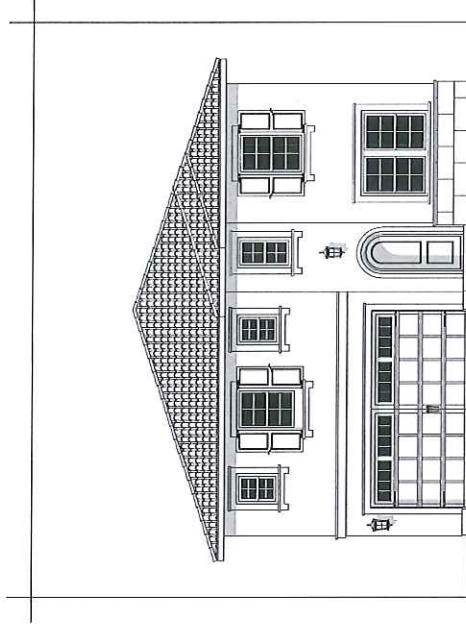
ANDALUSIAN

B



MONTEREY

C

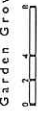


FORMAL SPANISH

D

PLAN 2
 Front Elevation
 GARDEN GROVE CHURCH SITE
 Garden Grove, CA

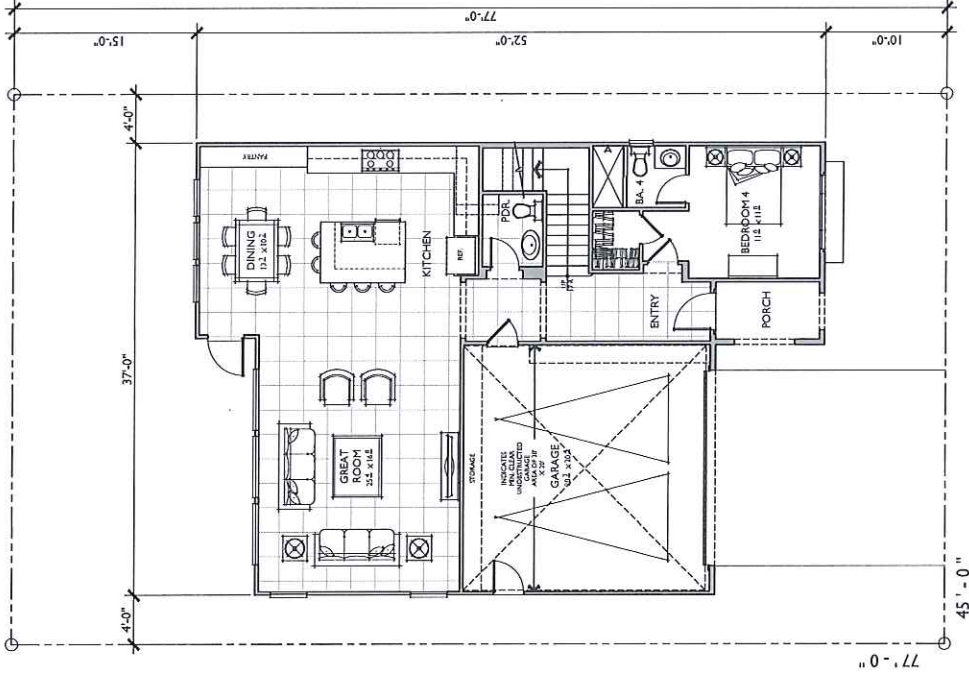
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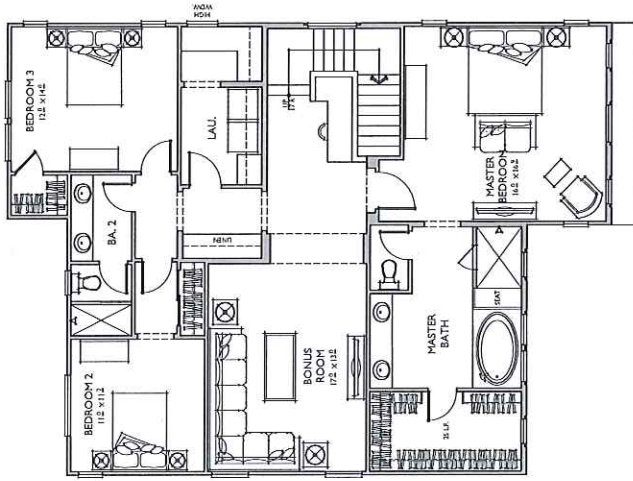
147.15196

12.14.15
 NORTHERN CALIFORNIA DIVISION
 2500 SHAW CREEK DRIVE
 SUITE 200
 RICHMOND, CA 94804
 PH: (925) 734-8888





FIRST FLOOR



SECOND FLOOR

PLAN 2
 2,689 SQ. FT.
 4 BEDROOMS / BONUS ROOM / 4.5 BATHS
 2 - CAR GARAGE

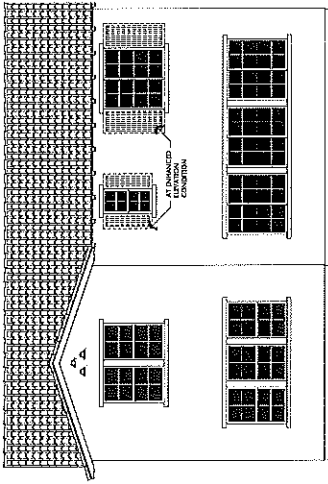
FLOOR AREA TABLE	
1ST FLOOR	1,163 SQ. FT.
2ND FLOOR	1,526 SQ. FT.
TOTAL	2,689 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORCH	46 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

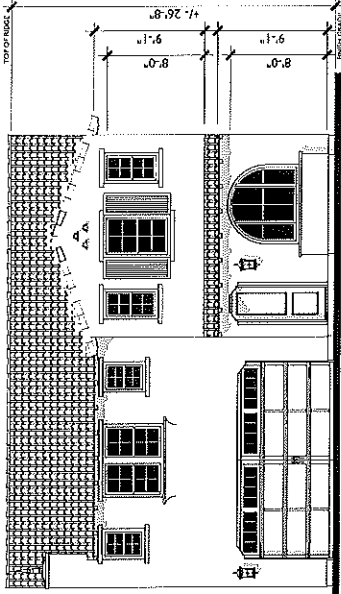
PLAN 2
 Reflects Santa Barbara Elevation
GARDEN GROVE CHURCH SITE

1 2 3 4

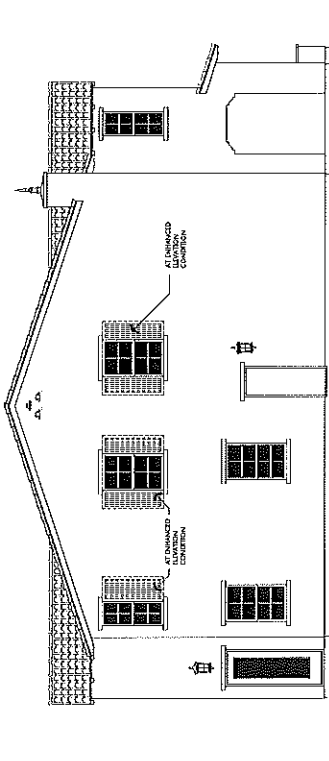
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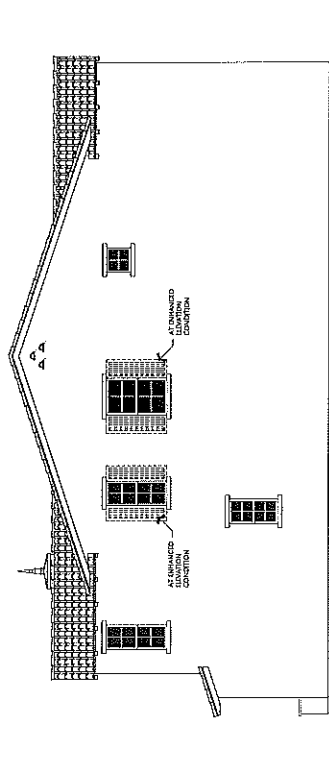
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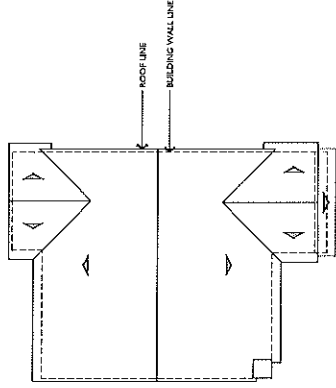
FRONT



LEFT



RIGHT



ROOF PLAN
PITCH 4:12
ROOF MATERIAL CONCRETE'S TILE

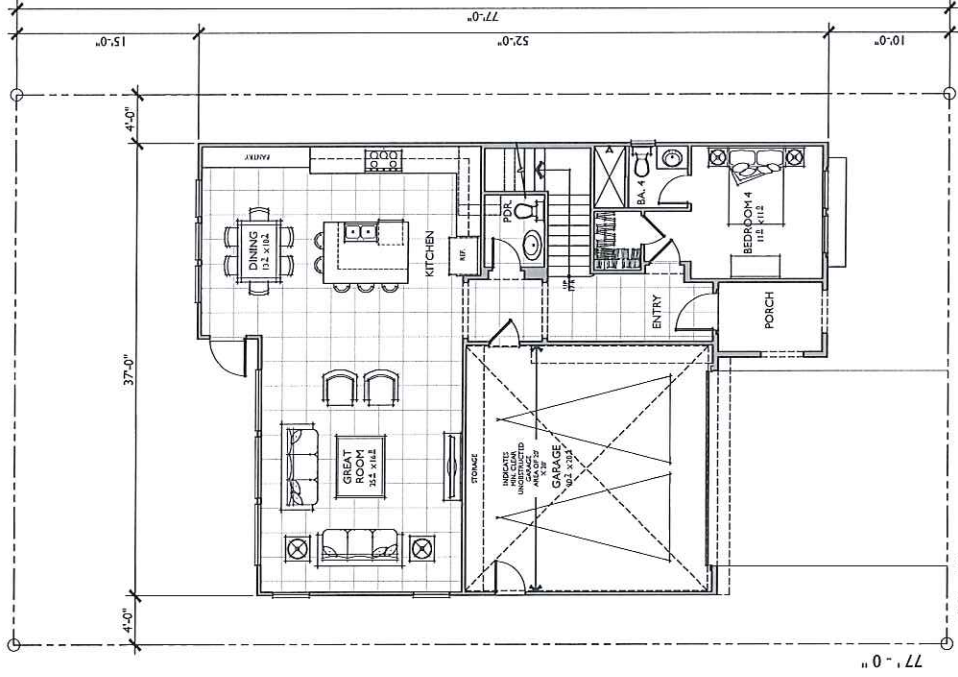
PLAN 2
Santa Barbara Elevation
GARDEN GROVE CHURCH SITE
Garden Grove, CA

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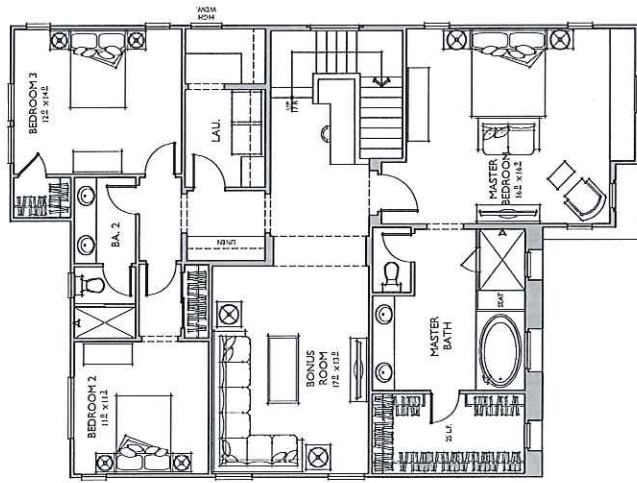
147-15196

12.14.15
INSTITUTIONAL CALIFORNIA DIVISION
SEALED CHAPTER 0102
DATE: 12.14.15
PH: 949.344.9289

Sles
12.14.15



FIRST FLOOR



SECOND FLOOR

PLAN 2
 2,689 SQ. FT.
 4 BEDROOMS / BONUS ROOM / 4.5 BATHS
 2 - CAR GARAGE

FLOOR AREA TABLE	
1ST FLOOR	1,163 SQ. FT.
2ND FLOOR	1,526 SQ. FT.
TOTAL	2,689 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORCH	46 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION.

