

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Allan L. Roeder
From: Susan Emery
Dept: Interim City Manager
Dept: Community Development
Subject: 47-UNIT AFFORDABLE HOUSING DEVELOPMENT AT 12741 MAIN STREET AND 10882 STANFORD AVENUE, GARDEN GROVE: ADOPTION OF A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; ADOPTION OF A RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. GPA-001-2014; ADOPTION OF AN ORDINANCE APPROVING ZONE CHANGE AMENDMENT NO. A-012-2014, AND ADOPTION OF AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT NO. DA-001-2014 WITH JAMBOREE HOUSING CORPORATION FOR THE DEVELOPMENT OF THE PROJECT (PUBLIC HEARING)
Date: January 13, 2015

OBJECTIVE

To conduct a Public Hearing to consider a Planning Commission recommendation to adopt a Mitigated Negative Declaration, approve a change of the General Plan land use designation of a .61-acre vacant parcel located at 10882 Stanford Avenue from Medium Density Residential to Civic Center Mixed Use, approve the rezoning of the vacant parcel from Community Center Specific Plan-Community Residential Area 20 (CSSP-CCR20) to Civic Center-Core (CC-3), and approve a Development Agreement with Jamboree Housing Corporation to facilitate the development of 47 affordable housing units on a 5.2-acre site in conjunction with an integrated mixed use project at the Garden Grove United Methodist Church (Church).

BACKGROUND

The Project site consists of two (2) parcels with a net lot area of 5.2 acres located at 12741 Main Street and 10882 Stanford Avenue, 2.5 acres of which will be used to accommodate a 47-unit affordable housing residential development for low to very low-income families and seniors in conjunction with the Church. The site is currently occupied by the Church and associated activities, including the Church-operated pre-school, and a Head Start pre-school school program. The requested General Plan Amendment and Zone Change would make the General Plan land use designation and zoning of the .61 acre vacant parcel located at 10882 Stanford Avenue consistent with that of the rest of the 5.2 acre site in order to facilitate an integrated mixed-use

development consisting of the Church, the pre-schools, the 47 new affordable residential apartments, and a leasing office/retail space.

The Church Sanctuary, the Chapel, a two-story church building with a Pastor's residence, and the Community Hall will continue to remain on the site. An existing 6,107 square foot building for the Head Start pre-school program will be demolished and replaced with a new 3,485 square foot building with an outdoor play area. A portion of the existing Church-operated pre-school building will be demolished to accommodate new parking and an internal drive aisle to serve the project site.

The proposed project includes the construction of two, three-story apartment buildings with a total of 47 affordable residential apartment units for low to very-low income families and seniors. Building A will be the family building consisting of 31 apartment units and a 2,975 square foot leasing/ retail commercial space along Acacia Parkway; Building B will consist of 16 apartment units for seniors only. Each building will provide a club house, exercise room, and a roof top terrace in each building, along with ground level open recreation space.

The Church, Church-operated pre-school, and the Head Start program will continue to operate on the site subject to a Conditional Use Permit that will regulate the operation of the uses, such as the hours of operation, the maximum license capacity for the pre-schools, and the pick-up and drop-off areas.

A total of 77 parking spaces will serve the residential units, which are parked per the State's affordable housing law, and 153 parking spaces will be provided within an easterly parking lot to serve the Church, Church activities, and the two (2) pre-schools. A Parking Variance was approved by the Planning Commission to allow a reduction to the Church's required parking based on the observed peak parking demand. Based on the operating characteristics of the Church and the two (2) pre-schools, the proposed parking will be sufficient to accommodate the existing uses and their projected demand.

As part of the original application, the Applicant proposed three concessions/incentives for the project, which are allowed by the State's affordable housing law. The first concession is to reconfigure the active recreation area by deviating from the minimum 20-foot by 20-foot dimension. Various recreation areas will be provided meeting the overall active recreation area size requirement of 14,100 square feet by providing a combined total of 15,431 square feet. The second concession/incentive is to allow 14 of the residential units to have a private patio area of less than 90 square feet. The third concession/incentive is to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component, which will continue to maintain a mixed-use design that incorporates residential, religious, and the institutional/educational uses.

On December 4, 2014, the Planning Commission held a Public Hearing to consider General Plan Amendment No. GPA-001-2014, Amendment No. A-012-2014, Site Plan No. SP-014-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, Conditional Use Permit No. CUP-023-2014, and Development Amendment

No. DA-001-2014. By a vote of 4-1 (with 2 commissioners absent), the Planning Commission adopted Resolution No. 5835-14 recommending that the City Council adopt a Mitigated Negative Declaration and Mitigated Monitoring Program, and approve General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014. The Planning Commission also adopted Resolution No. 5836-14 approving Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014, and recommending the City Council approve Development Agreement No. DA-001-2014, and adopted Resolution No. 5837-14 approving Conditional Use Permit No. CUP-023-2014, each subject to the City Council's adoption of the Mitigated Negative Declaration and approval of General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014.

DISCUSSION

In order to facilitate the proposed affordable housing development in conjunction with the Church, a General Plan Amendment and a zone change are needed to make the General Plan land use designation and zoning of the .61-acre vacant parcel located at 10882 Stanford Avenue the same as that of the rest of the 5.2-acre site.

General Plan Amendment

The .61-acre vacant parcel located at 10882 Stanford Avenue currently has a General Plan land use designation of Medium Density Residential; however, the remainder of the United Methodist Church site has a land use designation of Civic Center Mixed Use. The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. Since the project is proposed as an integrated mixed-use project over the entire 5.2-acre site, the Civic Center Mixed Use land use designation is appropriate for the entire site.

The General Plan Amendment is also necessary in order to facilitate the proposed Zone Change of the vacant parcel to Civic Center-Core (CC-3) and the development of the site at the proposed density. The proposed CC-3 zoning implements the goals of the Civic Center Mixed Use Land Use designation, which permits residential densities of up to 42 dwelling units per acre. While a total of 47 apartment units will be constructed on the entire project site, only 16 of the units will be constructed on the portion of the Project site comprised of the vacant parcel, resulting in a density for the vacant parcel of 31.5 dwelling units per acre. CC-3 zoning would allow a density of up to 22 units on this parcel based on the lot size. The current CCSP-CCR20 zoning would only permit a density of 11 units. Therefore, the General Plan Amendment will facilitate a change in the zoning designation of the property that is consistent with the density proposed.

The General Plan Amendment will allow the vacant parcel to be developed with an increased density that meets, and is consistent with, the goals and intent of the General Plan for mixed-use developments and affordable housing units.

Zone Change

The proposed Zone change will rezone the vacant parcel from Community Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3), which is the zoning designation of the remainder of the 5.2-acre project site. This will allow the vacant parcel to be developed with 16 of the proposed 47 affordable units, and allow the parcel to form part of the overall mixed-use project.

The proposed rezone will allow an increase to the number of units that can be constructed on the vacant parcel. The proposed CC-3 zone allows up to 42 units per acre. Based on the proposed net lot size of .51 acres, a total of 21 units can potentially be built with the CC-3 zone; however, the project only proposes to build 16 units on the vacant parcel. Under the current CCSP-CCR20 zone, the vacant parcel would only be allowed up to 11 units; however, because the parcel will be part of a mixed-use project, the proposed CC-3 zoning will allow for an increase in density. The proposed increase to the density is consistent with the CC-3 zone, and the Civic Center Mixed Use land use designation that is intended to provide for higher density residential developments. The proposed Civic Center-Core (CC-3) zoning will implement the proposed General Plan Land Use designation of Civic Center Mixed Use that, as discussed above, is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses.

Development Agreement

The Development Agreement will ensure that the Applicant constructs the project in accordance with the approved Site Plan, Variance, and Lot Line Adjustment within a period of four years. In return, the City will receive a Development Agreement payment not to exceed \$90,052. Payment will be required at the time the building permit is issued or the City Manager may allow re-payment over time.

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council:

- Conduct a Public Hearing; and
- Adopt the attached Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Garden Grove United Methodist Church Affordable Housing Project;
- Adopt the attached Resolution approving General Plan Amendment No. GPA-001-2014 to change the General Plan land use designation of the .61-acre vacant parcel located at 10882 Stanford Avenue from Medium Density Residential to Civic Center Mixed Use;

- Introduce and conduct the first reading of the attached Ordinance approving Amendment No. A-012-2014 to rezone the .61-acre vacant parcel located at 10882 Stanford Avenue from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3); and
- Introduce and conduct the first reading of the attached Ordinance approving Development Agreement No. DA-001-2014 between the City of Garden Grove and Jamboree Housing Corporation for properties located at 12741 Main Street and 10082 Stanford Avenue, Garden Grove.



SUSAN EMERY
Assistant City Manager



By: Maria Parra
Urban Planner

- Attachment 1: Planning Commission Staff Report dated December 4, 2014
Attachment 2: Planning Commission Resolution Nos. 5835-14 with attached Exhibit "A" Mitigation Measures/Mitigation Monitoring Program; 5836-14 with Exhibit "A" Conditions of Approval; and 5837-14 with Exhibit "A" Conditions of Approval
Attachment 3: Planning Commission Draft Minute Excerpt of December 4, 2014
Attachment 4: Draft City Council Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring Program
Attachment 5: Draft City Council Resolution for General Plan Amendment No. GPA-001-2014
Attachment 6: Draft City Council Ordinance for Amendment No. A-012-2014
Attachment 7: Draft City Council Ordinance for Development Agreement No. DA-001-2014
Attachment 8: Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Program with technical studies in CD format

Approved for Agenda listing



Allan L. Roeder
Interim City Manager

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: <p style="text-align: center;">C.1</p>	SITE LOCATION: West side of Main Street, north of Acacia Parkway, south of Stanford Avenue at 12741 Main Street and 10882 Stanford Avenue
HEARING DATE: December 4, 2014	GENERAL PLAN: <ul style="list-style-type: none"> • 12741 Main Street: Civic Center Mixed Use • 10882 Stanford Avenue: Medium Density Residential PROPOSED GENERAL PLAN: <ul style="list-style-type: none"> • 10882 Stanford Avenue: Civic Center Mixed Use
CASE NOS.: General Plan Amendment No. GPA-001-2014, Amendment No. A-012-2014, Site Plan No. SP-014-2014, Conditional Use Permit No. CUP-023-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, and Development Agreement No. DA-001-2014	EXISTING ZONE: <ul style="list-style-type: none"> • 12741 Main Street: Civic Center-Core (CC-3) • 10882 Stanford Avenue: Community Center Specific Plan- Community Center Residential Area 20 (CCSP-CCR20) PROPOSED ZONE: <ul style="list-style-type: none"> • 10882 Stanford Avenue: Civic Center-Core (CC-3)
APPLICANT: Jamboree Housing Corporation	APN: 089-202-54 (12741 Main Street) and 089-202-28 (10882 Stanford Avenue)
PROPERTY OWNER: United Methodist Church	CEQA DETERMINATION: Mitigated Negative Declaration

REQUEST:

A request to develop 2.5 acres of the Garden Grove United Methodist Church site, which is comprised of two parcels with a total land area of 5.2 acres, with an integrated mixed-use project with several components, which in part consists of 47 affordable apartment units for low to very-low income seniors and families. The Planning Commission will consider the following: (i) a recommendation for City Council approval of a General Plan Amendment to change the General Plan land use designation of a .61-acre vacant parcel within the project site from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU), and City Council approval of a Zone Change to rezone the parcel from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3); (ii) Planning Commission approval of a Lot Line Adjustment to adjust the southern interior property line of the vacant parcel; (iii) Planning Commission approval of a Site Plan to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,975 square foot leasing/ retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building; and (iv) Planning Commission approval of a Conditional Use Permit to allow the church, the church-operated pre-school, and the Head Start pre-school program to continue to operate (pursuant to the request, the Head Start program will reduce its license capacity from 75 children to 60 children, and the

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

church pre-school will continue to operate with a capacity of 68 children); (v) Planning Commission approval for a Variance to allow a reduction to the required parking for the church, pre-schools, and the proposed commercial tenant space; (vi) Planning Commission approval of three waivers from the following Civic Center-Core (CC-3) development standards pursuant to the State Law regarding affordable housing projects, in conjunction with the requested approvals: 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 14 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component; and (vi) a recommendation for the City Council to approve a Development Agreement for the project; and a recommendation that the City Council adopt a Mitigated Negative Declaration for the project.

PROJECT STATISTICS:

	Provided	Code Requirement	Meets Code	Requires a Concession or Incentive
Total Lot Size	5.2 acres (Net)	15,000 S.F.	Yes	
Church Parcel	4.7 acres (Net)			
Vacant Parcel	.51 acre (Net) ¹			
Residential Density By Total Site Area	9 units per acre	42 units per acre	Yes	
Residential Units	47 units	218 units	Yes	
Commercial F.A.R.²	.21	.50		Yes
Total Parking				
Residential Parking	77 ³	74 ⁴	Yes	
Commercial Parking	153	424 ⁵	Variance Required	
Recreation Area Total	21,127 S.F.	14,100 S.F.		
Common Area	15,315 S.F.			Yes ⁶
Private Balcony	9,513 S.F.			
Building Setbacks			Yes	
North (Stanford)	7'-0"	7 FT. to 15 FT.		
South (Acacia)	3'-4"	0 FT. to 5 FT.		
East (side)				
Building A	20'-0"	0 FT.		
Building B	13'-7"	0 FT.		
West (side)				
Head Start	10'-0"	0 FT.		

1. The vacant parcel has a current lot size of .61 acres; however, a street dedication will be required along Stanford Avenue and a Lot Line Adjustment will be performed that will result in a lot size of .51-acres.
2. Floor Area Ratio (F.A.R.): Ratio of total net building area to the total lot area.
3. 74 parking spaces will be reserved for the residential units, and 3 parking spaces will be reserved for the Head Start and U.S. Postal Service (USPS) during normal business hours, and will be available for residential parking after business hours.
4. State Affordable Housing Law requires parking at 1 space per 1 bedroom unit, and 2 spaces per 2-3 bedroom units.
5. Parking Study prepared to support the Variance to reduce the number of commercial parking spaces.
6. Private balconies range in size from 58 S.F. to 349 S.F. Concession required for 14 balconies to be less than 90 S.F. requirement, and to reconfigure the size of the active recreation area.

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

Multi-Family Building A

Number of Bedrooms/Baths	Living Area ¹	Total Number of Units
1 Bedroom, 1 Bath	755 S.F. to 803 S.F.	8
2 Bedrooms, 1 Bath	913 S.F.	8
3 Bedrooms, 2 Baths	1,109 to 1,211 S.F.	15
	Total	31

Senior Building B

Number of Bedrooms/Baths	Living Area ¹	Total Number of Units
1 Bedroom, 1 Bath	752 S.F.	12
2 Bedrooms, 2 Baths	1,065 S.F.	4
	Total	16

¹ Total living area. The garages are not included.

BACKGROUND:

The subject site is located in the downtown Garden Grove area, just north of Historic Main Street. The property is bounded by Stanford Avenue to the north, Main Street to the east, and Acacia Parkway to the south. The property is located in a viable area of downtown with a mix of uses that include single-family homes, multi-family residential, open space, community facilities, and retail uses. The parcel abuts a three-story, 161-unit senior apartment development to the southeast; single-family homes to the west; a two-story, 29 unit residential apartment, and a two-story, 49-unit condominium development across Stanford Avenue to the north; city-owned park and community facilities, including the Court Yard Center, the Gem Theater, and the Amphitheater across Main Street to the east; and, a two-story office building and an open parking lot that serve the Main Street shops across Acacia Parkway to the south.

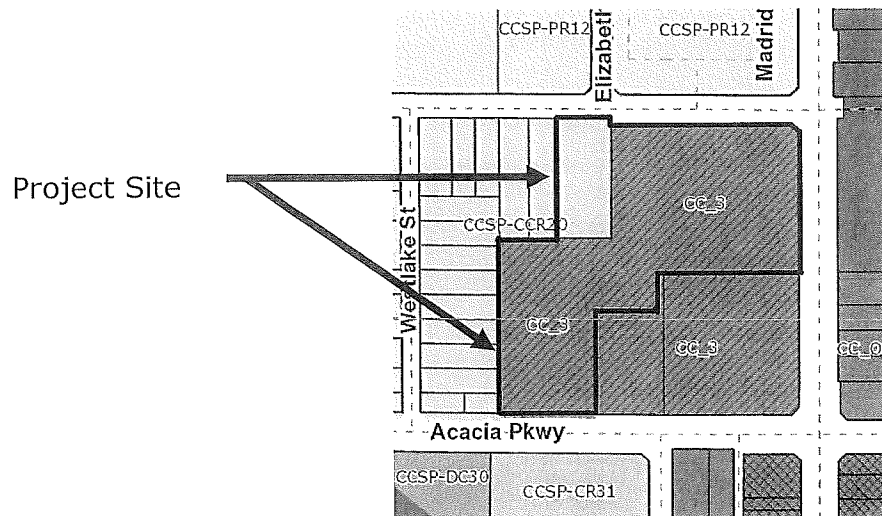
The site consists of two (2) parcels with a combined net lot area of 5.2 acres consisting of a vacant parcel with a net lot size of .51 acres (10882 Stanford Avenue), and a 4.7 acre parcel (12741 Main Street) that is improved with the Garden Grove United Methodist Church and associated church facilities, and two (2) pre-schools, the church operated pre-school and the Head Start pre-school program. The existing site improvements include a 700 seat church sanctuary; an 80 seat chapel; a two-story, 10,048 square foot administration church building with a pastor's residence; a 9,707 square foot community hall; two, single-story buildings, one building is 3,117 square feet and the other building is 5,200 square feet, with classroom space for the church-operated pre-school and church related activities; and, lastly, a 6,107 square foot building for the Head Start pre-school program.

The vacant parcel has a General Plan Land Use designation of Medium Density Residential and is zoned Community Center Specific Plan-Community Center

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

Residential Area 20(CCSP-CCR20), while the improved church parcel has a General Plan designation of Civic Center Mixed Use and is zoned Civic Center-Core (CC-3) (See Figure 1).

FIGURE 1: PROJECT SITE



Jamboree Housing Corporation is a non-profit affordable housing developer, established in 1990, whose mission is to create quality affordable housing for families, seniors, and individuals with special needs. Jamboree Housing Corporation provides resident supportive services at each residential development through its Housing with Heart program. This program is tailored to meet the needs of the residents and focuses on community building, academic achievement, and includes health and wellness programs. The Jamboree Housing Corporation currently manages a total of 6,500 affordable housing units in residential developments throughout California, including in the cities of Irvine, Claremont, Brea, and Buena Park. Jamboree Housing Corporation partnered with the City of Garden Grove in 2004 for the Grove Park project that resulted in the acquisition and rehabilitation of 104 existing apartment units in the Buena Clinton neighborhood.

Jamboree Housing Corporation proposes to develop a 47-unit, multi-generational, affordable housing development for low and very low-income families and seniors on a portion of the Garden Grove United Methodist Church site. The proposed affordable housing units will help fill a housing need in the community for affordable units, as well as assist the City with meeting its fair share of affordable housing as stipulated in the General Plan Housing Element. The project includes demolishing the existing Head Start pre-school building, and a portion of the 5,200 square foot pre-school building in order to accommodate the 47-unit affordable housing apartments, a 2,975 square foot commercial retail space, and new a 3,485 square foot Head Start pre-school building on 2.5 acres of the 5.2 acre site.

Jamboree Housing Corporation will enter into a 55-year ground lease with the Garden Grove United Methodist Church, and enter into a 55-year covenant agreement with the City that will ensure that the units remain affordable; that the

interior and exterior of the buildings and property will be properly maintained, including removal of graffiti, debris, and waste material; and ensure that the occupancy of each unit maintains the maximum "2 to 1 ratio" (two persons for every bedroom) plus one additional person per unit so that each unit does not become overcrowded.

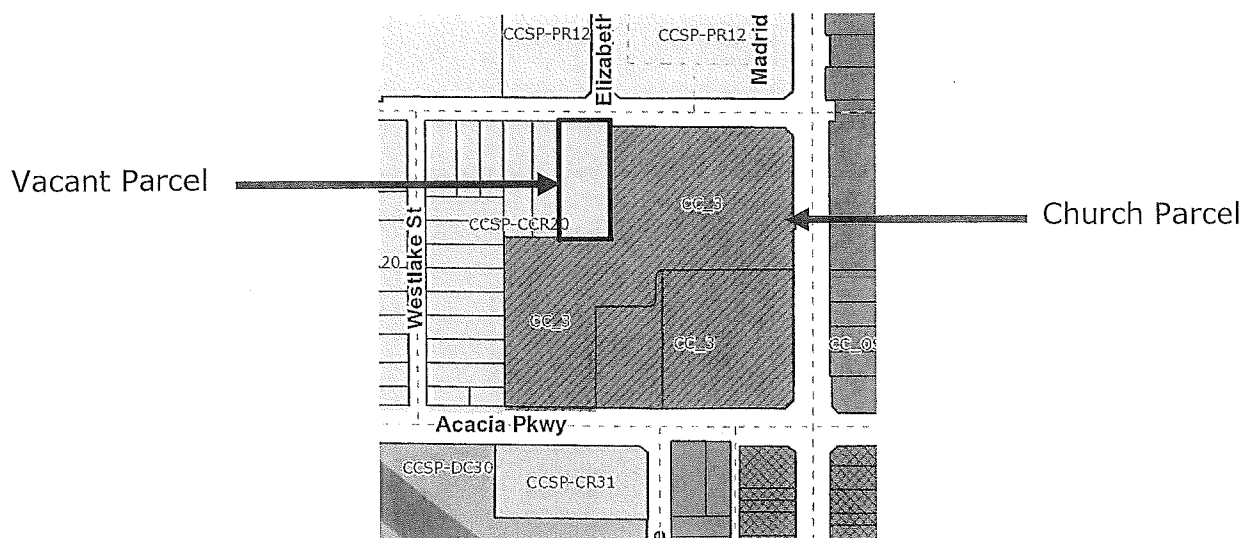
Neighborhood Meeting:

On October 21, 2014, a neighborhood meeting was held at the United Methodist Church to invite and inform property owners located within a 300-foot radius of the project site about the proposed project. As a courtesy, the developer also invited the Main Street property owners to the meeting. Fifteen (15) residents attended the meeting in addition to several members of the church and church board members. At the meeting, residents raised concerns about increased traffic to surrounding streets, limited parking for the residential units, and possible property maintenance issues associated with the affordable housing development.

DISCUSSION

The vacant parcel currently has a General Plan Land Use designation and a zoning that is not the same as the parcel developed with the church (see Figure 2). In order to facilitate the proposed mixed use development, and to ensure that the entire development site has the same General Plan Land Use and zoning designations, a General Plan Amendment and a Zone Change are required for the vacant parcel.

FIGURE 2: VACANT PARCEL



CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

GENERAL PLAN AMENDMENT:

The General Plan Amendment will allow the vacant parcel to form part of an integrated mixed use development with the Garden Grove United Methodist Church. The current General Plan Land Use designation for the vacant parcel is Medium Density Residential, which allows for the development of multi-family developments with a density of 18.1 to 32 dwelling units per acre. The proposed Civic Center Mixed Use land use designation allows for residential densities up to 42 units per acre. While a total of 47 apartment units will be constructed on the entire project site, only 16 units will be constructed on the .51 vacant parcel. The proposed density per acre for the vacant parcel is 31.5 dwelling units per acre, which is less than the 42 dwelling units per acre allowed by the General Plan Land Use designation. However, the General Plan Amendment is necessary, since the proposed CC-3 zoning implements the goals of the Civic Center Mixed Use Land Use designation, and the applicant proposes to increase the density to allow the construction of additional affordable housing units on the vacant lot that the current zoning does not allow.

The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. The General Plan Amendment will allow the vacant parcel to be developed with an increased density that meets and is consistent with the goals and intent of the General Plan that allows for mixed use developments and affordable housing units.

ZONE CHANGE:

The proposal is to rezone the vacant .51 acre parcel from Community Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3) in order for the vacant parcel to have the same zoning designation as the 4.7 acre parcel of CC-3. This will allow the vacant parcel to be developed with 16 of the proposed 47 affordable units, have an increased density, as well as allow the parcel to form part of the overall mixed use project.

The proposed rezone will allow an increase to the number of units that can be constructed on the vacant parcel. The proposed CC-3 zone allows up to 42 units per acre. Based on the proposed .51 acre lot size, a total of 21 units can potentially be built with the CC-3 zone; however, the project only proposes to build 16 units, which is less units than allowed by the zoning code. Under the current CCSP-CCR20 zone, the vacant parcel would only be allowed up to 11 units; however, because the parcel will be part of a mixed use project, the proposed zone will allow for an increase in density. The proposed increase to the density is consistent with the CC-3 zone, and the Civic Center Mixed Use land use designation that is intended to provide for higher density residential developments. The proposed Civic Center-Core (CC-3) zoning will implement the proposed General Plan Land Use designation of Civic Center Mixed Use, as discussed above, that is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses.

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

SITE PLAN:

Site Design and Circulation

The new construction will occur along the east side of the project site. The church sanctuary, the chapel, the church administrative office, and the community hall are located along the northeast and center area of the property and will remain unaffected by the project. A portion of the existing church's pre-school building will be reduced by 605 square feet to accommodate the proposed construction that includes drive aisles, landscaping, and walkways, along with demolishing and rebuilding the Head Start pre-school building within the same location.

The residential project will consist of two, three-story buildings with a total of 47 units for families and seniors. Building A will be the family building consisting of 31 units that will be constructed on the south side of the property adjacent to Acacia Parkway. Building B, the senior building, will have 16 units and will be constructed on the north side of the property adjacent to Stanford Avenue. A new, 3,485 square foot, single-story, Head Start pre-school building will be constructed on the interior, northwest corner of the lot, along with a new detached, 360 square foot, maintenance shed.

The site will be designed as an integrated mixed use development that is accessed with connecting drive aisles that circulate through the entire 5.2 acre development to provide access to the church, pre-schools, and proposed residential units. The development site will be accessed from four (4) drive approaches that include: one (1) drive approach on Acacia Parkway, one (1) new drive approach on Stanford Avenue, and two (2) existing driveways on Main Street. The internal driveways are designed to accommodate two-way traffic, to provide access to the parking areas, and to accommodate access for trash trucks and emergency vehicle access. An internal walkway, designed as a paseo, has been included to provide pedestrian linkages through the project site by connecting Stanford Avenue to Acacia Parkway as required by the CC-3 zone. The church site currently provides walkways that connect from Main Street to access the church, the church buildings, and the pre-schools.

The vacant parcel on Stanford Avenue is required to provide a 10'-0" right-of-way street dedication along Stanford Avenue in order to provide a continuous half-width road right-of-way of 30'-0".

Parking

The site will provide a total of 230 parking spaces. The easterly parking lot will provide a total of 153 parking spaces to serve the church, church facilities, the church-operated pre-school, the Head Start pre-school program, and the future commercial retail use, while the remainder of the parking spaces will serve the residential development.

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

The residential units have been parked per the State's Affordable Housing Law that establishes the maximum parking requirement for affordable housing developments. The law, provides for affordable housing developments to provide one (1) parking space for 1-bedroom units, and two (2) parking spaces for 2-3 bedrooms units. The project includes 20 one-bedroom units, and 27 two and three-bedroom units for a total of 74 parking spaces required. The residential portion will provide a total of 77 parking spaces: 74 parking spaces will be reserved for the residential units, while two (2) parking spaces will be reserved for Head Start and one (1) parking space for U.S. Postal Service (USPS) use during normal business hours, which would permit residential and guest parking during evenings and weekends. The residential parking spaces include 28 parking spaces within an enclosed parking garage for Building A, ten (10) single-car enclosed garages for Building B, and nine (9) carport spaces and 30 open parking spaces along the drive aisle.

The church site currently provides a total of 192 parking spaces, which are considered legal nonconforming, as the current parking code requires approximately 410 parking spaces for the site based on the existing uses. The applicant proposes to reduce the existing on-site parking spaces by 39 spaces to accommodate the proposed development, and to provide a total of 153 parking spaces for the non-residential uses. Based on the church, the two (2) pre-schools, and proposed future commercial retail space, the parking code would require a total of 424 parking spaces, which would result in a 64% parking deficiency for all the commercial uses. The applicant is requesting approval of a Variance in order to reduce the parking for church and associated facilities, the pre-schools, and the future commercial tenant space based on the current utilization and anticipated peak parking demand.

A parking study was prepared and analyzed the use characteristics of the various uses on the site and determined that the peak observed parking demand for the site was 72 parking spaces on Wednesday, April 23, 2014 at 4:00 p.m. (38% occupied), and 88 parking spaces observed on Sunday, March 16, 2014 (46% occupied). Applying these values to the proposed 153 parking spaces, the parking utilization will be 47% occupied during the week, and 58% occupied on Sundays.

The applicant has indicated that church will allow resident over-flow parking onto the church designated parking area during evening and off-peak hours.

Recreation Area and Landscaping:

The project has been designed to comply with the CC-3 zoning requirements for providing landscaping, amenities, and the required active and private recreation areas, with the exception of the two (2) concessions requested to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension and to allow 14 residential units to have a private patio area of less than 90 square feet.

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

The CC-3 zone requires the project to provide a minimum of 14,100 square of active and private recreation space for the development based on the formula of 300 square feet per unit. The project will provide a total of 21,127 square feet of active and private recreation space throughout the project in the form of a club house, lounge, fitness rooms, roof top terraces, private balconies, and six open ground level recreation areas that will provide stationary exercise equipment, and tables and benches for the residents. The total combined active space is 15,431 square feet, and the total private recreation balconies are 5,696 square feet.

Building A will provide a 917 square foot club house with an adjoining 600 square foot courtyard located on the first floor. The second floor will have a 917 square foot exercise room, and a 4,765 square foot landscaped roof terrace that will serve as the active recreation area for the building. The amenities provided within the roof terrace are designed to meet the needs of the families who will occupy the building. The roof terrace will include landscape planters and trees, artificial turf ground cover, children play equipment, outdoor furniture, including benches, tables and sectional furniture, and barbeque grills.

Building B will provide a 647 square foot club lounge and a 647 square foot fitness center on the first floor. The second floor will have a 1,623 square foot roof terrace that will incorporate amenities to serve the senior residents, that include landscaping planters with trees and outdoor furniture that includes tables, benches, and soft lounge sectionals.

The outdoor ground level recreation areas will be provided along the internal walkway that connects the project from Stanford Avenue to Acacia Parkway. The ground level recreation area includes five (5) areas that will be designated as fitness area that will have outdoor stationary exercise equipment; and a 1,245 square foot "pocket park" with ground cover and benches, and several outdoor tables and benches to serve the residents.

In addition, the project site will provide landscaping along the street frontages along Acacia Parkway and Stanford Avenue, within the commons area; a landscaped paseo with a connecting pedestrian walkway from Acacia Parkway to Standard Avenue in accordance with the landscaping requirements of Title 9 of the Municipal Code for the CC-3 zone.

Unit Design

The project consists of 47 affordable housing units with private balconies.

Building A will be the family building and will consist of 31 units. The building will have eight (8) one-bedroom, one-bathroom units that range in size from 755 square feet to 803 square feet; eight (8) two-bedroom, one-bathroom units with a living area of 913 square feet; and fifteen (15) three-bedroom, two bathroom units that will have a living area that ranges from 1,109 square feet to 1,211 square feet.

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

Building B will be the senior building and will consist of 16 units. The building will have twelve (12) one-bedroom, one-bathroom units with a total living area of 752 square feet, and four (4) two-bedroom, two-bathroom units with a living area of 1,065 square feet.

Each building will provide a common laundry room to serve the tenants of each building. The project will also provide common storage areas with individual storage compartments with a minimum of 300 cubic feet, as required, that will be assigned to each unit. The required storage can be designed as individual storage or as hanging storage within the enclosed parking garage.

Building Architecture

The two (2) residential buildings will be three stories in height incorporating a contemporary architectural style that is compatible with the design of the surrounding area and with the existing Garden Grove United Methodist Church. Each building incorporates varying building massing and shapes to provide building articulation. The buildings will have a stucco finish with accenting reveal lines, varied window shapes, and decorative trim. Each building will have a different roof shape and different exterior colors to provide variation to the overall project design.

Building A incorporates a more modern and commercial design to complement the commercial component required by the CC-3 zone. Building A incorporates a 20'-6" commercial storefront along Acacia Parkway that includes double-height storefront windows and brick veneer along the facade. The design includes two (2) building masses with a pitched roof, concrete flat tile, and decorative cornice along the remaining roof lines. The exterior building colors will include the use of three (3) main complementary colors: an off-white color and two (2) earth tone type colors, tan and reddish brown.

Building B will incorporate double height windows along the façade of the club lounge and the fitness center located along the east elevation; a covered walkway with arched openings on the west elevation; and brick veneer along the north, Stanford Avenue, elevation and the west elevation. The building's roof shape will include a pitched roof with asphalt shingles. The exterior building color will include a two-tone design: off-white and dark beige with accenting cocoa color for the fascia, door, and garage doors.

The new Head Start building will be similar in design to Building B, and will incorporate the same exterior color finishes, roof shape, and roof material. The south elevation of the building will also incorporate brick veneer. A detached maintenance shed will be similar in design to the new Head Start and Building B. The project is conditioned to incorporate the same design features of Building A and B to the carports.

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Concessions/Incentives

The applicant proposes three concessions/incentives for the project that are permitted by the State's Affordable Housing law.

The first concession is to reconfigure the active recreation area by deviating from the minimum 20-foot width dimension requirement. The CC-3 zone requires all residential projects to maintain an active recreation area with minimum dimensions of not less than 20 feet by 20 feet. The applicant proposes to create various recreation areas throughout the development to better serve the residents while meeting the overall active recreation area size requirement of 14,100 square feet. The development will provide a club house, exercise/fitness room, and a roof terrace in each building for residents to use. The combined recreation area will be 15,431 square feet, which exceeds the code requirement.

