

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To:	Matthew Fertal	From:	Susan Emery
Dept:	City Manager	Dept:	Community Development
Subject:	CONSIDERATION OF REVISED PLANNED UNIT DEVELOPMENT NO. PUD-110-06-REVISED '08, IN-TOWN COMMUNITIES, LLC (OLSON URBAN HOUSING, LLC)		
		Date:	January 27, 2009

OBJECTIVE

To transmit a Planning Commission recommendation for approval for a modification to approved plans in order to reduce the total number of dwelling units approved under PUD-110-06 from 159 dwelling units to 118 dwelling units, a reduction of 41 dwelling units, PUD-110-06 Revised '08. The proposed modification will have 62 townhome units that are three-story with attached two-car garages, and will retain the two residential podium buildings with 56 dwelling units at the entrance to the development.

BACKGROUND

The site consists of 3.8 acres of land area, and is located on the east side of Palm Street, mid-way between Harbor Boulevard and Garden Grove Boulevard. The Developer has constructed their first phase, which is a podium building located at the entrance to the site. In addition, the Developer has constructed drive aisles within the project, providing resident and guest parking spaces, and perimeter block walls, along with landscaping toward the front portion of the site.

The site has a General Plan Land Use designation of Medium-High Residential and is now zoned PUD (Residential Planned Unit Development-PUD-110-06). The Developer originally received approval by the Planning Commission (January 5, 2006) and by City Council (February 28, 2006) to proceed with the proposed project in order to construct 159 condominium units above an at-grade parking structure on a 3.8-acre site.

At their December 4, 2008 public hearing, the Planning Commission recommended for the City Council to approve the Residential Planned Unit Development Revision. During the public testimony portion of the hearing, a few persons spoke in regard to the project. Of the persons who spoke, one was a neighbor to the east of the site and expressed concern about visibility into their backyard; however, staff pointed out that the building height and basic window placement was not significantly different from the originally approved development that had similar height and window placement. The other individuals who spoke are residents of the completed podium building and expressed concerns about parking, construction defects, and customer service issues they were experiencing with the development company.

## DISCUSSION

### **Planned Unit Development:**

The original project design consisted of 159 residential condominium units, but the revision is to reduce the total number of condominium units to 118. The revised site design will retain two podium buildings at the project's entrance, one is built, and the other is expected to begin construction soon. The second part of this proposal has eight townhome buildings; seven buildings housing eight dwelling units, and one building housing six dwelling units with the accessory facilities for the active recreation area attached to this building. The second podium building will mirror the existing podium building, which has, as the first level, its own designated parking spaces in an at-grade parking structure/garage for those units immediately above.

The remaining area of the site will be improved with eight townhome style buildings with each unit having its own attached garage, some units will have side-by-side garage parking, and the rest of the townhome units will have tandem garage parking spaces. All of the townhome units will be three-story with living areas typically on the second and third floors; however, Plan Three will have a bedroom/den option and bath on the ground level.

The site design maintains the drive aisle layout as originally approved, and maintains passive open space areas situated between buildings. At the rear of the site will be both active and passive recreation with landscaping and a swimming pool. The podium building design will retain its design to have an interior courtyard enhanced with landscape planters and sitting areas. The courtyards will serve as the main access to podium building units via walkways and elevators. The townhome units will be served by the passive walkways between the buildings serving as the main access to these units' front entrances, although one end unit of each building may be accessed from the side yard adjacent to the walkways.

The site will maintain its access from Palm Street and is fully improved. The main access drive serves the entire site by having access to both the guest parking and designated residence parking. The designated resident parking is also accessed from this main drive aisle by driveways serving the at-grade parking structures for the podium buildings and the townhome units. Each podium parking structure has a majority of the spaces designed as two-car tandem spaces. The developer has also maintained this design with the townhome units by providing tandem garages, although several units have side-by-side parking garages. With the changes to the site, the revised layout provides a parking ratio of 2.38 spaces per unit. The applied parking ratio was generated based on the original underlying zoning classification of the Harbor Corridor Specific Plan for residential development that calls for a minimum of 2.25 spaces per unit.

The existing podium building and the new podium-building exterior are of a contemporary design using a stucco finish and building offsets to accent the exterior appearances. Although the primary roofs are flat, portions of the building elevations use metal seam roof accents over patios, and at building offsets, for further enhanced architectural treatment. The first level parking structure will use a combined stucco treatment and decorative block. The exterior windows are trimmed with accents and the balconies are enhanced with metal louver railings.

The townhome style buildings will emulate the building design and material application of the podium buildings in order to maintain continuity in appearance by again using stucco material siding, accent trims around windows, and columns to add interest in the buildings' elevations. The townhomes will also incorporate flat roofs to match the podium building design.

The podium-building plan has five different floor plans. Sixteen (16) units are one bedroom and one bathroom consisting of 884 square feet of floor area. Sixteen (16) units are two bedrooms and two baths with varying floor areas of 1,015 square feet, and 1,084 square feet. The remaining 24 units are a townhome style having two floor plans both with two bedrooms and two-and-half bathrooms with floor areas of 1,302 square feet and 1,540 square feet. Within each unit is a kitchen, a dining area, living room areas, and a laundry facility.

The townhome design has three floor plans. Plan One is two bedrooms and two-and-half baths with 1,264 to 1,330 square feet of floor area; Plan Two is three bedrooms and three baths with 1,495 to 1,530 square feet of floor area; and Plan Three is four bedrooms and four baths with 1,774 square feet of floor area.

The initial approval included a Tentative Tract Map (TT-16856) for this project. The purpose of the map is to create the residential subdivision in order to sell each unit as a condominium. The Tentative Map has been re-reviewed and staff finds that the Tentative Tract Map remains in compliance with the City's Code Section: Subdivisions.

#### FINANCIAL IMPACTS

None.

#### COMMUNITY VISION AND IMPLEMENTATION

The Community Vision Statement seeks to provide more housing opportunities in the community and address concerns about recreation and open space areas. This proposed project achieves these goals by providing more housing units in the area and by providing on-site recreation and open space amenities for those residing in this development.

RECOMMENDATION

The Planning Commission recommends that the City Council:

- Introduce the attached ordinance regarding Planned Unit Development No. PUD-110-06-Revised '08.

  
SUSAN EMERY  
Community Development Director

  
By: Karl Hill  
Planning Services Manager

- Attachment 1: Planning Commission Staff Report dated December 4, 2008  
Attachment 2: Planning Commission Resolution No. 5663 with Exhibit "A"  
Conditions of Approval  
Attachment 3: Planning Commission Minute Excerpt of December 4, 2008  
Attachment 4: Draft City Council Ordinance for Planned Unit Development

**Approved for Agenda Listing**

  
**Matthew Fertal**  
City Manager

# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.2	<b>SITE LOCATION:</b> East side of Palm Street, between Harbor Boulevard and Garden Grove Boulevard, at 12852 Palm Street
<b>HEARING DATE:</b> December 4, 2008	<b>GENERAL PLAN:</b> Medium-High Residential
<b>CASE NO.:</b> Revised Planned Unit Development No. PUD-110-06-Revised '08	<b>ZONE:</b> PUD (Residential Planned Unit Development-PUD-110-06)
<b>APPLICANT:</b> In-Town Communities, LLC (Olson Urban Housing, LLC)	<b>APN No.:</b> 231-561-12, & 13
<b>PROPERTY OWNER:</b> Same.	<b>CEQA DETERMINATION:</b> Recognize previously adopted Negative Declaration

## **REQUEST:**

The applicant is requesting a modification to approved plans in order to reduce the total number of units approved under PUD-110-06 from 159 dwelling units to 118 dwelling units, a reduction of 41 dwelling units, PUD-110-06 Revised '08. The proposed modification will have 62 townhome units that are three-story with attached two-car garages, and will retain the two residential podium buildings with 56 dwelling units at the entrance to the development. The overall layout will have guest parking, active and passive recreation areas, and perimeter landscaping in the same configuration as originally approved.

<b><u>PROJECT STATISTICS:</u></b>	<u>Provided</u>	<u>Code</u>
<u>Lot Size:</u>	3.8 acres	3 acres
<u>Building Coverage:</u>	76,172 SF (47%)	N/A
<u>Density:</u>	31.3 units/acre	42 units/acre maximum
<u>Parking:</u> Total	282 spaces	265 spaces
<u>Building Height:</u>		
Podium building	Approximately 58 ft.	No limit
Townhome building	Approximately 35 ft.	No limit
<u>Building Setbacks:</u>		
North (side)	10 feet	
East (rear)	11.5 feet	
South (side)	10 feet	
West (front)	15 feet	

Podium Building (two buildings-28 units per building)

<u>Building Type Summary</u>	<u>Number Of Bedrooms/Baths</u>	<u>Unit Size</u>	<u>Total</u>
Plan One	1 Bed, 1 Bath	884 SF	16
Plan Two	2 Bed, 2 Bath	1,015 SF	8
Plan Three	2 Bed, 2 Bath	1,084 SF	8
Plan Four (Townhome A)	2 Bed, 2.5 Bath	1,302 SF	16
Plan Five (Townhome B)	2 Bed, 2.5 Bath	1,540 SF	<u>8</u>
Total			56

Townhome Buildings (8 buildings)

<u>Building Type Summary</u>	<u>Number Of Bedrooms/Baths</u>	<u>Unit Size</u>	<u>Total</u>
Plan One	2 Bed, 2.5 Bath	1,264 to 1,330 SF	30
Plan Two	3 Bed, 3 Bath	1,495 to 1,530 SF	16
Plan Three	4 Bed, 4 Bath	1,774 SF	<u>16</u>
Total			62

**BACKGROUND:**

The site consists of 3.8 acres of land area, and is located on the east side of Palm Street, mid-way between Harbor Boulevard and Garden Grove Boulevard. The site is bounded by a one-story and three-story motel complex and single-family residences to the north, single-family residential to the east, Garden Grove Hospital to the south, and to the west across Palm Street, is an office development, and single-family and multi-family residential. The site was improved with office buildings that have now since been removed as part of the project site development. The Developer has constructed their first phase, which is a podium building located at the entrance to the site. In addition, the Developer has constructed drive aisles within the project, provided resident and guest parking spaces, and perimeter block walls along with landscaping toward the front portion of the site.

The site has a General Plan Land Use designation of Medium-High Residential and is now zoned PUD (Residential Planned Unit Development-PUD-110-06). The Developer originally received approval by the Planning Commission (January 5, 2006) and by City Council (February 28, 2006) to proceed with the proposed project, which included changing the General Plan Land Use designation from Mixed Use to Medium-High Residential, rezoning the site to Residential Planned Unit Development; Site Plan approval in order to construct 159 condominium units above an at-grade parking structure on a 3.8 acre site, and Tentative Tract Map approval to create the subdivision to allow the units to be sold as condominiums, and a Development Agreement was also included.

## **DISCUSSION:**

### **Planned Unit Development:**

The Planned Unit Development (PUD-110-06) established the development standards and uses specific to this particular project. As Title 9 does not provide development standards for a new zoning classification under the land use designation of Medium High Residential, the rezoning of the property to PUD was necessary to accommodate the originally proposed 159-condominium unit development. Although the PUD sets the zoning standards for the specific development, which includes parking standards, building setbacks, density, landscaping, and recreation area, the actual site layout becomes an integral part of the PUD zoning. Therefore, as part of this action to receive approval to revise the site design to accommodate the modification to the approved plans, the Residential PUD has to be revised to reflect the proposed changes discussed below under Site Plan.

If the Planning Commission recommends approval of the request, the matter will be forwarded to the City Council for their consideration and final action.

### **Site Design:**

The original project design consisted of 159 residential condominium units, but the revision is to reduce the total number of condominium units to 118, a decrease of 41 dwelling units. The revised site design will retain two podium buildings at the project's entrance, one is built, and the other is expected to begin construction soon. The second part of this proposal has eight townhome buildings with seven buildings housing eight dwelling units, and one building housing six dwelling units with the accessory facilities for the active recreation area attached to this building. The second podium building will mirror the existing podium building, which has, as the first level, its own designated parking spaces in an at-grade parking structure/garage for those units immediately above.

The remaining area of the site will be improved with eight townhome style buildings with each unit having its own attached garage, some units will have side by side garage parking and the rest of the townhome units will have tandem garage parking spaces. All of the townhome units will be three-story with living areas typically on the second and third floors; however, Plan Three will have a bedroom/den option and bath on the ground level.