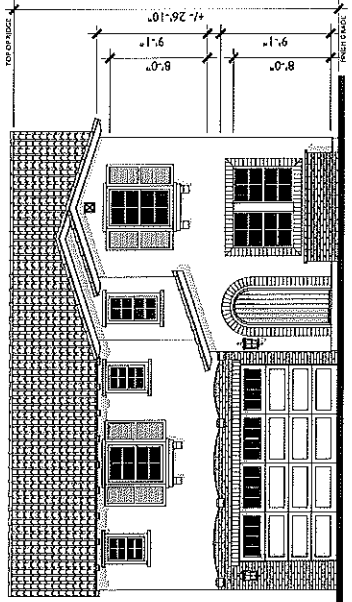
PLAN 2
 Reflects Andalusian Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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 5000 215th Street, Suite 100
 Garden Grove, CA 92647
 PH: 714.261.1519
 WWW.BASSETTIANLAGONI.COM

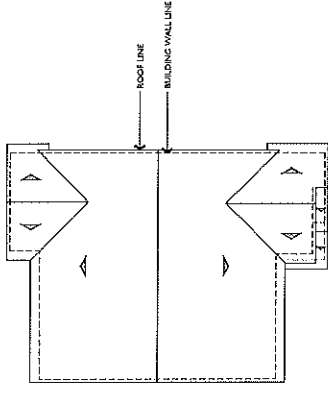
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 NORTHWEST CALIFORNIA DIVISION
 200 SHAW CREEK DRIVE
 SUITE 100
 PLEASANTON, CA 94566
 PH: (925) 264-8888



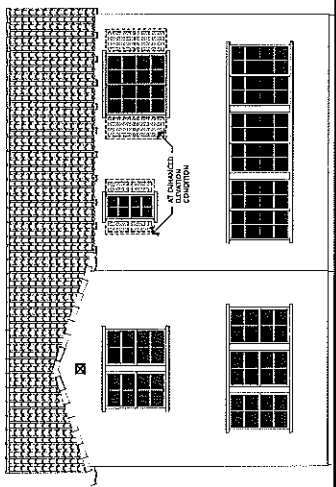
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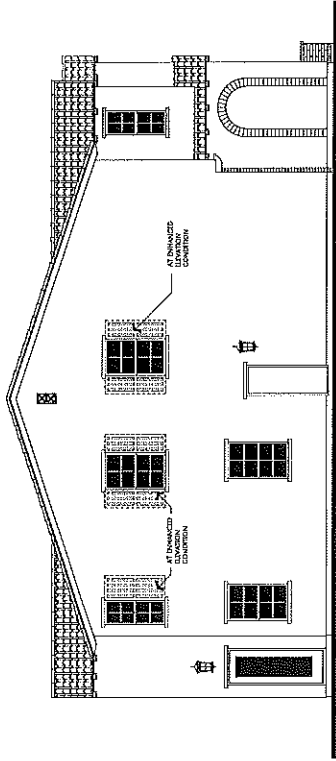
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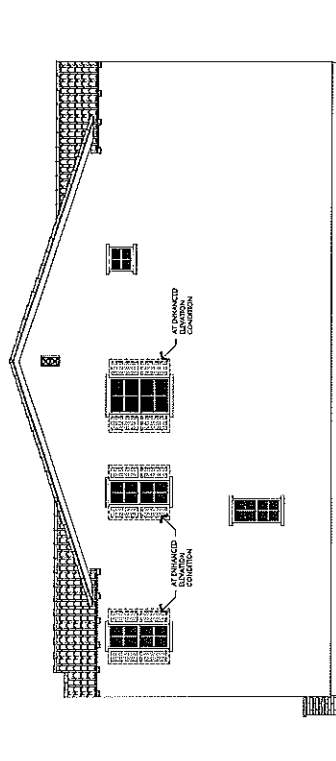
ROOF PLAN
 PITCH: 12/12
 GABLE: 12/12
 ROOF MATERIAL: CONCRETE'S TILE



REAR



LEFT



RIGHT

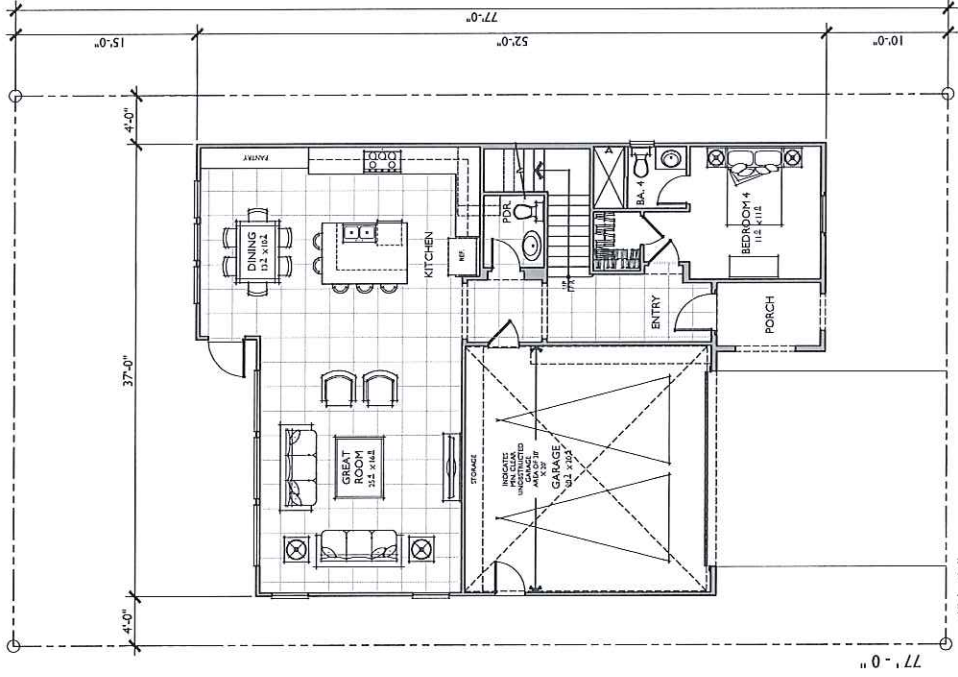
PLAN 2
 An Anglican Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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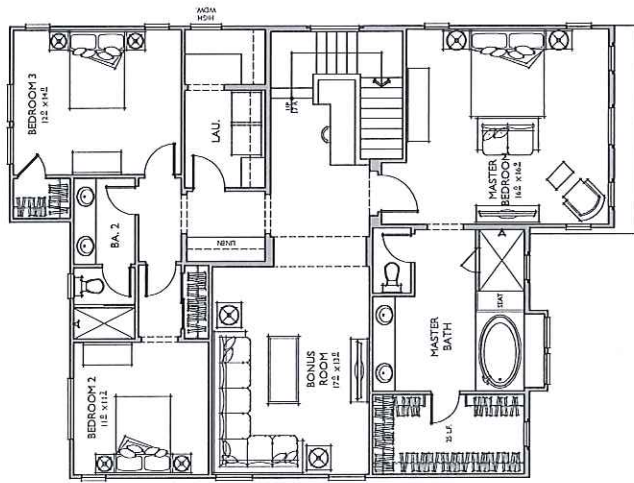
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12.14.15
 NORTHERN CALIFORNIA DIVISION
 STATE BOARD OF ARCHITECTURE
 ARCHITECT NO. 10781
 REGISTERED





FIRST FLOOR



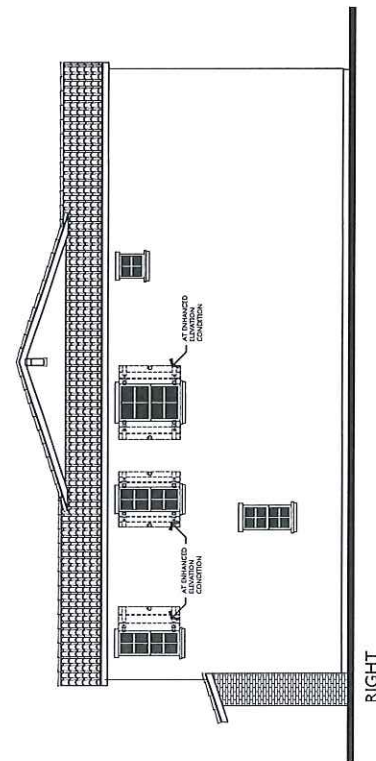
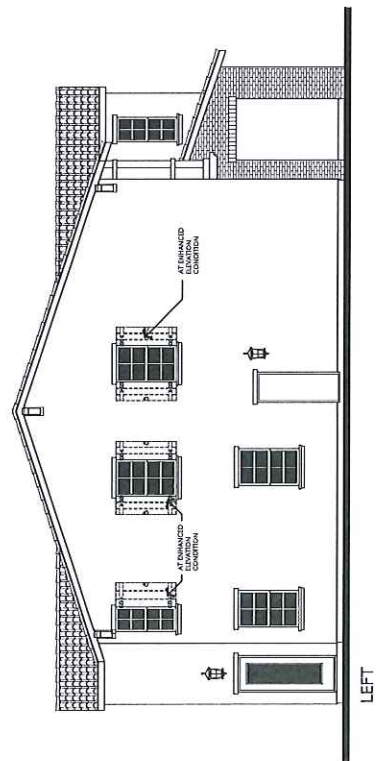
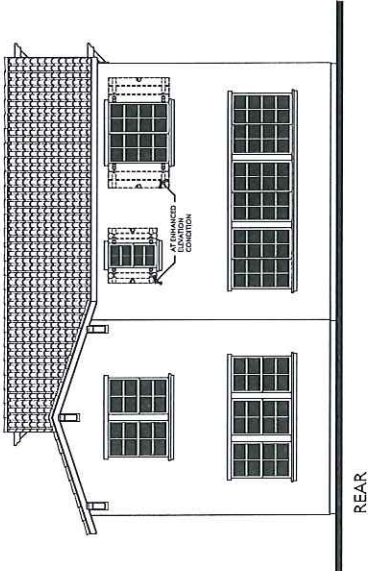
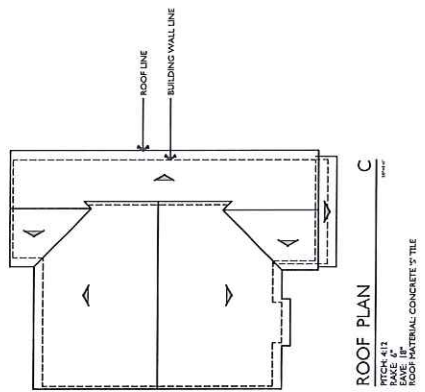
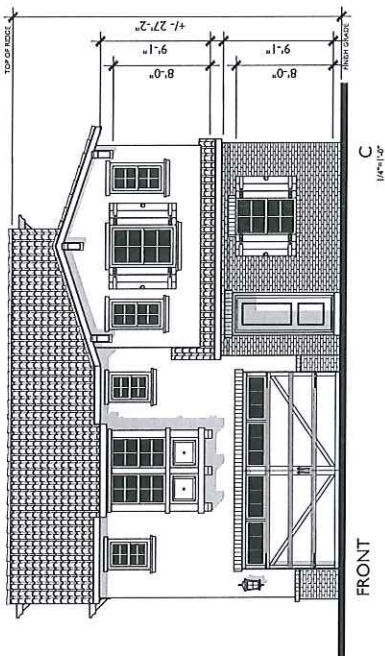
SECOND FLOOR

PLAN 2
 2,689 SQ. FT.
 4 BEDROOMS / BONUS ROOM / 4.5 BATHS
 2 - CAR GARAGE

FLOOR AREA TABLE	
1ST FLOOR	1,163 SQ. FT.
2ND FLOOR	1,526 SQ. FT.
TOTAL	2,689 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORCH	46 SQ. FT.