The second concession/incentive is to allow 14 of the residential units to have a private patio area of less than 90 square feet. The CC-3 zone requires all residential units to have a private recreation area with a minimum size of 90 square feet. Ten (10) of the units are single-bedroom having a private balcony of 56 or 58 square feet, while four (4) units are three bedrooms with a private balcony of 86 square feet. The size of the single-bedroom units can be justified as the maximum occupancy permitted will be maximum of three (3) persons (2 persons plus 1), while the three-bedroom units will have a balcony that is four square feet less than required by code. Nevertheless, the project will provide several active recreation areas that are conveniently located throughout the project development to adequately serve the residents. This

The third concession/incentive is to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component. The CC-3 zone requires mixed use projects to provide a commercial component with an FAR of .50. The site is improved with the Garden Grove United Methodist Church and church facilities that will remain. The essence of the project still maintains a mixed-use design by having combined residential, religious, institutional/educational, and recreational aspects to the overall site in conjunction with still providing a commercial component even though it is less in square footage than specified in the CC-3 zone for mixed-use developments.

The concession will allow the affordable housing development to be built in conjunction with the commercial component that is less than the total .50 required; however, the new residential building will include a commercial storefront along Acacia Parkway as required by the CC-3 zone.

VARIANCE:

The applicant is requesting Variance approval in order to reduce the parking for the church and associated facilities, the pre-school, and the future commercial tenant space based on the current utilization and anticipated peak parking demand after

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construction. The church's parking is considered legal nonconforming as the church only provides 192 parking spaces when the current code requires a total of 410 parking spaces based on the combination of the existing uses. The applicant proposes to reduce the existing parking from the current 192 parking spaces to 153 parking spaces in order to accommodate the proposed residential use. Based on the proposed commercial component for the project, a total of 424 parking spaces would be required to accommodate the existing church and church facilities, the two (2) pre-schools, and the future commercial tenant space. The applicant has justified the proposed reduction based on an observed peak parking demand for the church site, for which a parking study was prepared. In order to grant a Variance request, specific justifications must be made demonstrating that a hardship would exist without the Variance, and without the approval of the Variance constituting a special privilege. The following discussion lists the five required findings for Variance approval:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or classes of use in the same vicinity or zone.

Unlike other properties in the vicinity and zone, the subject property includes several different uses on site that generate peak parking demands at varying days and times, including a large church facility that, due to its use and operational characteristics, typically does not generate a peak parking demand at any one time near what the Municipal Code would require for a facility of its size.

The site is improved with the Garden Grove United Methodist Church and associated facilities, a church-operated pre-school, and a Head Start pre-school. The site has a total of 192 parking spaces located within two (2) existing parking areas on the east and southeast areas of the property that serve the existing uses. The 192 parking spaces are considered legal nonconforming as the current parking standards in the Municipal Code would require approximately 410 parking spaces to serve the existing uses; however, the existing parking for the site is underutilized by the church and the pre-schools. The applicant is requesting approval of a parking Variance to reduce the parking for the church and the pre-schools in order to facilitate the proposed development.

The applicant proposes to reduce the parking from the 192 parking spaces to 153 parking spaces for the non-residential component of the Project. The 153 parking spaces will be used to serve the church and church facilities, the pre-schools, and the future commercial retail component. Based on a strict application of the parking requirements in the Municipal Code, accounting for the proposed reduction to the license capacity of the Head Start pre-school program from 75 to 60 children; and the new 2,975 square foot retail tenant space, a total of 424 parking spaces would be required for all of the uses on the site. The applicant is requesting approval of a Variance to reduce the

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parking required for the commercial component that includes the church and associated facilities, the pre-schools, and the future commercial tenant space, by 64%, from 424 parking spaces to 153 parking spaces.

A parking study was performed to determine the existing peak parking demand for the church and associated facilities, and the two (2) existing pre-schools. The study analyzed the use characteristics of the various uses on the site and determined that the peak observed parking demand for the site was 72 parking spaces on Wednesday, April 23, 2014 at 4:00 p.m. (38% occupied), and 88 parking spaces observed on Sunday, March 16, 2014 (46% occupied). Applying these values to the proposed 153 parking spaces, the parking utilization will be 47% occupied during the week, and 58% occupied on Sunday. The parking study further factored the additional 15 parking spaces that will be generated by a future retail use along with a 10% overage to account for additional increase, and determined that the anticipated peak parking demand for the site would be 96 parking spaces on a weekday and 114 parking spaces on a Sunday; however, the applicant proposes to use the commercial retail space as the leasing office for the apartment development in the interim, which is not anticipated to generate the additional 15 parking spaces that a traditional use would. As a result, the parking demand for the church and associated facilities and the two (2) pre-schools will remain the same as no increase to the pre-school or the church and activities is anticipated. Therefore, the parking study concludes that the proposed 153 parking spaces will be sufficient to accommodate the average weekday and weekend parking demand for the church, pre-schools, and future retail space.

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

Other properties in the same vicinity and zone are generally required to provide parking spaces in an amount commensurate with the parking demand created by the uses on the properties. As demonstrated by the parking study, the existing and anticipated future uses on the site generate a peak parking demand that is substantially less than the number of parking spaces a strict application of the parking standards in the Municipal Code would require. Therefore, the Variance is necessary to allow the owners to continue to use the property for church and pre-school purposes, while, at the same time, facilitating development of affordable housing.

The parking Variance will allow the site to be developed with a mixed used project that consists of 47-unit affordable housing residential apartments for families and seniors integrated with the existing Garden Grove United Methodist Church and associated facilities. The site is 5.2 acres, which is sufficient in size to accommodate the proposed residential project.

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The existing parking for the church is underutilized by the existing church, associated facilities, and the two (2) pre-schools. According to the parking study that was prepared to observe the peak parking demand for the existing uses, during the week, the parking lot was less than 50% occupied. The highest utilization rate was 38% during the week that consisted of 72 vehicles, and 46% utilization on a Sunday that consisted of 88 vehicles. The parking study includes projections that include the additional 15 parking spaces that would be required for the future retail use along with a 10% overage to account for future parking increases, and determined that the anticipated weekday peak demand would be 96 parking spaces (63% occupied), and 114 parking spaces (75% occupied) on the weekend.

While the new 2,975 square foot commercial tenant can be available for retail commercial uses, the applicant proposes to use the tenant spaces as the leasing office for the apartment building. The use of the space as a leasing office will not generate the 15 additional parking spaces that a traditional retail use would as the leasing office will be used by the apartment manager and tenants whose parking is provided by the residential parking development. The parking Variance would allow the church to be developed with 47 affordable housing residential units that provide the required parking based on the State's affordable housing code, while allowing the existing church and pre-school to operate with reduced parking based on a parking study that determined that the proposed 153 spaces is sufficient to accommodate the use's parking demand.

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

The site has 192 parking spaces that are considered legal nonconforming, and that are underutilized by the Garden Grove United Methodist church and the two (2) existing pre-schools. A parking study was performed that concluded that the existing parking for the site is less than 50% occupied. Reducing the existing parking by 36 parking spaces to 153 parking spaces is not anticipated to affect the parking for the church site based on the observed parking demand. The proposed affordable housing development provides its share of required parking based on the State's parking requirements for affordable housing development. The church, the two (2) pre-schools, and the future retail spaces will use the 153 parking spaces located in the easterly parking lot. The applicant proposes to use the retail space as the apartment leasing office, which will not generate the 15 additional parking spaces that a traditional retail use would.

Specific conditions of approval will be included in the conditions of approval for this Site Plan, Variance, and Lot Line Adjustment application, in conjunction with the approval for Conditional Use Permit No. CUP-023-2014 that will address specific operating conditions of the church and pre-schools

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to minimize potential effects on parking that include: (1) if parking issues arise, the Garden Grove United Methodist Church will have to resolve the parking to the City's satisfaction that may include providing multiple Sunday Services and/or (2) adjusting the weekday church and church's activity to minimize the parking. Therefore, these conditions of approval and the recommendation included in the parking study, will minimize possible impacts to the parking provided for the Garden Grove United Methodist Church site. Provided that the project complies with the conditions of approval, the parking Variance will not be materially detrimental to the public welfare or injurious to the property.

4. The granting of such Variance will not adversely affect the comprehensive General Plan.

The parking Variance will not adversely affect the comprehensive General Plan. The parking Variance will allow the existing church and associated facilities, the two (2) pre-schools, and the future retail tenant space to reduce the parking from 192 parking spaces to 153 parking spaces based on an observed peak parking demand. These uses will be part of an integrated mixed use project with a new 47-unit affordable apartment residential development.

The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Land Use Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents. Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. Policy 2.1 of the Housing Element encourages the preservation and expansion of the City's supply of affordable rental units, while Policy 2.4 encourages collaborative partnerships to maximize resources available for the provision of housing affordable to lower-income households.

The proposed Variance will allow the development to fulfill the goals of the General Plan Land Use and Housing Element by providing additional affordable housing units that will serve low and very low-income families and seniors in Garden Grove to meet the City's regional housing needs as well as develop a mixed use project that encourages pedestrian activity.

5. Approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the

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limitations upon other properties in the vicinity and zone in which the subject property is situated.

The site has 192 parking spaces that are considered legal nonconforming and that are underutilized by the Garden Grove United Methodist Church and the two (2) existing pre-schools. Approval of the Variance to reduce the number of parking spaces from the existing 192 parking spaces to 153 parking spaces will not grant special privileges. All applicable conditions of approval have been incorporated to facilitate the development of the project, and will include conditions in this Site Plan, Variance and Lot Line Adjustment approval, as well as the approval for Conditional Use Permit No. CUP-023-2014, that include standard conditions that have been applied to similar type churches and pre-school developments located in the vicinity and zones where these uses are allowed. In particular, specific conditions of approval have been included that will address specific operating conditions of the church and pre-schools to minimize potential effects on parking that include: (1) if parking issues arise, the Garden Grove United Methodist Church will have to resolve the parking to the City's satisfaction that may include providing multiple Sunday Services and/or (2) adjusting the weekday church and church's activity to minimize the parking. Provided that the conditions are adhered to, the granting of the subject Variance will maintain consistency with the limitations of other similar properties in the zone and vicinity and not give the property owner a special privilege over other property owners in the area.

CONDITIONAL USE PERMIT:

Conditional Use Permit No. CUP-023-2014 will allow the Garden Grove United Methodist Church and associated church facilities, the church-operated pre-school and the Head Start pre-school program to continue to operate in conjunction with the proposed residential mixed use development. The Conditional Use Permit will include conditions of approval regulating the operation of the uses in order to minimize impacts to the site and surrounding uses.

The Garden Grove United Methodist Church has been serving the Garden Grove community for over 135 years. The existing church sanctuary, chapel, and associated buildings were constructed in 1965. Various church and community group activities occur during the week, while Sunday services, including worship and fellowship, occur during the day by different congregations (See Exhibit A).

The United Methodist Church Pre-school has been operating at this location since 1974, and is currently licensed for a capacity of 68 children. The pre-school will occupy 4,676 square feet of classroom space within two (2) existing, single-story buildings. The total floor area includes seven classrooms, an office, and reception area. The pre-school offers half-day (9:00 a.m. to 12:00 p.m.) and full-day program (6:30 a.m. to 6:00 a.m.) for children. The pre-school will continue to operate from 6:30 a.m. to 6:00 p.m., Monday through Friday. The pre-school will provide a new

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gated, 5,100 square foot, outdoor play area designed to comply with the state licensing requirements.

Head Start is a federally funded early childhood education pre-school program that serves children ages 3 to 5, from low-income families, that promotes school readiness by enhancing the children's cognitive, social, and emotional development at no cost. Head Start began in 1965 and today serves many communities throughout the country. The Head Start pre-school program has been operating at this location since 1997. The school is currently licensed for 75 children, and as part of this application, will reduce the number of children to 60. The Head Start program will occupy a new 3,485 square foot building that will consist of three large classrooms, a teaching room, two (2) offices, restrooms, and a kitchen area, along with a new gated, 4,500 square foot outdoor play area. Head Start offers two sessions during the day: morning session from 8:00 a.m. to 11:30 a.m., and afternoon session from 12:30 p.m. to 4:00 p.m. Head Start will continue to operate from 8:00 a.m. to 4:00 p.m., Monday through Friday.

In order to ensure that parents know the correct parking area and circulation pattern for the site to minimize impacts to the future tenant, the applicant is required to work with the pre-school operators to design a parking and circulation plan for the pre-schools to be distributed to parents and guardians. The circulation and parking plan must identify the pre-schools designated parking area for pick-up and drop-off; the preferred site circulation pattern to access the parking area; the path of travel from the parking area to the pre-schools; and display that no parking will be permitted along any drive aisle. Therefore, as part of this project, all parents and guardians are required to park in the easterly parking lot for pick-up and drop-off. No temporary parking will be permitted along any driveway. The project is required to post "No Parking" signs along the drive aisles.

A condition of approval has been included that stipulates that if problems or issues arise due to the parking, traffic, and circulation to the site created by the uses, the operators of the pre-school(s) and the property owner shall work together to remedy the issue(s) to the satisfaction of the City.

LOT LINE ADJUSTMENT:

The California Building Code does not allow buildings to be constructed over property lines. The location of the southern property line for the vacant parcel will dissect one of the proposed detached carports. In order to comply with the Building Code and rectify the situation, the application proposes to adjust the southern lot line of the vacant parcel. The southern property line will shift 32.34 feet to the north, and the proposed senior building will maintain a 10'-0" setback to the new property line location, and the detached carport will maintain a 9'-4" setback, which exceeds the minimum zero rear setback of the CC-3 zone. The Lot Line Adjustment will reduce the size of the vacant parcel by 3,557 square feet, and the church parcel will acquire the 3,557 square feet land area. As a result of the lot line adjustment, the vacate parcel will reduce in size from .61 acres to a net lot size of .51 acres,

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after the Lot Lined Adjustment and the required street dedication, and the improved church parcel will have a new lot size of 4.7 acres. Ultimately, the overall development area will still remain at the 5.2 acres after the Lot Line Adjustment. The Lot Line Adjustment and all subsequent site improvements will conform to the applicable zoning and building codes.

DEVELOPMENT AGREEMENT:

The applicant will enter into a Development Agreement with the City. The applicant will be guaranteed four years to construct the project, and the City will receive from the developer a development impact fee not to exceed \$90,052. Development Agreement payments are designed to reduce the economic costs of new projects to the public and mitigate development-related impacts on the community. The Development Agreement only applies to the residential units as the new commercial component is under 10,000 square feet, and would not necessitate impact fees. The Planning Commission recommendation on the Development Agreement will be forwarded to the City Council for final action.

ENVIRONMENTAL CONSIDERTAION:

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., an initial study was prepared (Garden Grove United Methodist Church Project Initial Study/Mitigated Negative Declaration). Based on the Initial Study and supporting technical analyses, it was determined that all potentially adverse environmental impacts can be mitigated to a level of less than significance. On this basis, a Mitigated Negative Declaration and Mitigation Monitoring Program have been prepared. Copies of the Mitigated Negative Declaration and Mitigation Monitoring Program are attached to this report along with a CD that contain a complete digital version of the environment document with the corresponding technical studies.

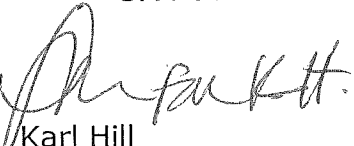
The 30-day public comment period on the Mitigated Negative Declaration occurred from November 3, 2014 to December 3, 2014.

CASE NOS. GPA-001-2014, A-012-2014, SP-014-2014, CUP-023-2014, V-008-2014, LLA-006-2014 and DA-001-2014

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 5835-14 recommending that the City Council adopt a Mitigated Negative Declaration and a Mitigation Monitoring Program, and approve General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014; and,
2. Adopt Resolution No. 5836-14 approving Site Plan No. SP-014-2014, Variance No. V-008-2014; and Lot Line Adjustment No. LLA-006-2014, subject to the recommended Conditions of Approval and contingent upon City Council approval of General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014, and recommending approval of the Development Agreement to the City Council; and,
3. Adopt Resolution No. 5837-14 approving Conditional Use Permit No. CUP-023-2014, subject to the recommended Conditions of Approval, and contingent upon City Council approval of General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014.



Karl Hill
Planning Services Manager



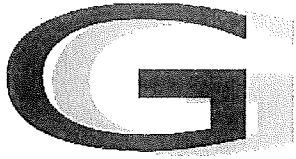
By: Maria Parra
Urban Planner

Exhibit A

Garden Grove United Methodist Church Schedule of Regular Events

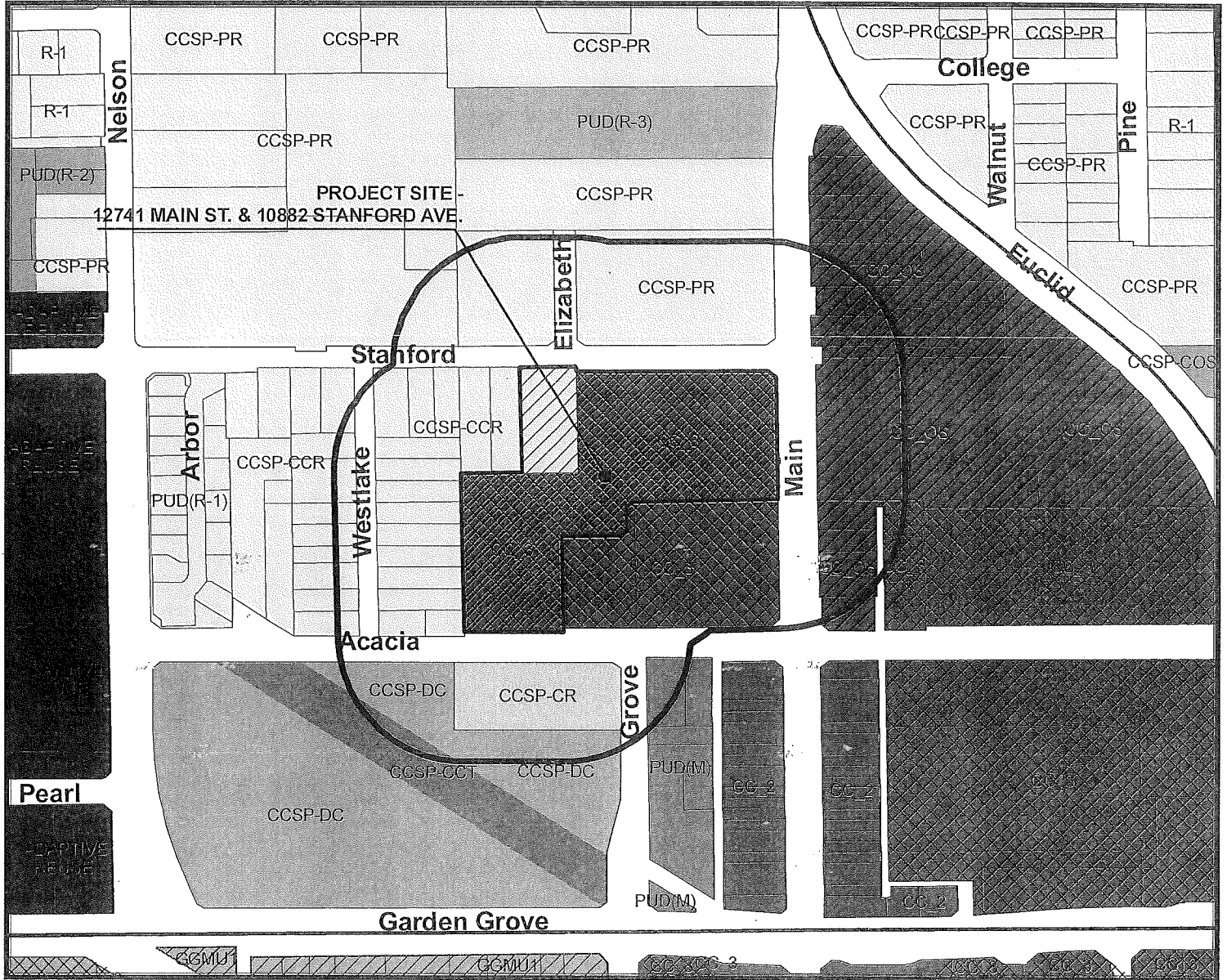
Sundays:	9:30-10:30 a.m.	English, Hispanic & Samoan Worship
	11:45 a.m.-1:00 p.m.	Korean Worship
	2:00-5:00 p.m.	Mar Thoma Worship
	4:00-6:00 p.m.	Youth Fellowship
Mondays:	5:00-7:00 a.m.	Korean Prayer
	6:30 a.m.-6:00 p.m.	Preschool Hours
	7:30 a.m.-4:30 p.m.	Headstart Hours
	9:00 a.m.-3:00 p.m.	Church Office Hours
	6:00-8:00 p.m.	Samoan Activities
	7:00-9:00 p.m.	Boy Scout Troop Meeting
Tuesdays:	5:00-7:00 a.m.	Korean Prayer
	6:30 a.m.-6:00 p.m.	Preschool Hours
	7:30 a.m.-4:30 p.m.	Headstart Hours
	9:00 a.m.-3:00 p.m.	Church Office Hours
	9:30-11:30 a.m.	Hispanic Ministry Class
	4:00-4:40 p.m.	Children's Choir Rehearsal
	6:00-8:00 p.m.	Samoan Activities
7:00-9:00 p.m.	Cub Scout Pack Meeting	
Wednesdays:	5:00-7:00 a.m.	Korean Prayer
	6:30 a.m.-6:00 p.m.	Preschool Hours
	7:30 a.m.-4:30 p.m.	Headstart Hours
	9:00 a.m.-12:00 p.m.	Quilt Guild Meeting, second Wednesday of most months
	9:00 a.m.-3:00 p.m.	Church Office Hours
	9:00 a.m.-3:00 p.m.	Oriental Brush Painting Class
	6:00-8:00 p.m.	Samoan Activities
	6:30-8:30 p.m.	Church Meetings (different meetings on different weeks, not every Wednesday)
	11:00 a.m.-1:30 p.m. or 5:30-7:30 p.m.	Women's General Meeting, third Wednesday of most months
7:00-9:00 p.m.	Girl Scout Troop Meeting	
Thursdays	5:00-7:00 a.m.	Korean Prayer
	6:30 a.m.-6:00 p.m.	Preschool Hours
	7:30 a.m.-4:30 p.m.	Headstart Hours
	9:00 a.m.-3:00 p.m.	Church Office Hours
	9:30-11:00 a.m.	Bible Study
	9:30-11:30 a.m.	Hispanic Ministry Class
	4:00-4:40 p.m.	Youth Choir Rehearsal
	6:00-8:00 p.m.	Samoan Activities
	6:15-7:15 p.m.	Bell Choir Rehearsal
	6:30-9:00 p.m.	St. Columban's Prayer Meeting
	7:30-9:00 p.m.	Adult Choir Rehearsal
7:00-9:00 p.m.	Cub Scout Pack Meeting	

Fridays	5:00-7:00 a.m.	Korean Prayer
	6:30 a.m.-6:00 p.m.	Preschool Hours
	7:30 a.m.-4:30 p.m.	Headstart Hours
	1:00-3:30 p.m.	Free Friday Movie, usually third Friday of most months
	4:00-6:30 p.m.	Hispanic Ministry Class
	6:00-8:00 p.m.	Samoan Activities
	7:30-9:00 p.m.	Korean Praise Service
Saturdays	8:30 a.m.-4:30 p.m.	COPHYLA Class, six weeks, a few times a year
	10:00 a.m.-1:00 p.m.	ESL Class
	4:00-5:00 p.m.	Samoan Choir Rehearsal
	7:30-11:00 p.m.	Square Dance Club Dance, once or twice a month




GENERAL PLAN AMENDMENT NO. GPA-001-2014

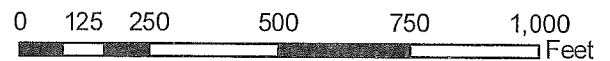
GARDEN GROVE



LEGEND

 PROJECT SITE - 12741 MAIN STREET & 10882 STANFORD AVENUE

 300 FEET RADIUS



NOTES

1. GENERAL PLAN:
12741 MAIN ST. - CIVIC CENTER MIXED USE
10882 STANFORD AVE. - MEDIUM DENSITY RESIDENTIAL

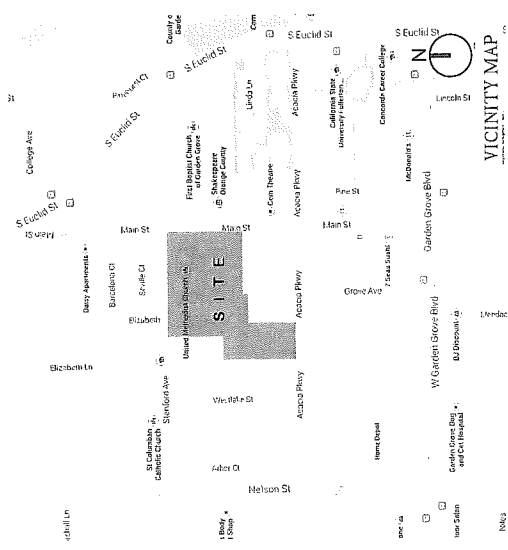
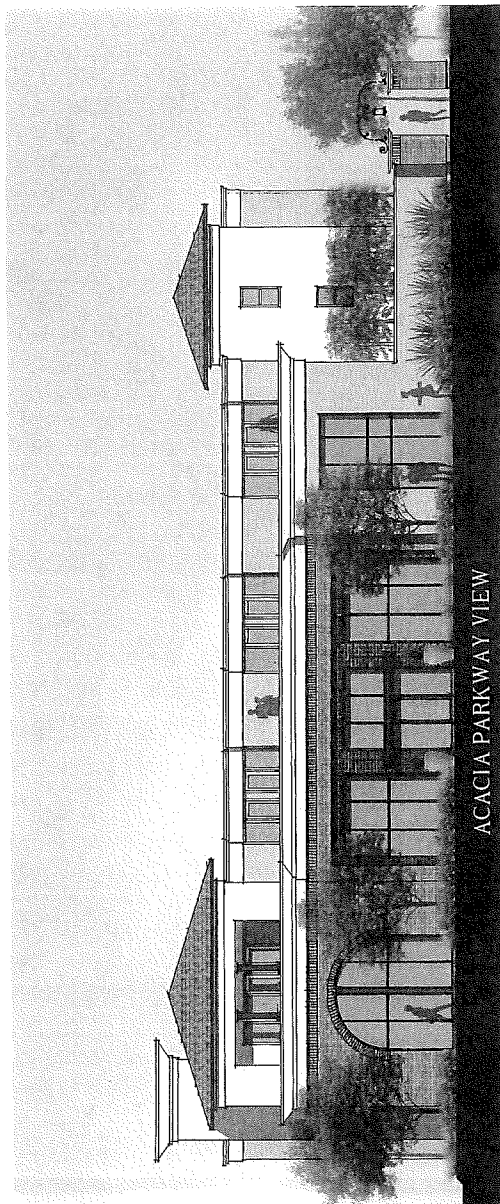
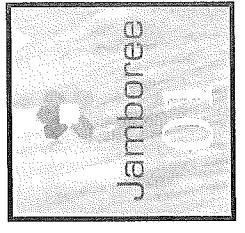
2. ZONE:

- 12741 MAIN ST. - CC-3 (CIVIC CENTER CORE)
- 10882 STANFORD AVE. - CCSP-CCR20 (COMMUNITY COMMERCIAL SPECIFIC PLAN CORE RESIDENTIAL DISTRICT)

CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
NOVEMBER 2014

NEWMAN GARRISON PARTNERS
 ARCHITECTURE - PLANNING - INTERIORS
 3100 Bridle Suite 400
 Costa Mesa, CA 92626
 P: 949-726-0818
 PROJECT: 13040
 DATE: 10-06-14

GARDEN GROVE, CALIFORNIA
United Methodist Church



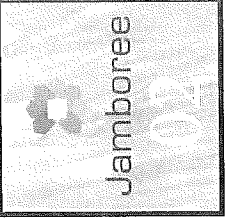
ACACIA PARKWAY AFFORDABLE HOUSING

SHEET INDEX

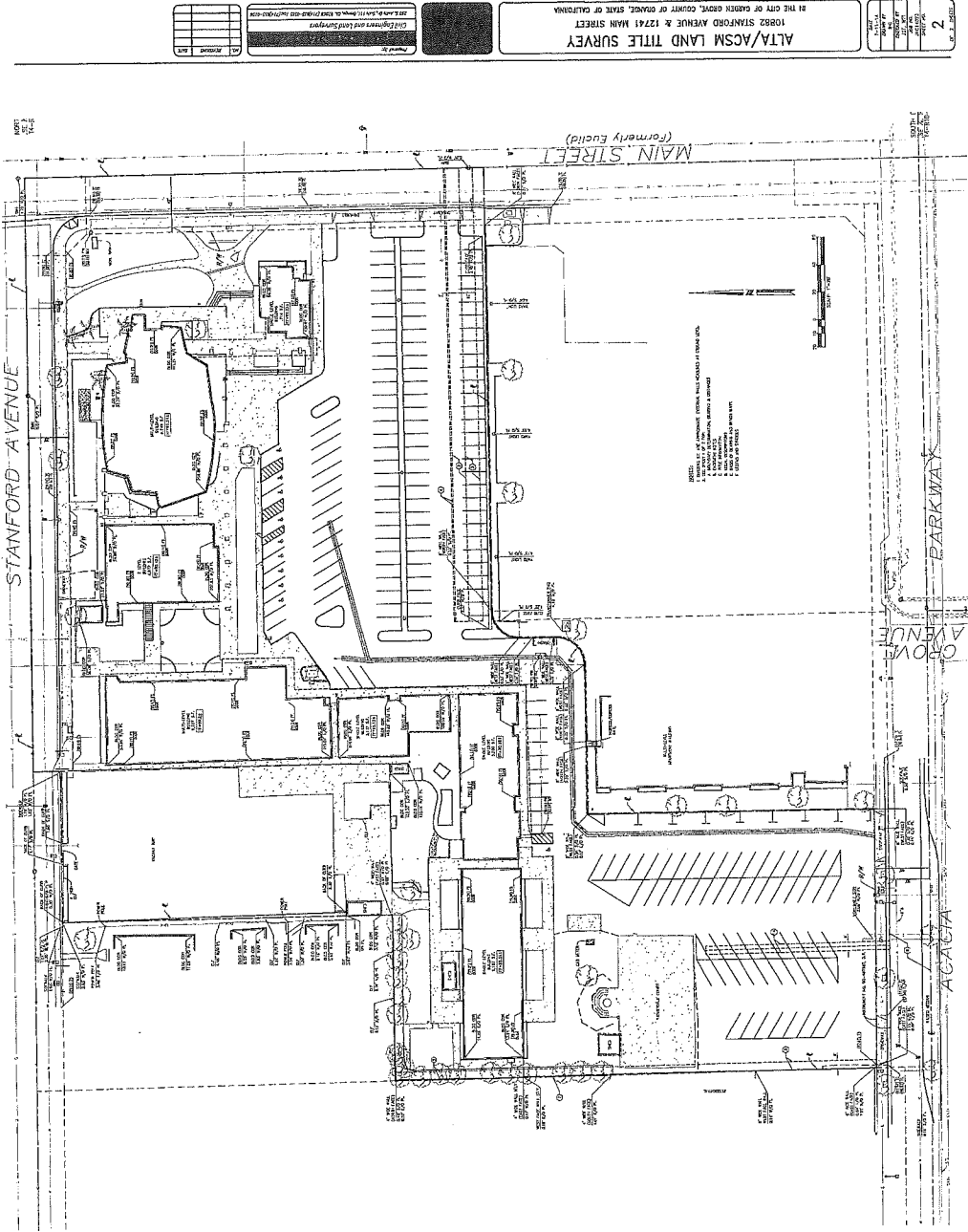
01 COVER SHEET, AREA MAP	07 ARCHITECTURAL SITE PLAN	14 BUILDING A UNIT PLANS	21 HEADSTART BUILDING ELEVATION
02 ALTA LAND TITLE SURVEY - EXISTING FACILITIES PLAN	08 LOT LINE ADJUSTMENT AND ALTA LAND TITLE SURVEY	15 BUILDING B UNIT PLANS	22 EXISTING CHURCH CLASSROOM ELEVATION
03 EXISTING CHURCH CLASSROOM AND COMMUNITY ROOM FLOOR PLANS	09 OPEN SPACE CALCULATION DIAGRAM AND SITE DATA	16 BUILDING A ELEVATION	23 LANDSCAPE CONCEPT - BUILDING A
04 EXISTING CHURCH FIRST FLOOR PLAN	10 BUILDING A PLANS	17 BUILDING A ELEVATION	24 LANDSCAPE CONCEPT - BUILDING B AND CHURCH PARKING
05 EXISTING ADMINISTRATION FIRST FLOOR PLAN	11 BUILDING A PLANS	18 BUILDING B ELEVATION	25 LANDSCAPE CONCEPT - HEAD START BUILDING
06 EXISTING ADMINISTRATION SECOND FLOOR PLAN	12 BUILDING B PLANS	19 BUILDING B ELEVATION	26 LANDSCAPE IMAGERY
	13 HEADSTART BUILDING PLAN	20 HEADSTART BUILDING ELEVATION	

NEWMANGARRISON
 ARCHITECTURE - PLANNING - INTERIORS
 PARTNERS
 3100 Bings Suite 400
 Garden Grove, CA 92626
 P: 949-756-0818
 PROJECT: 13049
 DATE: 10-05-14