The site design maintains the drive aisle layout as originally approved, and maintains passive open space areas situated between buildings. The passive areas will include pathways, and seating areas and fountains in addition to landscape treatment. At the

rear of the site, will be both active and passive recreation and having landscaping, seating areas, and a swimming pool. The podium building design will retain its design to have an interior courtyard enhanced with landscape planters and sitting areas. The courtyards will serve as the main access to podium building units via walkways and elevators. The townhome units will be served by the passive walkways between the buildings serving as the main access to these units' front entrances, although one end unit of each building may be accessed from the side yard adjacent to the walkways.

Circulation:

The site has one point of access, which is from Palm Street, and currently fully improved. The main access drive serves the entire site by having access to both the guest parking and designated residence parking. The guest parking is provided on both sides of the main drive aisle from the site's entrance to the rear of the site. The designated resident parking is also accessed from this main drive aisle by driveways serving the at-grade parking structures for the podium buildings and the townhome units. Each podium parking structure has a majority of the spaces designed as two-car tandem spaces. The Developer has sought this parking design in an effort to maximize parking efficiency for this type of residential development. The developer has also maintained this design with the townhome units by providing tandem garages, although several units have side by side parking garages. With the changes to the site, the revised layout provides a parking ratio of 2.38 spaces per unit. The applied parking ratio was generated based on the original underlying zoning classification of the Harbor Corridor Specific Plan for residential development that calls for a minimum of 2.25 spaces per unit.

The parking layout, having a majority of the tenant spaces as tandem parking, is to accommodate a higher density for this property, and is supported by staff in that achieving higher density is compatible with the International West concept for the Harbor Corridor.

The site's only point of egress and ingress from Palm Street poses an access concern in the event of an emergency. The Developer originally received a reciprocal access agreement with the adjoining southerly property owner, Garden Grove Hospital, and secured the easement across this property to be used for emergency purposes only. Although the subject location for this access/easement is in place, it will be modified, if necessary, accordingly with this revised site design. The current location of the easement is on the subject site's south-side, toward the rear of the property. The revised project will be conditioned to modify this access accordingly with the adjoining property owner.

Building Architecture:

The existing podium building and the new podium building exterior are of a contemporary design using a stucco finish and building offsets to accent the exterior appearances. Although the primary roofs are flat, portions of the building elevations use metal seam roof accents over patios, and at building offsets, for further enhanced architectural treatment. The first level parking structure will use a combined stucco treatment and decorative block. The exterior windows are trimmed with accents and the balconies are enhanced with metal louver railings. The overall architecture elevations are compatible with neighboring properties, which consist of residential and office uses.

The townhome style buildings will emulate the building design and material application of the podium buildings in order to maintain continuity in appearance by again using stucco material siding, accent trims around windows, and columns to add interest in the buildings' elevations. The townhomes will also incorporate flat roofs to match the podium building design.

The podium building plan has five different floor plans. 16 units are one bedroom and one bathroom consisting of 884 square feet of floor area. 16 units are two bedrooms and two baths with varying floor areas of 1,015 square feet, and 1,084 square feet. The remaining 24 units are a townhome style having two floor plans both with two bedrooms and two and half bathrooms with floor areas of 1,302 square feet and 1,540 square feet. Within each unit is a kitchen, a dining area, living room areas, and a laundry facility.

The townhome design has three floor plans. Plan One is two bedrooms and two and half baths with 1,264 to 1,330 square feet of floor area; Plan Two is three bedrooms and three baths with 1,495 to 1,530 square feet of floor area; and Plan Three is four bedrooms and four baths with 1,774 square feet of floor area. The varying amount of floor area in Plans One and Two is due to the entry location of the particular unit. If the unit is accessed from the side, then it will have the additional square footage, where as if it is accessed off of the pathway between buildings, then it will have less square footage. Within each unit is a kitchen, a dining area, a living room areas, and a laundry facility.

Landscaping:

The site provides a fifteen-foot landscape setback along the front streetscape, and provides a ten-foot landscape along the north, east, and south property lines. Landscaping will also be provided between the buildings not served by an exterior drive aisle, and interior courtyards of each of the podium buildings will have landscape planters. Located at the rear of the site, will be a combination of landscape planters and the recreation/swimming pool area.

Tentative Tract Map:

The initial approval included a Tentative Tract Map (TT-16856) for this project. The purpose of the map is to create the residential subdivision in order to sell each unit as a condominium. The Tentative Map has been re-reviewed and Staff finds that the Tentative Tract Map remains in compliance with the City's Code Section: Subdivisions. At this time, it appears that no modifications are needed of the Map and the Tentative Tract Map original conditions will remain in place to ensure all provisions of Code are complied with.

**RECOMMENDATION:**

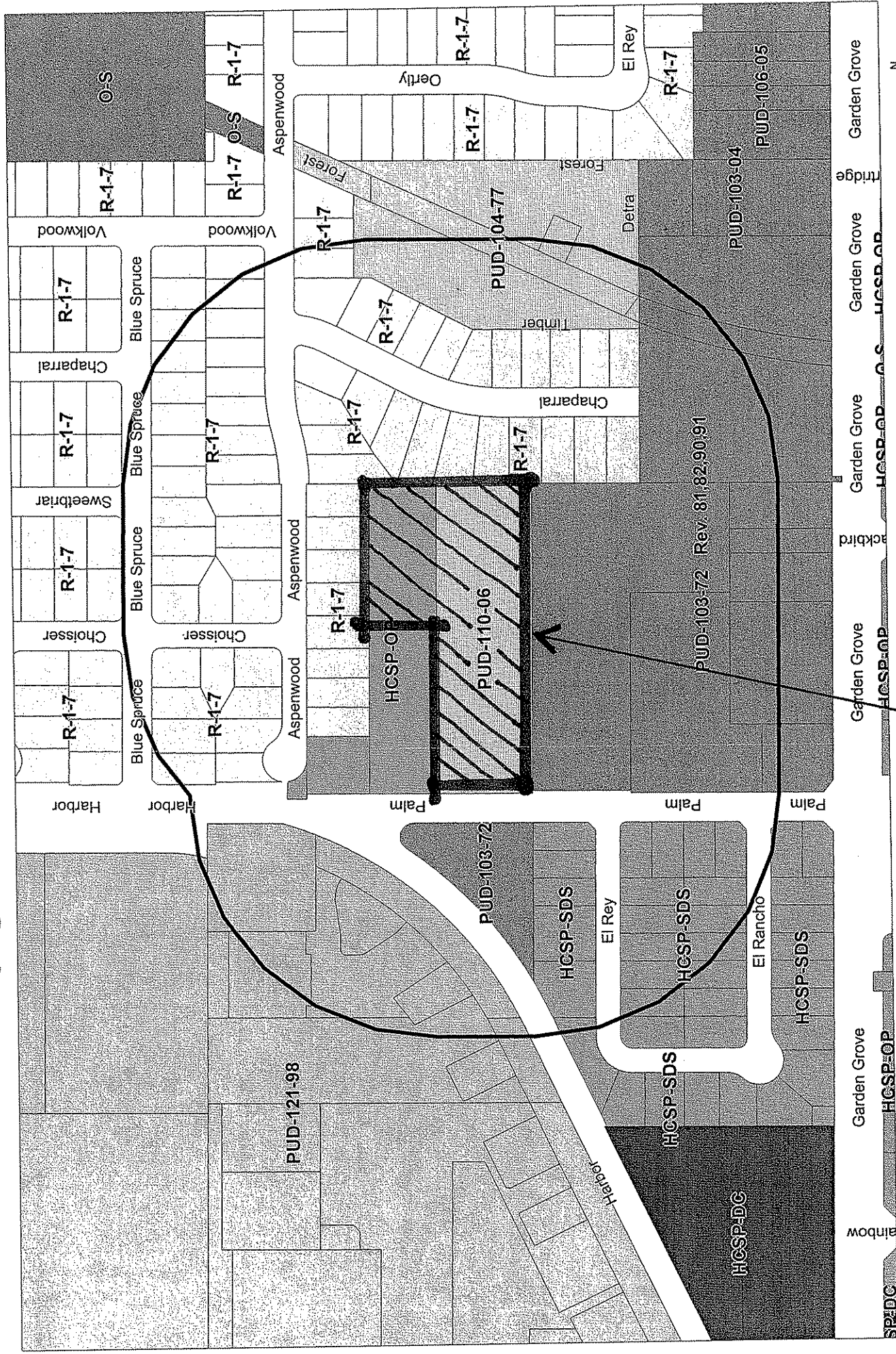
Staff recommends that the Planning Commission take the following action:

- Recommend City Council approve modification to approved plans by approving Revision to Planned Unit Development No. PUD-110-06-Revised '08.

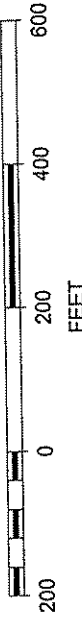
  
SUSAN EMERY  
Community Development Director

  
By: Karl Hill  
Planning Services Manager

# PUD-110-06-Revised '08



SCALE 1:3,211



SUBJECT SITE

# PROJECT SUMMARY:

**TOTAL ACREAGE:**  
118 UNITS  
31.3 UNITS/A/C  
-56 Mid-Podium Units  
-62 Townhome Units

## PARKING PROVIDED:

282 PARKING SPACES  
G.P.S. SPACES / UNIT  
-98 Podium Garage Spaces  
-48 Townhome Garage Spaces  
-60 Open Parking Spaces  
-124 Townhome Garage Spaces  
78 Standard

R-2  
Type VB 3 Story  
NFPA 13  
Min. Fire  
Separation  
Distance  
No Restrictions  
on Openings

## Planned Unit Development Standards:

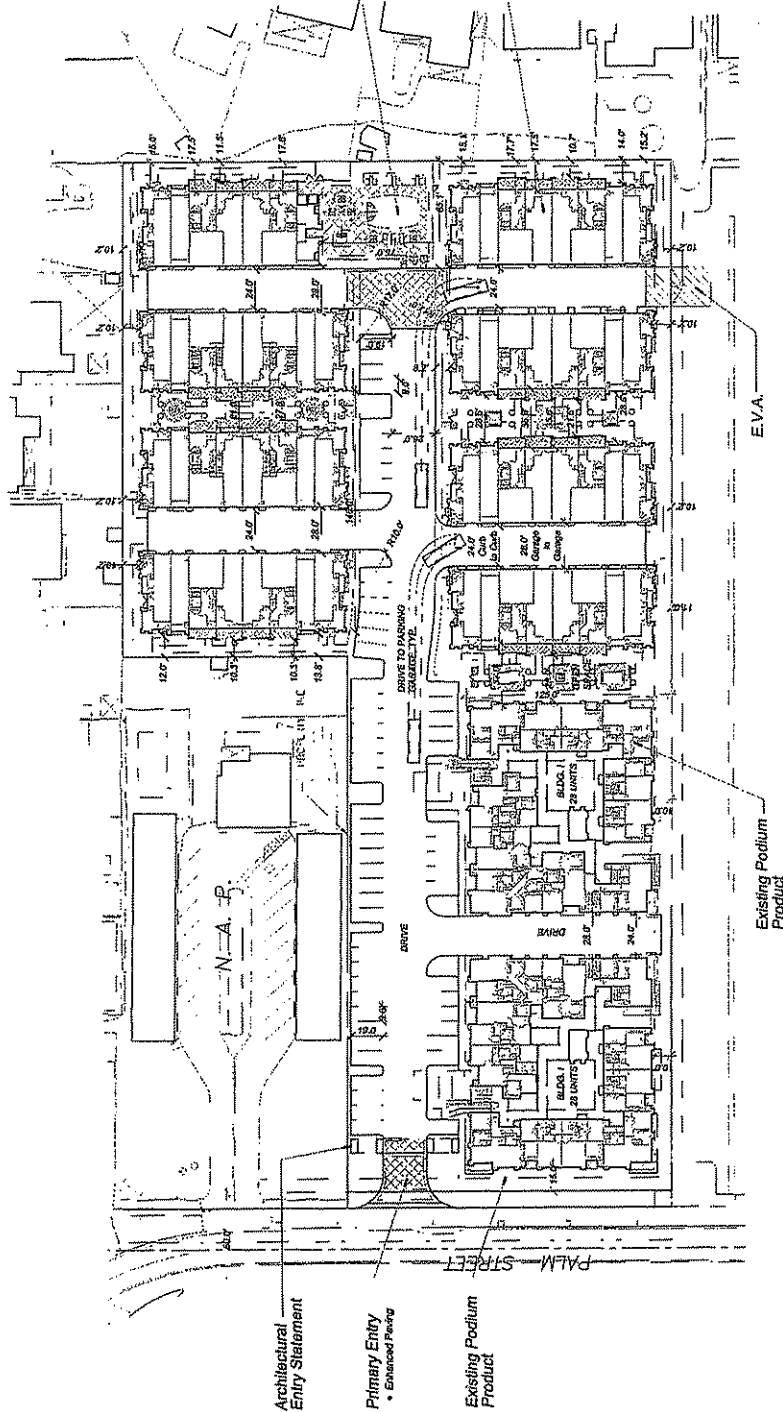
Parcel Subdivisions:	Provided
North P.L.:	10' Min. per CBC (12' Provided)
South P.L.:	10' Min. per CBC (12' Provided)
East P.L.:	10' Min. per CBC (12' Provided)
West P.L.:	10' Min. per CBC (12' Provided)
Building Separations:	
Front to Front:	20' Min. per CBC
Front to Existing Podium Structure:	20'+