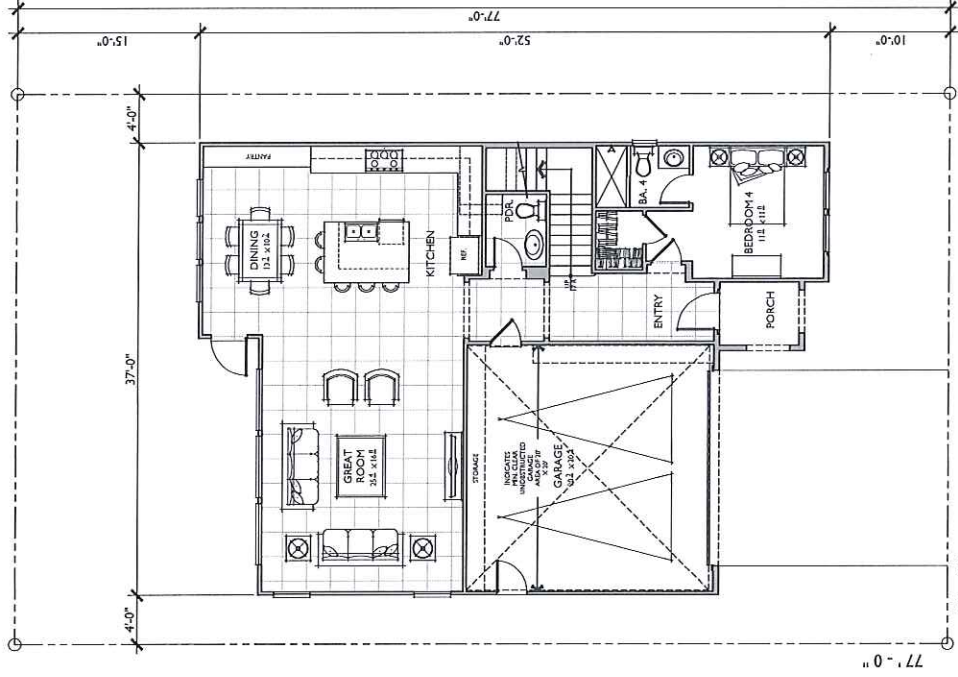
NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION.



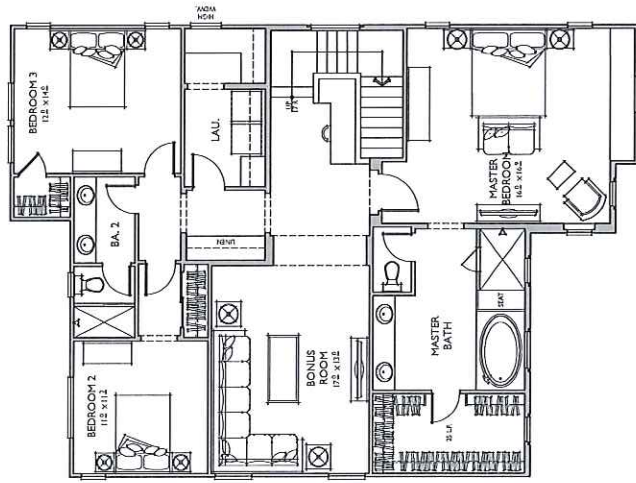


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 San Mateo, CA 94403
 Phone: 650.354.1111

PLAN 2
 Monterey Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA
 147.15196



FIRST FLOOR



SECOND FLOOR

PLAN 2
 2,689 SQ. FT.
 4 BEDROOMS / BONUS ROOM / 4.5 BATHS
 2 - CAR GARAGE

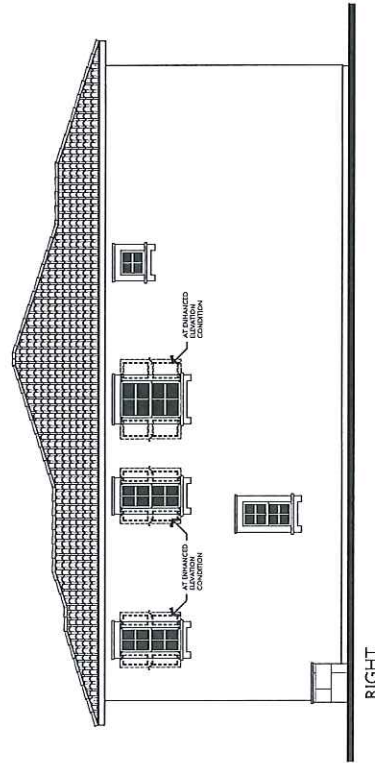
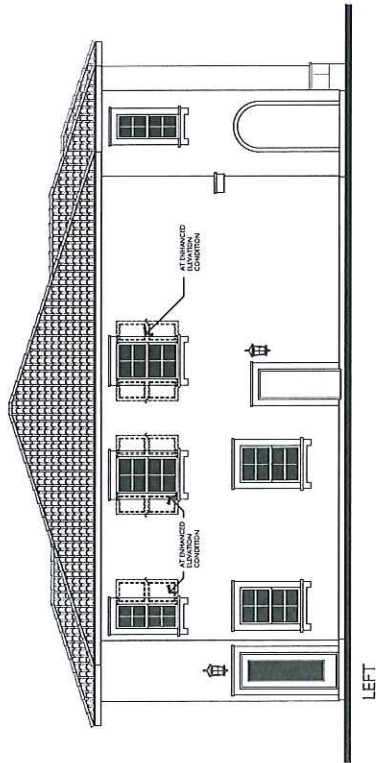
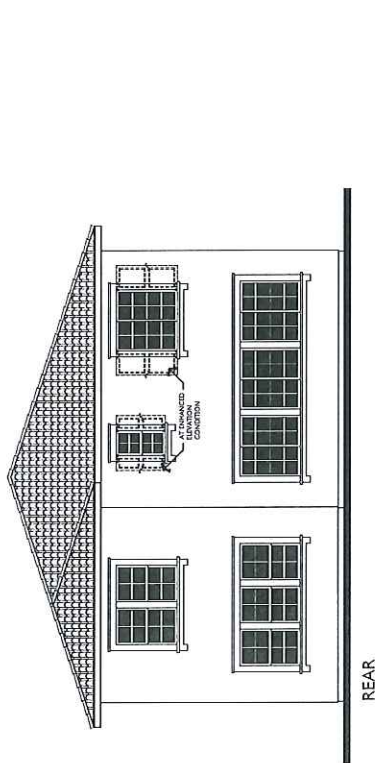
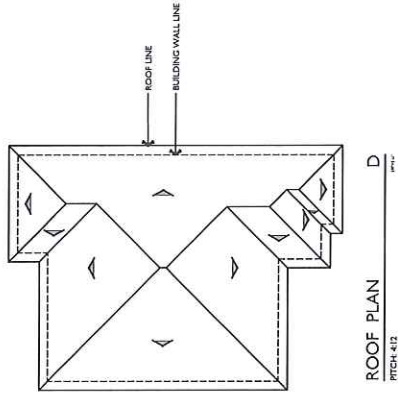
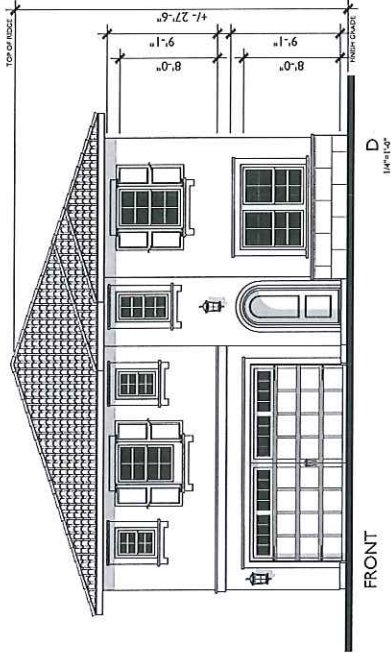
FLOOR AREA TABLE	
1ST FLOOR	1,163 SQ. FT.
2ND FLOOR	1,526 SQ. FT.
TOTAL	2,689 SQ. FT.
2 - CAR GARAGE	426 SQ. FT.
PORCH	39 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHODS OF CALCULATION

PLAN 2
 Reflects Formal Spanish Elevation
GARDEN GROVE CHURCH SITE
 Garden Grove, CA

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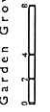
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PLAN 2
 Formal Spanish Elevation
 GARDEN GROVE CHURCH SITE

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Garden Grove, CA
 147-15196



RESOLUTION NO. 5877-17

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 LEWIS STREET REORGANIZATION BETWEEN THE CITY OF GARDEN GROVE AND THE CITY OF ORANGE (RO 17-01) AND RESIDENTIAL PROJECT; (II) APPROVE GENERAL PLAN AMENDMENT NO. GPA-001-2017 TO AMEND THE CITY OF GARDEN GROVE'S GENERAL PLAN LAND USE MAP TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION OF THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE FROM CIVIC/INSTITUTIONAL TO LOW DENSITY RESIDENTIAL AND TO INCLUDE THE PROPERTIES TO BE ANNEXED UNDER THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL; (III) AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING FOR THE PORTION OF THE PROJECT SITE THAT IS LOCATED WITHIN THE CITY OF GARDEN GROVE AND TO "PRE-ZONE" THE PROPERTIES TO BE ANNEXED TO RESIDENTIAL PLANNED UNIT DEVELOPMENT ZONING (PUD-006-2017) WITH R-1 (SINGLE-FAMILY RESIDENTIAL) BASE ZONING; AND (IV) APPROVE DEVELOPMENT AGREEMENT NO. DA-006-2017 BETWEEN THE CITY OF GARDEN GROVE AND CHRIST CATHOLIC CATHEDRAL FACILITIES CORPORATION.

WHEREAS, Shea Homes, the applicant, submitted a request to develop a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01-acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property"), which is owned by Christ Catholic Cathedral Facilities Corporation; and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Plan Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017; and (v) Development Agreement No. DA-006-2017 (collectively, the "Project").