United Methodist Church
 GARDEN GROVE, CALIFORNIA



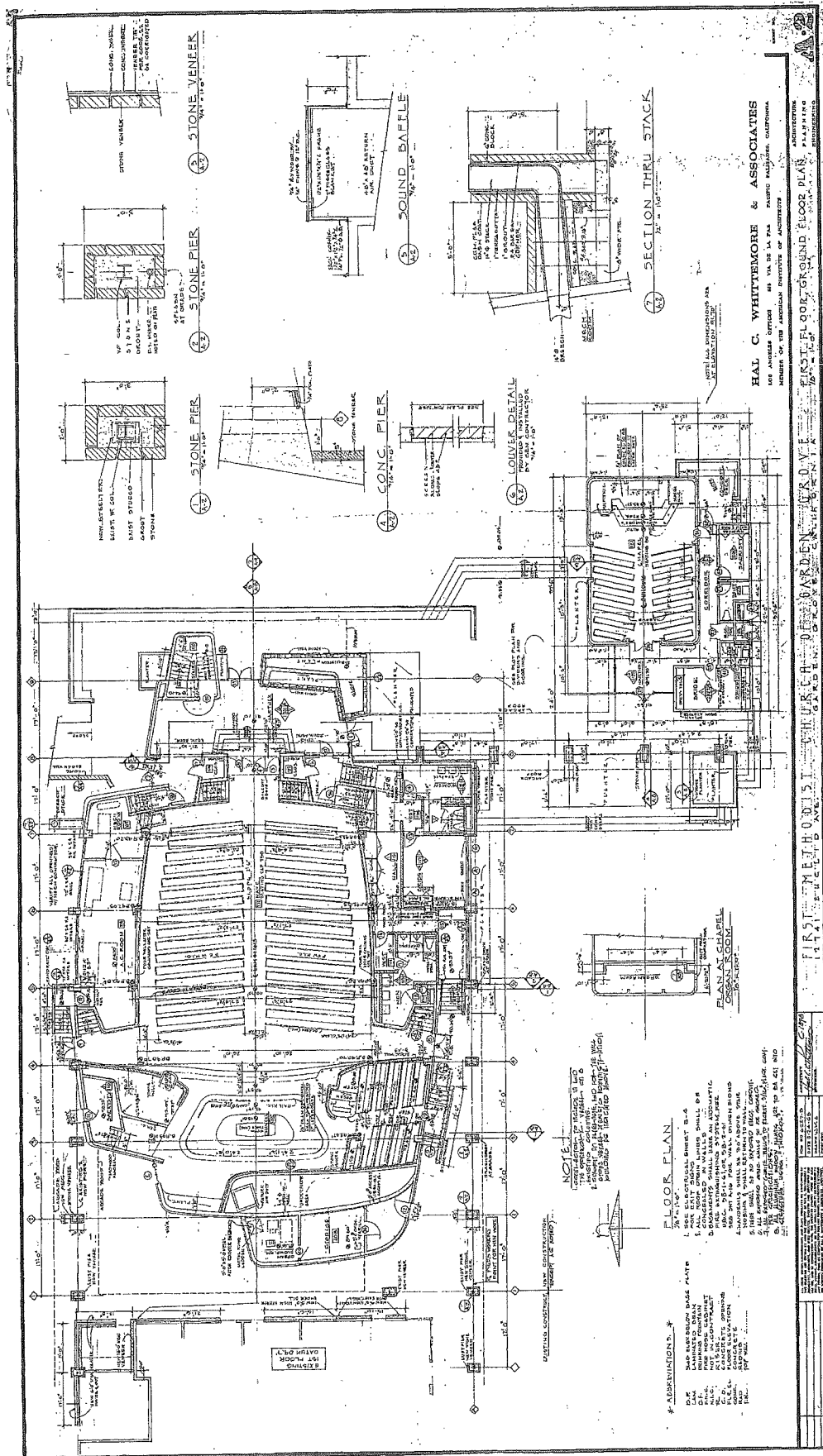
ALTA LAND TITLE SURVEY



<p>ALTA/ACSM LAND TITLE SURVEY 10822 STANFORD AVENUE & 12741 MAIN STREET IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA</p>	<p>City Engineer and Land Surveyor License No. 11111, State of California</p>	<p>DATE: 10/5/14 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: AS SHOWN</p>
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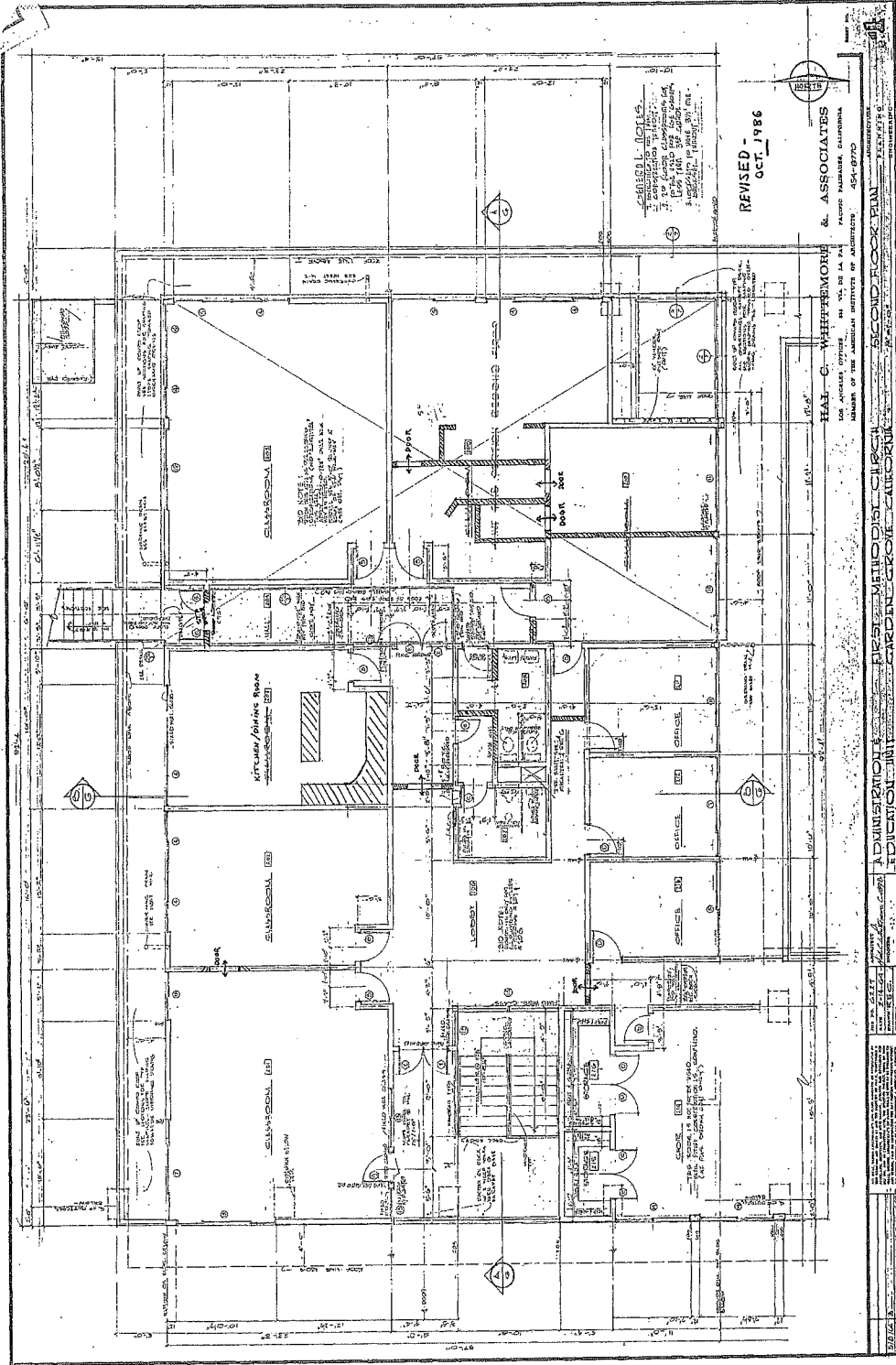
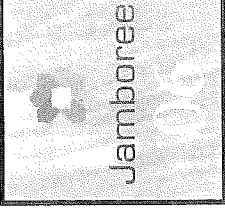
United Methodist Church
 GARDEN GROVE, CALIFORNIA

Jamboree



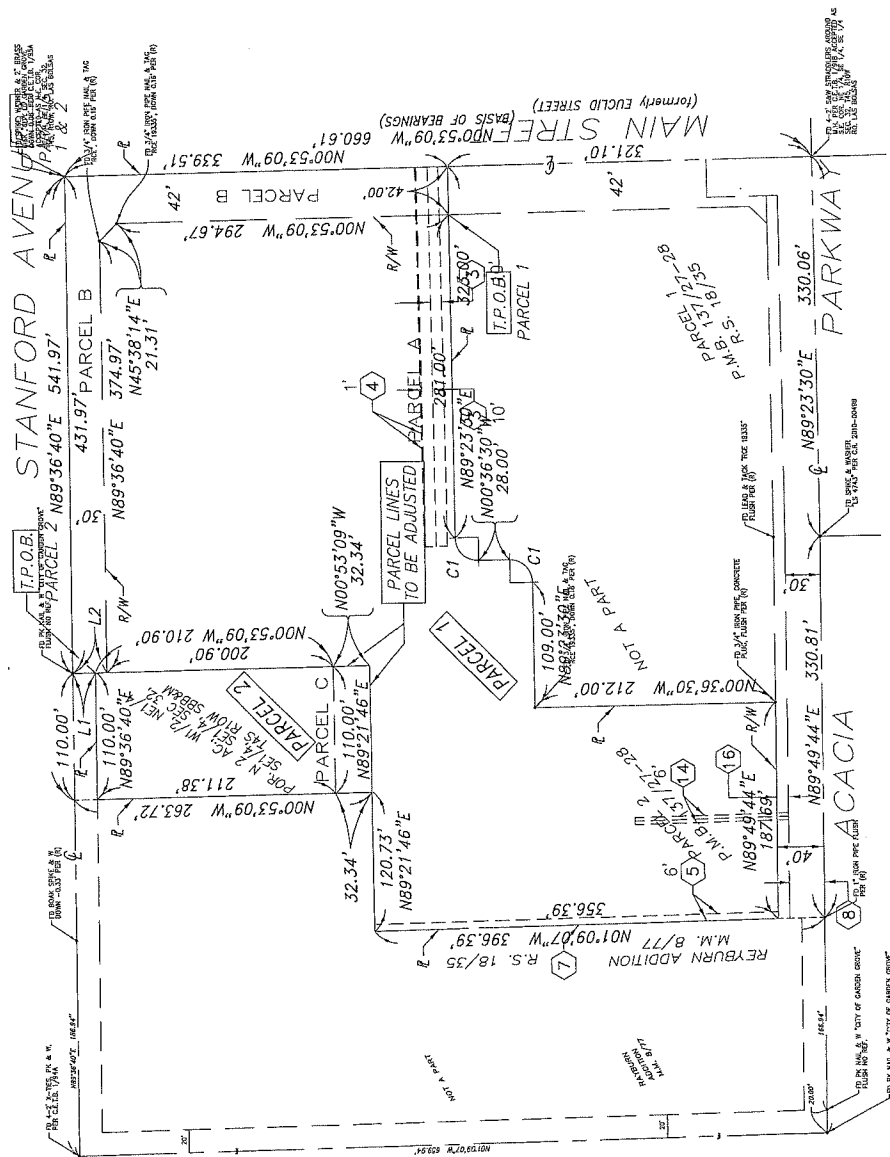
EXISTING CHURCH FIRST FLOOR PLAN

United Methodist Church
 GARDEN GROVE, CALIFORNIA

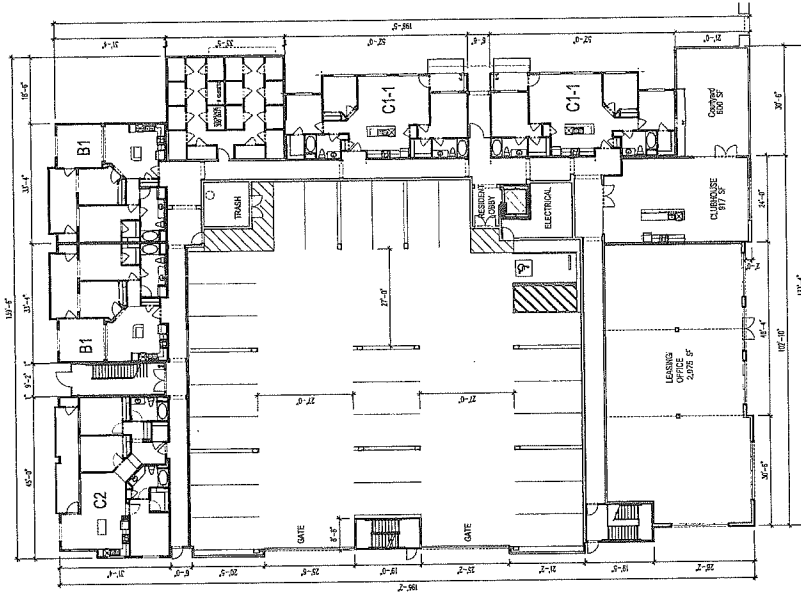


EXISTING ADMINISTRATION SECOND FLOOR PLAN

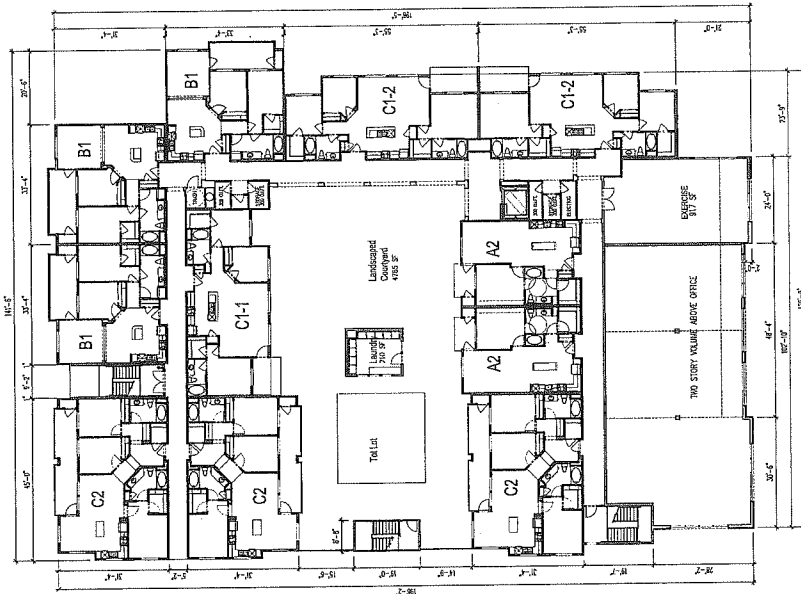
United Methodist Church
 GARDEN GROVE, CALIFORNIA



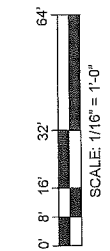
LOT LINE ADJUSTMENT AND ALTA LAND TITLE SURVEY



GROUND LEVEL



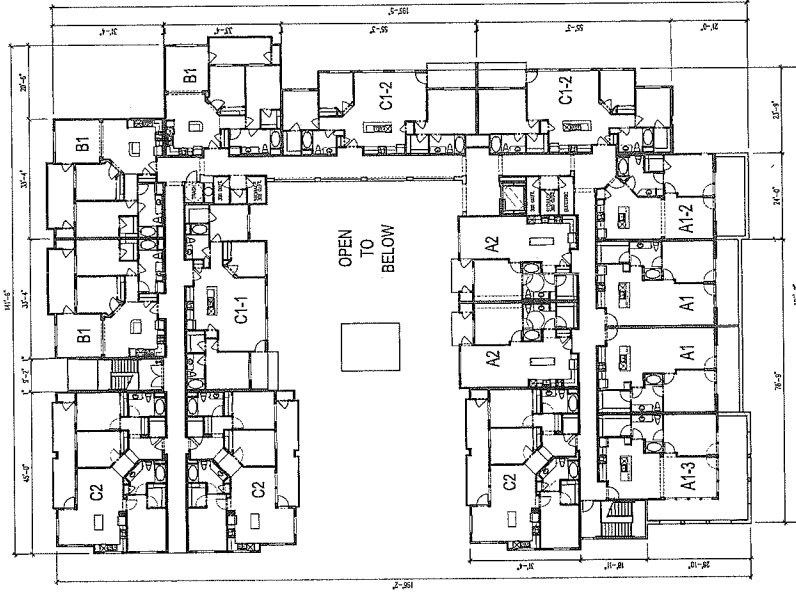
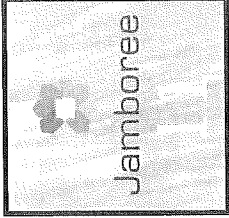
SECOND LEVEL



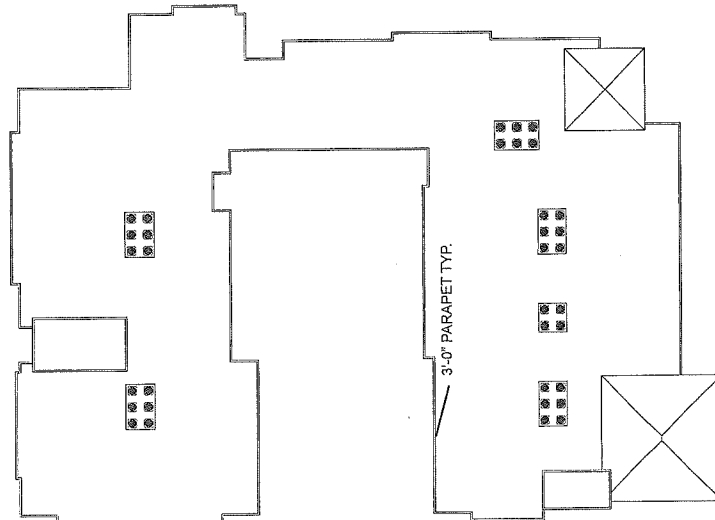
BUILDING A PLANS

NEWMAN GARRISON PARTNERS
 ARCHITECTURE - PLANNING - INTERIORS
 3100 Wilshire Blvd., Suite 400
 Los Angeles, CA 90026
 P: 949-756-9318
 PROJECT: 13040
 DATE: 10-08-14

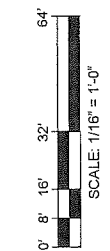
United Methodist Church
 GARDEN GROVE, CALIFORNIA



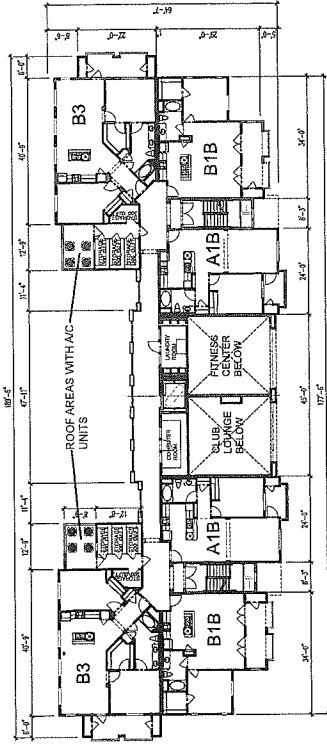
THIRD LEVEL



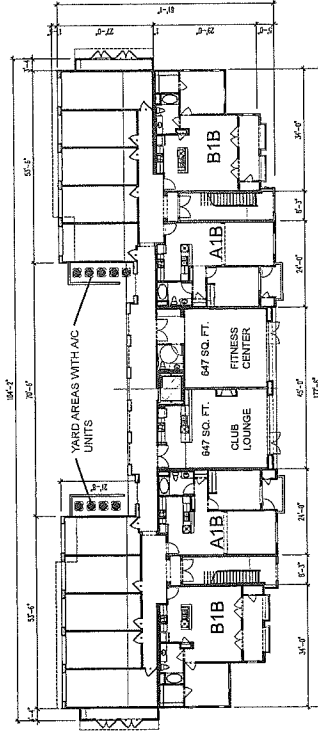
ROOF LEVEL



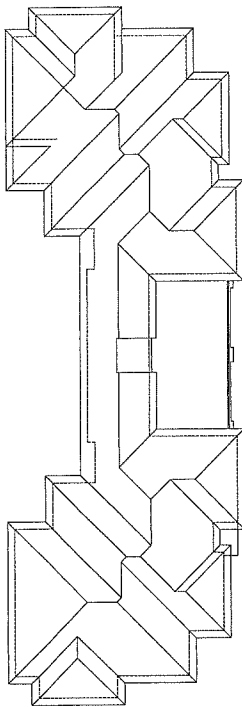
BUILDING A PLANS



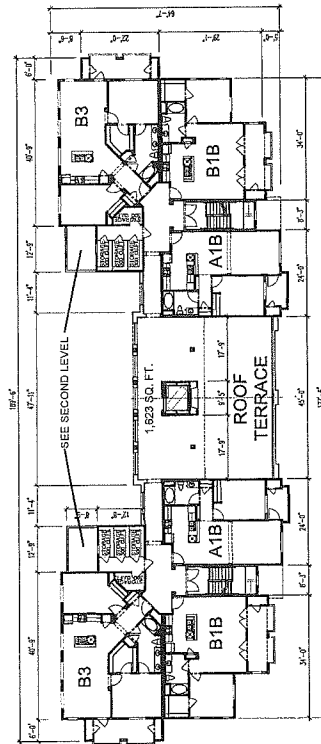
SECOND LEVEL



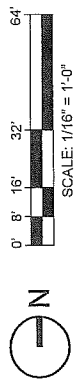
GROUND LEVEL



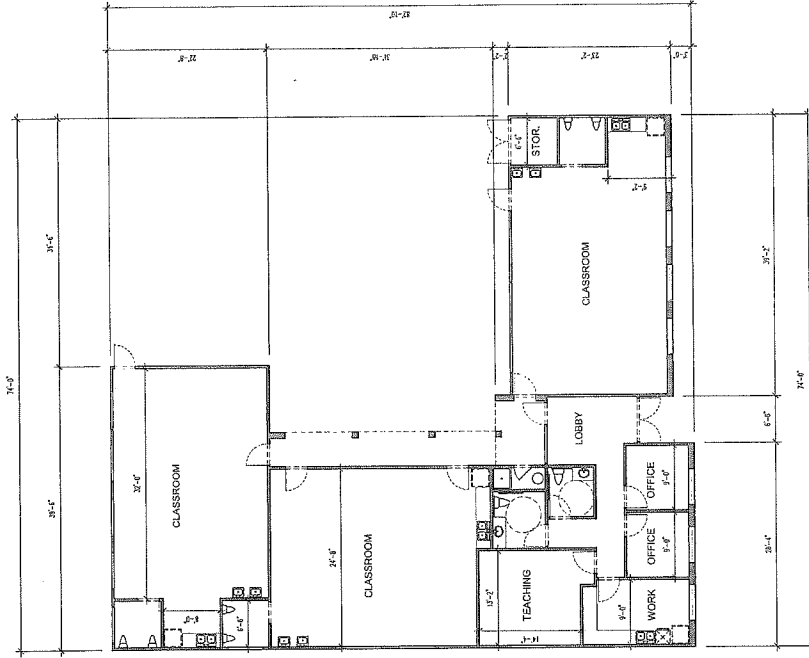
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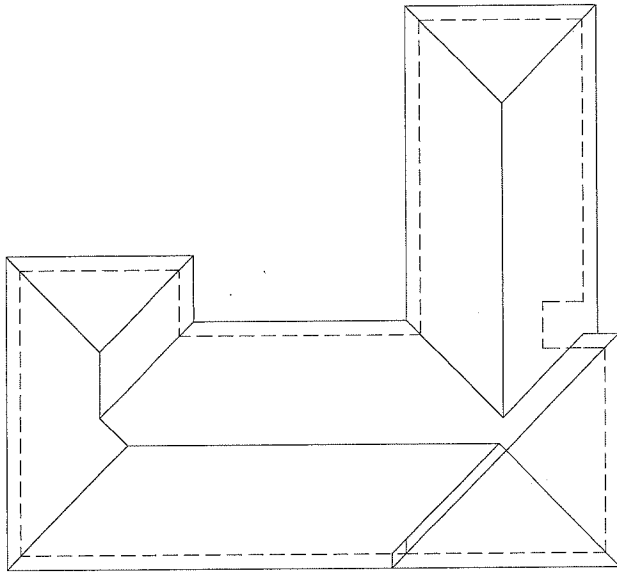
THIRD LEVEL



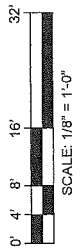
BUILDING B PLANS



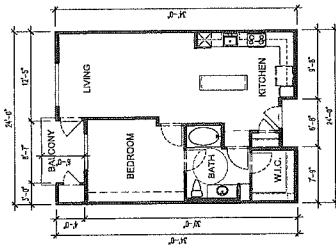
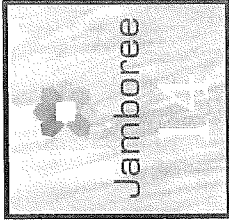
GROUND LEVEL
 3,485 SQ. FT.



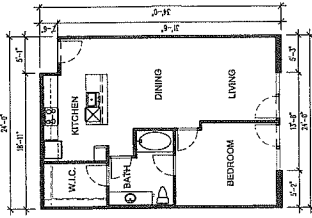
ROOF LEVEL



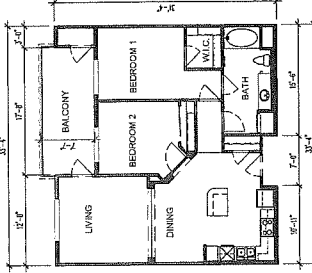
HEADSTART BUILDING PLAN



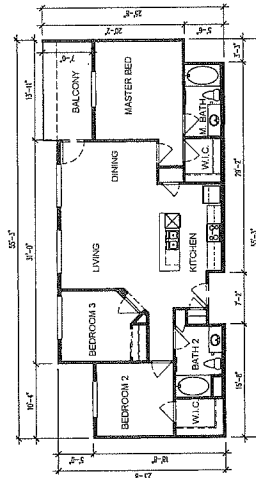
PLAN A2
 1 BEDROOM UNIT - 755 SQ. FT.
 BALCONY - 56 SQ. FT.



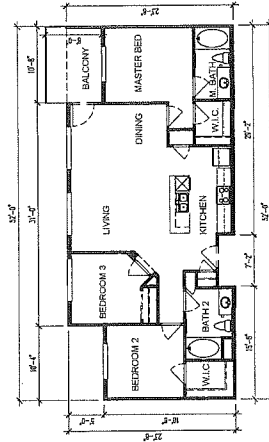
PLAN A1
 1 BEDROOM UNIT - 803 SQ. FT.
 BALCONY - A1 - 142 SQ. FT.
 BALCONY - A1-2 - 176 SQ. FT.
 BALCONY - A1-3 - 349 SQ. FT.



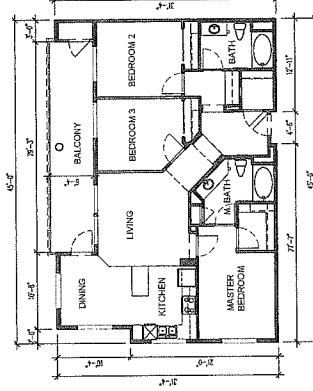
PLAN B1
 2 BEDROOM UNIT - 913 SQ. FT.
 BALCONY - 140 SQ. FT.



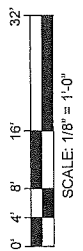
PLAN C1-2
 3 BEDROOM UNIT - 1,152 SQ. FT.
 BALCONY - 98 SQ. FT.



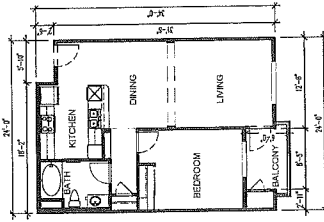
PLAN C1-1
 3 BEDROOM UNIT - 1,109 SQ. FT.
 BALCONY - 86 SQ. FT.



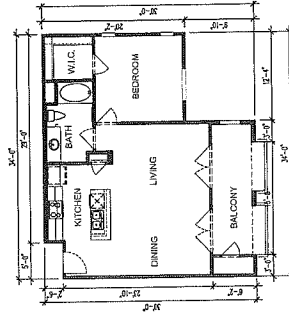
PLAN C2
 3 BEDROOM UNIT - 1,211 SQ. FT.
 BALCONY - 187 SQ. FT.



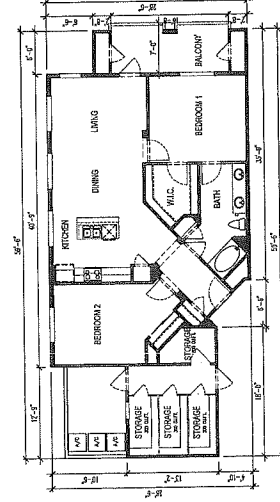
BUILDING A UNIT PLANS



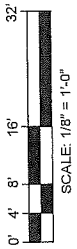
PLAN A1B
 1 BEDROOM UNIT - 752 SQ. FT.
 BALCONY - 58 SQ. FT.



PLAN B1B
 1 BEDROOM UNIT - 752 SQ. FT.
 BALCONY - 113 SQ. FT.



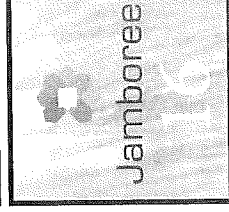
PLAN B3
 2 BEDROOM UNIT - 1,065 SQ. FT.
 BALCONY - 118 SQ. FT.



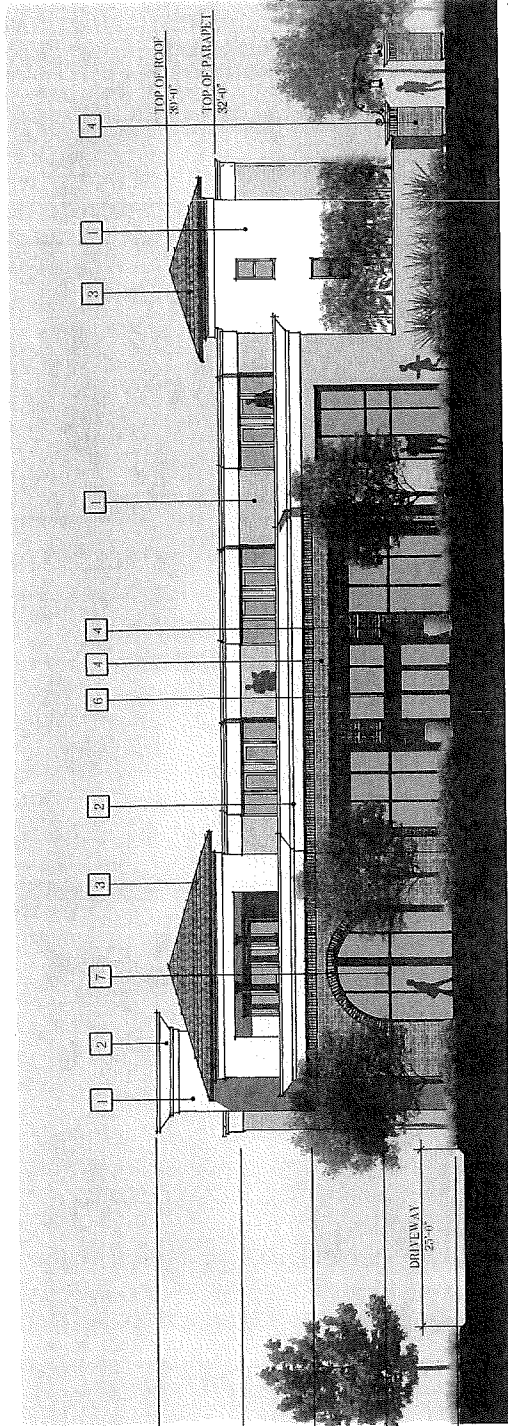
BUILDING B UNIT PLANS

NEWMANGARRISON PARTNERS
 ARCHITECTURE - PLANNING - INTERIORS
 3100 Bristol Sullis 400
 Costa Mesa, CA 92626
 P: 949-756-0818
 PROJECT: 13949
 DATE: 10-06-14

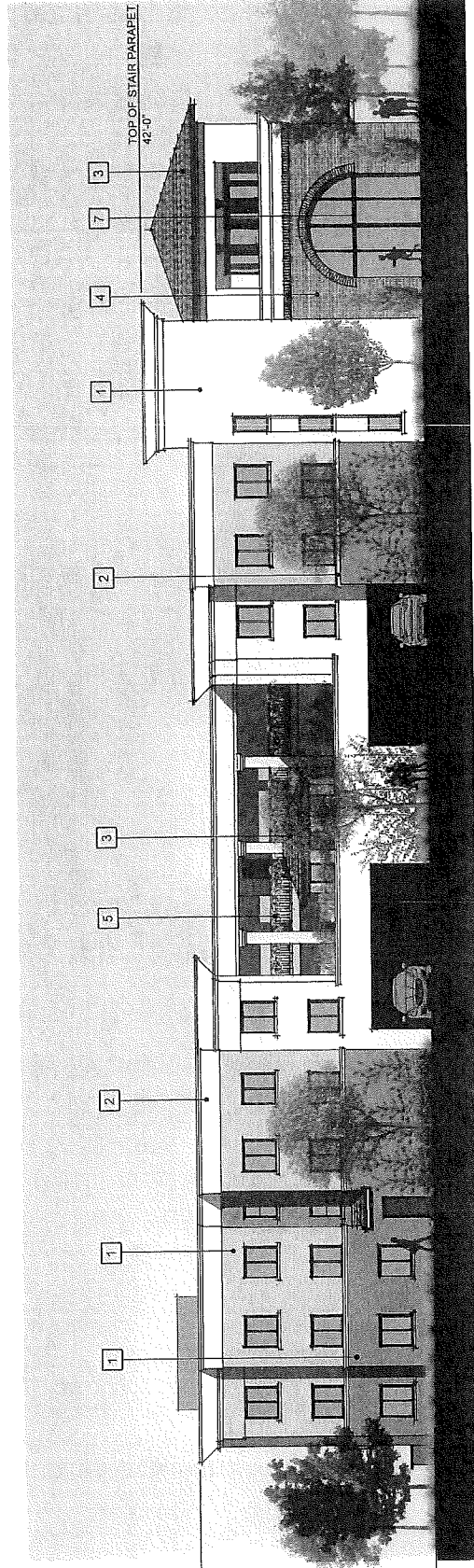
United Methodist Church
 GARDEN GROVE, CALIFORNIA



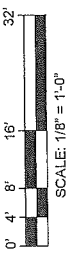
- Material Legend**
- 1 Stucco Color Finish
 - 2 Trim Accent Color
Material - Stucco finish over foam
 - 3 Roof
Material - Concrete flat tiles
 - 4 Brick Veneer
Material - Thin brick
 - 5 Balcony Railing
Material - Painted metal
 - 6 Awning
Material - Painted metal
 - 7 Streetfront windows to be colored aluminum
All other windows to be colored vinyl
 - 8 Painted Sectional Garage Door



SOUTH ELEVATION (ACACIA STREET VIEW)