Parking:	Provided
Garage:	2 Spaces per unit (Garage and Townhome)
Guest:	18 Spaces per Unit (Overall On-Site)
Open Space:	250 s.f. / Unit min.
Common:	80 s.f. min.
Private:	

Unit Summary	30 Units	16 Units	16 Units
Plan 1:			
1,264 S.F. - 1,439 S.F. ±			
2 Car Tandem Garage			
Plan 2:			
1,495 S.F. - 1,539 S.F. ±			
3 Bedrooms / 3 Bathrooms			
2 Car Tandem Garage			
Plan 3:			
1,774 S.F. ±			
4 Bedrooms			
2 Car Side-By-Side Garage			

## Area Calc's

Podium Product:	29,118 s.f.	11.9%	46.8%
Townhome & Flat Product:	47,934 s.f.	28.2%	
Parking and Paving:	56,613 s.f.	34.8%	
Open Space & Picos:	24,809 s.f.	15.4%	
Recreation Area:	4,800 s.f.	3.0%	
Total:	163,396 s.f.	100%	



Conceptual Site Plan

## Lotus Walk - Phase II

Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION



1/16" = 1'-0" Scale



WILLIAM HEZMALHALCH  
ARCHITECTS INC.  
280 RINGLAKEN AVENUE SUITE 200 SANTA ANA, CA 92701-5501  
949 250 0807 www.hezmalhalch.com fax 949 250 1255

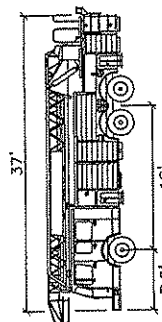
October 29, 2008  
20081143

- NOTES
1. REVISIONS ARE CONSIDERED.
  2. ALL DIMENSIONS ARE IN FEET AND INCHES.
  3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
  4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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  9. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
  10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

Recreation Area  
• 4,800 s.f. total area  
• 1,000 s.f. paved surface

Typical 8 Plex

BRANDWEERAUTO



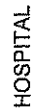
SYMBOLS	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	SYMBOLS	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
	<i>Helianthus annuus</i>	Flax Tree	36" Box	Per Plan		<i>Lilium longifolium</i>	Gold Medallion Tree	24" Box	Per Plan
	<i>Hydrangea paniculata</i>	Sweetshrub	24" Box	Per Plan		<i>Rosa carolina</i>	Sourwood	12 Gal.	Per Plan
	<i>Lavandula angustifolia</i>	Blueberry Bush	12 Gal.	Per Plan		<i>Clematis vitalba</i>	Seven Hill Climber	36" Box	Per Plan
	<i>Rosa rugosa</i>	Shrub Rose	12 Gal.	Per Plan		<i>Salvia officinalis</i>	Sage	20" Box	Per Plan
	<i>Lavandula angustifolia</i>	Shrub Rose	12 Gal.	Per Plan		<i>Clematis vitalba</i>	Shrub Rose	24" Box	Per Plan
	<i>Rosa rugosa</i>	Shrub Rose	12 Gal.	Per Plan		<i>Salvia officinalis</i>	Sage	20" Box	Per Plan
	<i>Lavandula angustifolia</i>	Shrub Rose	12 Gal.	Per Plan		<i>Clematis vitalba</i>	Shrub Rose	24" Box	Per Plan
	<i>Rosa rugosa</i>	Shrub Rose	12 Gal.	Per Plan		<i>Salvia officinalis</i>	Sage	20" Box	Per Plan
	<i>Lavandula angustifolia</i>	Shrub Rose	12 Gal.	Per Plan		<i>Clematis vitalba</i>	Shrub Rose	24" Box	Per Plan
	<i>Rosa rugosa</i>	Shrub Rose	12 Gal.	Per Plan		<i>Salvia officinalis</i>	Sage	20" Box	Per Plan
	<i>Lavandula angustifolia</i>	Shrub Rose	12 Gal.	Per Plan		<i>Clematis vitalba</i>	Shrub Rose	24" Box	Per Plan

THE LANDSCAPE DESIGN INTENT IS TO:

- MATCH THE EXISTING LANDSCAPE.
- SCREEN THE PERIMETER FROM THE ADJACENT RESIDENTIAL COMMUNITIES WITH DENSELY FOLIATED TREES.
- PROVIDE GREEN INTERNAL VIEWS WITHIN THE COMMUNITY
- CREATE COLLECTIVE OPEN SPACES FOR THE RESIDENCE TO ENJOY.
- CONFORM TO THE CITY OF GARDEN GROVE STANDARDS.

THE LANDSCAPE DESIGN INTENT IS TO:

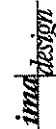
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- CREATE COLLECTIVE OPEN SPACES FOR THE RESIDENCE TO ENJOY.
- CONFORM TO THE CITY OF GARDEN GROVE STANDARDS.



## Lotus Walk – Phase II

Garden Grove, California

THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION

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sulle 125

July 125

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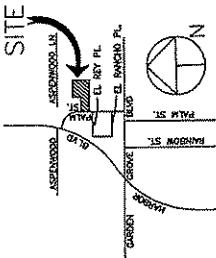


**WILLIAM HEZMALHALCH  
ARCHITECTS INC.**  
22550 DEWELL AVENUE SUITE 200 SANTA ANA CA 92705-5543  
918 250 0607 [www.whezm.com](http://www.whezm.com) Fax 918 250 1509

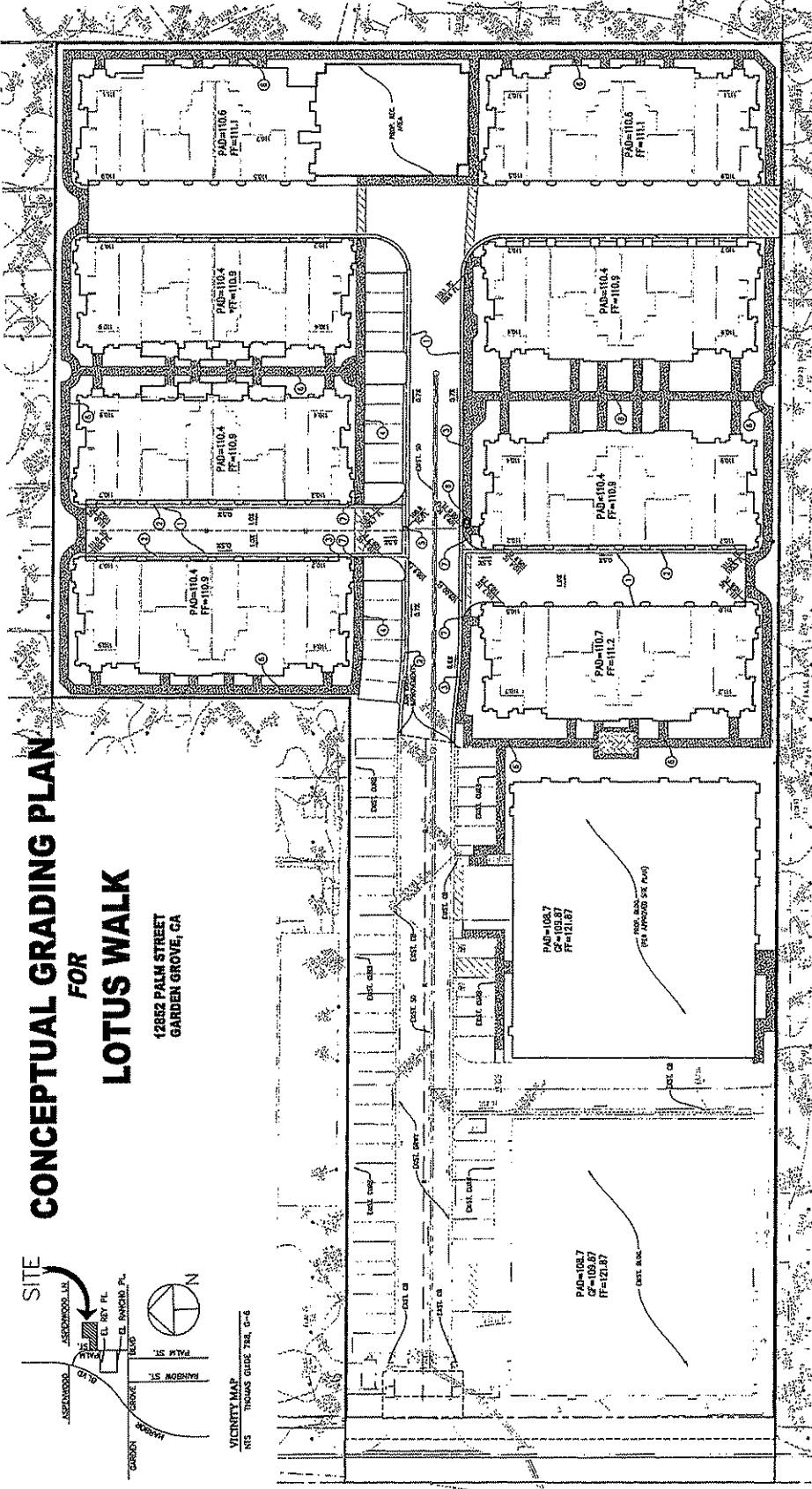
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# CONCEPTUAL GRADING PLAN FOR LOTUS WALK

12832 PALM STREET  
GARDEN GROVE, CA



VICINITY MAP  
N/S THOMAS GARDEN TBA, G-6



- CONSTRUCTION NOTES:**
1. EXISTING AT FINISH
  2. EXISTING UNDER GUTTER
  3. EXISTING 1" GUTTER
  4. EXISTING 2" GUTTER
  5. EXISTING 3" GUTTER
  6. EXISTING 4" GUTTER
  7. EXISTING 6" GUTTER
  8. EXISTING 8" GUTTER
  9. EXISTING 10" GUTTER
  10. EXISTING 12" GUTTER
  11. EXISTING 14" GUTTER
  12. EXISTING 16" GUTTER
  13. EXISTING 18" GUTTER
  14. EXISTING 20" GUTTER
  15. EXISTING 22" GUTTER
  16. EXISTING 24" GUTTER
  17. EXISTING 26" GUTTER
  18. EXISTING 28" GUTTER
  19. EXISTING 30" GUTTER
  20. EXISTING 32" GUTTER
  21. EXISTING 34" GUTTER
  22. EXISTING 36" GUTTER
  23. EXISTING 38" GUTTER
  24. EXISTING 40" GUTTER
  25. EXISTING 42" GUTTER
  26. EXISTING 44" GUTTER
  27. EXISTING 46" GUTTER
  28. EXISTING 48" GUTTER
  29. EXISTING 50" GUTTER
  30. EXISTING 52" GUTTER
  31. EXISTING 54" GUTTER
  32. EXISTING 56" GUTTER
  33. EXISTING 58" GUTTER
  34. EXISTING 60" GUTTER
  35. EXISTING 62" GUTTER
  36. EXISTING 64" GUTTER
  37. EXISTING 66" GUTTER
  38. EXISTING 68" GUTTER
  39. EXISTING 70" GUTTER
  40. EXISTING 72" GUTTER
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  51. EXISTING 94" GUTTER
  52. EXISTING 96" GUTTER
  53. EXISTING 98" GUTTER
  54. EXISTING 100" GUTTER