WHEREAS, a portion of the Project site is located within the city limits of the City of Orange, and for purposes of analysis under the California Environmental Quality Act ("CEQA"), the proposed Project includes action by the Orange County Local Agency Formation Commission ("LAFCO") to approve amendments to the respective spheres of influence of the Cities of Orange and Garden Grove,

detachment of the subject 0.901 acres from the City of Orange, and annexation of the subject 0.901 acres to the City of Garden Grove; and

WHEREAS, provided the Project is approved and a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project are adopted by the City Council, the City of Garden Grove will submit an application to the Orange County LAFCO for the necessary sphere of influence amendments and detachment/annexation of the subject 0.901 acres; and

WHEREAS, the area proposed to be detached from the City of Orange and annexed into the City of Garden Grove contains approximately 39,328 square feet or 0.901 acres, involving a reorganization of the existing boundary between the Cities, designation of the subject property Low Density Residential in the City of Garden Grove General Plan Land Use Map, and pre-zoning of the subject property to Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning; and

WHEREAS, the adoption of the necessary land use actions by the City of Garden Grove to extend the City's General Plan to cover the properties to be annexed and to "pre-zone" the properties are prerequisites to LAFCO's approval of the proposed sphere of influence amendments and detachment/annexation; and

WHEREAS, proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the properties to be annexed under the General Plan Land Use Designation of Low Density Residential; and

WHEREAS, proposed Planned Unit Development No. PUD-006-2017 would amend the City of Garden Grove Zoning Map to "pre-zone" the portion of the Property to be annexed and to change the zoning of the portion of the Property located in Garden Grove to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, incorporating the special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 as the applicable development standards for the Planned Unit Development and Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017 and their associated conditions of approval as the development plan for the Planned Unit Development; and

WHEREAS, proposed Development Agreement No. DA-006-2017 between the City of Garden Grove and Christ Catholic Cathedral Facilities Corporation would guarantee the property owner four years in which to construct the Project in accordance with the approved General Plan designation, PUD zoning, Site Plan and

Tentative Tract Map; provide for payment of a Development Agreement fee not to exceed \$134,120.00 to the City; and ensure that the applicant has provided funding sufficient to ensure that the infrastructure and public facilities required by development of the Project site are constructed and that the infrastructure and public facilities would be available no later than when required to serve the demand generated by development of the Property; and

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an initial study was prepared for the proposed Project and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and

WHEREAS, a Mitigation Monitoring Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during Project implementation; and

WHEREAS, the Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission adopted Resolution No. 5878-17 approving Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017, subject to (i) the City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017; and (ii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation; and

WHEREAS, at its regular meeting held April 6, 2017, the Planning Commission of the City of Garden Grove held a duly noticed public hearing and considered the report submitted by City staff and all oral and written testimony presented regarding the Project, the initial study, and the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED as follows:

1. 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.

2. The Planning Commission has considered the proposed Mitigated Negative Declaration together with comments received during the public review process.

3. The Planning Commission finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

4. 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.

5. The Planning Commission hereby recommends the City Council (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project and (ii) approve General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, subject to LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.

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 site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Approximately 0.901 acres, at the northeast portion of the site, is located in the City of Orange and is proposed to be detached from the City of Orange and annexed to the City of Garden Grove as part of the Project. The portion of the site within the City of Orange is currently zoned O-P (Office Professional), with a General Plan Land Use Designation of Medium Density Residential. The remainder of the site is located within the City of Garden Grove and is currently zoned R-1 (Single-Family Residential), with a General Plan Land Use Designation of Civic/Institutional. The site is currently developed with a religious institution, a private school building, surface parking, and related improvements. Surrounding properties contain both single-family and multi-family housing.

The proposed legislative actions would amend the City's General Plan Land Use Map and Zoning Map to apply a General Plan Land Use Designation of Low Density Residential and Residential Planned Unit Development zoning, with R-1 base zoning, to the entire site in order to facilitate the proposed annexation and the redevelopment of the site with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The resulting density of the proposed Project would be 7.8 dwelling units per acre. The special requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 would serve as the applicable development standards for the Planned Unit Development. A Tentative Tract Map and Site Plan for the Project, along with related conditions of approval, are being considered concurrently with the General Plan and Zoning Map amendments, and will serve as the development plan for the proposed Planned Unit Development.

Pursuant to the proposed development plan, the Project would consist of 70 single-family detached residential homes ranging in size from 2,451 square feet to 2,689 square feet, all with attached two-car garages accessible from a private street that circulates throughout the development. All units feature private outdoor areas to the sides and rear of the units. The proposed architectural style of the homes incorporate influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles, and each home is proposed to exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims. A four-foot side yard setback for each home is proposed, resulting in a total separation of eight feet between homes. Rear setbacks range from fifteen to thirty feet.

Main access to the site will be from Lewis Street via a gated enhanced entry driveway that will include decorative paving and landscaping. One emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, is proposed.

A 14,089 square foot active recreational open space area will be located near the entrance of the residential community and be available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

A total of 263 parking spaces are proposed, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on street spaces.

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six-foot high block walls are proposed along the interior property lines of each unit. All blocks walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners. In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

A Development Agreement with the owner of the Property is also proposed. The City is authorized to enter into a Development Agreement with the applicant / property owner pursuant Government Code Section 65864. Pursuant to the proposed Development Agreement, the applicant would be guaranteed four years in which to construct the project in accordance with the approved General Plan designation, PUD zoning, Site Plan and Tentative Tract Map, and the City would receive a Development Agreement fee to reimburse it for the cost of certain City services required by the Project that are not otherwise being reimbursed to the City.

The effectiveness of each of the proposed land use actions would be contingent on approval by Orange County LAFCO of the proposed sphere of influence amendments and annexation.

FINDINGS AND REASONS:

General Plan Amendment

1. Proposed General Plan Amendment No. GPA-001-2017 is internally consistent with the goals, policies, and elements of the General Plan.

The proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan

Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential, in order to facilitate annexation of the subject 0.901 acres to the City of Garden Grove and the redevelopment of the combined 9.01-acre site with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements.

The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is less than the maximum allowed.

The proposed General Plan amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove. Annexation of the subject 0.901 acres to the City of Garden Grove is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive.

Giving the site a Land Use designation of "Low Density Residential" pursuant to the proposed General Plan Amendment is consistent with the goals and policies of the General Plan Land Use Element, including Policy LU-2.4, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Accordingly, Staff finds that the Low Density Residential Land Use designation is appropriate for the site and will ensure that the site is maintained in continuity with surrounding land uses.

2. The proposed General Plan Amendment will promote the public interest, health, safety and welfare.

The proposed General Plan Amendment will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing

municipal boundaries in the area, extending police, fire, and other City services to the property. The proposed General Plan Amendment will also facilitate the proposed 70-unit small lot subdivision development, which will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

3. The parcels covered by the proposed amendment to the General Plan Land Use Map are physically suitable for the requested land use designation(s), compatible with the surrounding land uses, and consistent with the General Plan.

The proposed General Plan Amendment No. GPA-001-2017 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designation of the portion of the project site that is located within the City of Garden Grove from Civic/Institutional to Low Density Residential and include the annexed properties under the General Plan Land Use Designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed.

The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. In addition, the site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development.

Finally, the General Plan is robust enough to accommodate the re-designation of property to new land use designations, and application of the Low Density Land Use designation to the site will not conflict with other provisions or elements of the General Plan.

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 Project is designed to be an attractive, modern small-lot, single-family residential community that is within the allowable density for the Low Density Residential General Plan Land Use Designation and complies with the special

requirements for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060. The proposed development includes active open space along with private rear yard areas for the individual property owners. The main entry into the development is from Lewis Street and includes decorative paving, enhanced landscaping, and fencing. The new development will improve the site and is in keeping with well-designed modern residences. The site's proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. The design of the project provides a community of single-family homes on the site that will improve the appearance of the neighborhood.

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

The design of the Project complies with the spirit and intent of the Garden Grove Municipal Code for residential development. The City's Traffic Engineering Division has reviewed the plan and all appropriate conditions of approval have been incorporated to minimize any adverse impacts on surrounding streets. In addition, a traffic impact analysis for the Project was prepared by the City's consultant in conjunction with preparation of the Initial Study for the Project, which concludes that the additional vehicle trips anticipated to be generated as a result of the Project will have a less than significant impact on traffic congestion at impacted nearby intersections.

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

The Project has been designed in accordance with City Code provisions for providing an adequate amount of public and private open spaces as required by the City's Small-Lot Subdivision Ordinance. The site provides active open space/recreation areas for the prospective residents.

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

The conditions of approval for the Project require the formation of a Homeowners Association (HOA) and recordation of CC&Rs (Covenants, Conditions, and Restrictions) providing for long-term maintenance of common areas by the Homeowners' Association, which will be enforceable by the City. 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 Project was designed to create a residential community with a combination of active open space areas, landscaped streets, and on-street guest parking areas on the site. The PUD zoning allows the project to be designed as an integrated community on a network of streets and driveways. The Project meets City Code standards for parking, vehicle access and circulation, and landscaping. The 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 single-family buildings. The design creates a sense of neighborhood with sidewalks, tree-lined streets, and shared open space amenities.

6. Proposed Planned Unit Development No. PUD-001-2017 is consistent with the General Plan.

As part of the Project, the City's Zoning Map would be amended to adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning for the portion of the project site that is located within the City of Garden Grove and amend the City's official Zoning Map to "pre-zone" the annexed properties and adopt Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning. The zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning is consistent with the proposed General Plan Land Use designation of Low Density Residential. The Low Density Residential (LDR) Land Use Designation is intended for the development of single-family residential neighborhoods. According to the General Plan, densities for the LDR designation range from 1 to a maximum of 9 dwelling units per acre. The proposed project will have a net density of 7.8 dwelling units per acre, which is below the maximum allowed.

The proposed adoption of Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning will also facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, which is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue to the extent feasible exchanges of land with contiguous cities, that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The subject 0.901 acres borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the

Development Agreement fees, the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive.

7. Proposed adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, will promote the public interest, health, safety and welfare.

The proposed adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning will facilitate the annexation of the subject 0.901 acres to the City of Garden Grove, thereby rationalizing municipal boundaries in the area, extending police, fire, and other City services to the property. In conjunction with the proposed adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, the proposed 70-unit small lot subdivision development will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

8. The parcels covered by the proposed amendment to the Zone Map are physically suitable for the Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, pre-zoning designation.

The adoption of Planned Unit Development No. PUD-001-2017, with R-1 (Single-Family Residential) base zoning, for the Property would allow for the subject site to be redeveloped with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements. The site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development. The proposed development meets the development standards for Small Lot Subdivisions set forth in Garden Grove Municipal Code Section 9.12.040.060 and is large enough to accommodate the required parking on-site. The net density of the Property with the proposed Project would be 7.8 dwelling units per acre, which is below the maximum allowed for the Low Density General Plan Land Use Designation.

9. The parcels covered by the proposed amendment to the Zone Map are compatible with surrounding land uses, and the proposed zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017), with R-1 (Single-Family Residential) base zoning, will ensure a degree of compatibility with the surrounding properties and uses.

Surrounding properties contain single-family and multi-family residential housing. Adoption of Planned Unit Development No. PUD-001-2017, with R-1

(Single-Family Residential) base zoning, for the Property would allow for the subject site to be redeveloped with a gated small lot subdivision with 70 single-family detached residential units on separate lots and related street and open space improvements, converting the use of the Property to a use similar to the use of the surrounding properties. A Planned Unit Development (PUD) is a precise plan, adopted by 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. Pursuant to Garden Grove Municipal Code Section 9.16.030, the regulations of the planned unit development are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with the provisions of the Municipal Code. A small lot subdivision development adds to the diversity of existing uses, through innovative land plan and design, while ensuring that the proposed development is suitable and compatible with existing surrounding uses. The zoning of the site and pre-zoning of the properties to be annexed to Residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning is consistent with the proposed General Plan Land Use designation of Low Density Residential, and the proposed single-family residential type housing will be similar and compatible with the surrounding properties and uses.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT AND RESOLUTION NO. 5878-17

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in Resolution No. 5878-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The implementation provisions for Planned Unit Development No. PUD-006-2017 are found under Planning Commission Resolution No. 5878-17 approving Site Plan No. SP-028-2017 and Tract Map No. TT-17927-2017.
3. The overall development and subsequent occupancy and operation of the site shall be subject to those environmental mitigation measures identified in the Mitigated Negative Declaration, and which are summarized in Exhibit "A" (Mitigation Measures) attached hereto.