WEST ELEVATION



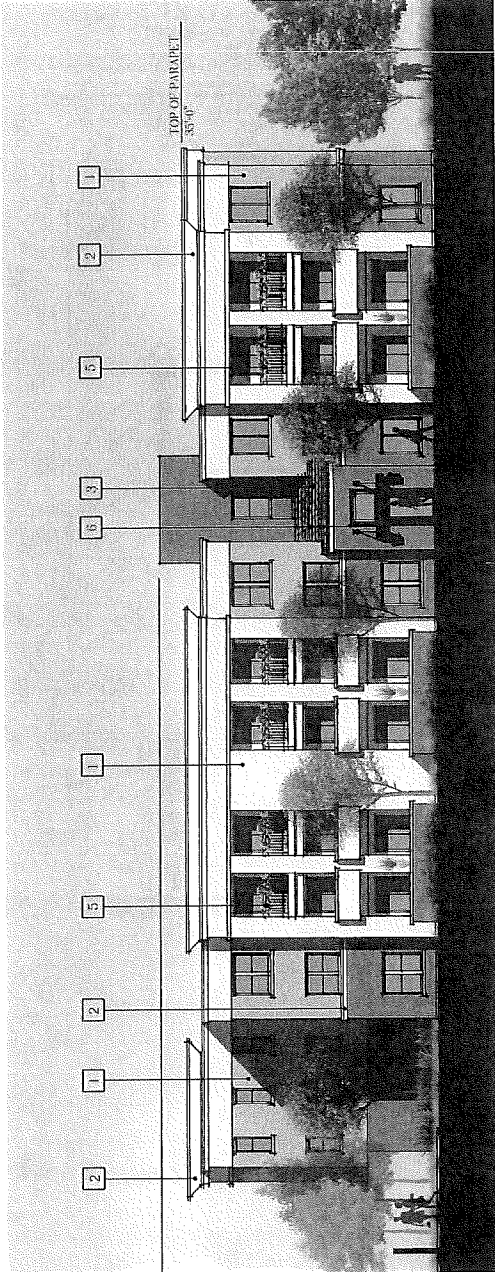
BUILDING A ELEVATION

United Methodist Church
 GARDEN GROVE, CALIFORNIA

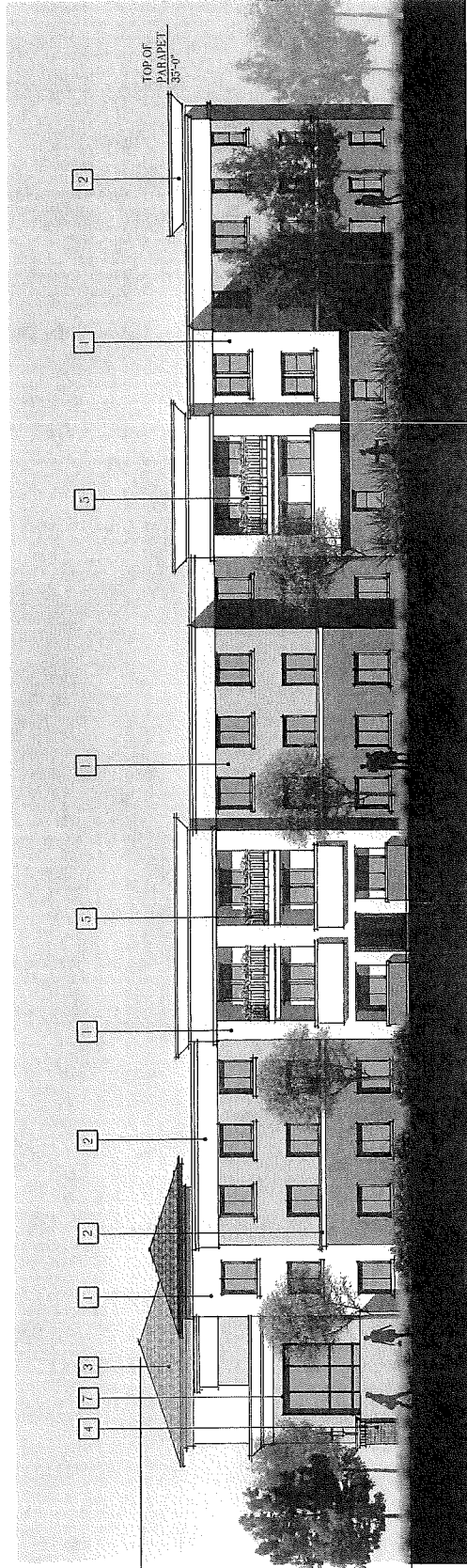
Jamboree

Material Legend

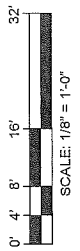
- 1 Stucco Color Finish
- 2 Trim Accent Color
Material - Stucco finish over foam
- 3 Roof
Material - Concrete flat tiles
- 4 Brick Veneer
Material - Thin brick
- 5 Balcony Railing
Material - Painted metal
- 6 Awning
Material - Painted metal
- 7 Storefront windows to be colored aluminum
*All other windows to be colored vinyl
- 8 Painted Sectional Garage Door



NORTH ELEVATION



EAST ELEVATION



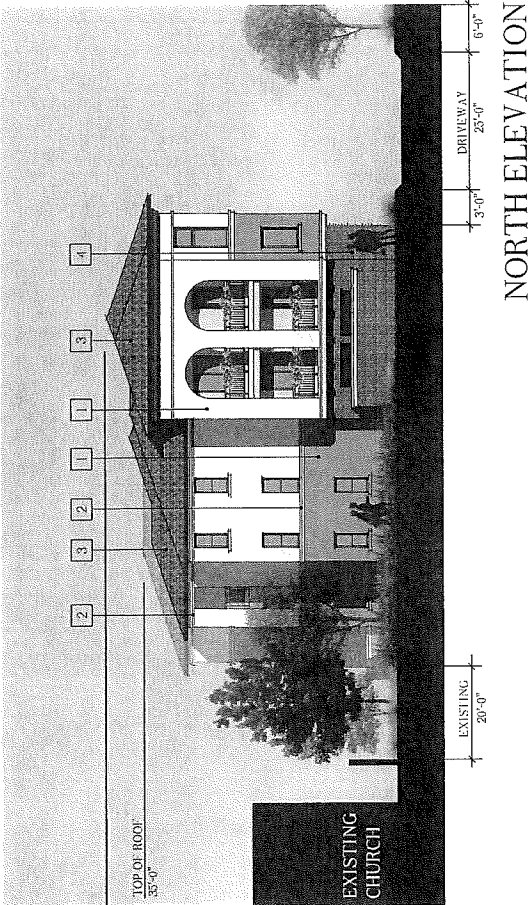
BUILDING A ELEVATION

United Methodist Church
 GARDEN GROVE, CALIFORNIA

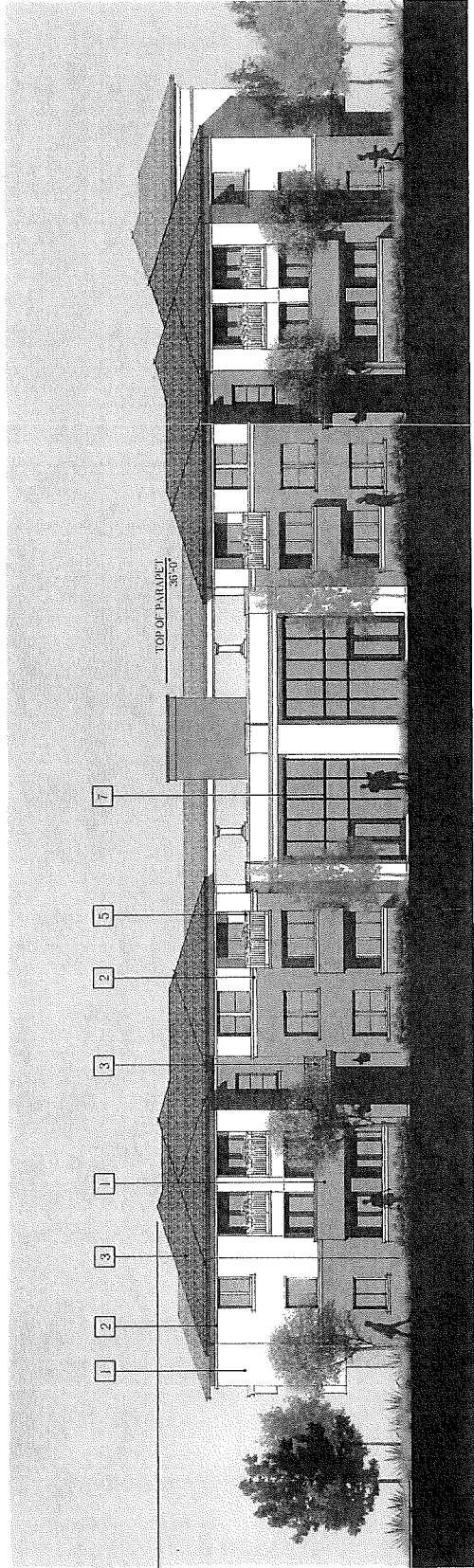
Jamboree

Material Legend

- 1 Succo Color Finish
- 2 Trim Accent Color
Material - Succo finish over foam
- 3 Roof
Material - Asphalt shingles
- 4 Brick Veneer
Material - Thin brick
- 5 Balcony Railing
Material - Painted metal
- 6 Awning
Material - Painted metal
- 7 Storefront windows to be colored aluminum
All other windows to be colored vinyl
- 8 Painted Sectional Garage Door

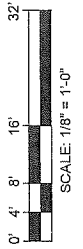


NORTH ELEVATION

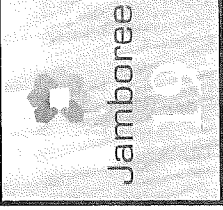


EAST ELEVATION

BUILDING B ELEVATION

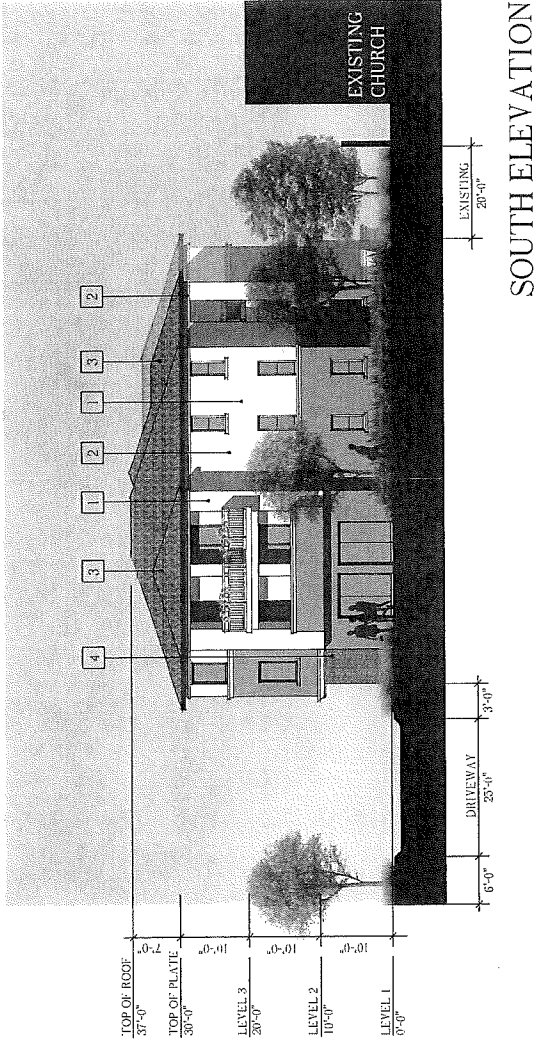


United Methodist Church
 GARDEN GROVE, CALIFORNIA

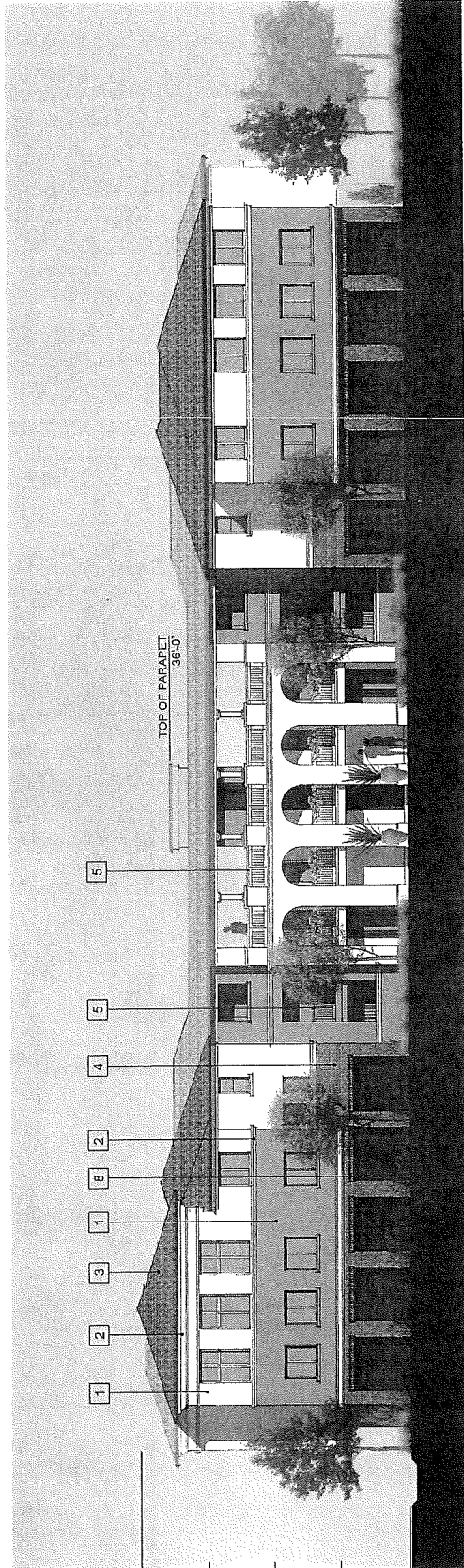


Material Legend

- 1 Stucco Color Finish
- 2 Trim Accent Color
Material - Stucco finish over foam
- 3 Roof
Material - Asphalt shingles
- 4 Brick Veneer
Material - Thin brick
- 5 Balcony Railing
Material - Painted metal
- 6 Awning
Material - Painted metal
- 7 Storefront windows to be colored aluminum
*All other windows to be colored vinyl
- 8 Painted Sectional Garage Door

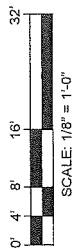


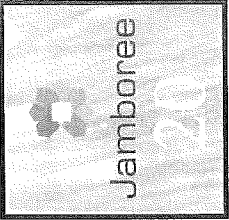
SOUTH ELEVATION



WEST ELEVATION

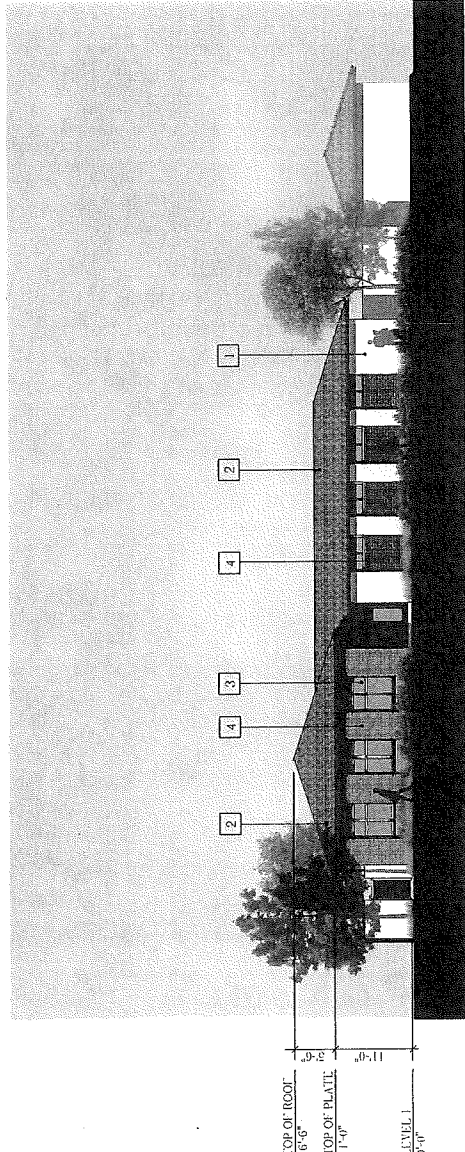
BUILDING B ELEVATION



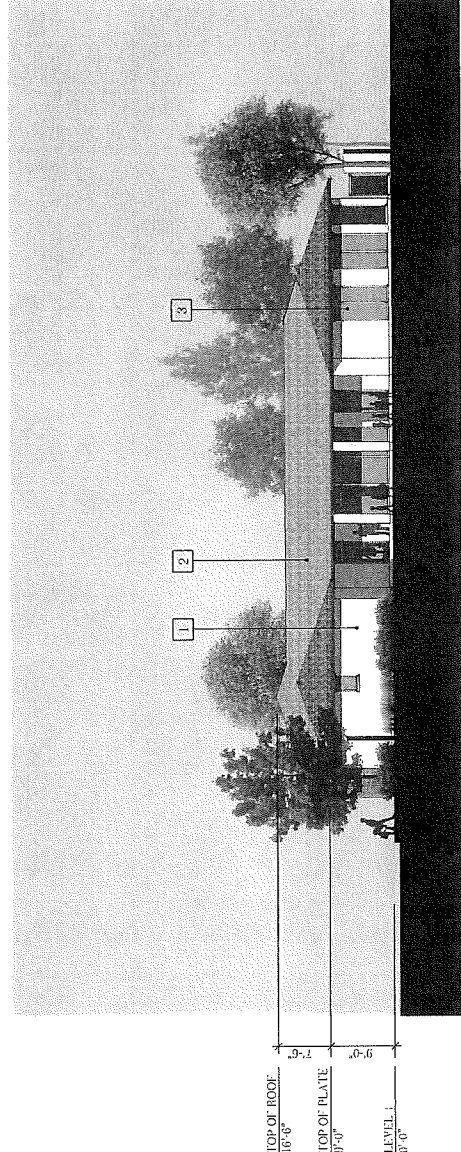


Material Legend

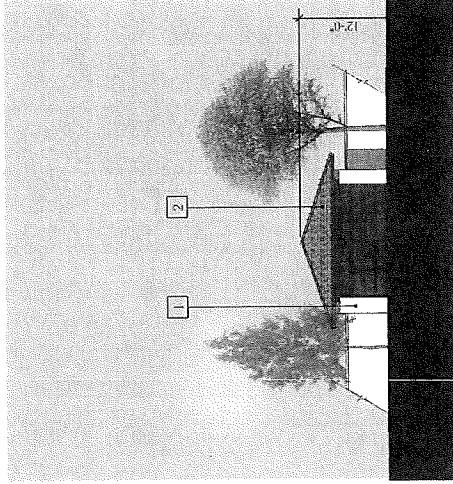
- 1 Stucco Color Finish
- 2 Roof
- 3 Material - Asphalt shingles
- 4 Colored aluminum windows
- 5 Brick veneer material - Thin brick



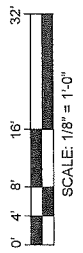
SOUTH ELEVATION



EAST ELEVATION



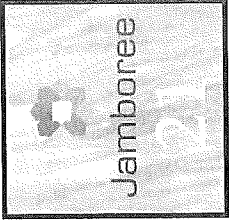
MAINTENANCE SHED
 EAST ELEVATION



HEADSTART BUILDING ELEVATION

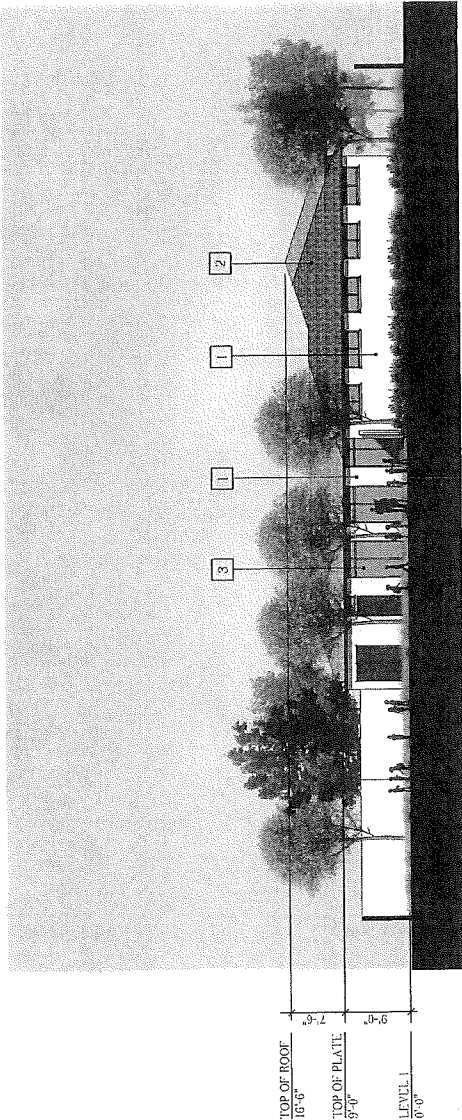
NEWMAN GARRISON PARTNERS
 ARCHITECTURE • PLANNING • INTERIORS
 3100 Birch St, Suite 400
 Costa Mesa, CA 92626
 P: 949-756-0818
 PROJECT: 13040
 DATE: 10-06-14

United Methodist Church
 GARDEN GROVE, CALIFORNIA

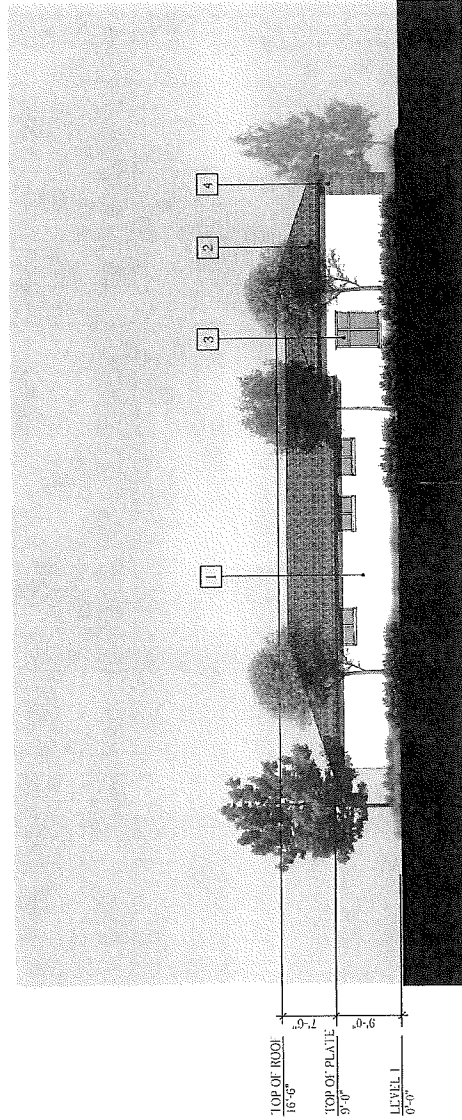


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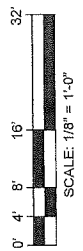
- 1 Stucco Color Finish
- 2 Roof Material - Asphalt shingles
- 3 Colored aluminum windows
- 4 Brick veneer material - Thin brick



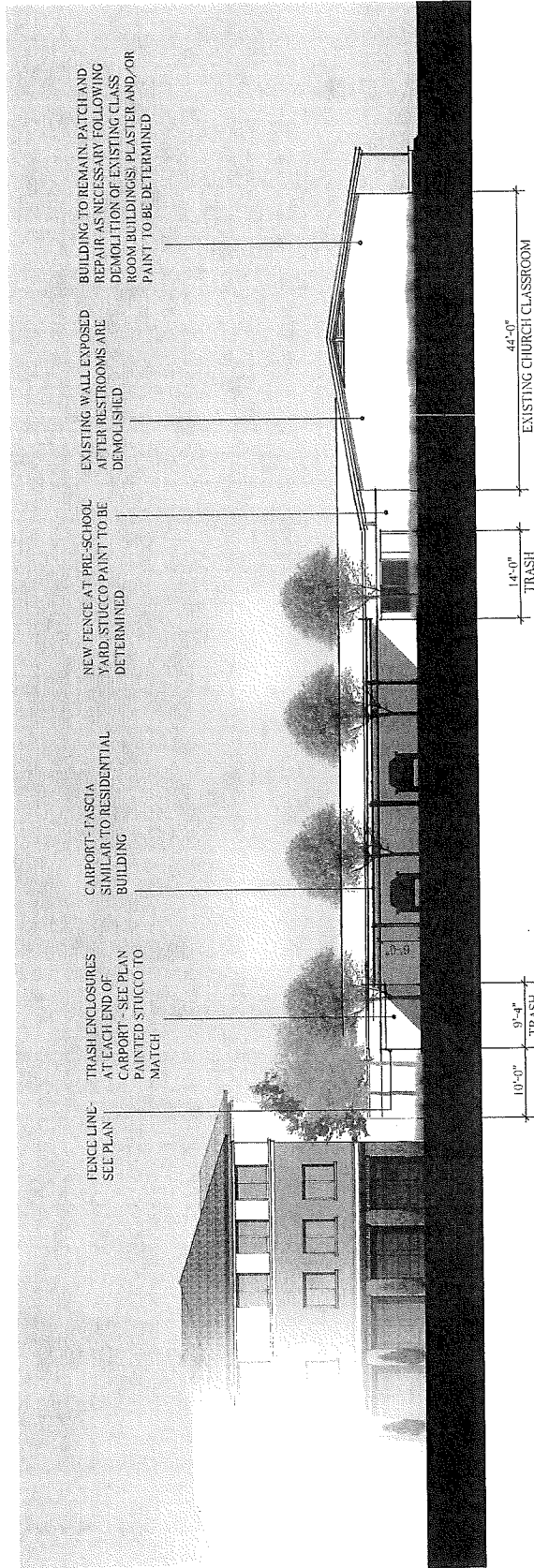
NORTH ELEVATION



WEST ELEVATION

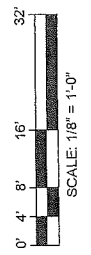


HEADSTART BUILDING ELEVATION

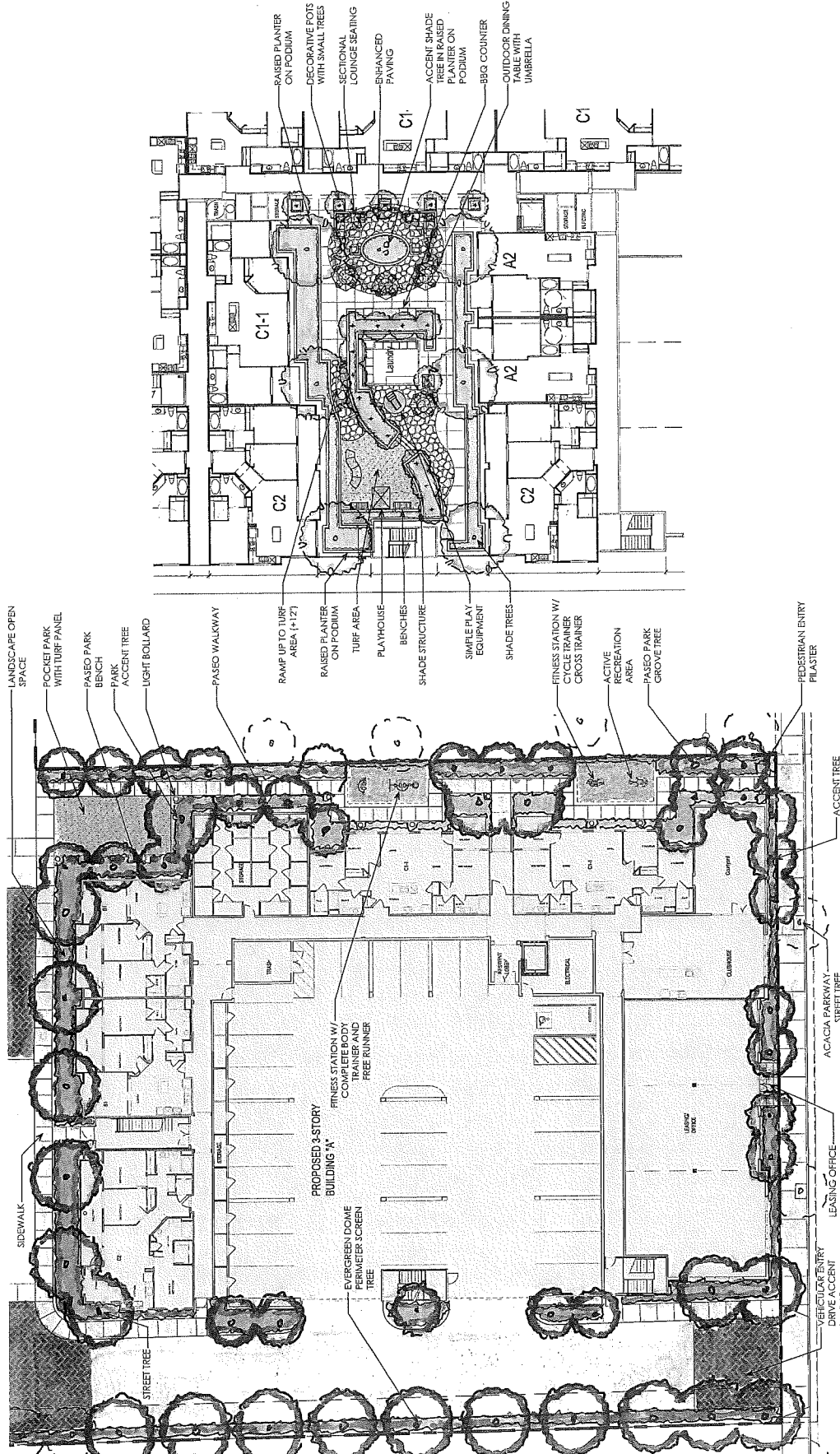


WEST ELEVATION

EXISTING CHURCH CLASSROOM ELEVATION



United Methodist Church
 GARDEN GROVE, CALIFORNIA

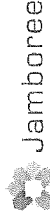


Building A - Podium Level

Building A - Ground Level

Jamboree Housing
United Methodist Church

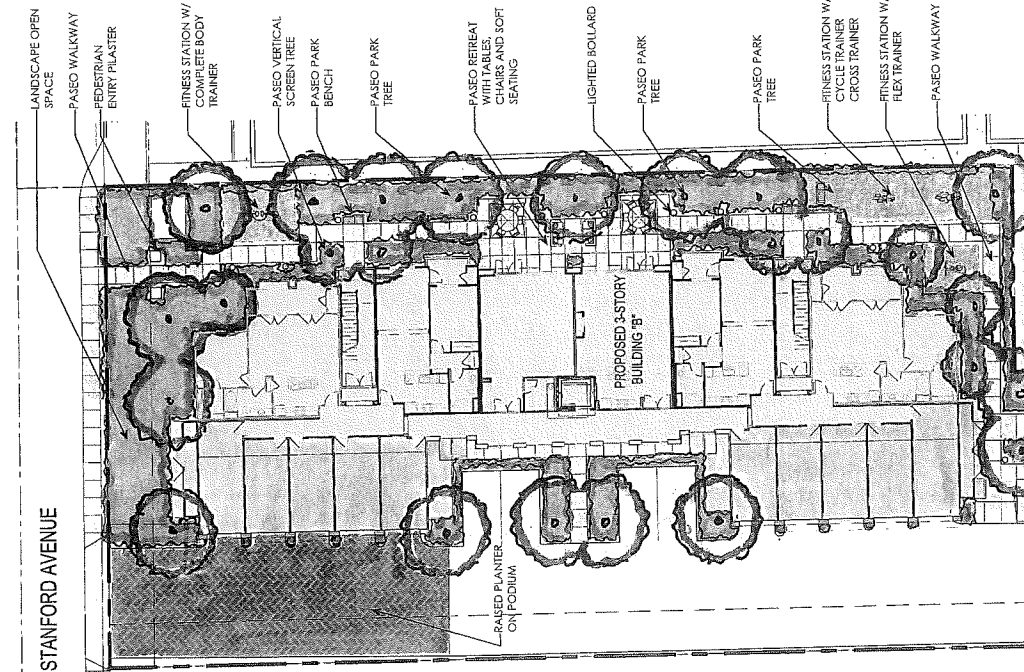
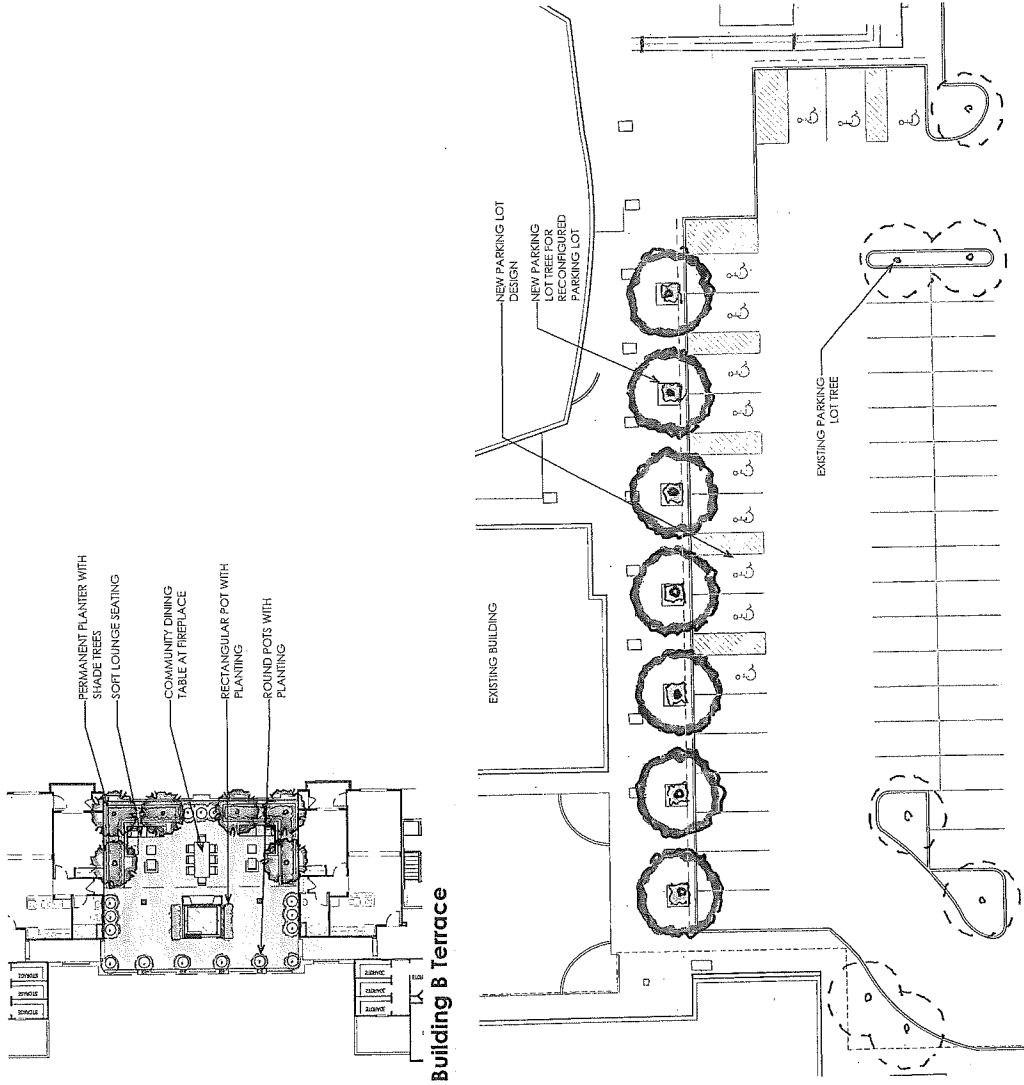
Garden Grove, CA