**LEGEND**

- 1. EXISTING AT FINISH
- 2. EXISTING UNDER GUTTER
- 3. EXISTING 1" GUTTER
- 4. EXISTING 2" GUTTER
- 5. EXISTING 3" GUTTER
- 6. EXISTING 4" GUTTER
- 7. EXISTING 6" GUTTER
- 8. EXISTING 8" GUTTER
- 9. EXISTING 10" GUTTER
- 10. EXISTING 12" GUTTER
- 11. EXISTING 14" GUTTER
- 12. EXISTING 16" GUTTER
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- 17. EXISTING 26" GUTTER
- 18. EXISTING 28" GUTTER
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- 54. EXISTING 100" GUTTER

**GRAPHIC SCALE**

1" = 10' 0"

1" = 20' 0"

1" = 30' 0"

1" = 40' 0"

1" = 50' 0"

1" = 60' 0"

1" = 70' 0"

1" = 80' 0"

1" = 90' 0"

1" = 100' 0"



**PROPOSED BY:**  
WILLIAM HEZMALHALCH  
ARCHITECTS, INC.  
12832 PALM STREET  
GARDEN GROVE, CA 92647  
(714) 941-1234  
www.hezmalhalch.com

**DATE:** 10/29/2008

**PROJECT NO.:** 10000

**PROJECT NAME:** LOTUS WALK

**PROJECT LOCATION:** 12832 PALM STREET, GARDEN GROVE, CA 92647

**PROJECT OWNER:** THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION

**PROJECT DESCRIPTION:** CONCEPTUAL GRADING PLAN

**PROJECT STATUS:** PRELIMINARY

**PROJECT DATE:** 10/29/2008

**PROJECT SCALE:** 1" = 10' 0"

**PROJECT SHEET:** 1 OF 1

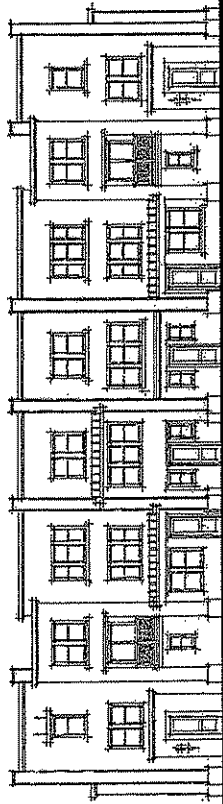
Conceptual Grading Plan

Lotus Walk - Phase II

Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION

**WILLIAM HEZMALHALCH  
ARCHITECTS, INC.**  
12832 PALM STREET  
GARDEN GROVE, CA 92647  
(714) 941-1234  
www.hezmalhalch.com





Conceptual 8-Plex Front Elevation Without Balconies

© 2008 THE OLSON COMPANY, A MEMPHIS, TN, INC.



Conceptual 8-Plex Front Elevation With Balconies

© 2008 THE OLSON COMPANY, A MEMPHIS, TN, INC.

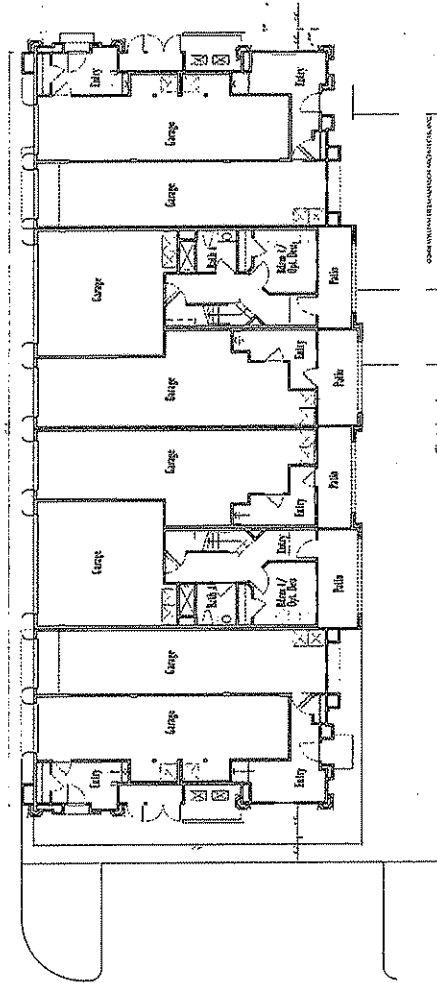
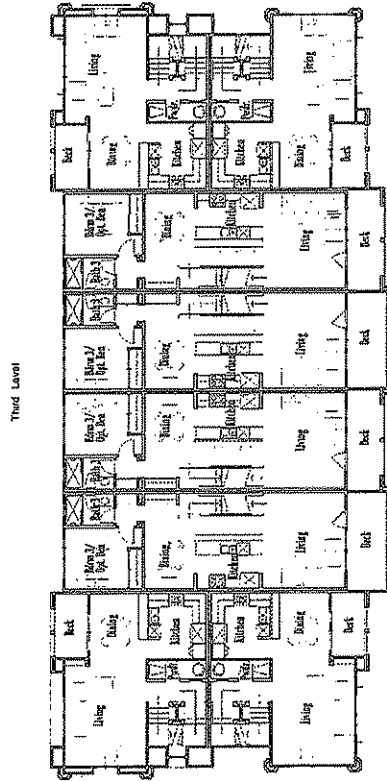
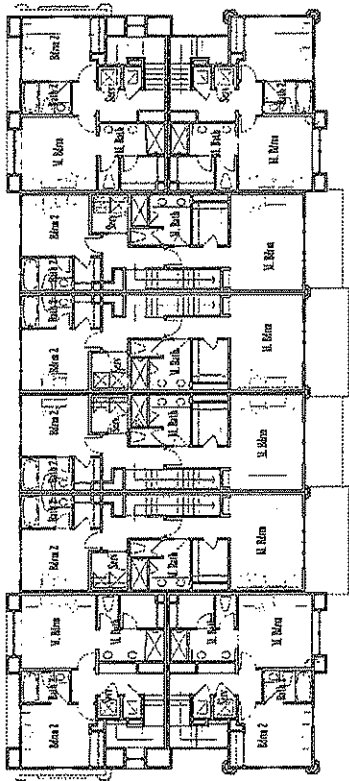


0 5 10 20  
1/8" = 1'-0" Scale

**Lotus Walk - Phase II**  
Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION

01111111 11, 1001  
2008111

**WILLIAM HEZMALHALCH**  
**ARCHITECTS, INC.**  
2001 BROADWAY, SUITE 200, SAN ANTONIO, TEXAS 78205  
210.224.1237 www.wheh.com fax 210.224.1239



# Conceptual Floor Plans

## Lotus Walk - Phase II

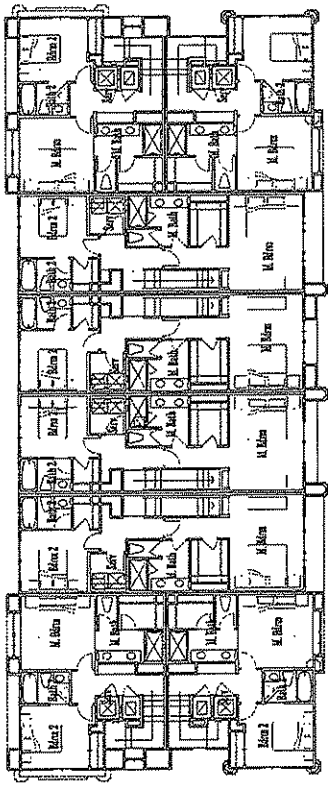
Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION



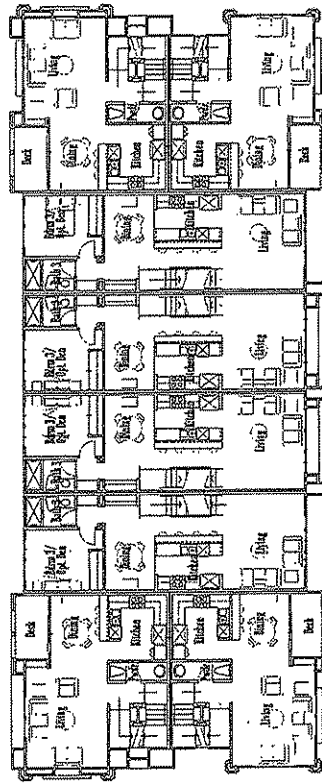
1/8" = 1'-0" Scale

October 29, 2006  
7008243

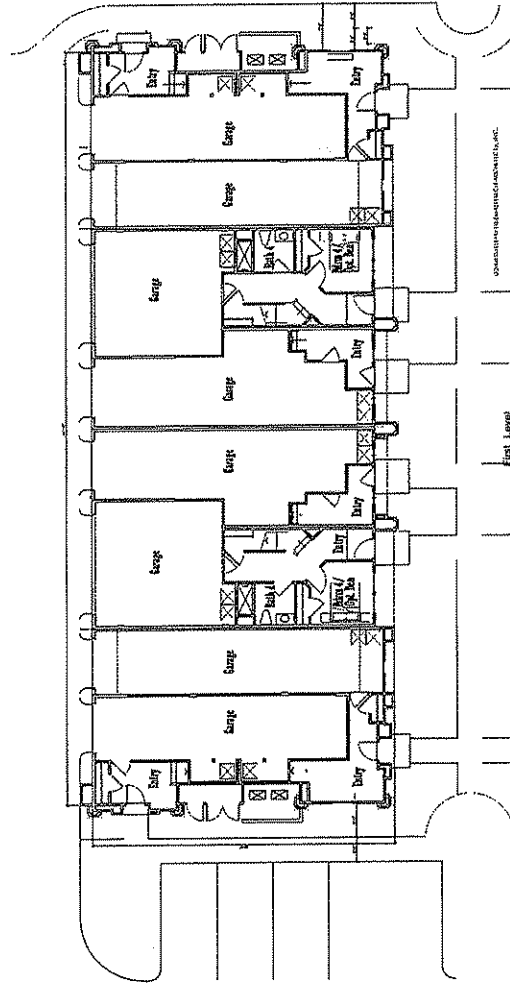
WILLIAM HEZMALHALCH  
ARCHITECTS  
10000 WILSON BLVD., SUITE 200  
DALLAS, TEXAS 75243-1000  
214.350.8800 www.hezmalhalch.com