RESOLUTION NO. 5878-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-028-2017 AND TENTATIVE TRACT MAP NO. TT-17927-2017 FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF LEWIS STREET AND GARDEN GROVE BOULEVARD, AT 12901 LEWIS STREET, ASSESSOR'S PARCEL NOS. 231-041-26, 231-041-27, 231-041-28, AND 231-255-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 6, 2017, does hereby approve Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, for land located at northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01, 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, adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2017, adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-006-2017 with R-1 (Single-Family Residential) base zoning, and adoption of an Ordinance approving Development Agreement No. DA-006-2017; and (iii) LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Shea Homes and proposes the development of a gated small lot subdivision with 70 single-family detached residential units and related street and open space improvements on a 9.01 acre site located in the Cities of Garden Grove and Orange, at the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street (Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01) (the "Property").
2. Approximately 39,328 square feet or 0.901 acres of project site is located within the city limits of the City of Orange, and the proposed Project includes action by the Orange County Local Agency Formation Commission ("LAFCO") to approve a reorganization of the existing boundary between the Cities that requires amendments to the respective spheres of influence of the Cities of Orange and Garden Grove, detachment of the subject 0.901 acres from the City of Orange, and annexation of the subject 0.901 acres to the City of Garden Grove. Provided the Project is approved and a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project are adopted by the City Council, the City of Garden Grove will submit an application

to the Orange County LAFCO for the necessary sphere of influence amendments and detachment/annexation of the subject 0.901 acres.

3. The applicant has requested the following approvals to facilitate the proposed development: (i) detachment from the City of Orange and annexation to the City of Garden Grove of 39,328 square feet or 0.901 acres; (ii) General Plan Amendment No. GPA-001-2017 to amend the City of Garden Grove General Plan Land Use Map to apply a General Land Use Designation of Low Density Residential to the Property; (iii) Planned Unit Development No. PUD-006-2017 to rezone and "pre-zone" the Property residential Planned Unit Development with R-1 (Single-Family Residential) base zoning; (iv) Tentative Tract Map No. TT-17927-2017 to subdivide the subject property into 70 single-family residential lots; (v) Site Plan No. SP-028-2017 to construct 70 single-family homes along with street and open space improvements; and (v) Development Agreement No. DA-006-2017 to allow and facilitate the construction of a 70-unit single-family residential small lot subdivision (collectively, the "Project").
4. 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. Concurrently with its adoption of this Resolution, the Planning Commission adopted Resolution No. 5877-17 recommending that the City Council (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project and (ii) approve General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Development Agreement No. DA-006-2017, subject to LAFCO approval of the proposed sphere of influence amendments and detachment/annexation.
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 April 6, 2017, 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 April 6, 2017, 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 9.12.040.060, 9.32.030, and 9.40.060, are as follows:

FACTS:

The subject site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. The site is currently developed with a religious institution, a private school building, surface parking, and related improvements. Surrounding properties contain both single-family and multi-family housing.

Approximately 0.901 acres at the northeast portion of the site is located in the City of Orange and is proposed to be detached from the City of Orange and annexed to the City of Garden Grove as part of the Project. The portion of the site within the City of Orange is currently zoned O-P (Office Professional), with a General Plan Land Use Designation of Medium Density Residential. The remainder of the site is located within the City of Garden Grove and is currently zoned R-1 (Single-Family Residential), with a General Plan Land Use Designation of Civic/Institutional. The Project includes requests for amendments to the City of Garden Grove General Plan and Zoning Maps to apply a General Plan Land Use Designation of Low Density Residential to the Property and Residential Planned Unit Development zoning, with R-1 (Single-Family Residential) base zoning, to the entire Project site. If approved by the City Council, Planned Unit Development No. PUD-006-2017 will create a precise plan zoning for the property with implementation provisions corresponding to the Project proposed pursuant to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, and would facilitate the development of the site with seventy (70) single-family residential units. Approval of the proposed Tentative Tract Map and Site Plan will not become effective until and unless the City Council approves the requested General Plan and Zoning Map amendments and Orange County LAFCO approves the requested detachment/annexation.

The site is a 9.01-acre lot, located on the northwest corner of Lewis Street and Garden Grove Boulevard. Until 1962, the site and much of the surrounding area were planted with orchards and pastures. In 1965, the orchards on the site were cleared and the church, rectory, parish hall, administrative buildings, classroom buildings, recreation area for the school, and parking areas were constructed. At that time, a Conditional Use Permit was not required for religious institutions, and much of the surrounding area was developed for residential use. In 1972, a school building was constructed on the west side of the site, Lewis Street was realigned to the present configuration, and the SR-22 freeway was constructed. From 1977 to 1995, development of the surrounding area continued and the site remained unchanged.

In 1999, the City of Garden Grove approved Site Plan No. SP-239-99, Conditional Use Permit No. CUP-445-99, and Variance No. V-250-99, which allowed for the construction of a 15,500 square foot sanctuary church building and a spire above the height limits permitted in the R-1 zone, CUP approval to operate a religious institution, and variance approval to allow a reduction in the number of required on-site parking spaces. In 2005, the church improvements were completed, and the site has remain unchanged ever since.

Pursuant to the proposed development plan, the Project would consist of 70 single-family detached residential homes ranging in size from 2,451 square feet to 2,689 square feet, all with attached two-car garages accessible from a private street that circulates throughout the development. The resulting density of the proposed Project would be 7.8 dwelling units per acre. All units feature private outdoor areas to the sides and rear of the units. The proposed architectural style of the homes incorporate influences from Santa Barbara, Andalusian, Monterey, and Formal Spanish design styles, and each home is proposed to exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, building pop-outs, decorative shutters, balconies, stone veneer or brick treatment, and decorative window trims. A four-foot side yard setback for each home is proposed, resulting in a total separation of eight feet between homes. Rear setbacks range from fifteen to thirty feet.

Main access to the site will be from Lewis Street via a gated enhanced entry driveway that will include decorative paving and landscaping. One emergency vehicle access point, off Garden Grove Boulevard, at the southwest corner of the development, is proposed.

A 14,089 square foot active recreational open space area will be located near the entrance of the residential community and be available for communal use. The recreation area features amenities which include a playground, open turf area, two (2) covered barbecue dining areas, and a shade structure with built-in bench seating.

A total of 263 parking spaces are proposed, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on street spaces.

The applicant is proposing to construct six-foot high decorative concrete slump block walls around the perimeter of the development. In addition, six foot high block walls are proposed along the interior property lines of each unit. All blocks walls, which face a public vantage point along Garden Grove Boulevard and Lewis Street, will be fitted with decorative caps. Pilasters will have a stone veneer treatment. An enhanced landscape treatment is proposed, in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines.

The enhanced landscaping within this area will include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.

The passive open space areas within the common areas of the development will include a combination of golden rain trees, camphor trees, crape myrtle trees, southern magnolia trees, date palms, and various other landscape plantings maintained by the Homeowners Association (HOA). Landscaping in the front yard of each residential unit would include shrubs and trees and would be maintained by the individual homeowners. In total, 148,600 square feet (3.41 acres) of landscaping will be installed. All HOA maintained landscaped areas would be irrigated with an electronically operated irrigation system utilizing water sensors and programmable irrigation cycles. The irrigation systems will be in conformance with the City's water efficiency guidelines.

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.

Provided General Plan Amendment No. GPA-001-2017 is approved by the City Council, the General Plan Land Use Designation for the Property will be Low Density Residential. The Low Density Residential Land Use Designation is intended to create, maintain, and enhance residential areas characterized by detached, single-unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 70 detached single-family homes that satisfies each of these objectives and is within the permitted density of up to nine (9) units per acre for the Low Density Residential Land Use Designation. The proposed single-family residential type housing is similar to and compatible with the surrounding properties, which have both single-family and multi-family housing, and, thus, the proposed Site Plan is also consistent with Policy LU-2.4 of the General Plan Land Use Element, which encourages the City to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. 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. In addition, the building facades, site design, parking, and landscaping are consistent with the development standards and spirit and intent of the requirements of the Municipal Code.

2. The proposed development 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 drive aisles and maneuvering areas are adequate for vehicle access. The project provides a total of 263 parking spaces, which meets the minimum number of parking spaces required by Code. The breakdown of parking spaces include: 140 garaged parking spaces, 70 driveway parking spaces, and 53 unassigned open guest parking on-street spaces. Finally, adequate and safe pedestrian access, to all areas within the development, is provided within the project through a dedicated internal walkway system (sidewalk) that is free of conflict from drive aisles.

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

The existing streets, utilities and drainage facilities within the area are adequate to accommodate the Project. The on-site circulation and parking are sufficient for the existing and proposed development. 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 proposed development will not adversely impact the Public Works Department's ability to perform its required function.

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

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

The Project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that is compatible with the surrounding uses. The proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Furthermore, the Project complies with all development standards of the Small Lot Subdivision ordinance ensuring that the proposed development is livable and safe.

Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities, the proposed development 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 is compatible with the surrounding uses. The proposed single-family residential type housing is similar and compatible with the surrounding properties, which have both single-family and multi-family housing. Furthermore, the Project complies with all development standards of the Small Lot Subdivision ordinance ensuring that the proposed development is livable and safe.

Tentative Tract Map:

All findings for approval of the proposed Tentative Tract Map under Section 9.40.060 (Tentative Maps – Findings Required) of the Garden Grove Municipal Code and State law can be made.

1. The Tentative Tract Map for the proposed seventy (70) single-family residential dwelling units is consistent with the objectives, policies, general land uses, and programs specified in the Garden Grove General Plan, which encourages land subdivision in order to facilitate new development. The proposed General Plan Land Use Designation of the subject site is Low Density Residential, which permits small lot subdivisions of the scope and density proposed. The site is adequate in size and shape to accommodate the proposed future development of the site.
2. The design and improvements of the proposed subdivision is consistent with the zoning, Title 9 of the Garden Grove Municipal Code, the City's Small Lot Subdivision Ordinance, and the General Plan provisions for location, proximity to similar uses, lot width, and overall depth for the proposed improvements. The proposed General Plan Land Use Designation of the subject site is Low Density Residential, which is intended to create, maintain, and enhance residential areas characterized by detached, single-unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The proposed project would create a neighborhood of 70 detached single-family homes that satisfies each of these objectives. 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. In addition, the building facades, site design, parking, and landscaping proposed as part of the project are consistent with the development standards and spirit and intent of the requirements of the Municipal Code.

3. The site is physically suitable for the proposed development and complies with the spirit and intent of a Residential Planned Unit Development and Title 9 of the City's Municipal Code. The site is adequate in size and shape to accommodate the proposed future development of the site.
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 ("CEQA") 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 site consists of 9.01 acres, and 70 single-family residential units are proposed on the site, resulting in a density of 7.8 dwelling units per acre. A density of up to 9.0 dwelling units per acre is permitted under the Low Density Residential General Plan Land Use Designation.
6. The design of the 70-unit single-family residential small lot subdivision, and the proposed improvements, are not likely to cause public health problems. The conditions of approval for on-site and off-site improvements will safeguard the public health. The Project will also be subject to all mitigation measures identified in the Mitigated Negative Declaration adopted for the Project.
7. The design of the 70-unit single-family residential small lot 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; if such easements exist, then alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public. In addition, the property is not subject to a Williamson Act contract, an open space easement, or a conservation easement.
8. The design and improvements of the 70-unit single-family residential small lot subdivision are suitable for the existing site improvements and the subdivision can be developed in compliance with the applicable zoning regulations.
9. The design and improvement of the proposed 70-unit single-family residential small lot subdivision are suitable for the residential project proposed and the

subdivision can be developed in compliance with the applicable zoning regulations.