LAND CREATIVE INC.
 Landscape Architecture | Planning

JMB-HOU-C1-MEM
 Date: September 18, 2014
 Scale: 1" = 10'-0"

United Methodist Church
 GARDEN GROVE, CALIFORNIA

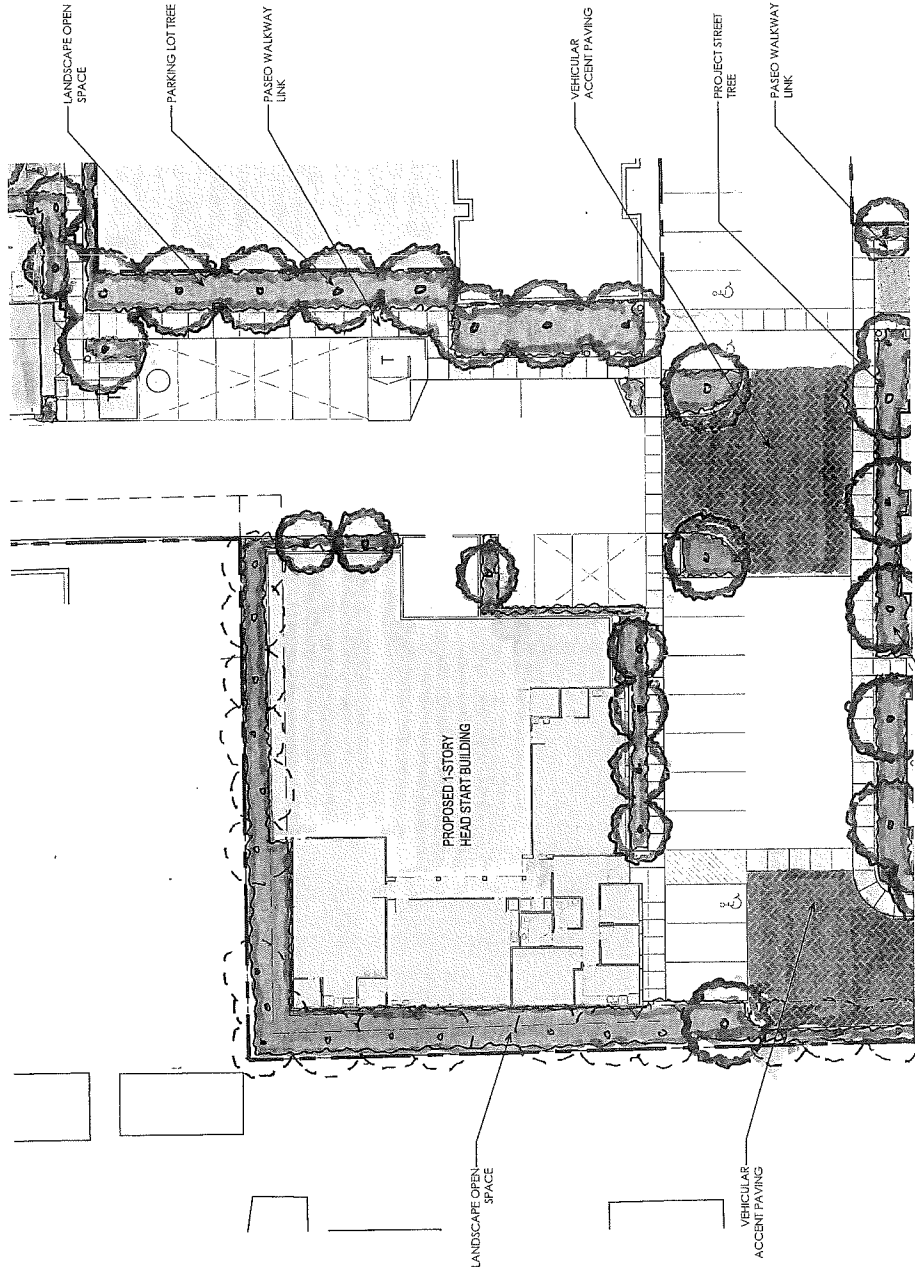
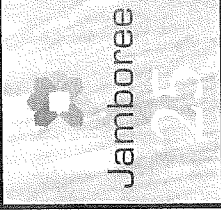


Jamboree
 LAND CREATIVE INC.
 Landscape Architects | Planning
 JMB-NOV-14-14-M44
 Date: September 18, 2014
 Scale: 1" = 10' ->

Jamboree Housing
United Methodist Church
 Garden Grove, CA

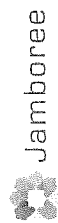
NEWMAN GARRISON PARTNERS
 ARCHITECTURE - PLANNING - INTERIORS
 3100 Bristol Suite 400
 San Diego, CA 92108
 P: 619-592-7526
 F: 619-592-0818
 PROJECT: 131940
 DATE: 10/06/14

United Methodist Church
 GARDEN GROVE, CALIFORNIA



Head Start Building

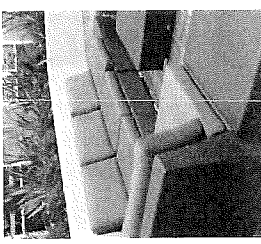
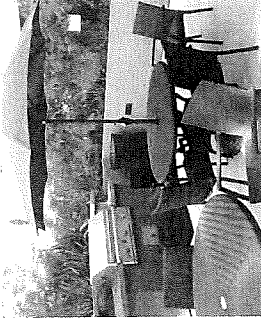
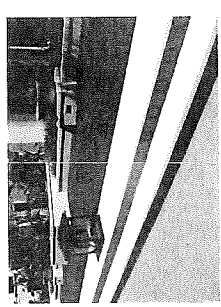
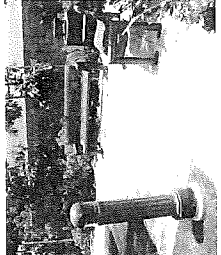
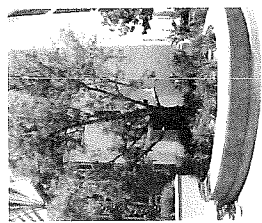
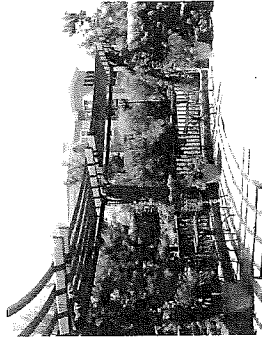
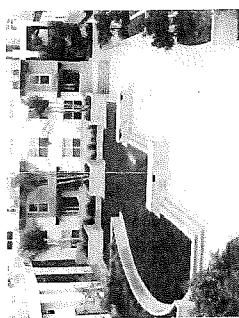
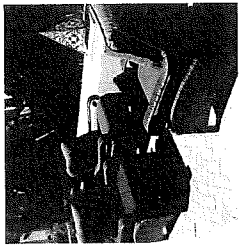
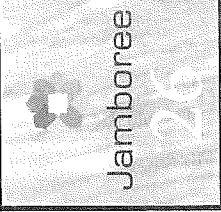
LAND CREATIVE INC.
 Landscape Architecture & Planning
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 Scale: 1" = 10'-0"



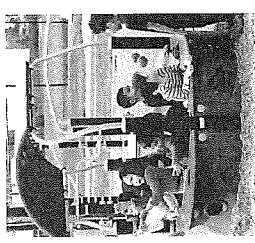
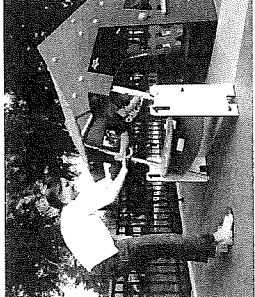
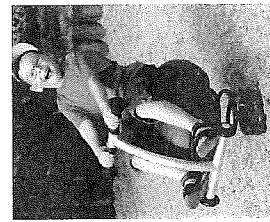
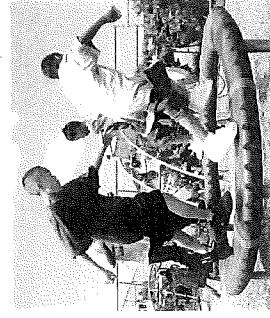
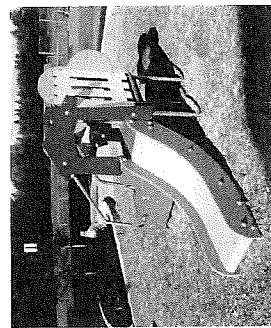
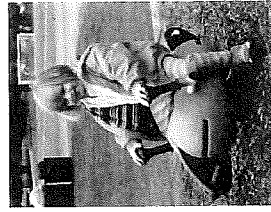
Jamboree Housing
 United Methodist Church

Garden Grove, CA

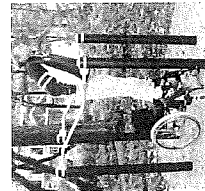
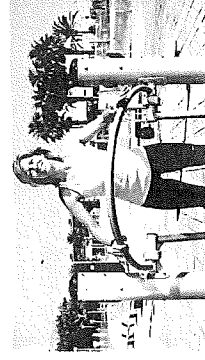
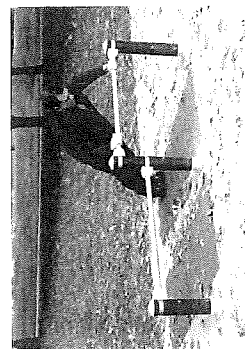
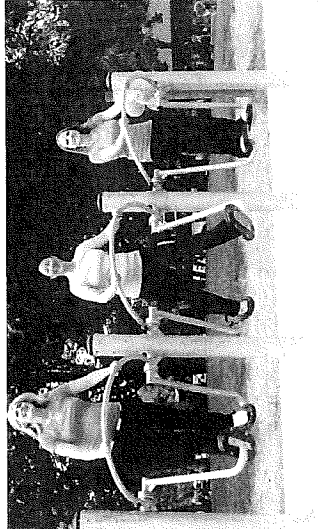
United Methodist Church
 GARDEN GROVE, CALIFORNIA



Meeting Place

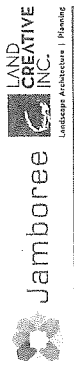


Tot Lot Equipment



fitness

Jamboree Housing
 United Methodist Church



Garden Grove, CA

andscape Imagery

1.04

100-100-1004
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RESOLUTION NO. 5835-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AND APPROVE GENERAL PLAN AMENDMENT NO. GPA-001-2014 AND AMENDMENT NO. A-012-2014 FOR PROPERTY LOCATED AT 10882 STANFORD AVENUE, ASSESSOR'S PARCEL NO. 089-202-28.

WHEREAS, the City of Garden Grove has received an application to develop 2.5 acres of the Garden Grove United Methodist Church site, comprised of two (2) parcels with a total land area of 5.2 acres, located at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28, respectively, with an integrated mixed use project consisting of 47 affordable residential apartment units (the "Project"). The land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2014 to change the land use designation of a .61-acre vacant parcel within the project site from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU); (2) Zone Change Amendment No. A-012-2014 to rezone the .61-acre vacant parcel from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3); (3) Lot Line Adjustment No. LLA-006-2014 to adjust the southern interior property line of the vacant parcel; (4) Site Plan No. SP-014-2014 to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,975 square foot leasing/ retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building; (5) Conditional Use Permit No. CUP-023-2014 to allow the church, the church-operated pre-school, and the Head Start program to continue to operate, including reducing the Head Start pre-school program from a license capacity of 75 children to 60 children, and allowing the church pre-school to continue to operate with its current capacity of 68 children; (6) Variance No. V-008-2014 to allow a reduction to the required parking for the church, pre-schools, and the proposed retail commercial tenant space; (7) pursuant to the State Law regarding affordable housing projects, approval of three waivers from the Civic Center-Core (CC-3) development standards: 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 12 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component; and (8) a Development Agreement; 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 and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with the proposed

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, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on December 4, 2014, and considered all oral and written testimony presented regarding the Project, the initial study, and the Mitigated Negative Declaration.

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

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

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 4, 2014, does hereby recommend that the City Council approve General Plan Amendment No. GPA-001-2014, and Amendment No. A-012-2014.

BE IT FURTHER RESOLVED in the matter of General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Jamboree Housing Corporation.

2. The applicant requests approval of a General Plan Amendment to change the land use designation of a .61-acre vacant parcel from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU), and to rezone the vacant parcel from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3), to allow and facilitate the development of a 47-unit affordable residential apartment development as part of an integrated mixed use project with the Garden Grove United Methodist Church on a total site of 5.2 acres.
3. The Community Development Department has prepared a Mitigated Negative Declaration for the Project that (a) concludes that with the appropriate mitigation measures the proposed project cannot, or will not, have a significant adverse effect on the environment, and (b) was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing guidelines.
4. Report submitted by City staff was reviewed.
5. Pursuant to legal notice, a public hearing was held on December 4, 2014, and all interested persons were given an opportunity to be heard.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of December 4, 2014; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.08.030, are as follows:

FACTS:

The project consists of developing 2.5 acres of the Garden Grove United Methodist Church site, which is comprised of two (2) parcels with a total land area of 5.2 acres, with an integrated mixed use project consisting of 47 affordable residential apartment units for low to very low-income families and seniors. The project site is located west of Main Street, south of Stanford Avenue, and north of Acacia Parkway.

The project site is located in the City's downtown area that is developed with single-family homes, multi-family residences, open space, community facilities, and retail uses. The property abuts senior apartments to the southeast, single-family homes to the west, multi-family apartments and residential condominiums to the north, City-owned community facilities to the east, and retail uses to the south.

The two (2) parcels that will form part of the project site include a .61-acre vacant and unimproved parcel that has a General Plan Land Use designation of Medium Density Residential (MDR), and a zoning of Community Center Specific

Plan-Community Center Residential Area 20 (CCSP-CCR 20). Due to a required street dedication along Stanford Avenue, the vacant parcel will have a net lot size of .51 acres. The second parcel has a net lot size of 4.7 acres and is improved with the Garden Grove United Methodist Church and associated church facilities, and two (2) pre-schools: church operated pre-school and a Head Start pre-school program. This parcel has a General Plan Land Use designation of Civic Center Mixed Use (CCMU) and a zoning of Civic Center-Core (CC-3).

The proposed residential development includes constructing two (2) residential buildings with a total of 47 units, and a 3,485 square foot, Head Start building on the 5.2 acre project site. A 31-unit apartment building will be constructed on the main church parcel (12741 Main Street), while a senior apartment building with a total of 16 units will be constructed on the .51 parcel (10882 Stanford Avenue). The project also includes a commercial floor area component that will face Acacia Parkway and have a FAR of .21.

In order to facilitate the proposed residential apartment development on the vacant parcel, a General Plan Amendment is necessary to change the land use designation from Medium Density Residential to Civic Center Mixed Use, and a rezone from CCSP-CCR 20 to CC-3 zone to allow the vacant parcel to form part of the mixed use development site as well as to allow an increase in density.

The application for the General Plan Amendment (GPA-001-2014) and the Zone Change Amendment (A-012-2014) is being processed in conjunction with Site Plan No. SP-014-2014, Variance No. V-008-2014, Conditional Use Permit No. CUP-023-2014, and Lot Line Adjustment No. LLA-006-2014.

FINDINGS AND REASONS:

GENERAL PLAN AMENDMENT:

1. The General Plan Amendment is internally consistent with the goals, objectives, and elements of the City's General Plan.

The General Plan Amendment is internally consistent with the goals and objectives of all elements of the City's adopted General Plan. The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Land Use Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents.

The proposed General Plan Amendment will allow the .51 vacant parcel to be developed with an affordable residential apartment development that will form part of an integrated mixed use project with the Garden Grove United Methodist Church. The General Plan Amendment will allow the parcel to be developed with a higher residential density that meets the goal and intent of the General Plan.

The Civic Center Mixed Use land use designation allows for residential densities of up to 42 units per acre. While a total of 47 apartment units will be constructed on the entire project site, only 16 units will be constructed on the .51 vacant parcel. The proposed density per acre for the vacant parcel is 31.5 dwelling units per acre, which is less than the 42 dwelling units per acre allowed by the General Plan. The proposed General Plan Amendment is necessary since the proposed CC-3 zoning implements the goals of the Civic Center Mixed Use land use designation. The CC-3 would allow a zoning density of 22 units based on the lot size, and the application proposes 16 units. The current CCSP-CCR20 zone would only permit a density of 11 units. Therefore, the General Plan Amendment will facilitate the zoning change that will allow the project to increase the residential density by five (5) additional affordable units.

The residential project is located in an area that is served by existing community facilities, shopping, and dining that will encourage walking opportunities for future residents. This includes the residents ability to walk to surrounding churches for services, including the Garden Grove United Methodist Church, the First Baptist Church, and Saint Columban's; walking to the parks and community facilities, such as the Gem Theater, the Amphitheater, the Garden Grove Regional Library, and City Hall; and walking to the shops and restaurants on Historic Main Street.

Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. Policy 2.1 of the Housing Element encourages the preservation and expansion of the City's supply of affordable rental units, while Policy 2.4 encourages collaborative partnerships to maximize resources available for the provision of housing affordable to lower-income households. Program 4 of the Housing Element also encourages the development of affordable senior housing. The proposed Project will result in the construction of a total of 47 affordable housing units for families and seniors, of which 16 units will be constructed on the .51 vacant parcel for senior housing that will fill a housing need in the community. The proposed General Plan Amendment will fulfill the goals of the General Plan Housing Element by providing additional affordable housing units that will serve low and very low-income families and seniors in Garden Grove as well as meet the City's regional housing needs.

2. The General Plan Amendment is deemed to promote the public interest, health, safety, and welfare.

The General Plan Amendment will promote the public interest, health, safety, and welfare by changing the land use from Medium Density Residential to Civic Center Mixed Use, which allows for a mix of civic, institutional, commercial, higher density residential, and open space uses. The proposed affordable residential apartment development will form part of an integrated mixed use project with the existing Garden Grove United Methodist Church and associated facilities, the church-operated pre-school and the Head Start pre-school program, which is consistent with goals of the General Plan, and will provide additional affordable housing opportunities for low income families and seniors within the City.

3. The subject parcel(s) is physically suitable for the requested land use designation(s), compatible with surrounding land uses, and consistent with the General Plan.

The size and shape of the parcel proposed for the General Plan Amendment is physically suitable for the proposed land use designation of Civic Center Mixed Use. The entire project site consists of two (2) parcels with a total net project area of 5.2 acres. The site is served and accessible by three streets having curb, gutters, and sidewalks. The surrounding uses include single-family homes to the west, senior apartments to the southeast, and multi-family apartments and residential condominiums to the north. The proposed residential development on the .51 parcel is consistent with the surrounding residential uses, and consistent with the land use designation of the 4.7 acre parcel.

The vacant parcel will have a net lot area of .51 acres. The Civic Center Mixed Use designation allows a density of 42 units per acre, and the proposed project will provide a density of 31.5 units per acre as only 16 of the total 47 affordable housing units will be constructed on the subject parcel. The 4.7 acre parcel has a General Plan Land Use designation of Civic Center Mixed Use, and the proposed General Plan Amendment will allow the vacant parcel to form part of the overall mixed use project site, and allow for an increase to the residential density to facilitate the proposed number of affordable housing units.

ZONE CHANGE AMENDMENT:

1. The propose zone change is consistent with the City's General Plan.

The Zone Change Amendment is consistent with the goals and objectives of all elements of the City's adopted General Plan. The proposed project consists of developing 2.5 acres of the Garden Grove United Methodist

Church, comprised of two (2) parcels with a total of 5.2 acres, with an integrated mixed use development consisting of 47 affordable residential apartment units. The proposal is to rezone the vacant .51 acre parcel from Community Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3) in order for the vacant parcel to have the same zoning designation as the 4.7 acre parcel of CC-3. This will allow the vacant parcel to be developed with 16 of the proposed 47 affordable units, have an increased density, as well as allow the parcel to form part of the overall mixed use project.

In addition, the proposed Civic Center-Core (CC-3) zoning will implement the proposed General Plan Land Use designation of Civic Center Mixed Use that is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Land Use Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents. The proposed project will be a high quality affordable housing development that is conveniently located to community facilities and commercial uses that will promote increased walkability for the future residents.

The proposed rezone will allow an increase to the number of units that can be constructed on the vacant parcel. The proposed CC-3 zoning allows up to 42 units per acre. Based on the proposed .51 acre lot size, a total of 21 units can potentially be built on this parcel; however, the project only proposes to building 16 units on this parcel, which is less than allowed by the zoning code. Under the current CCSP-CCR zone, the vacant parcel would only be allowed up to 11 units; however, because the parcel will be part of a mixed use project, the proposed new zoning designation will allow for a higher density. The proposed increase to the density is consistent with the CC-3 zone, and the Civic Center Mixed Use that is intended to provide for higher density residential developments.

Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well to provide housing that encourages people of all economic levels to live in Garden Grove. The proposed rezone will allow the construction of 16 of the proposed 47 affordable apartment units on the parcel that will be designated for seniors. The proposed zone change will fulfill the goals of the General Plan Housing Element by providing additional affordable housing units in Garden Grove that will allow the City to meet its regional housing needs.

2. The proposed zone change will ensure a degree of compatibility with surrounding properties and uses.

The vacant parcel is located in the City's downtown area that is developed with single-family homes, senior and multi-family apartments, and residential condominiums, community facilities, and retail uses. By rezoning the vacant parcel, the parcel will form part of an integrated mixed use project consisting of the Garden Grove United Methodist Church and associated facilities, the church-operated pre-school, Head Start, and the proposed 47 unit affordable housing development. The zone change will allow the vacant parcel to be developed with 16 affordable housing units that will be designated for seniors. The property abuts senior apartments to the southeast, single-family homes to the west, multi-family apartments and residential condominiums to the north, City-owned community facilities to the east, and retail uses to the south. The proposed zone change and the proposed residential project will be compatible with the surrounding uses located in the immediate area.

3. The subject parcel(s) is physically suitable for the requested land use designation(s), compatible with surrounding land uses, and consistent with the General Plan.

The size and shape of the parcel proposed for the General Plan Amendment is physically suitable for the proposed land use designation of Civic Center Mixed Use. The entire project site consists of two (2) parcels with a total net project area of 5.2 acres. The site is served and accessible by three streets having curb, gutters, and sidewalks. The surrounding uses include single-family homes to the west, senior apartments to the southeast, and multi-family apartments and residential condominiums to the north. The proposed residential development on the .51 parcel is consistent with the surrounding residential uses, and consistent with the land use designation of the 4.7 acre parcel.

The vacant parcel will have a net lot area of .51 acres. The Civic Center Mixed Use designation allows a density of 42 units per acre, and the proposed project will provide a density of 31.5 units per acre as only 16 of the total 47 affordable housing units will be constructed on the subject parcel. The 4.7 acre parcel has a General Plan Land Use designation of Civic Center Mixed Use, and the proposed General Plan Amendment will allow the vacant parcel to form part of the overall mixed use project site, and allow for an increase to the residential density to facilitate the proposed number of affordable housing units.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The General Plan Amendment and the zone change Amendment possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.08.030.020 (General Plan Amendment and Amendment).
2. 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.

Adopted this 4th day of December, 2014

ATTEST:

/s/ GARY LAZENBY
CHAIR

/s/ JUDITH MOORE
SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 4, 2014, by the following vote:

AYES:	COMMISSIONERS:	(4)	BRIETIGAM, LAZENBY, MARGOLIN, ZAMORA
NOES:	COMMISSIONERS:	(1)	ALEJANDRO
ABSENT:	COMMISSIONERS:	(2)	NGUYEN, SILVA

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is December 25, 2014.

The following Mitigation Measures, as identified in the Environmental Initial Study, and as stipulated in Resolution No. 5835-14 for the project, shall be complied with and implemented in the development's Mitigation Monitoring Program:

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
3.4 Biological Resources		
<p>BIO-1: Compliance with Migratory Bird Treaty Act. In the event that project construction or grading activities should occur within the active breeding season for birds (i.e., February 15 through August 15), a nesting bird survey shall be conducted by a qualified biologist prior to commencement of grading or construction activities. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the construction crew shall establish an appropriate buffer around the active nest. The designated project biologist shall determine the buffer distance based on the specific nesting bird species and circumstances involved. Once the project biologist verifies that the birds have fledged from the nest, the buffer may be removed. Prior to commencement of grading activities and issuance of any building permits, the City of Garden Grove Director of Community Development, or designee, shall verify that all project grading and construction plans include specific documentation regarding the Migratory Bird Treaty Act (MBTA) requirements for a nesting bird survey should construction or grading occur from February 15 through August 15, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.</p>	<p>City of Garden Grove Director of Community Development, or designee</p>	<p>Prior to the commencement of grading activities</p>
3.5 Cultural Resources		
<p>CUL-1: Unknown Archeological Resources. Unknown Archeological Resources. Prior to the issuance of grading permits, the Applicant shall retain, with the approval of the City of Garden Grove (City)</p>	<p>City of Garden Grove Director of Community</p>	<p>Prior to the issuance of grading permits</p>

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>Community Development Director, or designee, a qualified archaeological monitor from the Orange County List of Qualified Archaeologists. Prior to issuance of grading permits, the Applicant, with City approval, shall also retain a Native American monitor to be selected by the City after consultation with interested tribal and Native American representatives. Both monitors shall be present on the project site during ground-disturbing activities to monitor rough and finish grading, excavation, and other ground-disturbing activities in the native soils. Because no cultural resources are likely to be encountered on the project site, monitors are not required to be present on a full-time basis, but shall spot check at the discretion of the project archaeologist ground-disturbing activities to ensure that no cultural resources are impacted during ground-disturbing activities.</p>	<p>Development Department, or designee</p>	
<p>CUL-2: Paleontological Resources. In the event that paleontological resources are encountered during project construction, work in the immediate area of the find shall be redirected. Subsequently, the Applicant shall retain, with the approval of the City's Community Development Director, or designee, a qualified paleontologist from the Orange County List of Qualified Paleontologists to assess the findings for scientific significance. If any fossil remains are discovered in sediments with a Low paleontological sensitivity rating (Young Alluvial Deposits), the paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis.</p>	<p>City of Garden Grove Director of Community Development, or designee</p>	<p>In the event that paleontological resources are encountered during project construction</p>
<p>CUL-3: Human Remains. In the event that human remains are discovered during ground-disturbing or construction activities, the following steps shall be taken:</p> <p>a. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent</p>	<p>City of Garden Grove Director of Community Development, or designee</p>	<p>In the event of the accidental discovery or recognition of any human remains in any location on the project site during excavation</p>

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>human remains until the Orange County Coroner is contacted to determine whether the remains are prehistoric and that no investigation of the cause of death is required. If the Coroner determines the remains to be Native American, then the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or</p> <p>b. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:</p> <ol style="list-style-type: none"> 1. The NAHC is unable to identify a most likely descendant, or the most likely descendant failed to make a recommendation within 48 hours after being notified by the NAHC; 2. The identified descendant fails to make a recommendation; or 3. The landowner or his/her authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. 		<p>or construction activities</p>

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>3.6 Geology and Soils</p> <p>GEO-1: Incorporation of and Compliance with the Recommendations in the Geotechnical Report. During project construction activities, the City of Garden Grove (City)'s Community Development Director, Director of Public Works, or designee shall ensure that all grading operations and construction are conducted in conformance with the recommendations included in the geotechnical report prepared for the proposed project that has been prepared by Harrington Geotechnical Engineering, Inc., titled <i>Preliminary Geotechnical Investigation for Site Development and Design and Construction of Affordable Housing Project at Garden Grove United Methodist Church (Preliminary Geotechnical Investigation)</i> (July 8, 2014) (Appendix C). Specific requirements in the <i>Preliminary Geotechnical Investigation</i> address:</p> <ol style="list-style-type: none"> 1. General: The Geotechnical Engineer and/or Engineering Geologist, or their authorized representative(s), shall perform observations, testing services and geotechnical consultation throughout the duration of the project. 2. Clearing/Grading: The soil throughout the site should be excavated to a minimum depth of 2 feet below the bottom of proposed footings or to the depth necessary to remove material disturbed by demolition work. The top one foot of the exposed soil should be moisture-conditioned and compacted in accordance with ASTM Test Method D1557; excavated soil that is free of deleterious matter should be placed in thin, loose lifts, moisture-conditioned, and compacted to a minimum relative compaction of 90 percent; imported soil should be sampled at the source and tested for expansion, sulfate, chloride, pH, and minimum resistivity. 	<p>City of Garden Grove Building Official, or designee</p>	<p>Prior to the start of grading</p>

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>3. Grading observations, testing, and monitoring: Grading and compaction operations should be observed and tested by a representative of the geotechnical engineer so that anticipated conditions can be verified and any supplemental recommendations necessary for proper development of the site provided. Results of the observations and tests should be provided in the final report for the project along with a statement by the geotechnical engineer regarding the adequacy of the work.</p> <p>4. Conventional spread footing and floor slab design: footing sizes, design bearing pressures, passive soil pressures, structural reinforcements, and thickness of floor slabs shall be consistent with the Geotechnical Engineer's recommendations.</p> <p>5. Seismic design: Seismic design shall conform to the 2013 California Building Code and the Structural Engineer Association of California guidelines.</p> <p>6. Settlement: Maximum settlement of foundations is expected to be less than one inch and differential settlement is expected to be on the order of one-quarter inch or less, with foundations designed as recommended.</p> <p>7. Water vapor retarder: A water vapor retarder installed in accordance with the manufacturer's specifications is recommended for all slabs. A qualified moisture/vapor consultant be engaged to evaluate the general and specific moisture vapor transmission paths and any impact on the proposed construction.</p> <p>8. Concrete quality: special sulfate-resistant concrete will not be required on this project. The exposure class (ACI 318-08, Table 4.2.1, is S0. Concrete may use Type II cement and should</p>		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>comply with the requirements set forth in ACI 318-08, Table 4.3.1.</p> <p>9. Pavement: The recommendations of the Geotechnical Report shall be adhered to regarding a suitable pavement structural section for any new pavement associated with the project, minimum thicknesses of pavement, subgrade compaction and aggregate base materials.</p> <p>10. Backfill placement and compaction: Backfills for structural excavations and utility lines should consist of site or similar materials acceptable to the geotechnical engineer. Compaction methods shall comply with ASTM Test Method D1557 and backfills should be observed by the geotechnical technician during placement and tested at maximum vertical intervals of two feet.</p> <p>11. Infiltration rate: The geotechnical Engineer may require additional infiltration rate testing upon completion of grading.</p> <p>12. Pre-construction conference: A pre-construction conference attended by the owner, design team, general contractor, and city inspector should be scheduled to review the findings and recommendations of this report and project plans and specifications prior to starting work on the project.</p> <p>13. Plans and specifications review: Recommendation that project plans and specifications be submitted to the Geotechnical Engineer for review/comment by to confirm that the recommendations of the report have been properly interpreted and implemented.</p> <p>14. Construction observations and testing: Recommendation that the project Geotechnical Engineer be retained to provide</p>		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>grading and construction observations and testing services, including observations periodically during: demolition/clearing work; during grading (after completion of the sub-excavation, prior to processing the bottom, and during fill placement/compaction); after completion of foundation excavations, prior to placement of forms and/or reinforcing steel; during backfilling of structural excavations and utility trenches; and during placement of any aggregate base and asphalt concrete pavement used on the project.</p> <p>Additional site testing and final design evaluation shall be conducted by the project geotechnical consultant to refine and enhance these requirements. The Applicant shall require the project geotechnical consultant to assess whether the requirements in the <i>Preliminary Geotechnical Investigation</i> need to be modified or refined to address any changes in the project that occur prior to the start of grading. If the project geotechnical consultant identifies modifications or refinements to the requirements, the project Applicant shall require appropriate changes to the final project design and specifications and shall submit any revised geotechnical reports to the Land Development Section of the Engineering Division, or designee, for approval prior to issuance of any grading or construction permits.</p> <p>The Land Development Section of the Engineering Division, or designee, shall review grading plans prior to the start of grading to verify that the requirements developed during the geotechnical design evaluation have been appropriately incorporated into the project plans. Design, grading, and construction shall be performed in accordance with the requirements of the City' Building Code and the California Building Code (CBC) applicable at</p>		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>the time of grading, as well as the recommendations of the project geotechnical consultant as summarized in a final report subject to review by the City's Building Official, or designee, prior to the start of grading activities. On-site inspection during grading shall be conducted by the project geotechnical consultant and the Land Development Section of the Engineering Division to ensure compliance with geotechnical specifications as incorporated into project plans</p>		
<p>3.7 Greenhouse Gas Emissions</p>		
<p>The proposed project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation would be required.</p>		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
3.8 Hazards and Hazardous Materials (Please also refer to TRAFFIC-1. Construction Staging and Traffic Management Plan)		
<p>HAZ 1: Predemolition Surveys. Prior to commencement of demolition activities, the City of Garden Grove (City) Building Official, or designee, shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead-based paints (LBPs) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB)-containing electrical fixtures and other suspect hazardous building materials shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials [ASTM] E 1527-05, and 40 Code of Federal Regulations [CFR], Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs, LBPs, PCB-containing electrical fixtures, or other hazardous building materials, the inspectors shall provide documentation of the inspection and its results to the City Building Department to confirm that no further abatement actions are required.</p> <p>If the predemolition surveys find evidence of ACMs, LBPs, or PCB-containing electrical fixtures, or other hazardous building materials, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring during these predemolition surveys shall be completed, as applicable, by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air</p>	<p>City of Garden Grove Building Official or designee</p>	<p>Prior to issuance of demolition activities</p>

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community.</p> <p>The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the County of Orange (County) Environmental Health Division showing that abatement of any ACMs, LBPs, PCB-containing electrical fixtures, or other hazardous building materials identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance (O&M) Plan shall be prepared for any ACM, LBP, PCB-containing fixtures, or other hazardous building materials to remain in place and will be reviewed and approved by the County Environmental Health Division.</p>		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>HAZ-2: Contingency Plan. Prior to commencement of grading activities, the Director of the County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the procedures to be followed should on-site unknown hazards or hazardous substances be encountered during demolition and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Garden Grove Fire Department (GGFD). The GGFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.</p>	<p>Director of the Orange County Environmental Health Division, or designee</p>	<p>Prior to the commencement of grading activities</p>
<p>3.9 Hydrology and Water Quality</p>		
<p>The proposed project would not result in significant adverse impacts related to hydrology and water quality. No mitigation would be required.</p>		
<p>3.10 Land Use/Planning</p>		
<p>The proposed project would not result in significant adverse impacts related to land use/planning. No mitigation would be required.</p>		
<p>3.11 Mineral Resources</p>		
<p>The proposed project would not result in significant adverse impacts related to mineral resources. No mitigation would be required.</p>		
<p>3.12 Noise</p>		
<p>NOISE-1: Prior to issuance of occupancy permits, the City of Garden Grove (City) Building Official, or designee, shall verify that mechanical ventilation, such as an air-conditioning system, has been installed in all frontline dwelling units along Stanford Avenue and Acacia Parkway.</p>	<p>City of Garden Grove Building Official, or designee</p>	<p>Prior to the issuance of occupancy permits</p>
<p>3.13 Population and Housing</p>		
<p>The proposed project would not result in significant adverse impacts related to population or housing. No mitigation would be required.</p>		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
3.14 Public Services and Utilities		
The proposed project would not result in significant adverse impacts related to public services or utilities. No mitigation would be required.		
3.15 Recreation		
The proposed project would not result in significant adverse impacts related to recreation. No mitigation would be required.		
3.16 Transportation/Traffic		
<p>TRAFFIC-1: Construction Staging and Traffic Management Plan. A Construction Staging and Traffic Management Plan shall be prepared for approval by the Director of the City of Garden Grove Public Works Department, or designee, prior to issuance of any demolition or grading permits.</p> <p>The Construction Staging and Traffic Management Plan would also include the name and phone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. In addition, the Construction Staging and Traffic Management Plan shall take into account and be coordinated with other Construction Staging and Traffic Management Plans that are in effect or have been proposed for other projects in the City of Garden Grove. The Construction Staging and Traffic Management Plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • All emergency access to the project site and adjacent areas shall be kept clear and unobstructed during all phases of demolition and construction. • Flag persons shall be provided in adequate numbers to minimize impacts to traffic flow and to ensure safe access into and out of the site. • Flag persons shall be trained to assist in emergency response by restricting or controlling traffic movements that could interfere with emergency vehicle access. • Construction vehicles, including construction personnel vehicles, shall not park on public streets. • Construction vehicles shall not stage or queue where they would interfere with pedestrian and vehicular traffic or block access to nearby businesses or residential areas. • If feasible, any traffic lane closures would be limited to off-peak traffic periods, as approved by the City of Garden Grove Public Works Department 		

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
3.17 Utilities/Service Systems The proposed project would not result in significant adverse impacts related to utilities/service systems. No mitigation would be required.		