Third Level



Second Level



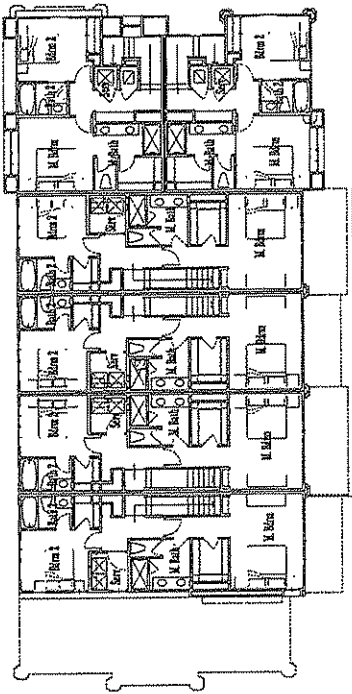
First Level

Conceptual Floor Plans

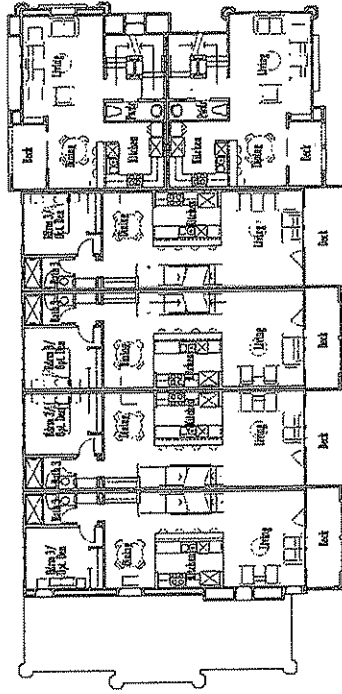
Lotus Walk - Phase II

Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION

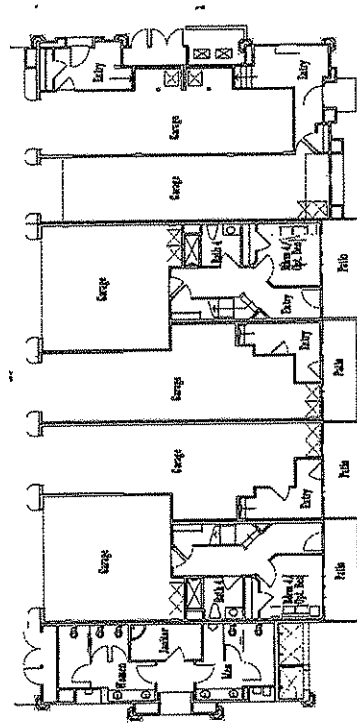




Third Level



Second Level



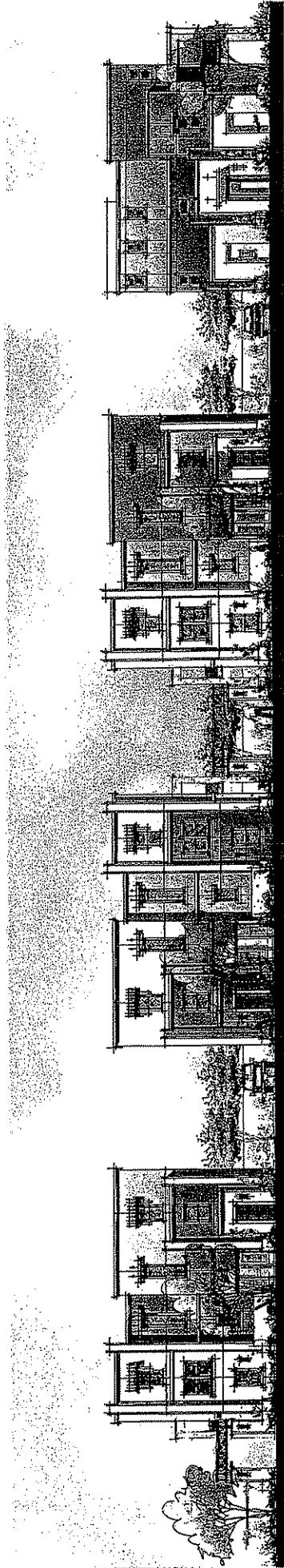
First Level

# Conceptual Floor Plans

## Lotus Walk - Phase II

Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION





6 Plex : Pool Building

2 Plex

8 Plex

2 Plex

Conceptual Street Elevation at Spine Street



1/4" = 1'-0" Scale

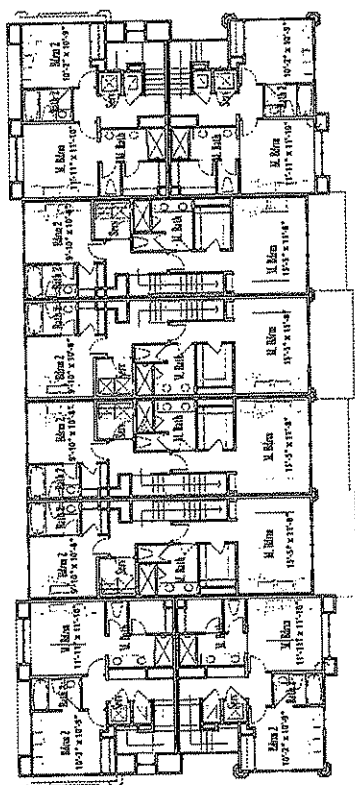
# Lotus Walk - Phase II

Garden Grove, California  
THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION

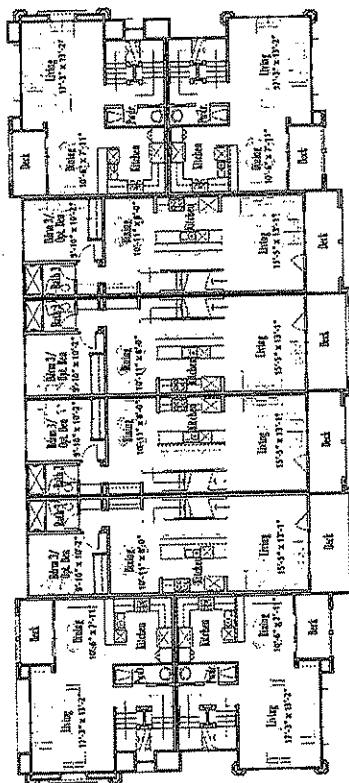
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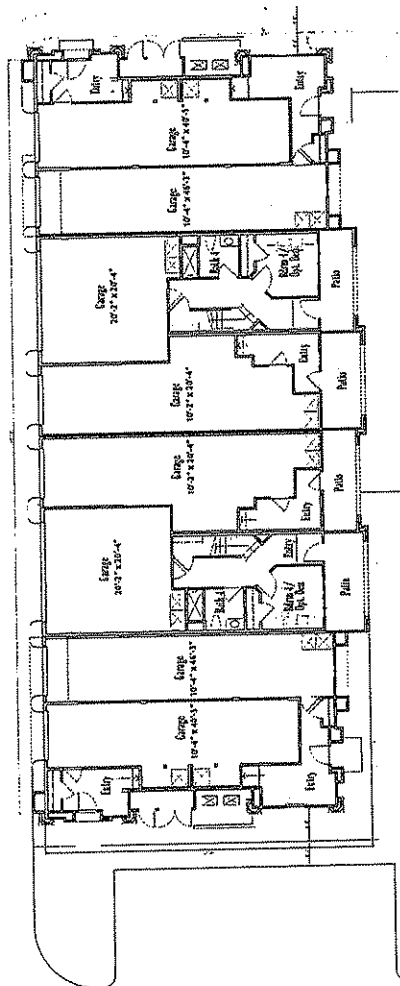
WILLIAM HEZMALHALCH  
ARCHITECTS  
255 REDBELL AVENUE SUITE 200 SANTA ANA CA 92705-5523  
949 256 6007 www.hezmalhalch.com fax 949 256 1529



Third Level



Second Level



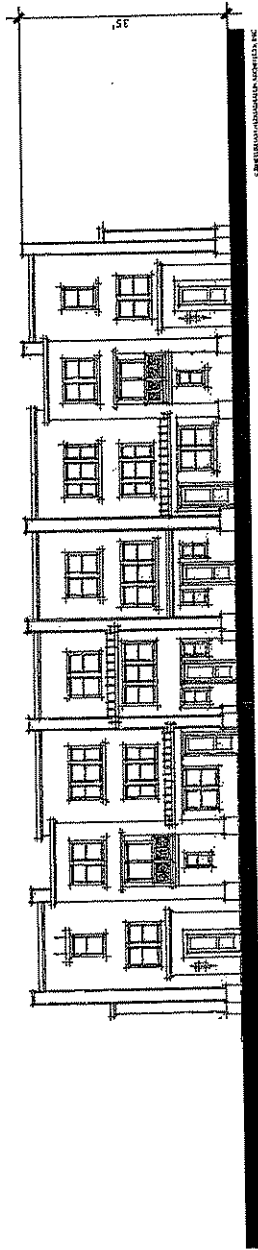
First Level

# Conceptual Floor Plans

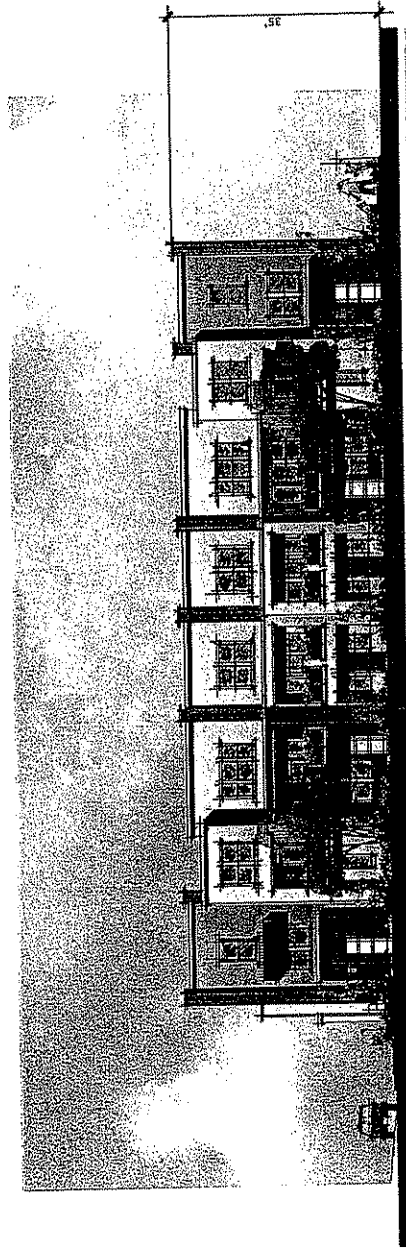
## Lotus Walk - Phase II

Garden Grove, California

THE OLSON COMPANY, SOUTHERN CALIFORNIA REGION



Conceptual 8-Plex Front Elevation Without Balconies



Conceptual 8-Plex Front Elevation With Balconies



1/4" = 1'-0" Scale

Lotus Walk - Phase II  
Garden Grove, California  
THE OLSSON COMPANY, SOUTHERN CALIFORNIA REGION

November 19, 2008  
1008243

WILLIAM HEZMALHALCH  
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2200 BELL AVENUE SUITE 200  
GARDEN GROVE, CA 92647  
TEL: 949.259.1559

**NOTE:**  
FLOOR PLANS & ROOF PLAN ARE FOR SCHEMATIC ONLY.  
THE FINAL ROOF PLAN DESIGN WILL BE CREATED BY THE  
ROOFING CONSULTANT.

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ROOF PLAN

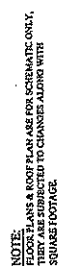
HARBOR & PALM SITE  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY



NOV 23 2005

## A-4.6

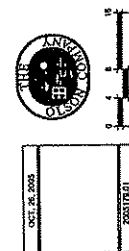
**W**  
**WILLIAM HEZMALHACH**  
**ARCHITECTS INC.**  
 225 CALIFORNIA AVE. SUITE 200  
 SAN FRANCISCO, CA 94102  
 415 398 1000 FAX 415 398 1001  
 24 HOURS FAX 415 398 1002