10. The design of the subdivision, to the extent feasible, does have allowance for future passive or natural heating and cooling opportunities.
11. The design, density, and configuration of the subdivision strikes a balance between the effect of the subdivision on the housing needs of the region and of public service needs. In addition, the character of the subdivision is compatible with the design of existing structures and lot sizes in the general area.
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.
13. 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.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT AND RESOLUTION NO. 5877-17

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in Resolution No. 5877-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan and Tentative Tract Map do possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.24.030 (Site Plan) and 9.40.060 (Tentative Tract Map).
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-028-2017, and Tentative Tract Map No. TT-17927-2017.
3. Approval of this Site Plan and Tentative Tract Map shall be subject to the recommended Conditions of Approval, and contingent upon (i) City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2017, an ordinance approving

Planned Unit Development No. PUD-006-2017, and an ordinance approving Development Agreement No. DA-006-2017, and (ii) Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence changes and detachment/annexation.

EXHIBIT "A"

Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017

12901 Lewis Street

CONDITIONS OF APPROVAL

General Conditions

1. The applicant and each owner of the property shall execute, and the applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. 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, Shea Homes, the developer of the project, the current owner of the Property, Christ Catholic Cathedral Facilities Corporation, 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-028-2017 and Tentative Tract Map No. TT-17927-2017.
2. Approval of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall be contingent upon City Council adoption of a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project, a resolution approving General Plan Amendment No. GPA-001-2017, an ordinance approving Planned Unit Development No. PUD-006-2017, and an ordinance approving Development Agreement No. DA-006-2017, and Orange County Local Agency Formation Commission ("LAFCO") approval of the subject sphere of influence change and annexation, 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 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. 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 Section. 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.
5. 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 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. Aboveground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks, within the common areas along Lewis Street or Garden Grove Boulevard, 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.
 - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.

Public Works Engineering Division

The following provisions of the Public Work's Engineering Division shall be complied with:

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 amounts of said fees shall be calculated based on the City's current fee schedule in effect at the time of permit issuance.
9. Separate 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 and Specifications.
10. 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 Final Water Quality Management Plan (WQMP) 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.
11. 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.
 - Demonstrate that the applicant has agreed to and recorded an agreement or another legal instrument approved by the City Attorney that shall require the property owner, successors, tenants (if applicable), and assigns to fund, operate and maintain in perpetuity, the post-construction BMPs described in the Project WQMP and O&M Plan.
12. 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.
13. 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 grading plan.
14. Prior to the issuance of the street improvements and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit in a manner satisfactory to the City Engineer, City Attorney, and City Finance Department (Risk Management).

Alternate forms of security may be considered, solely in the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management).

15. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-120 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
16. Prior to recordation of a final tract map, the applicant shall make the following revision in a manner meeting the approval of the City Engineer:
 - Provide a 3-foot public utility easement at the back of all sidewalks on the site and across lot frontage behind the property line.
17. **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.
18. **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.
19. Prior to recordation of a final tract map, the applicant shall remove the four (4) power/communication poles that are fronting Garden Grove Boulevard and underground the utilities in a manner meeting the approval of the City Engineer.
20. 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.

21. Prior to recordation of a final tract map, the applicant shall remove the three (3) power/communication poles that are fronting Lewis Street and underground the utilities in a manner meeting the approval of the City Engineer.
22. The grading plan shall provide an accessibility route for the ADA pathway in conformance with the requirements of the department of justice standards, latest edition.
23. 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.
24. 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.
25. All trash container areas shall meet the following requirement per City of Garden Grove Standard B-502:
 - 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.
26. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
27. The applicant shall remove the existing landscape within sidewalk area along Lewis Street and Garden Grove Boulevard 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 Department. A separate street improvement/stripping plan shall be prepared for Lewis Street and Garden Grove Boulevard and submitted to the engineering department for improvements within the City right of way.

Lewis Street

- Remove the existing northerly and southerly substandard driveway approaches and existing landscaping on Lewis Street and construct new curb, gutter, landscape and sidewalk per approved site plan.
- The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-120. 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.
- Any further deviation from the approved non-standard entryway/guard gate to the site on Lewis Street shall be approved by the City Traffic Engineer.
- Construct the new sidewalk landings to the Residential Planned Unit Development in accordance with City Standard Plan B-107 with a curb radius of 25-foot in a manner meeting the approval of the City Traffic Engineer.
- Two new wheelchair ramps and landing shall be constructed per Caltrans Standard Plan A88A, Case A, Detail B (Typical One-Ramp Corner Installation).
- Construct 8-inch curb and gutter replacing the driveway approaches along the property frontage at 32' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct an 8-foot sidewalk adjacent to the street curb replacing the driveway approaches in accordance with City Standard Plan B-106.
- Remove and replace the pavement on Lewis Street from the edge of the Westerly gutter to the easterly edge of two way left turn lane stripe along the property frontage per City Standard Plan B-103 and the direction of the City Engineer.
- Applicant shall for apply for an encroachment permit from City of Orange prior to commencement of pavement operation on Lewis Street.

- Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Lewis Street with Planning Department and Water Division.

Garden Grove Boulevard

- Remove the existing easterly and westerly substandard driveway approaches, parkway culverts and landscaping on Garden Grove Boulevard and construct new curb, gutter, landscape and sidewalk per approved site/landscape plan.
- Remove existing wheelchair ramp at the corner of Garden Grove Boulevard and Lewis Street and construct new wheelchair ramp per Caltrans Standard plan A88A, Case A, Detail B (Typical One-Ramp Corner Installation).
- Construct 8-inch curb and gutter replacing the driveway approaches and parkway culverts along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct an 8-foot sidewalk adjacent to the street curb replacing the driveway approaches and parkway culverts along the property frontage in accordance with City Standard Plan B-106.
- The designated landscape planter box locations in the sidewalk area shall be landscaped per the direction of the City Planning Department.
- Prior to the issuance of certificate of use and occupancy, the applicant shall design the westernmost access on Garden Grove Boulevard to function as an emergency access in a manner meeting the approval of the City Engineer.
- Applicant to 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.

Private Street

- Street Signs shall be installed in a manner meeting the approval of the City Traffic Engineer.
- The width of all private streets with rolled curb & gutter shall be measured from the flowline to flowline of the gutters per City standard B-116.

Garden Grove Fire Department

The following provisions of the Garden Grove Fire Department and the California Fire Code shall be met:

28. 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).
29. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72.
30. Fire hydrants to be shown on submitted grading plan. Fire hydrants shall be provided on site, 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.
31. 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."
32. All access gates on the site shall be equipped with a Knox rapid entry keyed access system subject to the approval of the Garden Grove Fire Department. Automated gates shall have Knox override system, while manual gates shall have Knox padlocks.

33. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2010 Edition.
34. 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 Services Division

35. All buildings shall be fire sprinklered.
36. Each garage shall be hooked up with a raceway for future installation of an electric vehicle charging station.
37. All residences (units) within the development shall be solar ready per Section 110.10 of the California Energy Code.
38. Sales office for the development shall be accessible and connected to accessible parking and public way with accessible route.
39. The buildings shall meet the requirements of the 2017 edition of the California Building and Residential Codes and the City of Garden Grove adopted ordinance.

Public Work's Water Services Division

The following provisions of the Garden Grove Public Works' Water Services Division shall be met:

40. The applicant shall install a new 8" looped water main system from the 12" main on Lewis and tie in to the 12" main on Garden Grove Blvd. The water mains, fire hydrants, and water services to be installed by the developer's contractor per City Standards and inspected by the Water Engineering Inspector. Water meters, boxes, and residential fire service connections shall be purchased and installed by the contractor after new water system (including water services) pass all bacteriological and pressure tests.
41. Water system within private streets shall be constructed per City Standards by the applicant and dedicated to the City. Bonding will be required.
42. Location and number of fire hydrants shall be as required by the Fire Department.
43. Fire hydrants shall be in place and activated prior to building footing being formed.

44. All water meters and services to be installed per City Standard B-719, with a residential fire sprinkler connection on the meter.
45. A composite water and sewer plan with an assigned W drawing number shall be submitted and reviewed by the Water Engineering section. The W number can be obtained from Water Engineering at 714-741-5346.
46. There shall be a minimum 15-foot clearance of building footings from the water main.
47. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
48. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
49. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for 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.
50. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
51. Any new or existing water valve can assemblies located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
52. 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.
53. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
54. Developer shall install a new 8" private sewer main system and tie into the existing County Trunk Sewer. The City of Garden Grove shall act as permittee for County main tie in.

55. Where the new sewer main crosses over or under the existing water main, a joint of AWWA C-900, DR14, Class 305 PVC sewer pipe shall be centered over or under the existing water main pipe as per City Standards B-762 or 763.
56. All on site sewer main, laterals, and cleanouts, shall be installed per the California Plumbing Code and inspected by the Building Services Division. All work done within the Garden Grove right-of-way shall be per Garden Grove Sanitary District and Orange County Sanitary Districts' Standards.
57. 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

58. 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 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 Garden

Grove Boulevard and Lewis Street frontages 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. Enhanced landscape treatment shall be provided in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. The enhanced landscaping within this area shall include trees, shrubs, vines, and flowering ground covers and turf in a hierarchical design order.
 - f. 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 Garden Grove Boulevard and Lewis 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.
 - g. All landscape areas, in common areas are the responsibility of the Homeowner's Association and this includes the landscaped area within the Garden Grove Boulevard and Lewis Street road right-of-way, and in the 10'-0" wide site perimeter setback between the block wall and the street frontage property lines. Maintenance of this landscape area shall be included within the CC&R's for the project.
 - h. Final design and configuration of the enhanced treatment along Garden Grove Boulevard and Lewis Street shall be reviewed and approved by the Planning Division as part of the required landscape plans.
59. 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.
60. The approval and effectiveness of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall be expressly contingent upon the adoption and effectiveness of a binding Development Agreement between the applicant and the City of Garden Grove.

61. 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 the issuance of building permits. 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 53 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, and open space areas within the interior of the development, the enhanced cellular tower element at the front of the development, and the landscape setback areas outside the development walls adjacent to Garden Grove Boulevard and Lewis Street is the responsibility of the Homeowner's Association, including the common landscaped areas.
- 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. Each unit shall maintain a private open space area with minimum dimensions of 15 feet by 20 feet. This area shall be open and unobstructed from the ground to the sky.
- l. The Conditions of Approval for Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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 Conditions of Approval of Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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 Conditions of Approval of Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 approvals. However, the City shall not be liable for failing or refusing to enforce the provisions of these Declarations or the Conditions of Approval of Planned Unit Development No. PUD-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017. 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-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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-006-2017, Site Plan No. SP-028-2017, and Tentative Tract Map No. TT-17927-2017 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.
62. 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 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.
63. 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, south, east, and west 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. A minimum 6'-0" high decorative block wall, set back a minimum of 10'-0" from the Garden Grove Boulevard and Lewis Street property lines shall be installed, behind the homes that back up to Garden Grove Boulevard and Lewis Street, and include split-face or stucco block with pilasters and decorative caps.
 - b. The applicant shall work 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. 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.
64. 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.
65. 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 (35 units). The improvements within the main open space shall include a children's playground (tot lot), open turf area, two (2) covered barbecue dining areas, a shade structure with built-in bench seating, a hedge screen around the area, and related equipment and improvements. The common recreational area shall be enclosed with a six (6) foot high wrought iron fence, with decorative pilasters.

66. 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, multi-paned windows, and shutters.
67. The entry and exit-only drive, off Lewis Street, located along the easterly property line, shall have enhanced concrete treatment subject to the Community and Economic Development Department's approval.
68. All recreation areas, landscaping along the interior project street and entryway, landscaped areas outside the perimeter block wall, landscaping within the public right-of-ways, shall be maintained for the life of the project and such maintenance provisions shall be included in the CC&R's.
69. Decorative mailboxes shall be provided that include elements that are complimentary to the architectural style of the buildings. All on-site lighting shall be decorative. Final design of the mailboxes and street lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
70. 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 the proposed sphere of influence amendments and detachment/annexation, General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, or Development Agreement No. DA-006-2017 (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.