RESOLUTION NO. 5836-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-014-2014, VARIANCE NO. V-008-2014, LOT LINE ADJUSTMENT NO. LLA-006-2014, AND RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT NO. 001-2014 TO THE CITY COUNCIL FOR PROPERTY LOCATED AT 12741 MAIN STREET AND 10882 STANFORD AVENUE, ASSESSOR'S PARCEL NOS. 089-202-54 AND 089-202-28, RESPECTIVELY.

WHEREAS, the City of Garden Grove has received an application to develop 2.5 acres of the Garden Grove United Methodist Church site, comprised of two (2) parcels with a total land area of 5.2 acres, located at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28, respectively, with an integrated mixed use project consisting of 47 affordable residential apartment units (the "Project"). The land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2014 to change the land use designation of a .61-acre vacant parcel within the project site from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU); (2) Zone Change Amendment No. A-012-2014 to rezone the .61-acre vacant parcel from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3); (3) Lot Line Adjustment No. LLA-006-2014 to adjust the southern interior property line of the vacant parcel; (4) Site Plan No. SP-014-2014 to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,975 square foot leasing/ retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building; (5) Conditional Use Permit No. CUP-023-2014 to allow the church, the church-operated pre-school, and the Head Start program to continue to operate, including reducing the Head Start pre-school program from a license capacity of 75 children to 60 children, and allowing the church pre-school to continue to operate with its current capacity of 68 children; (6) Variance No. V-008-2014 to allow a reduction to the required parking for the church, pre-schools, and the proposed retail commercial tenant space; (7) pursuant to the State Law regarding affordable housing projects, approval of three waivers from the Civic Center-Core (CC-3) development standards: 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 12 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component; and (8) Development Agreement No. DA-001-2014; and,

WHEREAS, pursuant to Resolution No. 5835-14, adopted December 4, 2014, the Planning Commission has recommended that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project and approve General Plan Amendment No. GPA-001-2014 and Zone Change Amendment No. A-012-2014.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 4, 2014, does hereby approve Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014, subject to the adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the project by the Garden Grove City Council and, the adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2014, and an Ordinance approving Amendment No. A-012-2014 by the Garden Grove City Council, in substantially the same form as recommended by the Planning Commission pursuant to Resolution No. 5835-14, and recommends approval of Development Agreement No. DA-001-2014 to the Garden Grove City Council.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-014-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, and Development Agreement No. DA-001-2014, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Jamboree Housing Corporation.
2. The applicant requests to develop 2.5 acres of the Garden Grove United Methodist Church site, comprised of two (2) parcels with a total land area of 5.2 acres, with an integrated mixed use project consisting of 47 affordable residential apartment units. The project includes approval of a Site Plan to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building; approval of a Variance to allow a reduction to the required parking for the church, pre-schools, and the proposed commercial tenant space; a Lot Line Adjustment to adjust the southern interior property line of the vacant parcel; and, pursuant to the State Law regarding affordable housing projects, approval of three waivers from the Civic Center-Core (CC-3) development standards 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 14 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component.
3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with 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.

Pursuant to Resolution No. 5835-14, adopted December 4, 2014, the Planning Commission recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.

4. The properties currently have General Plan Land Use designation of Civic Center Mixed Use and Medium Density Residential, and are zoned Civic Center-Core (CC-3) and Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20). Provided General Plan Amendment No. GPA-001-2014 and Zone Change Amendment No. A-012-2014 are approved by the City Council, however, both properties will have a General Plan Land Use designation of Civic Center Mixed Use and will be zoned Civic Center-Core (CC-3). The total project net lot size is 5.2 acres comprising two lots: a .51 acre vacant and unimproved lot, and a 4.7 acre site improved with the Garden Grove United Methodist Church and associated facilities, a church-operated pre-school, and a Head Start program.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on December 4, 2014, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of December 4, 2014, and considered all oral and written testimony presented regarding the project, the initial study, and the Mitigated Negative Declaration.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 and 9.40.060, are as follows:

FACTS:

The Project consists of developing 2.5 acres of the Garden Grove United Methodist Church site, which is comprised of two (2) parcels with a total land area of 5.2 acres, with an integrated mixed use project consisting of 47 affordable residential apartment units for low to very low-income families and seniors. The project site is located west of Main Street, south of Stanford Avenue, and north of Acacia Parkway.

The project site is located in the City's downtown area that is developed with single-family homes, multi-family residential, open space, community facilities, and retail uses. The property abuts senior apartments to the southeast, single-family

homes to the west, multi-family apartments and residential condominiums to the north, City-owned community facilities to the east, and retail uses to the south.

The church parcel is currently improved with the Garden Grove United Methodist Church that consists of the church sanctuary, a chapel, a two-story administration building, a community hall, and three (3) single-story buildings used by the church-operated pre-school and the Head Start pre-school program. The applicant proposes to demolish the Head Start building, and a portion of the pre-school building in order to accommodate the 47 unit affordable housing development for low and very low-income families and seniors, a 2,975 square foot commercial retail space, and new a 3,485 square foot Head Start pre-school building that will replace the existing.

The project has been designed to comply with the development standards of the Civic Center-Core (CC-3) of the Municipal Code; however, as an affordable housing project, the applicant is requesting three concessions from the CC-3 zone to facilitate the development of the affordable housing units as allowed per the State's Affordable Housing Law. These include: 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 14 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component. A parking Variance is also required in order to allow the church, pre-schools, and future commercial space, to deviate from the parking requirements. A parking study has been prepared to justify the reduction to the parking.

The application for Site Plan No. SP-014-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, and Development Agreement No. DA-001-2014 is being processed in conjunction with General Plan Amendment No. GPA-001-2014, Zone Change Amendment No. A-012-2014 and Conditional Use Permit No. CUP-023-2014.

FINDINGS AND REASONS:

Site Plan:

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

The General Plan Amendment is internally consistent with the goals and objectives of all elements of the City's adopted General Plan. The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed

used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents. The proposed project will create an integrated mixed use project on a 5.2 acre site comprised of two parcels that will include the development of a proposed 47-unit affordable housing residential apartments for families and seniors; a new, 3,485 square foot Head Start pre-school building to replace the existing building; and a 2,975 square foot commercial retail tenant space in conjunction with the existing Garden Grove United Methodist Church and associated church facilities, the church-operated pre-school, and the Head Start pre-school program. Based on the total 5.2 acres, the proposed project will provide density of nine (9) units per acre, which is substantially less than the density of 42 units per acre allowed by the Civic Center Mixed Use land use designation.

Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. Policy 2.1 of the Housing Element encourages the preservation and expansion of the City's supply of affordable rental units, while Policy 2.4 encourages collaborative partnerships to maximize resources available for the provision of housing affordable to lower-income households. Program 4 of the Housing Element also encourages the development of affordable senior housing. The proposed residential project will provide 31 affordable housing units that will be available for families, and 16 affordable housing units for seniors.

The residential project has been designed to comply with the CC-3 zone development standards, with exception of the three concessions being requested pursuant to the State's affordable housing provisions. Furthermore, the proposed residential project is parked per the parking requirements established by the State for affordable housing developments. Also, a parking Variance is required to allow the church, the two (2) pre-schools, and future commercial tenant space to reduce the parking and deviate from the parking code requirement.

The proposed development will fulfill the goals of the General Plan Land Use Element and the Housing Element by providing additional affordable housing units that will serve low and very low-income families and seniors in Garden Grove as well as to meet the City's regional housing needs.

Approval and effectiveness of the proposed Site Plan, Variance, and Lot Line Adjustment is contingent upon City Council approval of General Plan Amendment (GPA-001-2014) and Zone Change Amendment (A-012-2014),

and Planning Commission's approval of Conditional Use Permit No. CUP-023-2014.

2. The project will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access.

The site will be designed as an integrated mixed use development that is accessed with connecting drive aisles that circulates through the entire 5.2 acre development to provide access to the church, pre-school, and proposed residential units. The development site will be accessed from four (4) drive approaches that include: one (1) drive approach on Acacia Parkway, one (1) new drive approach on Stanford Avenue, and two (2) existing driveways on Main Street. The internal driveways are designed to accommodate two-way traffic, to provide access to the parking areas, and to accommodate access for trash truck and emergency vehicle access. An internal walkway designed as a paseo has been included to provide pedestrian linkages through the project site from Stanford Avenue and Acacia Parkway as required by the CC-3 zone. The church site currently provides walkways that connect from Main Street to the church, the church buildings, and the pre-schools.

The site will provide a total of 230 parking spaces. The residential units have been parked per the State's parking requirements for affordable housing units, and will provide a total of 77 parking spaces that will be designed as open parking stalls, carports, enclosed garages, and a gated parking garage. A total of 74 parking spaces will be reserved for the residents, and three (3) additional parking spaces will be reserved for Head Start and U.S. Postal Service (USPS) use during normal business hours and will become available to residents and guests on the evenings and weekends.

The easterly parking lot will provide a total of 153 parking spaces to serve the church, church facilities, the church-operated pre-school, the Head Start program, and the future commercial retail use. The pre-schools will be required to use these parking spaces for drop-off and pick-up purposes during the week.

The 153 spaces is 64% less than would otherwise be required for these uses under the City's parking standards, and the applicant is requesting approval of Variance in order to reduce the parking for church and associated facilities, the pre-school, and the future commercial tenant space based on the current utilization and anticipated peak parking demand.

A parking study was performed to determine the existing peak parking demand for the church, church facilities, and the two existing pre-schools. The study determined that the peak observed parking demand for the site

was 72 parking spaces on Wednesday, April 23, 2014 at 4:00 p.m., and 88 parking spaces observed on Sunday, March 16, 2014. Therefore, based on the observed peak parking demand, the proposed 153 parking spaces will be sufficient to accommodate the average weekly and weekend demand for the church and the two (2) pre-schools.

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

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

The Public Work's Department has reviewed the plans and all appropriate conditions of approval have been incorporated. The proposed development will provide landscaping and proper grading of the site to provide adequate on-site drainage. All other appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets.

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

The Public Work's Department has reviewed the project, and has incorporated all the appropriate conditions of approval and mitigation measures to minimize any adverse impacts.

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

The project site is located in the City's downtown area that is developed with single-family homes, multi-family residential, open space, community facilities, and retail uses. The property abuts a 161-unit, senior apartments to the southeast, single-family homes to the west, a 29-unit, multi-family apartments and 49-unit residential condominiums to the north, City-owned community facilities and a park to the east, and retail uses to the south of Main Street. The Civic Center Mixed Use land use designation and the CC-3 zone allow for mixed use developments. The proposed 47-unit affordable housing development is compatible with the existing neighborhood and the spirit and intent of the CCMU General Plan land use that allows for mixed use development. The residential units will be designed as an integrated mixed use project with the Garden Grove United Methodist Church and the church-operated pre-school and the Head Start pre-school program.

The development has been designed to comply with the CC-3 zone standard that includes a commercial retail tenant space component along Acacia Parkway with an 18'-0" tall interior ceiling height and a storefront, a landscaped paseo that provides pedestrian linkages that connect from Stanford Avenue to Acacia Parkway, and interconnected driveways that serve the entire site.

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

The residential project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that will be an enhancement to the neighborhood. The residential project has been designed to comply with the spirit and intent of the CC-3 zoning requirements for providing landscaping, amenities and the required active and private recreation areas, with exception of the three (3) concessions allowed by the State's Affordable Housing Law. Two (2) of the concessions relate to the open space, and would allow the project to: (1) reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; and, (2) allow 14 of the residential units to have a private patio area of less than 90 square feet, but that continues to meet the intent of the CC-3 zone. Based on the number of units proposed, the CC-3 zone requires the project to provide a minimum combined total of 14,100 square feet of active and private recreation area. The project provides a total of 21,127 square feet of active and private recreation space provided in the form of club house, lounge, fitness rooms, roof top terraces, private balconies, and six open ground level recreation areas that will provide stationary exercise equipment and tables with benches. The total combined active space is 15,431 square feet, and the total private recreation balconies are 5,696. In addition, the project site will provide landscaping along the street frontages along Acacia Parkway and Stanford Avenue, within the commons area; and, a landscaped paseo with connecting pedestrian walkway from Acacia Parkway to Standard Avenue in accordance with the landscaping requirements of Title 9 of the Municipal Code for the CC-3 zone.

The building design incorporates projecting building masses along the front building elevation with varying rooflines to enhance the façade of the building. Therefore, the project will have a reasonable degree of physical, functional, and visual compatibility with the neighborhood.

Variance:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or classes of use in the same vicinity or zone.

Unlike other properties in the vicinity and zone, the subject property includes several different uses on site that generate peak parking demands at varying days and times, including a large church facility that, due to its use and operational characteristics, typically does not generate a peak parking demand at any one time near what the Municipal Code would require for a facility of its size.

The site is improved with the Garden Grove United Methodist Church and associated facilities, a church-operated pre-school, and a Head Start pre-school. The site has a total of 192 parking spaces located within two (2) existing parking areas on the east and southeast areas of the property that serve the existing uses. The 192 parking spaces are considered legal nonconforming as the current parking standards in the Municipal Code would require approximately 410 parking spaces to serve the existing uses; however, the existing parking for the site is underutilized by the church and the pre-schools. The applicant is requesting approval of a parking Variance to reduce the parking for the church and the pre-schools in order to facilitate the proposed development.

The applicant proposes to reduce the parking from the 192 parking spaces to 153 parking spaces for the non-residential component of the Project. The 153 parking spaces will be used to serve the church and church facilities, the pre-schools, and the future commercial retail component. Based on a strict application of the parking requirements in the Municipal Code, accounting for the proposed reduction to the license capacity of the Head Start pre-school program from 75 to 60 children; and the new 2,975 square foot retail tenant space, a total of 424 parking spaces would be required for all of the uses on the site. The applicant is requesting approval of a Variance to reduce the parking required for the commercial component that includes the church and associated facilities, the pre-schools, and the future commercial tenant space, by 64%, from 424 parking spaces to 153 parking spaces.

A parking study was performed to determine the existing peak parking demand for the church and associated facilities, and the two (2) existing pre-schools. The study analyzed the use characteristics of the various uses on the site and determined that the peak observed parking demand for the site was 72 parking spaces on Wednesday, April 23, 2014 at 4:00 p.m. (38% occupied), and 88 parking spaces observed on Sunday, March 16, 2014 (46% occupied). Applying these values to the proposed 153 parking spaces, the

parking utilization will be 47% occupied during the week, and 58% occupied on Sunday. The parking study furthered factored the additional 15 parking spaces that will be generated by a future retail use along with a 10% overage to account for additional increase, and determined that the anticipated peak parking demand for the site would be 96 parking spaces on a weekday and 114 parking spaces on a Sunday; however, the applicant proposes to use the commercial retail space as the leasing office for the apartment development in the interim, which is not anticipated to generate the additional 15 parking spaces that a traditional use would. As a result, the parking demand for the church and associated facilities and the two (2) pre-schools will remain the same as no increase to the pre-school or the church and activities is anticipated. Therefore, the parking study concludes that the proposed 153 parking spaces will be sufficient to accommodate the average weekday and weekend parking demand for the church, pre-schools, and future retail space.

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

Other properties in the same vicinity and zone are generally required to provide parking spaces in an amount commensurate with the parking demand created by the uses on the properties. As demonstrated by the parking study, the existing and anticipated future uses on the site generate a peak parking demand that is substantially less than the number of parking spaces a strict application of the parking standards in the Municipal Code would require. Therefore, the Variance is necessary to allow the owners to continue to use the property for church and pre-school purposes, while, at the same time, facilitating development of affordable housing.

The parking Variance will allow the site to be developed with a mixed used project that consists of 47-unit affordable housing residential apartments for families and seniors integrated with the existing Garden Grove United Methodist Church and associated facilities. The site is 5.2 acres, which is sufficient in size to accommodate the proposed residential project.

The existing parking for the church is underutilized by the existing church, associated facilities, and the two (2) pre-schools. According to the parking study that was prepared to observe the peak parking demand for the existing uses, during the week, the parking lot was less than 50% occupied. The highest utilization rate was 38% during the week that consisted of 72 vehicles, and 46% utilization on a Sunday that consisted of 88 vehicles. The parking study includes projections that include the additional 15 parking spaces that would be required for the future retail use along with a 10% overage to account for future parking increases, and determined that the

anticipated weekday peak demand would be 96 parking spaces (63% occupied), and 114 parking spaces (75% occupied) on the weekend.

While the new 2,975 square foot commercial tenant can be available for retail commercial uses, the applicant proposes to use the tenant spaces as the leasing office for the apartment building. The use of the space as a leasing office will not generate the 15 additional parking spaces that a traditional retail use would as the leasing office will be used by the apartment manager and tenants whose parking is provided by the residential parking development. The parking Variance would allow the church to be developed with 47 affordable housing residential units that provide the required parking based on the State's affordable housing code, while allowing the existing church and pre-school to operate with reduced parking based on a parking study that determined that the proposed 153 spaces is sufficient to accommodate the use's parking demand.

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

The site has 192 parking spaces that are considered legal nonconforming, and that are underutilized by the Garden Grove United Methodist church and the two (2) existing pre-schools. A parking study was performed that concluded that the existing parking for the site is less than 50% occupied. Reducing the existing parking by 36 parking spaces to 153 parking spaces is not anticipated to affect the parking for the church site based on the observed parking demand. The proposed affordable housing development provides its share of required parking based on the State's parking requirements for affordable housing development. The church, the two (2) pre-schools, and the future retail spaces will use the 153 parking spaces located in the easterly parking lot. The applicant proposes to use the retail space as the apartment leasing office, which will not generate the 15 additional parking spaces that a traditional retail use would.

Specific conditions of approval will be included in the conditions of approval for this Site Plan, Variance, and Lot Line Adjustment application, in conjunction with the approval for Conditional Use Permit No. CUP-023-2014 that will address specific operating conditions of the church and pre-schools to minimize potential effects on parking that include: (1) if parking issues arise, the Garden Grove United Methodist Church will have to resolve the parking to the City's satisfaction that may include providing multiple Sunday Services and/or (2) adjusting the weekday church and church's activity to minimize the parking. Therefore, these conditions of approval and the recommendation included in the parking study, will minimize possible impacts to the parking provided for the Garden Grove United Methodist Church site.

Provided that the project complies with the conditions of approval, the parking Variance will not be materially detrimental to the public welfare or injurious to the property.

4. The granting of such Variance will not adversely affect the comprehensive General Plan.

The parking Variance will not adversely affect the comprehensive General Plan. The parking Variance will allow the existing church and associated facilities, the two (2) pre-schools, and the future retail tenant space to reduce the parking from 192 parking spaces to 153 parking spaces based on an observed peak parking demand. These uses will be part of an integrated mixed use project with a new 47-unit affordable apartment residential development.

The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Land Use Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents. Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. Policy 2.1 of the Housing Element encourages the preservation and expansion of the City's supply of affordable rental units, while Policy 2.4 encourages collaborative partnerships to maximize resources available for the provision of housing affordable to lower-income households.

The proposed Variance will allow the development to fulfill the goals of the General Plan Land Use and Housing Element by providing additional affordable housing units that will serve low and very low-income families and seniors in Garden Grove to meet the City's regional housing needs as well as develop a mixed use project that encourages pedestrian activity.

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

The site has 192 parking spaces that are considered legal nonconforming and that are underutilized by the Garden Grove United Methodist Church and the two (2) existing pre-schools. Approval of the Variance to reduce the number

of parking spaces from the existing 192 parking spaces to 153 parking spaces will not grant special privileges. All applicable conditions of approval have been incorporated to facilitate the development of the project, and will include conditions in this Site Plan, Variance and Lot Line Adjustment approval, as well as the approval for Conditional Use Permit No. CUP-023-2014, that include standard conditions that have been applied to similar type churches and pre-school developments located in the vicinity and zones where these uses are allowed. In particular, specific conditions of approval have been included that will address specific operating conditions of the church and pre-schools to minimize potential effects on parking that include: (1) if parking issues arise, the Garden Grove United Methodist Church will have to resolve the parking to the City's satisfaction that may include providing multiple Sunday Services and/or (2) adjusting the weekday church and church's activity to minimize the parking. Provided that the conditions are adhered to, the granting of the subject Variance will maintain consistency with the limitations of other similar properties in the zone and vicinity and not give the property owner a special privilege over other property owners in the area.

Lot Line Adjustment:

1. The parcels, as a result of the Lot Line Adjustment, will conform to the zoning and building codes.

The site is 5.2 acres and consist of two (2) parcels. The applicant proposes to adjust the southern lot line of the vacant space so that the required outdoor play area of the church's pre-school is not dissected by the existing lot line. The southern property line will shift 32.34 feet to the north, and the proposed senior building will maintain a 10'-0" setback to the new property line location. The Lot Line Adjustment will reduce the size of the vacant parcel by 3,557 square feet, and the larger parcel with the church will acquire the 3,557 square feet land area. As a result of the lot line adjustment, the vacant parcel will reduce in size from .61 acres to a net lot size of .51 acres, after the Lot Lined Adjustment and the required street dedication, and the improved church parcel will have a new lot size of 4.7 acres. Ultimately, the overall development area will still remain at the 5.2 acres after the Lot Line Adjustment. The Lot Line Adjustment and all subsequent site improvements will conform with the applicable zoning and building codes.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan, Variance, Lot Line Adjustment, and the Development Agreement possess characteristics that would justify the request in accordance with Municipal Code Sections No. 9.32.030.3 (Site Plan), 9.32.030.6 (Variance), Section 9.40.060 (Lot Line Adjustment), and California Government Code Section 65864 (Development Agreements).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014.
3. The effectiveness of approval of Site Plan No. SP-014-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, and Development Agreement No. DA-001-2014, shall be contingent upon the Planning Commission's approval of Conditional Use Permit No. CUP-023-2014, and the adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2014 and an Ordinance approving Amendment No. A-012-2014 by the Garden Grove City Council.

Adopted this 4th day of December, 2014

ATTEST:

/s/ GARY LAZENBY
CHAIR

/s/ JUDITH MOORE
SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 4, 2014, by the following vote:

AYES: COMMISSIONERS: (4) BRIETIGAM, LAZENBY, MARGOLIN, ZAMORA
NOES: COMMISSIONERS: (1) ALEJANDRO
ABSENT: COMMISSIONERS: (2) NGUYEN, SILVA

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is December 25, 2014.

EXHIBIT "A"

Site Plan No. SP-014-2014
Variance No. V-008-2014
Lot Line Adjustment No. LLA-006-2014

12741 Main Street and 10882 Stanford Avenue

CONDITIONS OF APPROVAL

General Conditions

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to issuance of building permits.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Jamboree Housing Corporation, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes to the Conditions of Approval require approval by the Planning Commission.
3. Approval of this Site Plan, Variance, Lot Line Adjustment, and Development Agreement shall be contingent upon the approval of General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014, by the Garden Grove City Council 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.
4. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

Public Work's Engineering Division

6. The applicant shall be subject to Traffic Mitigation Fees in accordance with Chapter 9.44 of the Garden Grove Municipal Code; In-Lieu Park Fees and/or the dedication of land for the purpose of providing parks and recreational facilities for future inhabitants of said subdivision in accordance with Garden Grove Municipal Code Section 9.40.140.C.; and all other applicable fees duly adopted by the City.
7. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design of the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
8. A separate street permit is required for work performed within the public right-of-way.
9. Grading 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.
10. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
 - a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas;
 - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP;

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

- c. Incorporates structural and Treatment Control BMPs as defined in the DAMP;
 - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs;
 - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs;
 - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs;
 - g. Provide notice by recordation of the plan with the County Recorder's office to all future owners that said plan is bound in perpetuity to the property.
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:
- a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications;
 - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP;
 - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs;
 - e. File and record the plan with the County Recorder's office.
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 parking lot and pathway lighting within the development in a manner meeting

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

- the approval of the City Engineer. Location of lighting poles shall be shown on the grading plan.
14. Provide a separate coordinated utility plan showing the location of all utilities serving the site. Any easements required providing locations and access for the utilities and their appurtenances shall be provided by separate instrument.
 15. All trash container areas shall meet the following requirements:
 - a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash;
 - b. Provide solid roof or awning to prevent direct precipitation into the enclosure;
 - c. Provide a drain to a sanitary waste line. Connection of trash area drains to the municipal storm drain system is prohibited;
 - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control;
 - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information;
 - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
 16. Prior to the issuance of the street improvements and grading permit, provide 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).
 17. The applicant shall construct both entrances to the development per City of Garden Grove Standard Plan B-121 with a conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

18. The applicant shall install a standard barricade in front of the buildings that are facing the end of the proposed driveways per City of Garden Grove Standard Plan B-306.
19. No parallel curb parking shall be permitted anywhere on the site.
20. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, shall have wheel stops.
21. Any new or required block walls and/or retaining walls shall be shown on the grading plans with a minimum height of six (6) feet from the highest finished grade. Cross sections shall be provided on the grading plan showing vertical and the horizontal relations of improvements and the property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer.
22. Prior to the issuance of a building permit, the applicant shall dedicate ten (10) feet of road right-of-way on Stanford Avenue along the property frontage for an ultimate half-width right-of-way width of 30 feet, to provide for future street improvements.
23. The grading plan shall provide accessibility routes from entries on the buildings to the public street for the ADA pathways in conformance with the requirements of the Department of Justice standards latest edition with a minimum allowable width of 48-inches.
24. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a 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.
25. Prior to issuance of a building permit, the applicant shall remove the existing landscape within the parkway or adjacent to the sidewalk area along Stanford Avenue to comply with sight distance requirements 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. A separate street improvement plan shall be prepared for Stanford Avenue and Acacia Parkway and

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

submitted to the engineering department for improvements within the existing and proposed right of way.

Stanford Avenue

- a. Construct 6-inch curb and gutter along the property frontage at 20-feet from centerline in accordance with City Standard Plan B-113 (Type D-6).
- b. Remove and replace the pavement of the street from the edge of the northerly gutter to the edge of new southerly gutter along the property frontage per City Standard Plan B-104 and the direction of the City Engineer.
- c. Construct new driveway approach to the site in accordance with City of Garden Grove Standard Plan B-121. The proposed deviation of 25-feet is acceptable by the City Engineer.
- d. Construct a ten (10) foot sidewalk adjacent to the street curb in accordance with City Standard Plan B-106.
- e. Construct asphalt concrete transition berm on the northwest corner of the project to direct any additional stormwater and nuisance drainage flow coming off from upstream of the site along Stanford Avenue and provide a sidewalk transition from the property to the west from the ADA pathway.

Acacia Parkway

- f. Remove the existing easterly driveway approach on Acacia Parkway and construct new curb, gutter and sidewalk in accordance with City standards.
- g. New 6-inch curb, gutter and sidewalk shall be constructed replacing the existing easterly driveway according to City of Garden Grove Standard Plan B-113 (Type D-6) and B-106.
- h. Remove the existing westerly driveway approach on Acacia Parkway and construct new driveway approach to the site in accordance with City of Garden Grove Standard Plan B-121. The proposed deviation of 25-feet is acceptable by the City Engineer.
- i. Remove and replace the pavement of the street from the edge of the median to the edge of the gutter per City Standard Plan B-104 and as directed by the City Engineer.

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

Garden Grove Fire Department

26. Fire sprinkler system is required throughout the apartment building per the California Fire Code and adopted City standards (NFPA). NFPA 13D compliant system is required throughout with a density and configuration as required by that standard. Sprinkler systems shall meet further City water standards as determined by the fire and water departments (i.e., testable above ground double check valves, fire flow water meters if required).
27. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72. Life safety and fire sprinkler alarm system shall comply with NFPA 72 requirements.
28. Fire hydrant(s) shall be provided on-site, number of hydrants and locations are subject to Fire Department and Water Services Department approval. The fire hydrant(s) shall be on a loop system approved by the Fire Department. The fire hydrants and an all-weather road, compliant with the California Fire Code, shall be installed and fully operational prior to any combustible material being delivered to the site.
29. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2010 Edition.
30. There shall be a minimum of 20-foot clear access within the drive aisle and emergency vehicle turn-around area.

Building Services Division

31. The project shall provide an accessible route to all portions of the building, including from the buildings and the public right-of-way.
32. All residential units shall be adaptable and on an accessible route.
33. A minimum 2% of the assigned parking spaces and a minimum of 5% of unassigned parking spaces shall be handicap accessible.
34. All buildings must comply with the California Building Standards Code.

Public Work's Water Services Division

35. A master water meter and service is to be installed for each apartment building. The new meters and services are to be located within the Acacia Street and Stanford Avenue right-of-ways.

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

36. A Reduced Pressure Principal Device (RPPD) shall be installed on each domestic and irrigation water service for meter protection per City Standards. Irrigation lines taken off the domestic line shall also have RPPD devices. Installation shall be tested by a certified backflow device tester immediately after installation. Water Quality 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 Water Quality. Property owner must open a water account upon installation of RPPD device.
37. Developer to install an above ground double check detector assembly (DCDA) for fire sprinkler connections for each apartment building. DCDA to be located on private property and be screened from the street by the use of plants. Fire service connection shall be taken off the Acacia Parkway and Stanford Avenue water mains. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Water Quality.
38. An on-site 8-inch private fire hydrant supply line to be looped from the 8-inch main on Acacia Parkway to the 6-inch main on Stanford Avenue. No domestic or fire sprinkler connections are to come off this line.
39. 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.
40. Owner shall dedicate all rights to underground water without the right to surface entry.
41. Any new or existing water valves located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
42. 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.
43. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
44. The site has an existing 6-inch private sewer line that ties in to an existing 8-inch sewer main on Acacia Parkway. The on-site buildings are tied to this main, and the church is tied to the sewer main on Main Street. A portion of the existing 6-inch private sewer line, which runs northerly from Acacia Parkway about 15-feet west of the east property line, will be under the

Conditions of Approval for

Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014

proposed 31 apartment units located adjacent to Acacia Parkway. Developer shall relocate this portion of the 6-inch private sewer with an 8-inch private sewer main running parallel with the west property line and within the proposed drive aisle. A manhole and an 8-inch extra strength VCP sewer lateral shall be installed within the Acacia Parkway right-of-way per City Standards and the on-site sewer line and appurtenances shall be installed per the California Plumbing Code.

45. 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.
46. Consideration should be made for installing a sewer backwater valve on the church's sewer lateral connection on Main Street to prevent sewage backups into the church building.
47. Food grinders (garbage disposal devices) for commercial uses are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations.

Planning Services Division

48. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community 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 the public right-of-way to the center line of the streets adjacent to the subject property), and within the perimeter of the site, shall be installed or relocated underground. All on-site and off-site utilities pertaining to the improvements proposed under this Site Plan, Variance, and Lot Line Adjustment, shall be installed or relocated underground.
 - b. All above-ground utility equipment (e.g., electrical, gas, telephone, cable TV, water meters, electrical transformer) shall not be located in the street setback, within the common areas, or any parking areas, and shall be screened to the satisfaction of the Community Development Director. The applicant shall relocate the water meters and the electrical transfer outside of the front setback area.
 - 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 Development Department prior to the issuance of building

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- 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.
 - e. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property; however, it may properly be screened from view.
49. The applicant shall submit a complete landscape plan governing the area of new construction. 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. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code.
 - b. A complete, permanent, and automatic remote control irrigation system shall be provided for all landscape areas shown on the plan. Subsurface irrigation systems are encouraged. The irrigation plan for any trees planted in the setback areas adjacent to the sidewalks and in the parking lot shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used in other areas, they shall be low flow/precipitation sprinkler heads for water conservation.
 - c. All above ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plan and shall be screened from view by appropriate plantings.
 - d. 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

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(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.