128-10<sup>21</sup>

STYLIAN PEZIOLOU CHA ARCHITECTS, INC. © 2006

FOURTH FLOOR

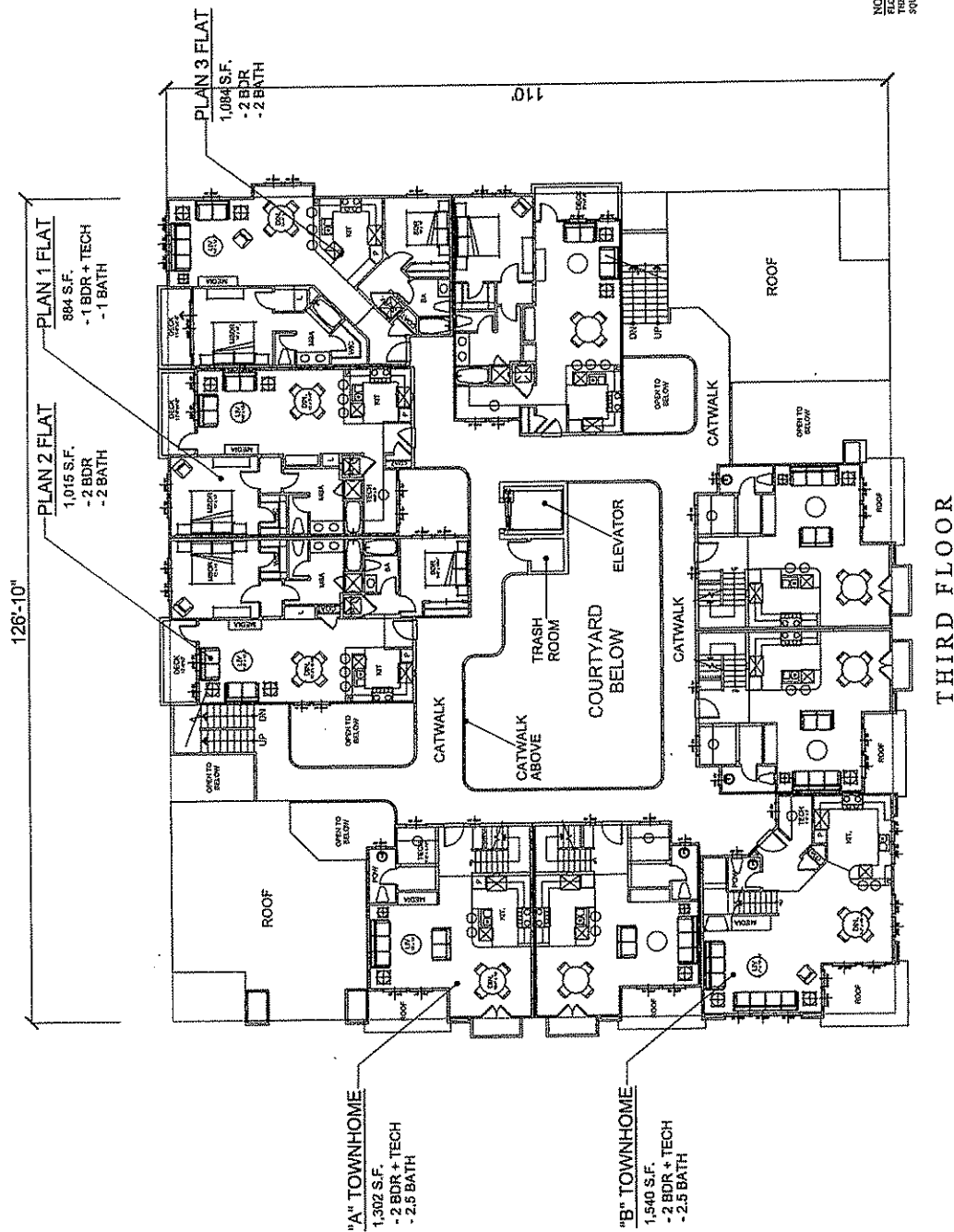
HARBOR & PALM SITE  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY



A-4.5

**WILLIAM HEZMALNACH  
ARCHITECTS INC.**  
2055 BENTLEY AVENUE SUITE 200 SANTA ANA, CA 92705-5600  
949 425 2525 ext. 2027 [info@architects.com](mailto:info@architects.com) fax 949 425 1922  
10000 HOFFMAN RD. SUITE 200 PLACENTIA, CA 92669-4077  
951 825 4515 ext. 4515

# Podium Building



**NOTE:**  
FLOOR PLANS & ROOF PLAN ARE FOR SCHEMATIC ONLY.  
THEY ARE SUBJECTED TO CHANGES ALONG WITH  
SQUARE FOOTAGE.

2025 RELEASE UNDER E.O. 14176

[illegible]

10 12 2006

HARBOR & PALM SITE  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY



**WILLIAM HEZMAHALCH  
ARCHITECTS INC.**  
250 BROAD STREET SUITE 200 NEWARK, NJ 07102  
TEL: 201 255 0000 [www.whehma.com](http://www.whehma.com) FAX: 201 255 1155  
200 HOBOKEN BL. SUITE 200 PLAINFIELD, NJ 07060  
TEL: 908 439 1200 FAX: 908 439 1204

#### A-4.4

30-2331

126'-10"

**PLAN 1 FLAT**  
884 S.F.  
- 1 BDR + TECH  
- 1 BATH

**PLAN 2 FLAT**  
1,015 S.F.  
- 2 BDR  
- 2 BATH

PLAN 3 FLAT  
1,084 S.F.  
- 2 BDR  
- 2 BATH

"A" TOWNHOME...

## "B" TOWNHOME-

041

## CATWALK

COURTYARD  
BELOW


## ELEVATOR

COURTYARD  
BELOW

SECOND FLOOR

**NOTE:**  
FLOOR PLANS & ROOF PLAN ARE FOR SCHEMATIC ONLY.  
THEY ARE SUBJECT TO CHANGES ALONG WITH  
SQUARE FOOTAGE.

**SECRET**



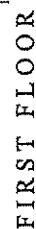
OCT. 26, 2005

HARBOR & PALM SITE  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY



**WILLIAM HEZMALHALCH  
ARCHITECTS INC.**  
2850 THEODORE STREET, SUITE 200, WILLOW PARK, IL 60090  
TEL: 708.262.9900 FAX: 708.262.9901  
WWW.HEZMALHALCH.COM

### A-4.3

$126^{+10}_{-10}$ 

HARBOR & PALM SITE  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY

1000



**Abstract**

## A-4.2



**WILLIAM HEZMALHACH  
ARCHITECTS INC.**  
10000 BELLEVUE BLVD. SUITE 200, BELLEVUE, WA 98004  
206 461 2500 FAX 206 461 2501  
WWW.HEZMALHACH.COM

Q161 5000-1037

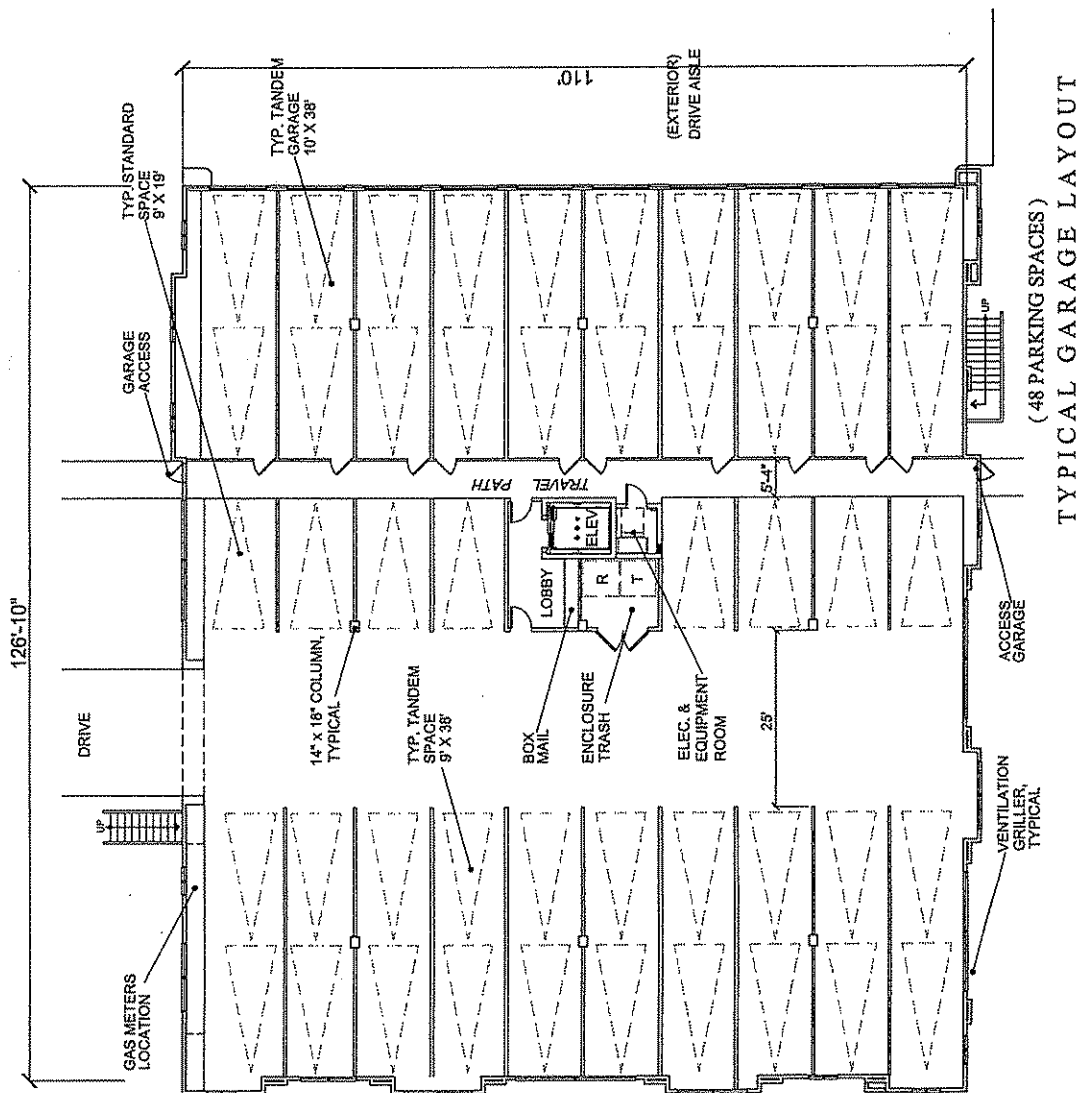
**BUILDING S.F. SUMMARY:**

PLAN 1 FLAT-884 S.F.	X 8 UNITS = 7,072 S.F.
PLAN 2 FLAT-1,015 S.F.	X 4 UNITS = 4,060 S.F.
PLAN 3 FLAT-1,084 S.F.	X 4 UNITS = 4,336 S.F.
"A" TOWNHOME-1,302 S.F.	X 8 UNITS = 10,416 S.F.
"B" TOWNHOME-1,540 S.F.	X 4 UNITS = 6,160 S.F.
	28 UNITS = 32,044 S.F.

**NOTE:**  
FLOOR PLANS & ROOF PLAN ARE FOR SCHEMATIC ONLY,  
THEY ARE SUBJECTED TO CHANGES ALONG WITH  
SQUARE FOOTAGE.

WILLIAM HEZMUALCH ARCHITECTS, INC. © 2005

# PODIUM BUILDING



NOTE:  
FLOOR PLANS & ROOF PLAN ARE FOR SCHEMATIC ONLY.  
THEY ARE SUBJECT TO CHANGES ALONG WITH  
QUANTITY TAKEOFF.

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SECTION A



DATE: 10.18.2005	PROJECT: 2005178201
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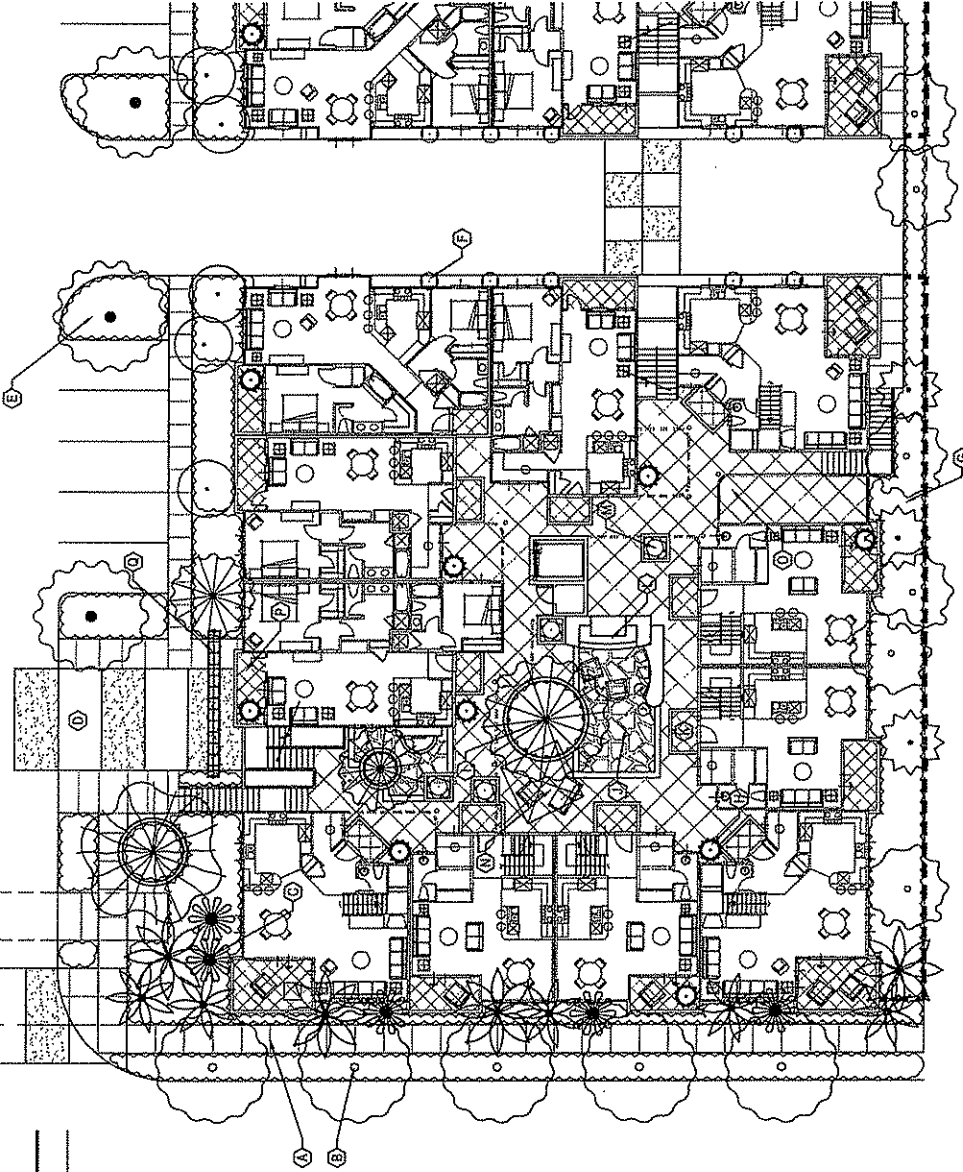
**HARBOR & PALM SITE**  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY

**WILLIAM HEZVALHALCH ARCHITECTS, INC.**  
15000 E. 15TH AVE., SUITE 200  
DENVER, CO 80226  
TEL: 303.755.1100  
FAX: 303.755.1101  
WWW.HEZVALHALCH.COM

A-4.1

SHEET 05-

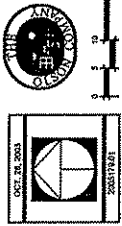
# Podium Buildings



## CONCEPT LEGEND

SYMBOL	DESCRIPTION
(A)	CITY SIDEWALK
(B)	CITY STREET TREE (CINNAMOMUM CAMPHORA)
(C)	PALM GARDEN
(D)	GARAGE ENTRY WITH ENHANCED PARKING
(E)	ENTRY DRIVE WITH INFORMAL TREE
(F)	WALK AT COLLARS WITH TRELLIS ABOVE
(G)	SCREEN HEDGE (BAUBOOK)
(H)	POTTERY
(I)	PAVED PLANTER WITH 'GREAT TREE'
(J)	GARDEN PARKING PAD
(K)	STUOP / DOORMAT PARKING
(L)	OUTDOOR FIREPLACE AND SEATING
(M)	VINES TO LINK TO UPPER FLOORS
(N)	FAMILY ROOM SEATING AREA
(O)	ENHANCED CONCRETE OR TILE PARKING
(P)	UNIT PARKING
(Q)	TRELLIS

WILLIAM HEZALALCH ARCHITECTS, INC. © 2005



**HARBOR & PALM SITE**  
GARDEN GROVE, CALIFORNIA  
THE OLSON COMPANY

2500 nitcheson dr  
suite 125  
irvine ca 92612  
949.250.0023  
949.250.0043 f

**WILLIAM HEZALALCH ARCHITECTS, INC.**  
ARCHITECTS  
10000 CALIFORNIA AVENUE, SUITE 100  
IRVINE, CALIFORNIA 92618  
TEL: 949.250.0023  
FAX: 949.250.0043

L-2

RESOLUTION NO. 5663

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOGNIZING A PREVIOUSLY ADOPTED NEGATIVE DECLARATION AND RECOMMENDING APPROVAL OF PLANNED UNIT DEVELOPMENT NO. PUD-110-06-REVISED-'08, FOR LAND LOCATED ON THE EAST SIDE OF PALM STREET, BETWEEN HARBOR BOULEVARD AND GARDEN GROVE BOULEVARD, AT 12852 PALM STREET, PARCEL NOS. 231-561-12, & 13.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 4, 2008, does hereby recognize a previously adopted Negative Declaration under Planned Unit Development No. PUD-110-06 as applying to this modification of approved plans, and recommends approval of Planned Unit Development No. PUD-110-06 Revised '08.

BE IT FURTHER RESOLVED that the Planning Commission has considered the previously adopted Negative Declaration for this proposed modification to approved plans for the Revision to Planned Unit Development No. PUD-110-06. 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. The Planning Commission finds on the basis of the whole record before it, including the prior environmental action and comments received, that there is no substantial evidence that this modification to the originally approved plans for this project will have a significant effect on the environment. Therefore, the Planning Commission recognizes the previously adopted Negative Declaration under PUD-110-06 be applied to this modification to approved plans request.

BE IT FURTHER RESOLVED in the matter of Planned Unit Development No. PUD-110-06-Revised '08, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by In-Town Communities, LLC (Olson Urban Housing, LLC).
2. The applicant requests a modification to approved plans in order to reduce the total number of dwelling units approved under PUD-110-06 from 159 dwelling units to 118 dwelling units, a reduction of 41 dwelling units, PUD-110-06 Revised '08. The proposed modification will have 62 townhome units that are three-story with attached two-car garages, and will retain the two residential podium buildings with 56 dwelling units at the entrance to the development. The overall layout will have guest parking, active and passive recreation areas, and perimeter landscaping in the same configuration as originally approved.

3. The Community Development Department prepared a Negative Declaration for the originally approved project, General Plan Amendment No. GPA-1-06 (A), Planned Unit Development No. PUD-110-06, Site Plan No. SP-385-06, Tentative Tract Map No. TT-16865, and Development Agreement, that concluded that the proposed project will not have a significant adverse effect on the environment; was prepared and circulated in accordance with applicable law, including the California Environmental Quality Act (CEQA), Public Resources Code of Regulations section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq. and includes mitigation measures. Due to the nature of the reduction in the number of units from the original Site Plan approval and the adoption of Negative Declaration for this site, this prior action is sufficient to address any concerns relating to this modification to approved plans.
4. The property has a General Plan Land Use designation of Medium-High Residential and is currently zoned Planned Unit Development No. PUD-110-06. The 3.8-acre site is improved with one podium building with 28 dwelling units.
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, 2008, 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, 2008; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.12.020 and 9.24.030, are as follows:

FACTS:

The site is 3.8 acres, and is improved with one podium building with 28 dwelling units, drive aisles, guest parking spaces, perimeter block walls, and landscaping around the entry portion of the site.

The site has a General Plan Land Use designation of Medium-High Residential and is currently zoned Planned Unit Development No. PUD-110-06.

The original approval for this site was for the development of 159 condominium units designed with an at-grade parking structure with four residential floor levels above the parking structure.

FINDINGS AND REASONS:

Planned Unit Development Revision:

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

The project is designed to be integrated with the existing developments in the area. The properties to the north, and east are improved with a single level motel, and single-family residences, and the property to the south is improved with the Garden Grove Hospital and parking lot, to the west, across Palm Street, is improved with medical office building. The design of the project will ensure a reasonable degree of compatibility with adjacent uses.

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

The design of the project complies with the spirit and intent of the Garden Grove Municipal Code for Residential development. The City's Traffic Engineering Section has reviewed the plan and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts on surrounding streets.

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

The project has been designed in accordance with City Code provisions for providing an adequate amount of public and private open spaces as required by Planned Unit Development standards. The site provides both passive and active open space/recreation areas for the prospective residents.

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

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

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

The project incorporates an innovative design and meets City Code standards for parking, vehicle access and circulation, open space, and landscaping. The design of the project, as well as adherence to these Code requirements, will ensure that the overall quality of the project will be comparable to projects that could be achieved under the current zoning.

#### Modification to Approved Plans

1. The proposed modification to approved plans does not require the application of a waiver or variance from the Zoning Code. The proposed changes are keeping within the spirit and intent of the General Plan Land use designation for higher density residential, maintains the same site design layout regarding setbacks, circulation, and amenities, and the proposed changes allows continuity in design between the existing podium design building and the proposed townhome building design.
2. The proposed change does not adversely affect the quality or design of the originally approve plan in that it maintains architectural continuity, provides the same site circulation and parking provisions, and passive recreation areas are further enhanced with fountains, seating areas, and landscaping.
3. The change does not adversely affect the use or enjoyment of surrounding properties. The plan maintains the same setbacks as originally approved, the development of the site is a reduction of the number of dwelling units, the site circulation layout remains relatively in same configuration as originally approved, and the site design modification does not have any adverse impact on surrounding properties.

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

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Planned Unit Development Revision possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030 (Planned Unit Development).
2. For the implementation for the modification to approved plans for Planned Unit Development No. PUD-110-06-Revised '08, and 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. It shall be further indicated that the original provisions and conditions of approval approved under Planning Commission Resolution No. 5528 for Site Plan No. SP-385-06, and Tentative Tract Map No. TT-16856 shall remain in full, in effect unless noted otherwise in the attached "Exhibit A" conditions of approval.

## **EXHIBIT "A"**

### **Planned Unit Development PUD-110-06-Revised '08 Modification to Approved Plans (Site Plan No. SP-385-06, Tentative Tract Map No. TT-16856)**

12852 Palm Street

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. All conditions of approval applied to Site Plan No. SP-385-06 and Tentative Tract Map No. TT-16856 as identified by "Exhibit A" attached to Planning Commission Resolution No. 5528, shall remain in full, in effect unless otherwise stated herein in these conditions of approval.
2. Approval of this Modification to Approved Plans shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications may be approved by the Community Development Department. If other than minor changes are made in the proposed development, the proper entitlements shall be filed and granted subsequent approval of such entitlements that reflects the revisions made.

##### **Public Work's Engineering Division**

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

4. A revised 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, basement and septic facilities. The report shall make recommendations for pavement design of the interior drive aisle and parking spaces based on a Traffic Index to be supplied by the City Traffic Engineer.
5. A separate street permit is required for work performed within the public right-of-way.
6. New trash enclosures shall be constructed per Garden Grove Standard Plan B-502. The trash enclosures shall be located to allow pick-up and maneuvering, including trash truck turn-around area. In the event trash

enclosures are not incorporated into the site design under the Modification to Approved Plans, the developer shall secure trash pick-up arrangements for the individual units, which includes placement locations for individual trash containers and storage spaces within the garage of each unit in the townhome buildings and such stipulations addressed in the CC&R's.

7. A revised grading plan prepared by a registered Civil Engineer is required. The grading plan shall be based on a current survey of the site, including adjacent properties, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50 percent for concrete flow lines, 1.25 percent for asphalt surfaces and 2.0 percent for landscaped areas. The grading plan shall also include water and sewer improvements.
8. If necessary, Tract Map No.16856 shall be modified to reflect changes to the site as proposed under this Modification to Approved Plans and shall be submitted for review and comments, and subsequently a final Tract Map shall be prepared, sealed, and signed by a qualified licensed engineer and submitted for review and approval to the City of Garden Grove. The Map format shall be that as originally required under Site Plan No. SP-385-06 and Tentative Tract Map No. TT-16856 as identified by "Exhibit A" attached to Planning Commission Resolution No. 5528.
9. Prior to the issuance of any grading or building permits for projects the developer shall obtain a new and/or revised Waste Discharge Identification (WDID) number and shall revise the existing Storm Water Pollution Prevention Plan (SWPPP) to reflect the proposed project changes. Any 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 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.
10. The Developer shall maintain Palm Street in clean fashion, which includes cleaning out the catch basin, not allowing dirt and debris to accumulate in the street, and shall pick up the waddles as required.
11. All new signage identification by Traffic Engineering with the Public Right-of-Way shall meet the new MUTCD and shall have anti-graffiti sheeting applied. Upon completion of the project, all utility and USA markings are to be removed from the public right-of-way.

### **Garden Grove Fire Department**

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

12. Fire flow shall be 1500 gpm for four hours minimum and a minimum of three hydrants shall be provided on site and locations are subject to Fire Department and Water Services Department approval. The fire hydrants shall be installed and fully operational prior to any combustible material being delivered to the site. Prior to and during construction, a temporary roadway shall be constructed and maintained to the satisfaction of the Fire Department for access to each of these fire hydrants. The Fire lane serving the site (main drive aisle) shall be constructed to support the weight load of Fire truck(s) per Fire Department requirements. Prior to construction of the townhome buildings, the Developer shall submit and receive approval for new underground fire line plans with related fire appliances and fire connections.