71. 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 Tentative Tract Map No. TT-17927-2017 and Site Plan No. SP-028-2017, has begun.

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)

City Clerk's Office)
City of Garden Grove)
11222 Acacia Parkway)
Garden Grove, CA 92840)
)
)

(Space above for Recorder.)

This document is exempt from payment of a recording fee pursuant to Government Code Section 6103.

Dated: _____

DEVELOPMENT AGREEMENT NO. DA-006-2017

SP-028-2017 and TT-17927-2017

(Christ Catholic Cathedral Facilities Corporation)

THIS DEVELOPMENT AGREEMENT ("Agreement" or "Development Agreement") is made this ___ day of _____, 2017, by the CITY OF GARDEN GROVE, a municipal corporation ("CITY"), on the one hand, and Christ Catholic Cathedral Facilities Corporation, a California nonprofit religious corporation ("DEVELOPER"), on the other hand, pursuant to the authority set forth in Article 2.5 of Chapter 4 of Division I of Title 7, Sections 65864 through 65869.5 of the California Government Code.

RECITALS

The following recitals are a substantive part of this Agreement:

- A. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of a 70-unit single-family residential small-lot subdivision on a 9.01-acre site and related improvements (the "PROJECT") on that certain real property located on the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, & 231-255-01, which is described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

- B. In order to implement the PROJECT, DEVELOPER has requested approval of, and CITY has approved, General Plan Amendment No. GPA-001-2017 applying a General Plan Land Use Designation of Low Density Residential to the Property, Planned Unit Development No. PUD-006-2017 applying Residential Planned Unit Development zoning with R-1 (Single-Family Residential) base zoning to the Property, Tentative Tract Map No. TT-17927-2017, Site Plan No. SP-028-2017, and associated Conditions of Approval, for the PROJECT. The effectiveness of each of the foregoing approvals is subject to approval by the Orange County Local Agency Formation Commission ("LAFCO") of a proposed detachment of approximately 0.901 acres of the Property from the City of Orange and annexation of said portion of the Property to the City of Garden Grove, along with related amendments to the Cities' spheres of influence. On _____, 2017, the City Council adopted a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.
- C. The CITY, and DEVELOPER desire to enter into this Development Agreement for the construction of the PROJECT pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 of Title 7 of the California Government Code (the "Development Agreement Statute").
- D. The PROJECT is a development requiring certain discretionary approvals by the CITY before it may be constructed.
- E. The Development Agreement Statute provides the authority for CITY to enter into binding development agreements with a person having a legal and equitable interest in real property.
- F. DEVELOPER represents that it owns the PROPERTY in fee.
- G. As consideration for the benefits gained by DEVELOPER from the vested rights acquired pursuant to the Development Agreement Statute, CITY is requiring that DEVELOPER construct and install as part of development of the PROJECT certain public improvements and provide other public benefits

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **DURATION.** This Development Agreement and Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 shall expire four (4) years from the date that the General Plan and Zoning Map amendments reflected in General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017 take effect, unless any duty specified remains executory, in which case this Agreement may be renewed for a successive one year term

at discretion of CITY, pursuant to law, until all duties are performed. In the event that the General Plan and Zoning Map amendments reflected in General Plan Amendment No. GPA-001-2017 and Planned Unit Development No. PUD-006-2017 fail to take effect due to denial by LAFCO of the proposed detachment/annexation and related sphere of influence amendments, or for any other reason, this Development Agreement shall be deemed null and void and DEVELOPER shall have no rights hereunder.

2. Permitted Uses/Land Use Entitlements. The following uses are permitted on the PROPERTY: A 70-unit single-family residential small-lot subdivision that includes 70 two-story, single-family homes along with active common usable open space for recreational purposes. The units range in size from 2,451 square feet to 2,689 square feet. The PROJECT has been granted the following land use entitlements: General Plan Amendment No. GPA-001-2017, Planned Unit Development No. PUD-006-2017, and Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017 (subject to associated conditions of approval). A Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the PROJECT have been adopted. Development of the PROJECT is permitted in accordance with Planned Unit Development No. PUD-006-2017. Except as otherwise expressly provided in Planned Unit Development No. PUD-006-2017, the PROJECT is subject to the development standards of the City's Small Lot Subdivision Ordinance (Section 9.12.40.060: Special Requirements Small Lot Subdivisions of Title 9 of the City's Municipal Code) and the base zoning of R-1 (Single-Family Residential) and the Conditions of Approval to Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.
3. Density/Intensity. The density or intensity of the PROJECT is as follows: Single-family residential small-lot subdivision project consisting of 70 two-story units with related improvements on a 9.01-acre site, resulting in a net density of 7.8 dwelling units per acre.
4. Maximum Height and Building Size. The maximum height and building sizes are as follows: The maximum building height shall be two (2) stories with an overall height not to exceed 28'-0" and the building area is comprised of 70 single-family dwelling units ranging in size from 2,451 square feet to 2,689 square feet, as indicated on the approved site plan, floor plan, and elevations.
5. Reservation or Dedication. The reservation of easements or dedication of property to the CITY to allow the construction of the proposed residential development shall be as shown on and/or conditioned in the approved Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.
6. Improvements. The improvements described in Planning Commission Resolution No. 5878-17 shall be constructed prior to the occupancy of the

proposed development or the issuance of any certificate of occupancy for any unit of the development, all in accordance with the terms and conditions of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017.

7. Scope of PROJECT. The PROJECT shall consist of a single-family residential project consisting of two-story homes that range in size from 2,451 square feet to 2,689 square feet, for a total of 70 dwelling units with related improvements.
8. Resolution/Material Terms. All Conditions of Approval of Site Plan No. SP-028-2017 and Tentative Tract Map No. TT-17927-2017, as per Planning Commission Resolution No. 5878-17, attached hereto and incorporated herein as "Exhibit B," are material terms of this Development Agreement. Breach of any condition of approval shall be deemed to be a breach of this Development Agreement.
9. Development Agreement Payment. DEVELOPER shall pay a development agreement payment to the CITY as follows:
 - 9.1 Amount. \$750 per unit and shall be paid prior to issuance of any building permits.
 - 9.2 Amount. The DEVELOPER shall make a contribution of \$1,166 per unit toward construction of a Fire Station, including, but not limited to, related equipment, furnishings, and fixtures, etc., as part of this Development Agreement and shall be paid prior to issuance of any building permits.
 - 9.3 Not to Exceed. Payment under this Development Agreement shall not exceed \$134,120.00.
10. City Agreement. CITY agrees that the sums to be paid to the CITY, pursuant to Paragraph 9, will reimburse CITY for the cost of certain CITY services required by the PROJECT that are not otherwise being reimbursed to CITY.
11. Payment Due Date. The payment amount of \$134,120.00 shall be due and payable prior to the issuance of building permits for the PROJECT.
12. Termination Provisions. This Agreement may be terminated upon the happening of any of the following events:
 - A. Failure of DEVELOPER to perform any of the provisions of this Agreement, or
 - B. Mutual agreement of the parties.

13. Periodic Review. CITY's Director of Community and Economic Development shall review DEVELOPER'S performance every twelve (12) months at the anniversary of the adoption of this Development Agreement. DEVELOPER shall demonstrate good faith compliance with the terms of this Agreement. If as a result of the review, CITY's Community and Economic Development Director determines that DEVELOPER has not demonstrated good faith compliance with this Agreement, CITY shall hold a public hearing before CITY's City Council. If, following such public hearing, CITY's City Council finds and determines, based upon substantial evidence, that DEVELOPER has not complied in good faith with terms or conditions of this Agreement, CITY may terminate the Agreement.
14. City Discretion. So long as this Development Agreement remains in effect, DEVELOPER shall have the full vested right to construct and complete development of the PROJECT and the use of the PROPERTY consistent with the land use entitlements identified in Paragraph 2. Otherwise, CITY retains its right and discretion, under all applicable Codes, to approve or disapprove any item related to this PROJECT that it has not specifically agreed to via this Agreement. DEVELOPER acknowledges that it shall comply with all CITY requirements for applications and permits of any nature that apply to the PROJECT and the PROPERTY and that this Development Agreement does not relieve DEVELOPER of the necessity of filing applications for and obtaining any such permits.
15. Improvement Schedule. The following improvements shall be constructed by the stated dates:

All repairs and improvements to the public right-of-way required pursuant to Planning Commission Resolution No. 5878-17 shall be completed prior to the issuance of any certificates of occupancy or release of any public utilities.
16. Developer Breach. Failure of DEVELOPER to construct improvements as specified, or to pay amounts specified in a timely fashion, shall result in the withholding of building permits, any other permit or certificate of occupancy until the breach is remedied.
17. Non-Liability of Officials and Employees of the City. No official or employee of CITY shall be personally liable to DEVELOPER in the event of any default or breach by CITY, or for any amount that will become due to DEVELOPER, or any obligation under the terms of this Agreement.
18. Notices. All notices shall be personally delivered or mailed to the below listed address, or to such other address as may be designated by written notice. These addresses shall be used for delivery of service of process.

- A. Address of DEVELOPER is as follows:
Christ Catholic Cathedral Facilities Corporation
13280 Chapman Avenue
Garden Grove, CA 92840
- B. Address of CITY is as follows:
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
19. DEVELOPER'S Proposal. The PROJECT shall include DEVELOPER's proposal, as modified by Planning Commission and City Council, including all Conditions of Approval contained in Planning Commission Resolution No. 5878-17, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, the terms of this Agreement shall govern.
20. Licenses, Permits, Fees, and Assessments. At its sole expense, DEVELOPER shall obtain all licenses, permits, and approvals as may be required by this Agreement, or by the nature of the PROJECT.
21. Time of Essence. Time is of the essence in the performance of this Agreement.
22. Successor's In Interest. The provisions of this Agreement shall be binding upon and inure to successors in interest of the parties and shall be specifically binding upon and for the benefit of any future lessees or other owners of an interest in PROPERTY.
23. Authority to Execute. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.
24. Indemnification. DEVELOPER agrees to protect, defend, and hold harmless CITY and their elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of this Development Agreement by DEVELOPER, DEVELOPER'S agents, officers or employees, developers, contractors, or subcontractors hired by DEVELOPER.
25. Modification. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written, regarding the subject matter set forth herein. This Agreement may be modified only by subsequent mutual written agreement executed by CITY and the DEVELOPER

and approved by CITY in accordance with the Development Agreement Statute.

26. Recordation. The City Clerk shall cause this Agreement to be recorded against the PROPERTY within ten (10) days of the effective date of the Garden Grove City Council Ordinance approving this Development Agreement.
27. Remedies. The breach or default of any term or provision of this Agreement by either party shall give the nondefaulting party the right to proceed with any and all remedies set forth in this Agreement, including an action for damages, an action or proceeding at law or in equity to require the defaulting party to perform its obligations and covenants under this Agreement or to enjoin acts or things which may be unlawful or in violation of the provisions of this Agreement, and the right to terminate this Agreement.
28. Force Majeure. Subject to the party's compliance with the notice requirements as set forth below, performance by either party hereunder shall be deemed to be in default, and all performance and other dates specified in this Agreement shall be extended, where delays or default are due to causes beyond the control and without the fault of the party claiming an extension of time to perform, which may include, without limitation, the following: war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, assaults, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually severe weather, inability to secure necessary labor, material or tools, acts or omissions of the other party, or acts or failures to act of any public or governmental entity (except that the City's acts or failure to act shall not excuse performance of the City hereunder). An extension of the time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause.
29. Attorney's Fees. In addition to any other remedies provided hereunder or available pursuant to law, if either party brings an action or proceeding to enforce, protect or establish any right or remedy hereunder, the prevailing party shall be entitled to recover from the other party its costs of suit and reasonable attorney's fees.
30. Remedies Cumulative. No right, power, or remedy given by the terms of this Agreement is intended to be exclusive of any other right, power, or remedy; and each other and every such right, power, remedy shall be cumulative and in addition to every other right, power, or remedy given by the terms of any such instrument, or by any statute or otherwise.

