

## AGENDA

#### GARDEN GROVE PLANNING COMMISSION

#### July 6, 2023 - 7:00 PM

#### COMMUNITY MEETING CENTER 11300 STANFORD AVENUE

**Meeting Assistance:** Any person requiring auxiliary aids and services, due to a disability, to address the Planning Commission, should contact the Department of Community & Economic Development at (714) 741-5312 or email <u>planning@ggcity.org</u> 72 hours prior to the meeting to arrange for special accommodations. (Government Code §5494.3.2).

**Agenda Item Descriptions:** Are intended to give a brief, general description of the item. The Planning Commission may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

**Documents/Writings:** Any revised or additional documents/writings related to an item on the agenda distributed to all or a majority of the Planning Commission within 72 hours of a meeting, are made available for public inspection at the same time (1) in the Planning Services Division Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; and (1) at the Community Meeting Center at the time of the meeting.

**Public Comments:** Members of the public who attend the meeting in-person and would like to address the Planning Commission are requested to complete a yellow speaker card indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the Recording Secretary before the meeting begins. General comments are made during "Oral Communications" and are limited to three (3) minutes and to matters the Planning Commission has jurisdiction over. Persons wishing to address the Planning Commission regarding a Public Hearing matter will be called to the podium at the time the matter is being considered. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing <u>public-comment@ggcity.org</u> no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record.

#### PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.

#### **REGULAR MEETING AGENDA**

ROLL CALL: CHAIR LINDSAY, VICE CHAIR CUNNINGHAM COMMISSIONERS ARBGAST, CUEVA, LARICCHIA, PAREDES, RAMIREZ

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

- A. ORAL COMMUNICATIONS PUBLIC
- B. <u>APPROVAL OF MINUTES April 20, 2023</u>
- C. <u>PUBLIC HEARING(S)</u> (Authorization for the Chair to execute Resolution shall be included in the motion.)

C.1. <u>SITE PLAN NO. SP-081-2020(TE2)</u> <u>TENTATIVE TRACT MAP NO. TT-18181(TE2)</u>

APPLICANT: NHAN VUONG

- LOCATION: SOUTH SIDE OF LAMPSON AVENUE, BETWEEN  $9^{\rm TH}$  STREET AND WEST STREET AT 11712 LAMPSON AVENUE
- **REQUEST:** A request for a one-year time extension for the approved entitlements under Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as a culde-sac (Lot 5). The approval allowed each parcel with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3, and 4, will each be developed with a new two-story, single-family home. Also, a minor land deviation was approved to allow the front yard fence for Lot 1, located along Lampson Avenue to be constructed at a height of 6 feet. A CEQA determination is not required as the project was previously exempted.

STAFF RECOMMENDATION: Approval of one-year Time Extensions for Site Plan No. SP-081-2020(TE2) and Tentative Tract Map No. TT-18181(TE2).

C.2. <u>SITE PLAN NO. SP-125-2023</u> CONDITIONAL USE PERMIT NO. CUP-241-2023

APPLICANT: SABROSO! MEXICAN GRILL

- LOCATION: SOUTHWEST CORNER OF HARBOR BOULEVARD AND GARDEN GROVE BOULEVARD AT 13091 HARBOR BOULEVARD
- REQUEST: A request to operate a new restaurant, Sabroso! Mexican Grill, in an existing 2,780 square foot tenant space within a pad building located at 13091 Harbor Boulevard. The requested site plan approval includes exterior tenant improvements and the addition of a 927 square foot patio dining area. Also, a request for Conditional Use Permit approval for a new original State Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General) License. The site is in the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental

Quality Act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures – of the State CEQA Guidelines.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023, subject to the recommended conditions of approval.

- D. MATTERS FROM COMMISSIONERS
- E. <u>MATTERS FROM STAFF</u>
- F. <u>ADJOURNMENT</u>

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

Meeting Minutes Thursday, April 20, 2023

CALL TO ORDER: 7:02 p.m.

#### ROLL CALL:

Commissioner Arbgast Commissioner Cunningham Commissioner Lindsay Commissioner Montano Commissioner Paredes Commissioner Perez Commissioner Ramirez

Absent: Montano, Perez

PLEDGE OF ALLEGIANCE: Led by Commissioner Paredes

#### ORAL COMMUNICATIONS - PUBLIC - None

#### April 6, 2023 MINUTES:

Action:	Received and filed.			
Motion:	Ramir	ez	Second:	Arbgast
Ayes: Noes: Absent:	(0)	None	st, Cunningh Ino, Perez	am, Lindsay, Paredes, Ramirez

#### PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-233-2023 FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF LAMPSON AVENUE AND 9<sup>TH</sup> STREET AT 12432 9<sup>TH</sup> STREET.

Applicant:SMARTLINK C/O AT&T MOBILITYDate:April 20, 2023

Request: A request for Conditional Use Permit approval to allow the construction and operation of a 60'-0" tall, unmanned, wireless telecommunication facility disguised as a eucalyptus tree (mono-eucalyptus), along with a 375 square foot (25 feet x 15 feet) equipment enclosure, to be located on a site currently improved with a church, St. Olaf Church. The site is in the R-1 (Single-Family Residential) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(c) – New Construction or Conversion of Small Structures – of the State CEQA Guidelines.