- e. No trees shall be planted closer than five feet (5') from any public right-of-way. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along the street frontages located adjacent to the driveway shall be of the low-height variety to ensure a safe sight clearance.
 - f. The landscaping treatment along the Acacia Parkway and the Stanford Avenue street frontages, including the area designated as public right-of-way, and all common areas, shall incorporate a mixture of groundcover, flowerbeds, shrubs, and trees to enhance the appearance of the property. The Community Development Department shall review the type and location of all proposed trees and plant materials.
 - g. The landscape treatment within the roof terrace for each building shall incorporate landscaping that is compatible with the design of the building and the project location, and shall incorporate shade trees in pots, and other plants in raised planters to create a lush and pleasant environment. The project is encouraged to incorporate drought tolerant plants to enhance the appearance of the recreation area, but shall limit the use of succulents and other plants that will create a desert scape.
 - h. The applicant and the property owner shall be responsible for coordinating the installation and permanent maintenance of all landscaping on the entire site, including the common landscaped areas. Said responsibility shall extend to the parkway landscaping, sidewalks, curbs, and pavement of the site. All planting areas are to be kept free of weeds, debris, and graffiti.
50. Enhanced concrete treatment shall be provided at a 20-foot depth within the entry driveways on Acacia Parkway and Stanford Avenue, subject to the Community Development Department's approval. The enhanced concrete treatment can include decorative stamped concrete, interlocking pavers or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern, material, and final design and configuration shall be approved by the Community Development Department, Planning Division, and shall be shown on the final site plan, grading plan, and landscape plans.
51. All new lighting structures shall be placed so as to confine direct rays to the subject property. Lighting shall be directed, positioned, or shielded in such a manner so as to not unreasonably illuminate the windows of the units within

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the project and of the adjacent residences. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to the residential properties to the west shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all parking area and drive areas.

52. Hours and days of construction and grading shall be as permitted pursuant to Chapter 8.47 of the Garden Grove Municipal Code.
53. The following parking requirements shall apply to the entire development site:
 - a. Residential Parking: A total of 77 parking spaces will be designed for the new residential development. Seventy-four (74) parking spaces shall be reserved for the residential units, and shall be available for parking at all times. The three (3) extra parking spaces may be reserved for Head Start pre-school and U.S. Postal Service (USPS) during normal business hours, and shall be made available for resident and guest parking during non-business hours.
 - b. Commercial Parking: The easterly parking area shall be improved with 153 parking spaces to accommodate the church, church facilities, the pre-schools, and the future, 2,975 square foot, commercial tenant spaces for customer and employee parking. The operation of the church, church facilities, and the pre-schools, shall be subject to the operating conditions as stipulated in Conditional Use Permit No. CUP-023-2014.
 - c. Only retail uses shall be allowed in the 2,975 square foot commercial tenant space that is park at a ratio of 1 space per 200 square feet of gross floor building area.
 - d. Residential overflow parking shall be permitted within the easterly parking area during off-peak hours when the pre-school and church are not in operation, as coordinated between the developer and the property owner.
 - e. All required improvements to the easterly parking lot, including new planters, new parking spaces, and restriping of existing parking spaces, shall be completed prior to building final of the new residential and Head Start pre-school buildings.
 - f. There shall be no parking allowed along any drive-aisle, except within the designated parking areas. All curbs not designated as parking

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areas shall be painted red. The applicant shall post "No Parking" signs along the drive aisles.

- g. There shall be no pre-school parking allowed within the designated residential parking spaces. The residential parking spaces shall be properly labeled and reserved for the residents.
- h. In the event traffic, circulation and/or parking problems develop at the site due to the operation of the church, church facilities, and pre-schools, and future commercial tenant space, as determined by the City Traffic Engineer or the Community Development Department, the applicant shall develop a plan to mitigate the identified issue(s) as identified in the parking study, including re-evaluating or adjusting the church's schedule to limit overlapping activities, classes, meetings, etc., during peak periods of operation. The applicant shall submit a plan for review and approval by the City Traffic Engineer and/or the Community Development Department. This plan may include a variety of solutions to be managed by the administration of the applicant.
- i. Prior to issuance of building permits, the Applicant/Owner shall record a declaration, covenant, agreement, or other document, in a form approved by the City Attorney and City Manager, which provides for continued (a) reciprocal pedestrian and vehicular access and circulation between Parcel 1 (12741 Main Street; APN: 089-202-28) and Parcel 2 (10882 Stanford Avenue; APN: 089-202-28); and (b) reciprocal parking between Parcels 1 and 2. The document shall be consistent with the approved Lot Line Adjustment, shall be enforceable by the City, shall run with the land, shall bind all current and future owners and tenants of all or portions of Parcels 1 and 2, shall provide that violation of the terms of the document constitute a violation of these conditions of approval, and shall not be modified or terminated without prior written approval from the City.

54. The project shall comply with the following stipulations:

- a. The proposed development will allow the construction of 47 affordable residential housing units for families and seniors.
- b. All ten (10) single-car enclosed garages shall maintain the ability to park one (1) vehicle at all times. Garages shall not be converted to any other use.
- c. There shall be no business activities, day care, or garage sales conducted within or from the garages.

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- d. Garages shall not be rented or leased separately from the dwelling units and shall not be made unavailable to the occupants of the units.
- e. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces; however, the parking spaces may be utilized by residents or guests for temporary parking.
- f. Best Management Practices shall be incorporated to deter and/or abate any graffiti vandalism throughout the project and the life of the project.
- g. 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.
- h. All balconies shall remain open and shall not be enclosed at any time. There shall be no storage allowed in the balconies at any time.
- i. Parking and storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited.
- j. Each unit shall have a private and secured storage area having a minimum of 300 cubic feet that complies with Section 9.18.100.030.H.2 of Title 9 of the Municipal Code. The storage may be located within the enclosed or garage parking area as hanging cabinet storage provided it does not interfere with the parking.
- k. The maintenance of the drive aisles, storm drains, sewer system, and open space areas is the responsibility of the applicant and property owner, including the common recreation area, and the common landscape areas.
- l. Each unit shall be provided with an air conditioning condensing unit and/or system so that there are no wall-mounted, or window mounted units. If units are located on the roof, an architectural design of the roof areas shall be done to effectively screen such units from adjacent properties and the public right-of-way.
- m. All units shall be equipped with trash compactors and shall provide a minimum of three cubic feet of space for the collection and storage of refuse and recyclable material.
- n. Mailboxes shall be provided and installed by the developer. The local postmaster shall approve the design and location.

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- o. No security fencing/gate shall be permitted for the project, including driveway fencing or pedestrian gates to secure the connecting walkways.
 - p. Each unit shall have phone jacks and cable-TV outlets in all rooms, except in the hallways, and bathrooms.
 - q. All garage doors shall be of automatic roll-up type, and an automatic gate shall be provided for the enclosed parking garage.
 - r. Common laundry rooms shall be provided in each building with sufficient washers and dryers to adequately serve the tenants.
55. The applicant shall comply with all provisions of the Community Development Department including, but not be limited to, the following:
- a. The facade of the new buildings shall be designed with sound attenuation features including the use of dual pane windows, a minimum 4-inch decorative wide trim on all windows and doors, and limiting, when possible, the use of vents. These features shall be approved by the Community 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 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.
 - c. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5-feet to 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, and is properly screened from view.
 - d. At no time shall any structure, fireplace, architectural feature, or otherwise, be closer than three feet to any property line. Any roof eaves or similar roof overhangs intruding into the three (3) foot

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setback requirement, shall comply with the C.B.C. concerning method of construction.

56. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with CEQA.
57. Trash enclosures, including the required roof structure, shall match the design, color, and material type used for the residential buildings. The trash bins shall be kept inside the trash enclosure, and gates closed at all times except during disposal and pick-up. The property owner shall provide sufficient trash bins and pick-up to accommodate the site.
58. 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. The project shall maintain a perimeter block wall along the west and east property lines, adjacent to the area of new construction, at a height of 6'-0," as measured from the highest point of the on-site finished grade adjacent to the wall, but at no time greater than 7'-0" in height.
 - b. All block walls shall observe the required vision clearance and line-of-sight requirements if located adjacent to a driveway. No walls greater than 36-inches in height shall be construction within the driveway vision clearance area. No block wall greater than 3'-0" in height shall extend beyond the front building plane elevation, and into the front setback areas located along the Acacia Parkway and Stanford Avenue.
 - c. Any new block walls shall be constructed of decorative split-face masonry with decorative caps, subject to the Community Development Department's approval, unless an attempt is being made to match an existing block wall pattern.
 - d. The applicant shall work with the existing property owners along the project's perimeter in designing and constructing any required perimeter block walls. This requirement is to avoid having double walls and to 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

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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 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.

59. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use of methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
60. The common recreation area improvements shall be reviewed and approved by the Community Development Department, Planning Division prior to issuance of building permits. The improvements to the common recreation area shall include the recreation equipment and amenities identified on the approved plans that include, stationary exercise equipment within the designated outdoor exercise areas; tables and benches along the ground level pedestrian walkways (paseo); children playground equipment, tables, benches, outdoor furniture, and barbeque grill on the roof terrace of Building A; and outdoor furniture, including tables and patio furniture on the roof terrace of Building B. All interior recreation areas shall incorporate the appropriate interior furniture and amenities for the proposed use of the room. Lighting in the common recreation areas shall be provided at a maximum one-foot light candle during the hours of darkness, and shall be restricted to low decorative type wall-mounted lights or ground lighting systems.
61. 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 with brick veneer; window and door trim; decorative paneled garage doors, decorative wrought iron railings for the balconies; varied rooflines with concrete flat tiles on Building A along with a decorative roofline cornice, and asphalt shingles for Building B, Head Start Building, and the maintenance shed; double height panel windows for the commercial storefront for Building A, and for the club lounge and fitness room for Building B. All side, rear, and interior courtyard elevations shall maintain the same level of detailing. The carports shall be designed with the same architecture design of the residential buildings.
62. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy

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of the project. The sign shall include the name and address of the development, and the developer's name, address, and a 24-hour emergency telephone number.

63. The applicant/property owner(s) shall enter into an Affordable Housing Agreement with the City of Garden Grove. The Housing Agreement shall be prepared at the cost of the applicant/property owner and shall be submitted for review and approval by the City Attorney's office and the Community Development Department prior to the issuance of building permits. The approved Housing Agreement shall be recorded prior to issuance of a building permit for any structure in the housing development. The Housing Agreement shall run with the land and be binding on all future owners and successors in interest. The Affordable Housing Agreement shall include, but not be limited to, the following:
- a. The total number of units approved for the Housing Development, the number, location, and level of affordability of target units, and the number of density bonus units.
 - b. Standards for determining affordable rent or affordable ownership cost for the target units.
 - c. The location, unit size in square feet, and number of bedrooms of target units.
 - d. Provisions to ensure affordability in accordance with Subsection G of this section.
 - e. A schedule for completion and occupancy of target units in relation to construction of non-restricted units.
 - f. A description of any concessions or incentives or waivers and modifications being provided by the City.
 - g. A description of remedies for breach of the agreement by either party. The City may identify tenants or qualified purchasers as third party beneficiaries under the agreement.
 - h. Procedures for qualifying tenants and prospective purchasers of target units.
 - i. Any other provisions to ensure implementation and compliance with this section.

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- j. Procedures for establishing affordable rent, filling vacancies, and maintaining target units for eligible tenants.
 - k. Provisions requiring verification of household incomes.
 - l. Provisions requiring maintenance of records to demonstrate compliance with this subsection.
 - m. The property owner shall restrict tenancy occupancy to a "2 + 1" formula, 2 persons per bedroom plus one additional person (ex: a two bedroom unit can only house five persons).
 - n. The property owner shall provide a professional on-site caretaker, as defined and required by Title 25, Division 4, Article 5, Section 42 of the State Housing Law Regulations.
64. The applicant shall enter into a binding Development Agreement with the City of Garden Grove.
65. The applicant shall hire an environmental consultant to implement the Mitigation Measure Monitoring Report as identified in the Mitigated Negative Declaration, and shall provide updates about the implementation process to the City of Garden Grove, Community Department until completion of the project.
66. The property owner shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014, and their agreement with all conditions of approval.
67. 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 General Plan Amendment No. GPA-001-2014, Amendment No. A-012-2014, Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014 (collectively, the "Project entitlements"). The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. Notwithstanding the foregoing, in

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the event any legal action or proceeding is filed against the City and/or applicant, seeking to attack, set aside, void or annul any of the Project entitlements, applicant shall have the right and obligation to either: (1) defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney; or (2) request that the City rescind the entitlement approvals, in which case the applicant would have no obligation to defend or indemnify the City; however, applicant shall reimburse the City for any costs incurred or assessed against the City as a result of the filing of such legal action or proceeding, provided the City acts promptly to rescind the entitlements.

68. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. The applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014, has begun.
69. The applicant shall coordinate with the City of Garden Grove, Community Development Department, to offer priority rental of the units to Garden Grove residents.

RESOLUTION NO. 5837-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-023-2014 FOR PROPERTY LOCATED AT 12741 MAIN STREET, ASSESSOR'S PARCEL NO. 089-202-54.

WHEREAS, the City of Garden Grove has received an application to develop 2.5 acres of the Garden Grove United Methodist Church site, comprised of two (2) parcels with a total land area of 5.2 acres, located at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28, respectively, with an integrated mixed use project consisting of 47 affordable residential apartment units (the "Project"). The land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2014 to change the land use designation of a .61-acre vacant parcel within the project site from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU); (2) Zone Change Amendment No. A-012-2014 to rezone the .61-acre vacant parcel from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3); (3) Lot Line Adjustment No. LLA-006-2014 to adjust the southern interior property line of the vacant parcel; (4) Site Plan No. SP-014-2014 to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,975 square foot leasing/ retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building; (5) Conditional Use Permit No. CUP-023-2014 to allow the church, the church-operated pre-school, and the Head Start program to continue to operate, including reducing the Head Start pre-school program from a license capacity of 75 children to 60 children, and allowing the church pre-school to continue to operate with its current capacity of 68 children; (6) Variance No. V-008-2014 to allow a reduction to the required parking for the church, pre-schools, and the proposed retail commercial tenant space; (7) pursuant to the State Law regarding affordable housing projects, approval of three waivers from the Civic Center-Core (CC-3) development standards: 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 12 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component; and (8) a Development Agreement; and,

WHEREAS, pursuant to Resolution No. 5835-14, adopted December 4, 2014, the Planning Commission has recommended that the City Council adopt a Mitigated Negative Declaration for the project and approve General Plan Amendment No. GPA-001-2014 and Zone Change Amendment No. A-012-2014; and,

WHEREAS, pursuant to Resolution No. 5836-14, adopted December 4, 2014, the Planning Commission adopted Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014, and recommended approval of Development Agreement No. DA-001-2014 to the City Council.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 4, 2014, does hereby approve Conditional Use Permit No. CUP-023-2014, subject to the adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the project by the Garden Grove City Council, and the adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2014 and an Ordinance approving Amendment No. A-012-2014, by the Garden Grove City Council, in substantially the same form as recommended by the Planning Commission pursuant to Resolution No. 5835-14.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-023-2014, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Jamboree Housing Corporation for the Garden Grove United Methodist Church, United Methodist Church Pre-school, and the Head Start pre-school program.
2. The applicant requests approval of a Conditional Use Permit to allow the continued operation of the Garden Grove United Methodist Church and associated church facilities; the continued operation of a 4,676 square foot United Methodist Church Pre-School with a licensed capacity of 68 children; and a new, 3,485 square foot, Head Start pre-school program with a licensed capacity of 60 children.
3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines. Pursuant to Resolution No. 5835-14, adopted December 4, 2014, the Planning Commission recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.
4. The property has a General Plan Land Use designation of Civic Center Mixed Use and is zoned Civic Center-Core (CC-3). The property is improved with the Garden Grove United Methodist Church and associated facilities, the church-operated pre-school, and the Head Start pre-school program.
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.

6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on December 4, 2014, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of December 4, 2014, and;

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.24.030 (Conditional Use Permits), are as follows:

FACTS:

The site has a General Plan Land Use designation of Civic Center Mixed Use, and is zoned CC-3 (Civic Center-Core). The applicant proposes to develop 2.5 acres of the Garden Grove United Methodist Church site, which is comprised of two parcels with a total land area of 5.2 acres, with an integrated mixed use project consisting of 47 affordable residential apartment units for low to very low-income families and seniors. The project site is located west of Main Street, south of Stanford Avenue, and north of Acacia Parkway.

The 12741 Main Street parcel is currently improved with the United Methodist Church that consists of the church sanctuary, a chapel, a two-story administration building, a community hall, and three (3) single-story buildings used by the church-operated pre-school and the Head Start pre-school program. The applicant proposes to demolish the Head Start Building, and a portion of the pre-school building in order to accommodate the 47-unit affordable housing apartments for low and very low-income families and seniors, a 2,975 square foot commercial retail space, and new a 3,485 square foot Head Start pre-school building that will replace the existing Head Start building approved under Site Plan No. SP-014-2014, Variance. No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014.

Conditional Use Permit No. CUP-023-2014 will allow the Garden Grove United Methodist Church and associated church facilities, the church-operated pre-school and the Head Start pre-school program to continue to operate in conjunction with the proposed residential mixed use development.

The Garden Grove United Methodist Church has been serving the Garden Grove community for over 135 years. The existing church sanctuary, chapel, and associated buildings were constructed in 1965. Various church and community group activities occur during the week and on weekends. Sunday service, workshop, and fellowship occur the day that includes: 9:30 a.m. to 10:30 a.m., English, Spanish,

and Samoan Worship; 11:45 a.m. to 1:00 p.m. Korean Worship; 2:00 p.m. to 5:00 p.m. Mar Thoma Worship; and 4:00 p.m. to 6:00 p.m. Youth Fellowship.

The United Methodist Church Pre-school has been operating at this location since 1974, and is currently licensed for a capacity of 68 children. The pre-school occupies 4,676 square feet of classroom space within two existing single-story buildings. The pre-school operates from 6:30 a.m. to 6:00 p.m., Monday through Friday. The pre-school will provide a new gated, 5,100 square foot, outdoor play area will be provided adjacent to the pre-school to comply with the required outdoor play area state licensing requirement.

Head Start is a federally funded early childhood education pre-school program that serves children ages 3 to 5, from low-income families, that promotes school readiness by enhancing the children's cognitive, social, and emotional development at no cost. Head Start began in 1965 and today serves many communities throughout the country. The Head Start program has been operating at this location since 1997. The school is currently licensed for 75 children, and as part of this application, will reduce the number of children to 60. The Head Start will occupy a new 3,485 square foot building that will consist of classrooms and offices, and a 4,500 square foot gated outdoor play area that will be approved in conjunction to Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014.

FINDINGS AND REASONS:

1. That the proposed use will be consistent with the City's adopted General Plan.

The subject site has a General Plan Land Use Designation of Civic Center Mixed Use and is zoned CC-3 (Civic Center-Core). The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. The CC-3 zone implements the goals of the Civic Center Mixed Use General Plan, and the CC-3 zone permits churches and pre-schools subject to a Conditional Use Permit. The Garden Grove United Methodist Church has been serving the community for over 135 years, and the current church and church buildings were built in 1965. The church-operated pre-school has been operating since 1974, while the Head Start program has been operating since 1997. There is no current Conditional Use Permit for the operation of these uses. The proposed Conditional Use Permit will allow the Garden Grove United Methodist church, the church-operated pre-school, and the Head Start pre-school program to continue to operate as part of an integrated mixed use development with a proposed 47-unit affordable residential housing development.

Modification to the existing church facilities will be performed in order to accommodate the proposed residential development. This includes demolishing the existing Head Start pre-school classroom building and replacing it with a new a 3,485 square foot Head Start building with a new 4,500 square foot gated outdoor play area. A portion of the existing pre-school building will be reduced by 605 square feet to accommodate new drive aisles, landscaping and walkways, along with providing the pre-school with a new gated 5,100 square foot outdoor play area. The easterly parking lot will be modified to increase the parking that will serve the church and pre-schools from 118 parking spaces to 153 parking spaces. No changes to the operation of the church or to the operation of the church pre-school are proposed. The church activities will remain the same and the church pre-school will continue to be licensed for 68 children. The Head Start program will decrease in number from a license capacity of 75 children to 60 children. The existing Garden Grove United Methodist Church, the church-operated pre-school, and the Head Start program are consistent with the General Plan provided the uses comply with the conditions of approval.

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

The Garden Grove United Methodist Church, the church-operated pre-school, and the Head Start pre-school program will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project.

The Garden Grove United Methodist Church has been serving the community for over 135 years. The existing church sanctuary and ancillary church buildings were constructed in 1965. The church-operated pre-school has been operating since 1974, while the Head Start pre-school program has been operating since 1997.

The site improvements that will occur to facilitate the proposed residential mixed use project include demolishing the existing Head Start building and replacing the building with a new, 3,485 square foot building in the same location on the site with a new 4,500 square foot gated outdoor play area. A portion of the existing pre-school building will be reduced by 605 square feet to accommodate a new drive aisle, walkways and landscaping for the

proposed development. A new 5,100 square foot gated outdoor play area will be provided for the church pre-school.

No significant changes to the operation of the existing church, and the church's pre-school will occur. The church will continue to provide the same services and activities during the week and on weekends, while the church's pre-school will continue to operate with a licensed capacity of 68 children with the same business hours of 6:30 a.m. to 6:00 p.m. Monday through Friday. The Head Start pre-school program will reduce its license capacity from 75 children to 60 children, and will continue to operate from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The existing parking that services the church and the pre-schools will be reduced from 192 parking spaces to 153 parking spaces. A parking study was prepared that determined that the proposed 153 parking spaces will be sufficient to accommodate the peak parking demand for the church and pre-schools. A parking Variance (V-008-2014) was filed in conjunction with Site Plan No. SP-014-2014 and Lot Line Adjustment No. LLA-006-2014 to allow for the proposed parking reduction.

Therefore, the proposed use will be harmonious with the persons who work and live within the area provided the conditions of approval are adhered to for the life of the project.

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

The site will be designed as an integrated mixed use development that includes the church, the church-operated pre-school, the Head Start pre-school, and the proposed 47-unit affordable housing development on a 5.2-acre site. The development site will be accessed from four (4) drive approaches that include: one (1) drive approach on Acacia Parkway, one (1) new drive approach on Stanford Avenue, and two (2) existing driveways on Main Street. The internal driveways are designed to accommodate two-way traffic, to access the designed parking areas, and to accommodate access for trash truck and emergency vehicle access. An internal walkway designed as a paseo has been included to provide pedestrian linkages throughout the project site from Stanford Avenue and Acacia Parkway as required by the CC-3 zone. The church site currently provides walkways that connect from Main Street to the church, church buildings, and the pre-school.

The site will provide a total of 230 parking spaces. The residential units have been parked per the State's parking requirements for affordable housing units, and will provide a total of 77 parking spaces that will be designed as open parking stalls, carports, enclosed garages, and a gated parking garage. A total of 74 parking spaces will be reserved for the residents, and three (3) additional parking spaces will be reserved for Head Start pre-school and U.S. Postal Service (USPS) that will be used during normal business hours and that will become available to residents and guests on the evenings and weekends.

The easterly parking area will provide a total of 153 parking spaces to serve the church, the church-operated pre-school, the Head Start pre-school program, and future commercial retail use. The pre-schools will be required to use these parking spaces for drop-off and pick-up purposes. No parking will be permitted along the driveway for children pick-up and drop off purposes.

A parking Variance (V-008-2014) has been processed in conjunction with this application in order to allow the church and church facilities and the two pre-schools to reduce the number of parking from 192 to 153 parking spaces.

The parking study has determined that the proposed 153 parking spaces will be sufficient to accommodate the proposed uses based on the observed peak parking demand. The parking study observed that the peak parking demand during the week occurred on Wednesday, April 23, 2014 at 4:00 p.m. with a total of 72 vehicles, and on Sunday, March 16, 2014 at 10:00 a.m. with a total of 88 vehicles.

A condition of approval has been included to minimize impact by the uses to the existing parking and circulation.

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

Improvements to the site will be performed that will improve the site's access, parking, and circulation. The site will be served by Main Street to the east, Acacia Parkway to the south, and Stanford Avenue to the north. The site is also sufficiently served by the public service facilities required, such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The church, church facilities, and pre-schools are permitted uses within the CC-3 (Civic Center Core) zone, subject to Conditional Use Permit approval.
2. The proposed Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030 (Conditional Use Permits).
3. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following Conditions of Approval, attached as Exhibit "A", shall apply to Conditional Use Permit No. CUP-023-2014.
4. The effectiveness of approval of Conditional Use Permit No. CUP-023-2014, shall be contingent upon the adoption and effectiveness of Site Plan No. SP-014-2014, and Variance No. V-008-2014, and Lot Line Adjustment No. 006-2014, and the adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project for the project by the Garden Grove City Council.

Adopted this 4th day of December, 2014

ATTEST:

/s/ GARY LAZENBY
CHAIR

/s/ JUDITH MOORE
SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 4, 2014, by the following vote:

AYES: COMMISSIONERS: (4) BRIETIGAM, LAZENBY, MARGOLIN, ZAMORA
NOES: COMMISSIONERS: (1) ALEJANDRO
ABSENT: COMMISSIONERS: (2) NGUYEN, SILVA

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is December 25, 2014.

EXHIBIT "A"

Conditional Use Permit No. CUP-023-2014

12741 Main Street

CONDITIONS OF APPROVAL

General Conditions

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to the project applicant, Jamboree Housing Corporation representing the Garden Grove United Methodist Church, Garden United Methodist Church Pre-school, and Head Start pre-school program, the owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of the Garden Grove United Methodist Church and associated church facilities; a 4,676 square foot Garden Grove United Methodist Church Pre-School, and a 3,485 square foot, Head Start program, as identified on the site plan and floor plan. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply. Modifications, which do not change the intent of the project, may be approved by the Community Development Director.
4. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

FINAL

Community Development Department

6. The Head Start pre-school program shall be allowed to operate with a maximum capacity of 60 children. The hours of operation shall be allowed from 8:00 a.m. to 4:00 p.m., Monday through Friday.
7. The Garden Grove United Methodist Church Pre-School shall operate with a maximum capacity of 68. The hours of operation shall be allowed from 6:30 a.m. to 6:00 p.m., Monday through Friday.
8. All children shall remain under the supervision of the operator or staff at all times, and shall not be permitted to wander or freely roam outside the building, except within the playground area.
9. The easterly parking area shall be designed as the parking area for the church, church facilities, and the pre-schools. A total of 153 parking spaces shall be available to accommodate the uses.
10. All site drop-off and pick-up, including drop-off and pick-up for the pre-schools, shall occur on-site and within the designated parking area located within the easterly parking. There shall be no drop-off and pick-up permitted within the public right-of-way along Main Street, Acacia Parkway, and Stanford Avenue.
11. No amplification systems shall be permitted outside of a fully enclosed building. The sound emitted from any loud speakers shall not extend beyond the walls of the building.
12. There shall be no parking allowed along any drive-aisle, except within the designated parking areas. The applicant shall post "No Parking" signs along the drive aisles throughout the development. No temporary parking will be permitted along any driveway.
13. In the event traffic, circulation and/or parking problems develop at the site due to the operation of the church, church facilities, and pre-schools, as determined by the City Traffic Engineer or the Community Development Department, the applicant shall develop a plan to mitigate the identified issue(s) as identified in the parking study, including re-evaluating or adjusting the church's schedule to limit overlapping activities, classes, meetings, etc., during peak periods of operation. The applicant shall submit a plan for review and approval by the City Traffic Engineer and/or the Community Development Department. This plan may include a variety of solutions to be managed by the administration of the applicant.

14. The applicant shall work with the operators of the pre-schools to prepare a parking and circulation plan for the United Methodist Church Pre-school and the Head Start pre-school program that is available for parents. The circulation and parking plan shall identify the pre-school's designated parking area for pick-up and drop-off; the preferred site circulation pattern to access the parking area; the path of travel from the parking area to the pre-schools; and that no parking will be permitted along any drive aisle. A copy of the parking and circulation plan shall be submitted to the Planning Division prior to final building final for the new construction associated with Resolution No. 5836-14 for Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014.
15. No satellite dish antennas shall be installed on said premises unless and until plans have been submitted to and approved by the Community Development Department, Planning Division. Should satellite dish antenna(s) be proposed, they shall be placed and screened so that they are not visible from the public right-of-way or adjoining properties. No advertising materials shall be placed thereon.
16. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the property.
17. There shall be no outside storage of any goods or materials.
18. The applicant/property owner shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate adjacent properties.
19. The applicant shall be responsible for maintaining the facility, including the parking lot, landscaped area, walkways, and paved surfaces, free from graffiti, debris, and litter. Graffiti shall be removed from the project site and all parking lots under the control of the applicant within 120 hours of notification.
20. All signs shall comply with the City of Garden Grove Municipal Code. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising devices (i.e., banners, flags, balloons, pennants).
21. The applicant shall construct a trash enclosure per City Standard B-502 to secure the existing trash bins for the church. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up.

22. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
23. Approval of Conditional Use Permit No. CUP-023-2014 is contingent upon approval of Site Plan No. SP-014-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, and Development Agreement No. DA-001-2014, and City Council approval of General Plan Amendment No. GPA-001-2014 and Amendment No. A-012-2014.
24. The applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-023-2014, with all conditions of approval.
25. A copy of the decision approving Conditional Use Permit No. CUP-023-2014, including the conditions of approval, shall be kept on the premises at all times.
26. 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 Conditional Use Permit No. CUP-023-2014. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited to, any award of attorney fees to a party challenging such project approval. Notwithstanding the foregoing, in the event any legal action or proceeding is filed against the City and/or applicant, seeking to attack, set aside, void or annul any of the Project entitlements, applicant shall have the right and obligation to either: (1) defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney; or (2) request that the City rescind the entitlement approvals, in which case the applicant would have no obligation to defend or indemnify the City; however, the applicant shall reimburse the City for any costs incurred or assessed against the City as a result of the filing of such legal action or proceeding, provided the City acts promptly to rescind the entitlements.

DRAFT MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING - MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT NO. GPA-001-2014, AMENDMENT NO. A-012-2014, DEVELOPMENT AGREEMENT NO. DA-001-2014, SITE PLAN NO. SP-014-2014, CONDITIONAL USE PERMIT NO. CUP-023-2014, VARIANCE NO. V-008-2014, LOT LINE ADJUSTMENT NO. LLA-006-2014. FOR PROPERTY LOCATED AT 12741 MAIN STREET AND 10882 STANFORD AVENUE, WEST OF MAIN STREET, NORTH OF ACACIA PARKWAY, SOUTH OF STANFORD AVENUE.

Applicant: JAMBOREE HOUSING CORPORATION

Date: December 4, 2014

Request: To develop 2.5 acres of the United Methodist Church site, which is comprised of two parcels with a total land area of 5.2 acres, with an integrated mixed-use project consisting of 47 affordable apartment units for low to very low income seniors and families. As part of the project, the Planning Commission will consider a recommendation for City Council approval of a General Plan Amendment to change the land use designation of a .61-acre vacant parcel within the project site, located at 10882 Stanford Avenue, from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU), and a request for City Council approval of a Zone Change to rezone the parcel from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3). The Planning Commission will also consider a request for approval of a Lot Line Adjustment to adjust the southern interior property line of the vacant parcel, a request for approval of a Site Plan to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,945 square foot leasing/ retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start building. In addition, the Planning Commission will consider a request for approval of a Conditional Use Permit to allow the church, the church operated pre-school, and the Head Start program to continue to operate. Pursuant to the request, the Head Start program will reduce its license capacity from 75 children to 60 children, and the church pre-school will continue to operate with a capacity of 68 children. The Planning Commission will also consider a request for a Variance to allow a reduction to the required parking for the church, pre-schools, and the proposed commercial tenant space. Pursuant to the State Law regarding affordable housing projects, in conjunction with the requested approvals, the applicant is also requesting three waivers from the Civic Center-Core (CC-3) development standards 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 14 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component. The Planning Commission will also consider a recommendation that the City Council approve a Development Agreement for the project. The Planning Commission will also

consider a recommendation that the City Council adopt a Mitigated Negative Declaration for the project. The address of 12741 Main Street is in the Civic Center-Core (CC-3) zone, and 10882 Stanford Avenue is in the Community Center Specific Plan-Community Center Residential (CCSP-CCR20) zone.

Action: Public Hearing held. Speakers: John Okura (Jamboree), Ray Heimstra, Sally May, Colleen Versteeg, Thomas Bozarjian, Craig Durfey, and Peggy Bergen. Three letters were submitted by Ray Heimstra (response sent by LSA), Michael Woo, and Joshua McIntosh.

Action: Resolution Nos. 5835-14 (GPA/A/DA), 5836-14 with an amendment (SP/V/LLA), and 5837-14 (CUP) adopted.