31. Waiver of Terms and Conditions. The CITY may, in its sole discretion, waive in writing any of the terms and conditions of this Agreement. Waivers of any covenant, term, or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term, or condition.

32. Non-Liability of City Officials and Employees. No member, official, employee or agent of the CITY shall be personally liable to the DEVELOPER, or any successor in interest, in the event of any default or breach by the CITY or for any amount that may become due to the DEVELOPER or its successors, or on any obligations under the terms of this Agreement.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, these parties have executed this Agreement on the day and year shown below.

Date: _____

"CITY"
CITY OF GARDEN GROVE, a
municipal corporation

BY _____

ATTEST:

CITY CLERK

DATE: _____

"DEVELOPER"
CHRIST CATHOLIC CATHEDRAL
FACILITIES CORPORATION, a
California nonprofit religious corporation

By: _____

Its: _____

Date: _____

(Signature must be notarized.)

By: _____

Its: _____

Date: _____

(Signature must be notarized.)

APPROVED AS TO FORM:

Garden Grove City Attorney

Date: _____

If DEVELOPER is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: 231-041-26, 27 AND 28)

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SAID SECTION IS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10, MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THAT PORTION DEEDED TO THE STATE OF CALIFORNIA IN DEED RECORDED MAY 1, 1962 IN BOOK 6093, PAGE 418 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL REMAINING OIL, GAS, OTHER HYDROCARBONS AND OTHER MINERALS IN AND TO SAID LAND, TOGETHER WITH THE RIGHT AS HEREINAFTER LIMITED TO DRILL, REDRILL, DEEPEN, COMPLETE, AND MAINTAIN WELLS HOLES UNDER, THROUGH AND BEYOND, AND TO DRILL FOR, PRODUCE, EXTRACT, TAKE AND REMOVE OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES (AND WATER NECESSARY THEREFOR) AND OTHER MINERALS FROM AND THROUGH SAID REAL PROPERTY, TOGETHER WITH RIGHTS OF WAY AND EASEMENTS FOR ANY AND ALL OF THE ABOVE MENTIONED PURPOSES, BUT WITH NO RIGHT OF ENTRY UPON OR THROUGH SAID LAND, EXCEPT BENEATH A DEPTH OF 500 FEET BELOW THE PRESENT SURFACE OF SAID LAND, AS RESERVED IN DEED FROM THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, RECORDED JULY 23, 1976 IN BOOK 11784, PAGE 827 OF OFFICIAL RECORDS.

PARCEL 2: (APN: 231-255-01)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ACQUIRED BY THE STATE OF CALIFORNIA BY PARCEL 1 OF FINAL ORDER OF CONDEMNATION, SUPERIOR COURT CASE NO. 90107, DEED A1353, RECORDED IN BOOK 5980, PAGE 723 OF OFFICIAL RECORDS IN SAID OFFICE, AND BY FINAL ORDER OF INVERSE CONDEMNATION, SUPERIOR COURT CASE NO. 127970, DEED A1354, RECORDED IN BOOK 8781, PAGE 658 OF SAID OFFICIAL RECORDS, INCLUDED WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND:

EXHIBIT A
(Continued)

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LEWIS STREET, 40 FEET WIDE, AS SHOWN ON MAP OF TRACT NO. 3210, RECORDED IN BOOK 154, PAGES 47 AND 48 OF SAID MISCELLANEOUS MAPS, WITH THAT CURVE SHOWN AS HAVING A RADIUS OF 740.00 FEET AND BEING CONCAVE SOUTHEASTERLY IN THE GENERAL WESTERLY LINE OF PARCEL 4 OF STATE HIGHWAY RELINQUISHMENT NO. 376 RECORDED IN BOOK 8989, PAGE 762 OF SAID OFFICIAL RECORDS; THENCE NORTHEASTERLY ALONG SAID CURVE FROM A TANGENT WHICH BEARS NORTH 19 DEGREES 35' 48" EAST, THROUGH AN ANGLE OF 2 DEGREES 49' 40", AN ARC DISTANCE OF 36.52 FEET TO THE POINT OF TANGENCY WITH THAT COURSE SHOWN AS HAVING A BEARING AND LENGTH OF NORTH 22 DEGREES 25' 28" EAST, 138.75 FEET IN SAID GENERAL WESTERLY LINE; THENCE ALONG SAID COURSE NORTH 22 DEGREES 25' 28" EAST, 138.75 FEET TO A TANGENT CURVE SHOWN AS HAVING A RADIUS OF 27.00 FEET AND BEING CONCAVE SOUTHWESTERLY IN SAID GENERAL WESTERLY LINE; THENCE NORTHWESTERLY ALONG LAST SAID CURVE THROUGH AN ANGLE OF 90 DEGREES 00' 00", AN ARC DISTANCE OF 42.41 FEET TO THE POINT OF TANGENCY WITH THAT COURSE SHOWN AS HAVING A BEARING AND LENGTH OF NORTH 67 DEGREES 34' 32" WEST, 16.72 FEET IN SAID GENERAL WESTERLY LINE; THENCE ALONG LAST SAID COURSE NORTH 67 DEGREES 34' 32" WEST, 16.72 FEET TO A TANGENT CURVE SHOWN AS HAVING A RADIUS OF 85.00 FEET AND BEING CONCAVE NORTHEASTERLY IN SAID GENERAL WESTERLY LINE; THENCE NORTHWESTERLY ALONG LAST SAID CURVE THROUGH AN ANGLE OF 28 DEGREES 08' 14", AN ARC DISTANCE OF 41.74 FEET TO THE CENTER LINE OF LEWIS STREET, 40 FEET WIDE; THENCE ALONG SAID CENTER LINE SOUTH 0 DEGREES 40' 18" WEST, 228.59 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE UNDERLYING INTEREST, IF ANY, APPURTENANT TO THE ABOVE DESCRIBED PROPERTY IN AND TO THE ADJOINING PUBLIC WAY, SAID LEWIS STREET, INCLUDED WITHIN THE ABOVE DESCRIBED PARCEL OF LAND.

EXCEPTING THEREFROM, ALL OIL, MINERALS, NATURAL GAS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE HEREIN CONVEYED PARCEL OF LAND, AND THE RIGHTS THERETO, TOGETHER WITH CERTAIN OTHER CONDITIONS, AS EXCEPTED AND RESERVED IN SAID PARCEL 1.

EXHIBIT "B"

CONDITIONS OF APPROVAL

**City of Garden Grove
INTER-DEPARTMENT MEMORANDUM**

To: Planning Commission

From: Lisa L. Kim

Dept:

Dept: Community & Economic
Development

Subject: REVIEW OF CODE OF ETHICS

Date: April 6, 2017

Chapter 2.02 of the Municipal Code comprises the City's Code of Ethics. Pursuant to that Chapter, the Planning Commission has a duty to review the Code of Ethics annually during their first meeting in the month of April; however, if the first meeting is cancelled, the review shall be re-scheduled to the next regular meeting.

Accordingly, the Code of Ethics is scheduled for your formal review at the Commission meeting of April 6, 2017. There is no resolution required; rather, your action will be documented in the minutes of the meeting.



LISA L. KIM
Community and Economic Development Director

Attachment: Municipal Code Chapter 2.02

Chapter 2.02 CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES

2.02.005 Code Review

All official boards, commissions, and committees of the City are to formally review the following Code of Ethics provided in this chapter with their members annually during their first meeting in the month of April. New members are to be provided a copy of the Code of Ethics for their review when they are appointed or elected to each board, commission, or committee. (2813 § 1, 2012; 1437 § 1, 1975)

2.02.010 Declaration of Policy

The proper operation of municipal government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; and that public office not be used for personal gain. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.020 Responsibilities of Public Office

Public officials are all elective officials of the City and the members of all official boards, commissions, and committees of the City. Public officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State and to carry out the laws of the nation, state, and municipality. Public officials and employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their offices, regardless of personal considerations; recognizing that the public interest must be their primary concern, and that conduct in both their official and private affairs should be above reproach. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.030 Dedicated Service

Public officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or the officially recognized confidentiality of their work. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.040 Fair and Equal Treatment

Preferential consideration of the request or petition of any individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.050 Use of Public Property

No public official or employee shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such public official or employee in the conduct of official business. No public official or employee shall use the time of any City employee during working hours for personal convenience or profit. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.060 Obligations to Citizens

A. **CONFLICT WITH PROPER DISCHARGE OF DUTIES.** No public official or employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by law.

B. **INCOMPATIBLE EMPLOYMENT.** No public official or employee shall accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties or require

him or her or induce him or her to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

C. **DISCLOSURE OF CONFIDENTIAL INFORMATION.** No public official or employee shall willfully and knowingly disclose for pecuniary gain to any other person confidential information acquired by him or her in the course of and by reason of his or her official duties nor shall any public official or employee use any such information for the purpose of pecuniary gain.

D. **CONFLICT OF INTEREST.** A conflict of interest exists in a matter before a public official for consideration or determination if:

1. The public official has a substantial financial or substantial personal interest in the outcome or as owner, member, partner, officer, employee, or stockholder of any corporation or other professional enterprise that will be affected by the outcome, and such interest is or may be adverse to the public interest in the proper performance of governmental duties by the public official;

2. The public official has reason to believe or expect that he or she will derive direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity;

3. The public official, because of bias, prejudice, or because he or she has prejudged a matter set for public hearing, is incapable because of such bias, prejudice or prejudgment of granting to the matter before him or her a fair and impartial hearing.

4. Personal interest as distinguished from financial interest is defined as including, among other matters, an interest arising from blood or marriage relationships, or close business association. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.070 Disclosure of Interest and Disqualification

A. Any Councilmember who has a conflict of interest as defined herein, in any matter before the City Council, shall disclose such fact on the record of the City Council and refrain from participating in any discussion of voting thereon, provided that such exceptions shall be observed as are required by law.

B. Any member of any official board, commission, or committee who has a conflict of interest as defined herein in any matter before the board, commission, or committee of which he or she is a member, shall disclose such fact on the record of such board, commission, or committee and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as are required by law.

C. Any employee who has a financial or other special interest in a matter before the City Council or any board, commission, or committee and who participates in discussion with, or gives an official opinion to the City Council, or to such board, commission, or committee relating to such matter, shall disclose on the record of the City Council or such board, commission, or committee, as the case may be, the nature and extent of such interest. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.080 Compliance with State Law

Public officials and employees of the City shall comply with applicable provisions of state law relative to conflicts of interest and generally regulating the conduct of public officials and employees. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.090 Violations—Actions

The violation of any provision of this chapter shall be:

A. As to all City employees, grounds for dismissal from City employment;

B. As to any appointed position on any board, commission, or committee, grounds for removal from any such board, commission, or committee;

C. As to any prosecution of any elected public official, the City Council shall make findings of fact by at least a vote of three City Councilmembers that an elected public official has, in fact, violated this chapter as a prerequisite to prosecution. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.100 State Laws—Control

This chapter and its application are intended to be supplemental to and consistent with all applicable state laws. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.110 Violations—Penalty

Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, is punishable as provided in Section 1.04.010 of this Code. (2813 § 1, 2012; 1301 § 1, 1972)