### **Building Services Division**

13. The building plans for the townhome buildings, site plan and all construction shall comply with the 2007 California Building Code, U.P.C., U.M.C., and N.E.C. as amended by the City of Garden Grove and State of California handicap access, energy conservation and sound transmission control requirements, and California Building Regulations as found in the California Code of Regulations (CCR), Title 24, Parts 2 through 12, as adopted by the City of Garden Grove. It is recommended that the developer obtain a copy of the above amended code sections before completing the final design.
14. At least ten (10) percent of the townhome building units shall be accessible per Section 1102A.3 of the 2007 California Building Code.

### **Public Work's Water Services Division**

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

15. Existing on-site fire hydrants to have a separate 8" inch water main and a separate connection to the 12" inch main on Palm. A new utility plan will need to be submitted to engineering.
16. Owner shall install a new private 8" extra strength VCP sewer main and tie into the existing 21" sewer main on Palm Street. Laterals to be installed with clean-outs per City Standard B-405.

**Planning Services Division**

17. The developer shall submit a complete landscape plan governing the entire development that reflects the changes as a result of this Modification to Approved Plans. All original provisions applied to the Landscape Plan shall remain in effect and be applied to the revised landscape plan as well.
18. The developer/owner shall prepare revised Covenants, Conditions, and Restrictions (CC&R's) for review and approval by the City Attorney's office and Community Development Department prior to the issuance of building permits as necessary to reflect the changes made under this Modification to Approved Plans. The approved CC&R's shall be recorded prior to the sale of any townhome building unit and two copies of the recorded CC&R's shall be provided to the Planning Division. In addition to maintaining the previous CC&R's provisions, the following stipulations shall also be included in the revisions:
  - a. All passive landscaped areas, walkways, and common areas shall be maintained at all times. This includes the water fountains, benches, and walkways as shown on revised plans.
  - b. All parking spaces in the subterranean garages and in the townhome buildings shall be made available to the occupants of the unit at all times
  - c. The CC&Rs shall be revised to include specific provisions addressing the trash enclosures for trash pick up and the maintenance of these enclosures as a result of changes made by the requested Modification to Approved Plans. The trash enclosures shall be built per City standards and the gates shall be kept closed at all times except for trash pick-up. This includes number of times per week for trash pick-up, arrangements with trash hauler for location of pick-ups on site, maintenance of trash shoots and operational components for this type of trash disposal construction.
19. 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 shall include a swimming pool, spa, patio trellises, and related equipment and improvements. The area shall be physically separated from the residential units on each side of the recreation area with a combination block wall and/or wrought iron fencing around the perimeter, although with the exception of the restrooms and shower facilities on the north side of the pool area.
20. Although a secondary point of emergency access was established under the originally approved entitlements under PUD-110-06, the developer shall, if necessary, modify and relocate the easement on the adjoining southerly property with property owner of such property approval and shall have this

emergency easement described and shown on plan for City review prior to recordation. Upon approval of the design, location and other related concerns for this emergency easement, the Developer shall have the emergency easement properly recorded, if relocated as necessary, prior to issuance of any building permits for the townhome buildings. The specific easement shall be in accordance with Fire Department maneuvering design requirements for fire truck access. The fire truck turn-a-around area/emergency easement access shall be posted as such and no parking shall be permitted in this area. The emergency easement access improvements, including a Knox box key system, shall be in place prior to the construction of the townhome building units above the parking structure. This emergency easement access shall not be used as a second means of access for tenants or guests, or used as an access point of any kind during construction, except to allow the construction of the perimeter wall and installation of the emergency access gate improvements.

21. 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; legal fees shall be limited so as not to exceed \$250 per hour; 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.

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

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PUBLIC HEARING: NEGATIVE DECLARATION  
PLANNED UNIT DEVELOPMENT NO. PUD-110-06 (REV. 08)  
GENERAL PLAN AMENDMENT NO. GPA-1-06(A)  
SITE PLAN NO. SP-385-06  
TENTATIVE TRACT MAP NO. TT-16856  
DEVELOPMENT AGREEMENT  
APPLICANT: IN-TOWN COMMUNITIES, LLC  
LOCATION: EAST SIDE OF PALM STREET, SOUTH OF THE INTERSECTION OF PALM STREET AND  
HARBOR BOULEVARD AT 12852 PALM STREET  
DATE: DECEMBER 4, 2008

REQUEST: To modify approved plans, PUD-110-06 (Rev. 08), to reduce the total number of residential units approved under PUD-110-06, from 159 dwelling units to 118; a reduction of 41 units. The proposed modification will have 62 townhome units that are three-story with attached two-car garages, and will retain the two residential podium buildings with 56 units at the entrance to the development. The overall layout will have guest parking, active and passive recreation areas, and perimeter landscaping in the same configuration as originally approved. The site is in the Planned Unit Development No. PUD-110-06 zone.

Staff report was read and recommended approval.

Vice Chair Pak asked staff to clarify the number of guest parking spaces.

Staff replied that the total number of resident and guest parking spaces is 282; that there are two spaces per unit; that there would be 236 resident parking spaces and 36 guest parking spaces.

Chair Pierce opened the public hearing to receive testimony in favor of or in opposition to the request.

Ms. Kim Prijatel, the applicant's representative, approached the Commission and described the revised plan. She also stated that the development was a victim of the declining real estate market; that there are existing residents in the first building; that the recreation area is still a focus area and it is now at grade; and that she would like to get deliveries started by next year.

Chair Pierce asked Ms. Prijatel if she had read and agreed with the Conditions of Approval. Ms. Prijatel replied yes.

Commissioner Beard asked Ms. Prijatel for the current occupancy. Ms. Prijatel responded that one or two units were still available.

Vice Chair Pak asked for clarification on the number of existing buildings.

Ms. Prijatel replied that one podium style building exists; that one more podium would be built and the remainder would be the new product design; and that the townhomes would be a quicker build than the podium building.

Vice Chair Pak asked staff to clarify why this project revision came before the Planning Commission and would the project be ADA compliant. Staff replied that this would be a major project revision as there would now be less podium style buildings and more townhomes; and that ADA requirements would include a percentage of handicap accessible units.

Mr. Henry Ameen approached the Commission and expressed that he has concerns with privacy, as the three story building overlooks his yard; that there would be noise from the recreation area; that the setback needs to be more than ten feet wide; and that he did not receive a notice for the first hearing.

Commissioner Bankson asked staff if measures had been taken to mitigate the privacy issue, ie., higher windows, obscure windows.

Staff replied that the setback would remain the same as in the first approval; that a row of screening trees would be planted; that the building height has been reduced; and that the townhome windows and doors must face the northerly direction for light, ventilation, and exiting purposes.

Ms. Rosalind Wagner, who is a current homeowner in the existing building, approached the Commission and expressed her concerns regarding parking, security, and poorly executed construction and design; that she has only one parking space, not two, as is the case for other residents; that the guest parking is now resident parking; that the five-foot high electric gates can be jumped over; that the building is difficult to keep clean as there are no hose connections for the common areas; that the structure is minimally constructed with regard to sound attenuation; and that they had higher expectations for the structure.

Ms. Ellis Chang, another current resident, approached the Commission and expressed that she was in support of the development revision though she had concerns with regard to the potential of the Homeowner's Association dues being higher; that parking was not an issue; and that a fitness center would be good.

Ms. Prijatel approached the Commission and stated that the setback is twelve feet wide; that screen trees would be planted; that the recreation area would be at grade in lieu of being located on a podium building; that any customer issues should be addressed to the customer service department; that noise testing is scheduled to occur; that there is no room for a fitness center; that parking is code compliant; that tandem parking is to be used; that residents parking in the guest spaces could be monitored; that the Homeowner's Association dues have not been calculated; and that many parking spaces are not yet available as the project is not complete.

Staff added that each unit has two designated spaces consisting of tandem and side-by-side spaces.

Ms. Kimberly Martin, another current resident, approached the Commission and stated that for every three condominiums there is only one guest parking space; that the sales trailer is taking up six spaces; and that the trailer also has three spaces that no one is allowed to use.

Ms. Prijatel added that the sales trailer is expensive to remove and would be used for further sales, however, the trailer would be removed when the project is finished.

Vice Chair Pak commented that all of the concerns need to be addressed in the CC & R's. Ms. Prijatel agreed and stated that there would be contact with the homeowners prior to the City Council meeting in January.

There being no further comments, the public portion of the hearing was closed.

Commissioner Beard asked if the City is included in the CC & R's. Staff replied that the City could be included in the revised CC & R's for this project.

Commissioner Brietigam commented that the reduction of units is good with regard to traffic and that he would support the project.

Commissioner Beard asked staff if additional parking requirements could be imposed. Staff replied that the parking is already code compliant; that the City does not regulate construction quality; that CC & R's could be further amended, however, the new regulations might not be able to be implemented; and that most likely, the developer has most of the voting rights at this time.

Vice Chair Pak commented that because the project is not complete, there is no Homeowner's Association governed by the residents; and that the CC & R's need to be revised.

Commissioner Bankson disagreed in that the City should not be involved and the Homeowner's Association should take care of their own issues.

Vice Chair Pak added that with the downsizing of the units, there needs to be discussion with regard to how this would affect existing residents.

Staff added that the City could be added as a beneficiary of the CC & R's, not as an Association member; that per the new standard, the City's interest would be solely to enforce the Conditions of Approval in approving the development; that the City has the authority to intercede, but not the obligation; that the City can recover costs for enforcing the Conditions of Approval; and that changes made by the board would first need approval by the City.

Commissioner Beard commented that he likes the downsizing; that there are legitimate concerns; that the project follows code; that the current language should be added to the CC & R's; and that he would support the project.

Vice Chair Pak commented that with the downsizing, hopefully the number of parking spaces would increase.

Vice Chair Pak moved to recommend approval of Planned Unit Development No. PUD-110-06 (Rev. 08) to City Council, seconded by Commissioner Beard. The motion received the following vote:

AYES:	COMMISSIONERS:	BANKSON, BEARD, BRIETIGAM, KIRKHAM, NGUYEN, PAK, PIERCE
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE



ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A MODIFICATION TO APPROVED PLANS UNDER PLANNED UNIT DEVELOPMENT NO. PUD-110-06 REVISED '08, REDUCING THE DENSITY FROM 159 DWELLING UNITS TO 118 DWELLING UNITS AND CHANGING THE SITE PLAN DESIGN.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

WHEREAS, the case, initiated by In-Town Communities, LLC (Olson Urban Housing, LLC), proposes a modification to approved plans in order to reduce the total number of dwelling units approved under PUD-110-06 from 159 dwelling units to 118 dwelling units, a reduction of 41 dwelling units, PUD-110-06 Revised '08. The proposed modification will have 62 townhome units that are three-story with attached two-car garages, and will retain the two residential podium buildings with 56 dwelling units at the entrance to the development on the approximately 3.8 acres of land located on the east side of Palm Street between Harbor Boulevard and Garden Grove Boulevard, at 12852 Palm Street (Parcel Nos. 231-561-12, & 13); and,

WHEREAS, the Planning Commission, at a public hearing held on December 4, 2008, recognized the previously prepared Negative Declaration for the originally approved project, General Plan Amendment No. GPA-1-06 (A), Planned Unit Development No. PUD-110-06, Site Plan No. SP-385-06, Tentative Tract Map No. TT-16865, and Development Agreement, that concluded that the proposed project will not have a significant adverse effect on the environment; was prepared and circulated in accordance with applicable law, including the California Environmental Quality Act (CEQA), Public Resources Code of Regulations Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Section 15000 et. seq. and includes mitigation measures. Due to the nature of the reduction in the number of units from the original Site Plan approval and the adoption of Negative Declaration for this site, this prior action is sufficient to address any concerns relating to this modification to approved plans; and

WHEREAS, pursuant to Resolution No. 5663, the Planning Commission, at a public hearing held on December 4, 2008, recommended approval of Planned Unit Development No. PUD-110-06-Revised '08; and

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on January 27, 2009, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. Planned Unit Development No. PUD-110-06-Revised '08 is hereby approved, pursuant to the facts and reasons stated in Planning Commission Resolution No. 5663, 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 2. The property shown on the map attached hereto is rezoned to the Planned Unit Development No. PUD-110-06-Revised '08 zone as shown thereon. Zone Map part S-12 is amended accordingly.

Section 3. This ordinance shall take effect thirty (30) days after adoption and shall within fifteen (15) days of adoption be published with the names of Council members voting for and against the same in a newspaper adjudicated and circulated in the City of Garden Grove.

PUD-110-06-rev-08-Ordinance