Motion: Brietigam Second: Margolin

Ayes: (4) Brietigam, Lazenby, Margolin, Zamora

Noes: (1) Alejandro

Absent: (2) Nguyen, Silva

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING PROGRAM FOR THE GARDEN GROVE UNITED METHODIST CHURCH
AFFORDABLE HOUSING PROJECT

WHEREAS, the City of Garden Grove has received an application for approval of an integrated mixed use development on the Garden Grove United Methodist Church site, which is comprised of two (2) parcels with a total land area of 5.2 acres, located at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28, respectively, consisting of the existing Garden Grove United Methodist Church and Church-operated pre-school, two new three-story buildings containing 47 affordable residential apartment units, a new 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building (the "Project");

WHEREAS, the land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2014 to change the General Plan land use designation of a .61-acre vacant parcel within the Project site located at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28 from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU); (2) Zone Change Amendment No. A-012-2014 to rezone the .61-acre vacant parcel located at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28 from Community Center Specific Plan-Community Center Residential Area 20 (CCSP-CCR20) to Civic Center-Core (CC-3); (3) Lot Line Adjustment No. LLA-006-2014 to adjust the southern interior property line of the vacant parcel; (4) Site Plan No. SP-014-2014 to allow the construction of two, three-story apartment buildings with a total of 47 affordable residential apartment units, a 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building; (5) Conditional Use Permit No. CUP-023-2014 to allow the Church, the Church-operated pre-school, and the Head Start program to continue to operate, including reducing the Head Start pre-school program from a license capacity of 75 children to 60 children, and allowing the Church pre-school to continue to operate with its current capacity of 68 children; (6) Variance No. V-008-2014 to allow a reduction to the required parking for the Church, pre-schools, and the proposed retail commercial tenant space; (7) pursuant to the State Law regarding affordable housing projects, approval of three waivers from the Civic Center-Core (CC-3) development standards: a) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; b) to allow 12 of the residential units to have a private patio area of less than 90 square feet; and c) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component; and (8) Development Agreement No. DA-001-2014;

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 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;

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;

WHEREAS, the Mitigated Negative Declaration and Mitigation Monitoring Program was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines;

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed Public Hearing on December 4, 2014, and considered all oral and written testimony presented regarding the initial study, the Mitigated Negative Declaration, the Mitigation Monitoring Program, and the Project;

WHEREAS, the Planning Commission of the City of Garden Grove recommended approval of the Mitigated Negative Declaration, the Mitigation Monitoring Program, and the Project during its meeting on December 4, 2014;

WHEREAS, a duly noticed Public Hearing was held by the City Council on January 13, 2015, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of January 13, 2015.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY RESOLVES, FINDS, AND DETERMINES as follows:

1. The City Council has considered the proposed Mitigated Negative Declaration and the Mitigation Monitoring Program, together with comments received during the public review process.
2. The City Council 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 will have a significant effect on the environment.
3. The City Council further finds that the adoption of the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis.
4. Therefore, the City Council at Regular Meeting assembled on January 13, 2015, does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring Program.

5. The record of proceedings on which the City Council's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development.

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING GENERAL PLAN AMENDMENT NO. GPA-001-2014, CHANGING THE GENERAL PLAN LAND USE DESIGNATION OF A RESIDENTIAL PARCEL LOCATED AT 10882 STANFORD AVENUE, ASSESSOR'S PARCEL NO. 089-202-28, FROM MEDIUM DENSITY RESIDENTIAL TO CIVIC CENTER MIXED USE

WHEREAS, the City of Garden Grove has received an application from Jamboree Housing Corporation for approval of a General Plan Amendment to change the land use designation of a .61-acre vacant parcel located on the south side of Stanford Avenue, west of Main Street, at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28, from Medium Density Residential to Civic Center Mixed Use, in order to facilitate the development of a combined 5.2 acre site consisting of the subject site and the adjacent property, located at 12741 Main Street, Assessor's Parcel No. 089-202-54, with an integrated mixed use project consisting of the existing Garden Grove United Methodist Church and Church-operated pre-school, two new three-story buildings containing 47 affordable residential apartment units, a new 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building (the "Project");

WHEREAS, General Plan Amendment No. GPA-001-2014 is being processed in conjunction with Zone Change Amendment No. A-012-2014, Site Plan No. SP-014-2014, Variance No. V-008-2014, Lot Line Adjustment No. LLA-006-2014, and Development Agreement No. DA-001-2014;

WHEREAS, following a Public Hearing held on December 4, 2014, the Planning Commission of the City of Garden Grove recommended approval of General Plan Amendment No. GPA-001-2014 pursuant to Resolution No. 5835-14;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on January 13, 2015, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of January 13, 2015;

WHEREAS, the City Council approved Resolution No. ____ during its meeting on January 13, 2015, adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project pursuant to the California Environmental Quality Act, California Public Resources Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY RESOLVES, DETERMINES, AND FINDS AS FOLLOWS:

1. City Council Resolution No. ____ adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project is incorporated by reference as if set forth fully herein.
2. The City Council of the City of Garden Grove hereby finds and determines, as follows:
 - A. The General Plan Amendment is internally consistent with the goals and objectives of all elements of the City's adopted General Plan. The Civic Center Mixed Use land designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Land Use Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents.

The proposed General Plan Amendment will allow the subject parcel to be developed with an affordable residential apartment development that will form part of an integrated mixed use project with the Garden Grove United Methodist Church. The General Plan Amendment will allow the parcel to be developed with a higher residential density that meets the goal and intent of the General Plan.

The Civic Center Mixed Use land use designation allows for residential densities of up to 42 units per acre. While a total of 47 apartment units will be constructed on the entire Project site, only 16 units will be constructed on the portion of the Project site comprised of the subject vacant parcel. The proposed density per acre for the vacant parcel is 31.5 dwelling units per acre, which is less than the 42 dwelling units per acre allowed by the General Plan. The proposed General Plan Amendment is necessary since the proposed CC-3 zoning implements the goals of the Civic Center Mixed Use land use designation. The CC-3 would allow a zoning density of 22 units based on the lot size, and the application proposes 16 units. The current CCSP-CCR20 zone would only permit a density of 11 units. Therefore, the General Plan Amendment will facilitate the zoning change that will allow the project to increase the residential density by five (5) additional affordable units.

The residential project is located in an area that is served by existing community facilities, shopping, and dining that will encourage walking opportunities for future residents. This includes the residents ability to walk to surrounding Churches for services, including the Garden Grove United Methodist Church, the First Baptist Church, and Saint Columban; walking to the parks and community facilities, such as the Gem Theater, the Amphitheater, the Garden Grove Regional Library, and City Hall; and walking to the shops and restaurants on Historic Main Street.

Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. Policy 2.1 of the Housing Element encourages the preservation and expansion of the City's supply of affordable rental units, while Policy 2.4 encourages collaborative partnerships to maximize resources available for the provision of housing affordable to lower-income households. Program 4 of the Housing Element also encourages the development of affordable senior housing. The proposed Project will result in the construction of a total of 47 affordable housing units for families and seniors, of which 16 units will be constructed on the subject vacant parcel for senior housing that will fill a housing need in the community. The proposed General Plan Amendment will fulfill the goals of the General Plan Housing Element by providing additional affordable housing units that will serve low and very low-income families and seniors in Garden Grove as well as meet the City's regional housing needs.

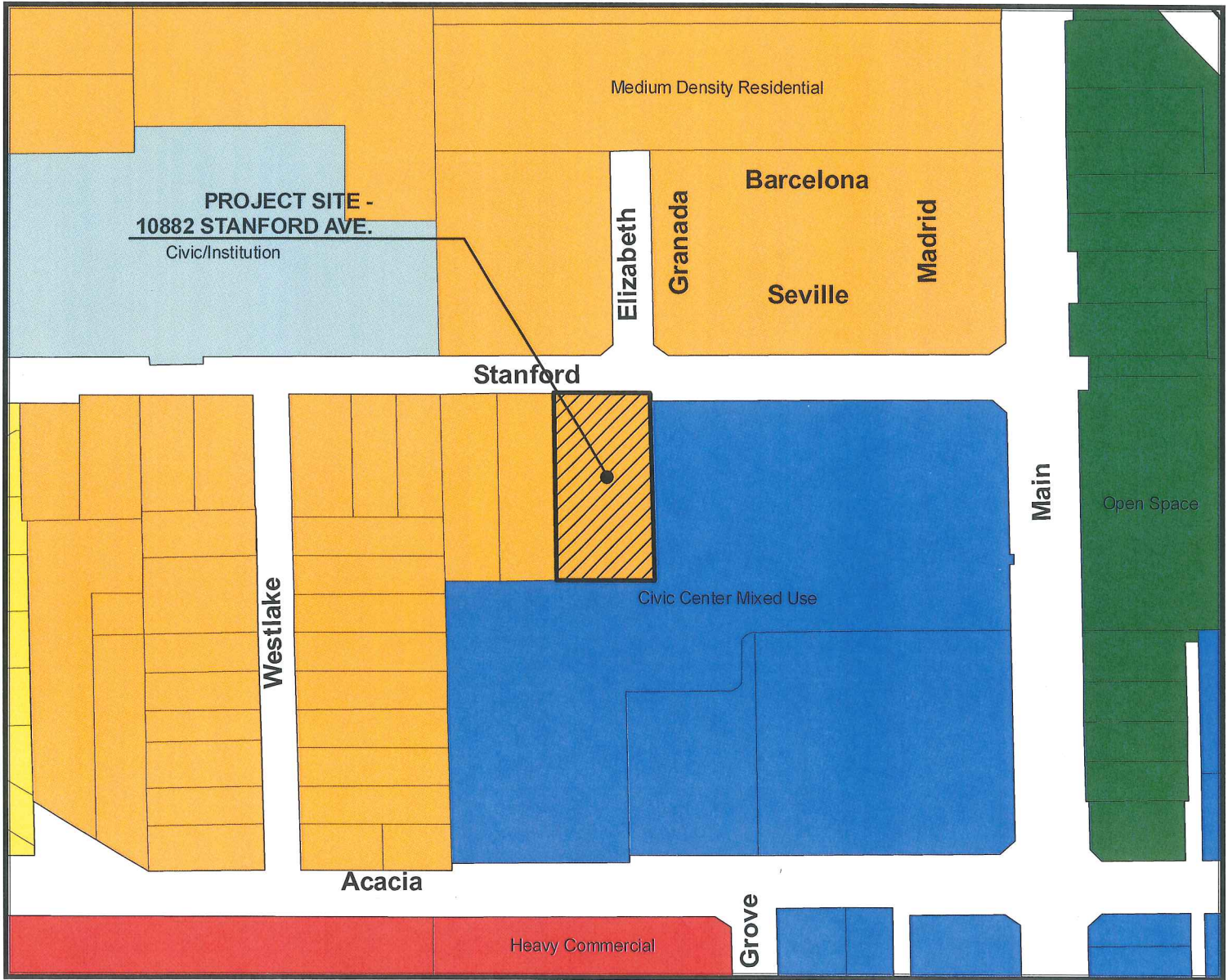
- B. The General Plan Amendment will promote the public interest, health, safety, and welfare by changing the land use from Medium Density Residential to Civic Center Mixed Use, which allows for a mix of civic, institutional, commercial, higher density residential, and open space uses. The proposed affordable residential apartment development will form part of an integrated mixed use project with the existing Garden Grove United Methodist Church and associated facilities, the Church-operated pre-school and the Head Start pre-school program, which is consistent with goals of the General Plan, and will provide additional affordable housing opportunities for low-income families and seniors within the city.
- C. The parcel for which an amendment of the General Plan land use map is sought is physically suitable for the proposed land use designation of Civic Center Mixed Use. The entire Project site consists of two (2) parcels with a total net Project area of 5.2 acres. The site is served and accessible by three streets having curb, gutters, and sidewalks. The surrounding uses include single-family homes to the west, senior apartments to the southeast, and multi-family apartments and residential condominiums to the north. The proposed residential development on the subject vacant parcel is consistent with the surrounding residential uses, and consistent

with the land use designation of the adjacent larger parcel. Pursuant to Lot Line Adjustment No. LLA-006-2014, the vacant parcel will have a net lot area of .51 acres. The Civic Center Mixed Use designation allows a density of 42 units per acre, and the proposed project will provide a density of 31.5 units per acre as only 16 of the total 47 affordable housing units will be constructed on the subject parcel. The 4.7 acre parcel has a General Plan Land Use designation of Civic Center Mixed Use, and the proposed General Plan Amendment will allow the vacant parcel to form part of the overall mixed use project site, and allow for an increase to the residential density to facilitate the proposed number of affordable housing units.


3. The facts and reasons stated in Planning Commission Resolution No. 5835-14 recommending approval of GPA-001-2014, a copy of which is on file in the office of the City Clerk, is incorporated herein by reference with the same force and effect as if set forth in full herein.
4. General Plan Amendment No. GPA-001-2014 is hereby approved.
5. The land use designation of the property shown on the attached map is changed from Medium Density Residential to Civic Center Mixed Use. The General Plan map is amended accordingly.



GENERAL PLAN AMENDMENT NO. GPA-001-2014



LEGEND

 PROJECT SITE - 10882 STANFORD AVENUE



NOTES

1. GENERAL PLAN:
FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO
CIVIC CENTER MIXED USE (CCMU)

CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
DECEMBER 2014

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING ZONE CHANGE AMENDMENT NO. A-012-2014, CHANGING THE ZONING DESIGNATION OF A RESIDENTIAL PARCEL LOCATED AT 10882 STANFORD AVENUE, ASSESSOR'S PARCEL NO. 089-202-28, FROM CCSP-CCR20 (COMMUNITY CENTER SPECIFIC PLAN-COMMUNITY CENTER RESIDENTIAL AREA 20) TO CC-3 (CIVIC CENTER-CORE)

City Attorney Summary

This Ordinance approves a zone change and corresponding amendment to the City's Zone Map with respect to an approximately .61-acre vacant parcel located on the south side of Stanford Avenue, west of Main Street, at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28, to change the zoning designation from CCSP-CCR20 (Community Center Specific Plan – Community Center Residential Area 20) to CC-3 (Civic Center-Core), in order to facilitate the development of 47 affordable housing units, including 16 units on the subject parcel, as part of an integrated mixed use project in conjunction with the Garden Grove United Methodist Church property located at 12741 Main Street, Assessor's Parcel No. 089-202-54.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City of Garden Grove has received an application from Jamboree Housing Corporation for approval of a Zone Change for a .61 acre vacant parcel of land located on the south side of Stanford Avenue, east of Main Street, at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28, from CCSP-CCR20 (Community Center Specific Plan-Community Center Residential Area 20) to CC-3 (Civic Center-Core), in order to facilitate the development of a combined 5.2 acre site consisting of the subject site and the adjacent property, located at 12741 Main Street, Assessor's Parcel No. 089-202-54, with an integrated mixed use project consisting of the existing Garden Grove United Methodist Church and Church-operated pre-school, two new three-story buildings containing 47 affordable residential apartment units, a new 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building (the "Project");

WHEREAS, Zone Change Amendment No. A-012-2014 is being processed in conjunction with General Plan Amendment No. GPA-001-2014, to change the land use designation of the .61-acre vacant parcel within the project site from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU); Site Plan No. SP-014-2014 to allow the construction of two, three-story apartment buildings with 47 affordable residential apartment units, a 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building on the vacant and Church parcel; Conditional Use Permit

No. CUP-023-2014 to allow the Church, the Church-operated pre-school, and the Head Start program to continue to operate; Lot Line Adjustment No. LLA-006-2014 to adjust the southern interior property line of the vacant parcel; Variance No. V-008-2014 to allow a reduction to the required parking for the Church, pre-schools, and the proposed retail commercial tenant space; and, Development Agreement No. DA-001-2014;

WHEREAS, pursuant to Resolution No. 5835-14, the Planning Commission, following a Public Hearing held on December 4, 2014, recommended adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program and approval of General Plan Amendment No. GPA-001-2014 and Zone Change Amendment No. A-012-2014;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on January 13, 2015, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council approved Resolution No. _____ during its meeting on January 13, 2015, adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project pursuant to the California Environmental Quality Act, California Public Resources Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.;

WHEREAS, the City Council approved Resolution No. _____ during its meeting on January 13, 2015, approving General Plan Amendment No. GPA-001-2014, to change the General Plan Land Use designation of the subject parcel from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU); and

WHEREAS, the City Council hereby makes the following findings regarding Zone Change Amendment No. A-012-2014:

- A. The proposed Zone Change Amendment is consistent with the General Plan.

The proposed Zone Change Amendment would change the zoning of the subject parcel from CCSP-CCR20 (Community Center Specific Plan-Community Center Residential Area 20) to CC-3 (Civic Center-Core). The CC-3 zoning designation implements the Civic Center Mixed Use (CCMU) General Plan Land Use designation. The City Council approved Resolution No. _____ during its meeting on January 13, 2015, approving General Plan Amendment No. GPA-001-2014, to change the General Plan Land Use designation of the subject parcel from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU). Accordingly, the proposed new zoning designation is consistent with the new General Plan Land Use designation.

Following approval of the proposed Zone Change Amendment, the subject vacant parcel will have the same CC-3 zoning designation as the adjacent 4.7 acre parcel. This will allow the vacant parcel to be developed with 16 of the proposed 47 affordable units, and with an increased density, as well as allow the parcel to form part of the overall mixed use project.

In addition, the proposed Civic Center-Core (CC-3) zoning will implement the proposed General Plan Land Use designation of Civic Center Mixed Use that is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. General Plan Land Use Policy LU-1.2 encourages the development of modern residences in the mixed use areas, while Policy LU-1.5 encourages mixed used projects that incorporate: a pleasant walking environment to encourage pedestrian activity; integration with the surrounding uses to become a part of the neighborhood rather than an isolated project; and to provide convenient shopping opportunities for residents. The proposed project will be a high quality affordable housing development that is conveniently located to community facilities and commercial uses that will promote increased walkability for the future residents.

The proposed rezone will allow an increase to the number of units that can be constructed on the vacant parcel. The proposed CC-3 zoning allows up to 42 units per acre. Based on the proposed .51 acre lot size, a total of 21 units can potentially be built on this parcel; however, the project only proposes to building 16 units on this parcel, which is less than allowed by the zoning code. Under the current CCSP-CCR zone, the vacant parcel would only be allowed up to 11 units; however, because the parcel will be part of a mixed use project, the proposed new zoning designation will allow for a higher density. The proposed increase to the density is consistent with the CC-3 zone, and the Civic Center Mixed Use that is intended to provide for higher density residential developments.

Furthermore, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well to provide housing that encourages people of all economic levels to live in Garden Grove. The proposed rezone will allow the construction of 16 of the proposed 47 affordable apartment units on the parcel that will be designated for seniors. The proposed zone change will fulfill the goals of the General Plan Housing Element by providing additional affordable housing units in Garden Grove that will allow the City to meet its regional housing needs.

- B. The proposed zone change will ensure a degree of compatibility with surrounding properties and uses.

The subject parcel is located in the city's downtown area that is developed with single-family homes, multi-family apartments, and residential

condominiums, community facilities, and retail uses. By rezoning the vacant parcel, the parcel will form part of an integrated mixed use project consisting of the Garden Grove United Methodist Church and associated facilities, the Church-operated pre-school, Head Start pre-school, and the proposed 47 unit affordable housing development. The zone change will allow the vacant parcel to be developed with 16 affordable housing units that will be designated for seniors. The property abuts multi-family apartments to the southeast, single-family homes to the west, multi-family apartments and residential condominiums to the north, City-owned community facilities to the east, and retail uses to the south. The proposed zone change and the proposed residential project will be compatible with the surrounding uses located in the immediate area.

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

The parcel for which an amendment of the General Plan land use map is sought is physically suitable for the proposed zoning designation of CC-3 (Civic Center-Core). The entire Project site consists of two (2) parcels with a total net Project area of 5.2 acres. The site is served and accessible by three streets having curb, gutters, and sidewalks. The surrounding uses include single-family homes to the west, senior apartments to the southeast, and multi-family apartments and residential condominiums to the north. The proposed residential development on the subject vacant parcel is consistent with the surrounding residential uses, and consistent with the zoning designation of the adjacent larger parcel. Pursuant to Lot Line Adjustment No. LLA-006-2014, the vacant parcel will have a net lot area of .51 acres. 16 of the total 47 affordable apartment units are proposed to be constructed on the subject parcel, resulting in a density of 31.5 units per acre, which is less than the density of 42 units per acre permitted under the new General Plan Land Use designation and zoning designation. The 4.7 acre parcel has a General Plan Land Use designation of Civic Center Mixed Use, and the proposed General Plan Amendment will allow the vacant parcel to form part of the overall mixed use project site, and allow for an increase to the residential density to facilitate the proposed number of affordable housing units.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the foregoing recitals are true and correct.

Section 2. City Council Resolution No. ____ adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project is incorporated by reference as if set forth fully herein.

Section 3. Amendment No. A-012-2014 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5835-14, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

Section 4. The property shown on the map attached hereto is rezoned Civic Center-Core (CC-3) as shown thereon. Zone Map part O-12 is amended accordingly.

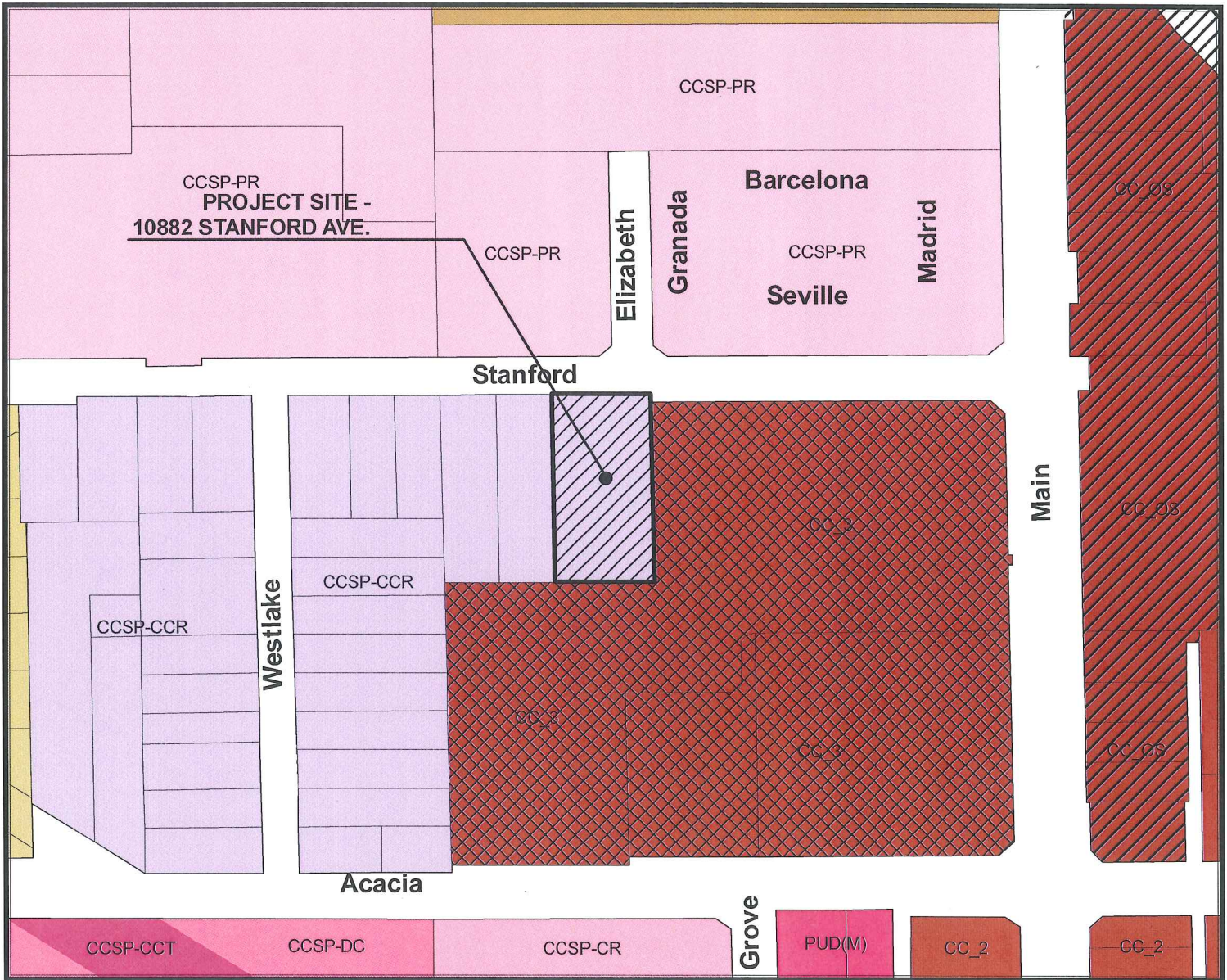
Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words, or portions thereof be declared invalid or unconstitutional.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.



GARDEN GROVE

AMENDMENT NO. A-012-2014



LEGEND

 PROJECT SITE - 10882 STANFORD AVENUE



NOTES

1. ZONE:
FROM CCSP-CCR20 (COMMUNITY
COMMERCIAL SPECIFIC PLAN-COMMUNITY
CENTER RESIDENTIAL AREA 20) TO CC-3 (CIVIC
CENTER-CORE).

2. ZONE MAP O-12

**CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
DECEMBER 2014**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING DEVELOPMENT AGREEMENT NO. DA-001-2014 BY AND BETWEEN THE CITY OF GARDEN GROVE AND JAMBOREE HOUSING CORPORATION

City Attorney Summary

This Ordinance approves a Development Agreement by and between the City of Garden Grove and Jamboree Housing Corporation, the developer of a 47-unit affordable housing development for low to very-low income seniors and families on a 5.2 acres site, constructed as part of a mixed used development with the Garden Grove United Methodist Church, for parcels located on the west side of Main Street, north of Acacia Parkway, south of Stanford Avenue, at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28. The agreement provides that the developer will be entitled to build the project in accordance with the land use entitlements approved pursuant to Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014 for a period of four years. The agreement further provides for a development agreement payment to the City of Garden Grove in an amount not to exceed \$90,052.00.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City of Garden Grove has received an application from Jamboree Housing Corporation for Development Agreement No. DA-001-2014 for the construction of an integrated mixed use project consisting of the existing Garden Grove United Methodist Church and Church-operated pre-school, two new three-story buildings containing 47 affordable residential apartment units for low to very-low income seniors and families, a new 2,975 square foot leasing/retail commercial space, and a new, one-story, 3,485 square foot building to replace an existing Head Start pre-school building, on that certain real property located on the west side of Main Street, north of Acacia Parkway, south of Stanford Avenue, at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28 (the "Project");

WHEREAS, Development Agreement No. DA-001-2014 is being processed in conjunction with General Plan Amendment No. GPA-001-2014, Zone Change Amendment No. A-012-2014, Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014;

WHEREAS, pursuant to Resolution No. 5835-14, the Planning Commission, following a duly noticed Public Hearing held on December 4, 2014, recommended

adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project and approval of General Plan Amendment No. GPA-001-2014 and Zone Change Amendment No. A-012-2014;

WHEREAS, pursuant to Resolution No. 5836-14, the Planning Commission, following a duly noticed Public Hearing held on December 4, 2014, approved Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014, and recommended approval of Development Agreement No. DA-001-2014, subject to the City Council's approval of General Plan Amendment No. GPA-001-2014 and Zone Change Amendment No. A-012-2014;

WHEREAS, following a duly noticed Public Hearing, the City Council adopted Resolution No. ____ during its meeting on January 13, 2015, adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project pursuant to the California Environmental Quality Act, California Public Resources Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.;

WHEREAS, the portion of the Project site located at 12741 Main Street Assessor's Parcel Nos. 089-202-54, has a General Plan Land Use designation of Civic Center Mixed Use (CCMU) and a zoning designation of CC-3 (Civic Center-Core);

WHEREAS, pursuant to Resolution No. _____, adopted on January 13, 2015, the City Council approved General Plan Amendment No. GPA-001-2014, to change the General Plan Land Use designation of the remaining portion of the Project site located at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28, from Medium Density Residential (MDR) to Civic Center Mixed Use (CCMU);

WHEREAS, pursuant to Ordinance No. ___, introduced on January 13, 2015 and adopted on _____, 2015, the City Council approved Zone Change Amendment No. A-012-2014, to change the zoning designation of the remaining portion of the Project site located at 10882 Stanford Avenue, Assessor's Parcel No. 089-202-28, from CCSP-CCR20 (Community Center Specific Plan-Community Center Residential Area 20) to CC-3 (Civic Center-Core);

WHEREAS, Development Agreement No. DA-001-2014 is consistent with the General Plan land designation of Civic Center Mixed Use and zoning designation of CC-3 (Civic Center-Core), including the goals and policies of the Garden Grove General Plan; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on January 13, 2015, and all interested persons were given an opportunity to be heard.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The City Council finds that the above recitations are true and correct.

Section 2. Environmental Review. City Council Resolution No. _____ adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project is incorporated by reference as if set forth fully herein.

Section 3. Approval. Development Agreement No. DA-001-2014 is hereby approved for properties located on the west side of Main Street, north of Acacia Parkway, south of Stanford Avenue, at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28. A copy of Development Agreement No. DA-001-2014 is attached to this Ordinance and is on file in the City Clerk's Office.

Section 4. Recording. Pursuant to California Government Code Section 65868.5, the City Clerk shall record a copy of the Development Agreement with the Orange County Recorder within 10 days after the Development Agreement is executed.

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words, or portions thereof be declared invalid or unconstitutional.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

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-001-2014

SP-014-2014, V-008-2014, and LLA-006-2014

(Jamboree Housing Corporation)

THIS AGREEMENT is made this _____ day of _____, 20__, by the CITY OF GARDEN GROVE, a municipal corporation ("CITY"), and Jamboree Housing Corporation (DEVELOPER).

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 47-unit affordable housing residential apartment development for low to very low-income families and seniors on a 2.5 acre portion of the Garden Grove United Methodist Church site that comprises two (2) parcels with a total net lot area of 5.2 acres with related improvements (the "PROJECT") on that certain real property located on the west side of Main Street, north of Acacia Parkway, south of Stanford Avenue, at 12741 Main Street and 10882 Stanford Avenue, Assessor's Parcel Nos. 089-202-54 and 089-202-28, respectively.

- B. The Planning Commission approved Site Plan No. SP-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014, for the PROJECT, on December 4, 2014, subject to this Development Agreement.
- 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 developer having a legal and equitable interest in real property.
- F. DEVELOPER has an equitable interest in the PROPERTY.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. DURATION. This Agreement and Land Use Entitlements described in Section 2 shall expire four (4) years from its effective date, 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. This renewal shall not unreasonably be withheld. The effective date of this agreement shall begin on the date first identified above.
2. Permitted Uses/Land Use Entitlements. The following uses are permitted on the PROPERTY: The proposed development is a mixed use project in conjunction with the existing improvements at the Garden Grove United Methodist Church site. The total site is 5.2 acres comprising two (2) parcels: a vacant lot with a net lot size of .51 acres, and a 4.7 acre parcel improved with the Garden Grove United Methodist Church and associated facilities. The proposed project includes the construction of 47 affordable housing residential units for low to very low-income families and seniors. The project includes the construction of two (2), three-story buildings, and a 3,485 square foot single-story pre-school building.

Building A will consist of 31, one, two, and three-bedroom, units that range in size from 755 square feet to 1,211 square feet. Building A includes a 917 square foot club house with an adjoining 600 square foot courtyard; a 917 square foot exercise room; a 2,975 square foot retail commercial tenant space; a 4,765 square foot roof terrace; and an enclosed ground-level parking garage.

Building B will consist of 16, one and two-bedroom, units that range in size from 752 square feet and 1,065 square feet. Building B includes a 647 square foot club house, a 647 square foot fitness room, a 1,623 square foot roof top terrace, and ten (10) enclosed single-car garages. A single-story, 3,485 square foot building will be constructed to replace the existing Head Start pre-school program building. The PROJECT has been granted three waivers from the CC-3 zone development standards - 1) to reconfigure the active recreation area by deviating from the required minimum 20-foot width dimension; 2) to allow 14 of the residential units to have a private patio area of less than 90 square feet; and 3) to allow the project to deviate from the required .50 commercial Floor Area Ratio (FAR) by providing a .21 FAR for the commercial component. The following land use entitlement has been granted: Site Plan No. SP-014-2014, Variance No. V-008-2014 and Lot Line Adjustment No. LLA-006-2014. The Development is subject to the development standards of the City's Civic Center-Core (CC-3) zone.

3. Density/Intensity. The density or intensity of the PROJECT is as follows: the multiple-family residential project consisting of 47 affordable housing units for low and very low-income families and seniors will be constructed on a 2.5-acre portion of the Garden Grove United Methodist Church site with related improvements on a total site area of 5.2 acres.
4. Maximum Height and Building Size. The maximum height and building sizes are as follows: Building A shall be three stories with an overall height not to exceed 42 feet with a total building area of 60,810 square feet; Building B shall be three stories with an overall height not to exceed 41 feet with a total building area of 23,365 square feet; and a one-story, pre-school building with an overall height not to exceed 16'-6" with a total building area of 3,485 square feet, as indicated on the site 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-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014.
6. Improvements. The improvements described in Planning Commission Resolution No. 5836-14 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-014-2014, Variance No. V-008-2014, and Lot Line Adjustment No. LLA-006-2014.
7. Scope of PROJECT. The PROJECT shall consist of a 47-unit affordable housing development for low to very low-income families and seniors. The project consists of two, three story buildings: Building A will consist of 31-units that range in size from 755 square feet to 1,211 square feet with a 917 square foot club house, a 917 square foot fitness room, and a 2,975 square foot

retail/commercial tenant space; and Building B will consist of 16 units that range in size from 752 square feet to 1,065 square feet, a 647 square foot club house, and a 647 square foot exercise room. Also included, is a new single-story, 3,485 square foot building for the Head Start pre-school program, and other related site improvements to facilitate the proposed development.

8. Resolution/Material Terms. All Conditions of Approval as per Resolution No. 5836-14 attached hereto and incorporated herein as "Exhibit A," are material terms of this 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 Agreement shall not exceed \$90,052.00.
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 \$90,052.00 shall be due and payable prior to the issuance of building permits for the Project, or the City Manager or designee may allow re-payment over time.
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 shall review DEVELOPER'S performance every twelve (12) months at the anniversary of the adoption of this Agreement. DEVELOPER shall demonstrate good faith compliance with the terms of this Agreement. If as a result of the review CITY 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.

This review shall be conducted by the Director of the Community Development Department.

14. City Discretion. So long as the 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 on or before of the Commencement Date and that this 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 in Planning Commission Resolution No. 5836-14 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:
Jamboree Housing Corporation
17701 Cowan Suite 200
Irvine, CA 92614

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. 5836-14, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, 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 the Agreement by DEVELOPER, DEVELOPER'S agents, officers or employees, 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.
26. Recordation. The City Clerk shall cause this Agreement to be recorded against the PROPERTY when DEVELOPER or its permitted successor in interest becomes the owner in fee of the PROPERTY.
27. Remedies. The occurrence of any Event of Default 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.

ACKNOWLEDGMENT

State of California
County of Orange)

On December 10, 2014 before me, Belinda Lee, Notary Public
(insert name and title of the officer)

personally appeared Marcy V. Finamore,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