Action: On April 19, 2023, staff received a letter from the property owner withdrawing their authorization for Conditional Use Permit No. CUP-233-2023, and on April 20, 2023, the applicant submitted a request to officially withdraw the application from the Planning Commission agenda. Staff withdrew the item.

<u>PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-238-2023 FOR PROPERTY</u> <u>LOCATED ON THE SOUTHEAST CORNER OF WESTMINSTER AVENUE AND EUCLID</u> <u>STREET AT 10882-B WESTMINSTER AVENUE.</u>

- Applicant:PAUL PHAMDate:April 20, 2023
- Request: A request for Conditional Use Permit approval to operate a new billiards/pool hall at an existing 3,038 square foot tenant space. The billiard/pool hall formerly operated at 10902 Westminster Avenue, however, the business owner proposes to relocate the business to a new, smaller tenant space within the same shopping center. The site is in the C-2 (Community Commercial) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 Existing Facilities of the State CEQA Guidelines.
  - Action: Resolution No. 6061-23 was approved.

Motion: Cunningham Second: Arbgast

- Ayes: (5) Arbgast, Cunningham, Lindsay, Paredes, Ramirez
- Noes: (0) None
- Absent: (2) Montano, Perez

MATTERS FROM COMMISSIONERS: None.

<u>MATTERS FROM STAFF</u>: Staff stated the May  $4^{th}$  and  $18^{th}$  meetings would be cancelled.

<u>ADJOURNMENT:</u> At 7:20 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, June 1, 2023, at 7:00 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Judith Moore, Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	<b>SITE LOCATION:</b> South side of Lampson Avenue, between 9 <sup>th</sup> Street and West Street, at 11712 Lampson Avenue
HEARING DATE: July 6, 2023	<b>GENERAL PLAN:</b> Low Density Residential
<b>CASE NO.:</b> Site Plan No. SP-081-2020TE2 and Tentative Tract Map	<b>ZONE:</b> R-1 (Single-Family Residential)
No. TT-18181TE2	<b>APN:</b> 090-302-40
APPLICANT & PROPERTY OWNER: Nhan Vuong	<b>CEQA DETERMINATION:</b> Previously adopted Exemption- Section 15332 "In- Fill Development Projects"

### **REQUEST:**

The applicant is requesting approval of a one-year time extension for the approved entitlements under Site Plan No. SP-081-2020 and Tentative Tract Map No. 18181 to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as a cul-de-sac (Lot 5). The approval allowed each parcel to be developed with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3, and 4 will each be developed with a new two-story, single-family home. Also, a minor land deviation was approved to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

## **BACKGROUND:**

The project site is a 47,284 square foot lot located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site is located in a residential area improved with single-family residences. The project site abuts R-1 zoned properties developed with single-family homes to the north, across Lampson Avenue, to the east, south, and to the west. The properties that directly abut the project site to the west are part of a single-family residential subdivision developed with seven (7) parcels located on Persimmons Circle.

### STAFF REPORT FOR PUBLIC HEARING

### CASE NO. SP-081-2020TE2 AND TT-18181TE2

On April 7, 2020, the Planning Commission approved Site Plan No. SP-081-2020, and Tentative Tract Map No. TT-18181 with seven (7) yes votes. The approval allowed the subdivision of an existing 47,284 square foot lot, improved with a single-family home and a detached guest house, into four (4) residential lots that will be served by a private street designed as cul-de-sac (Lot 5). Each lot was approved with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3 and 4 will each be developed with a new two-story, single-family home. Each lot will also include an Accessory Dwelling Unit (ADU) as permitted by State Law. Also, the approval included a minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

Under the State Subdivision Map Act, tentative maps expire two-years from the date the land use approval becomes effective. Condition of Approval No. 69 of SP-081-2020 and TT-18181 allowed the Site Plan to expire two years from the date the approval became effective to be consistent with the two-year expiration date of the Tentative Tract Map. For this approval, the land use entitlements became effective on May 8, 2020, with a two-year expiration date of May 8, 2022.

On July 22, 2022, the Planning Commission approved a one-year time extention to Site Plan No. SP-081-2020 and Tentative Tact Map No. TT-18181 (Time Extension #1) with a seven (7) yes votes. This approval extended the subject entitlement expiration date to May 8, 2023.

On April 17, 2023, the Interim Community and Economic Development Director approved a Minor Modification to modify Conditional of Approval No. 62.b. to permit the construction of a new retaining/perimeter block wall within the subject site without replacing existing perimeter walls between the subject property and nine (9) of the adjacent properties or constructing a decorative cap between the new and existing perimeter walls.

On May 4, 2023, prior to the expiration of the subject entitlements, the applicant filed a land use application with the City requesting a second one-year time extension to Site Plan No. SP-081-2020 and Tentative Tact Map No. TT-18181 (Time Extension #2).

In accordance with the Municipal Code, and because the approved entitlements were not yet exercised, the applicant is now requesting a second one-year time extension for the previously approved entitlements. No changes are proposed to the previously approved project.

# DISCUSSION:

#### TIME EXTENSION

Site Plan No. SP-081-2020 and Tentative Tract Map No. 18181 went into effect on May 8, 2020, with a two-year expiration date of May 8, 2022. The applicant received approval of a one-year time extension (Time Extension #1) on July 7, 2022, which extended the subject entitlement expiration date to May 8, 2023. The applicant filed a new application with the City of Garden Grove requesting a second one-year time extension to the subject entitlement (Time Extension #2). The application was received on May 4, 2023 prior to the entitlements expiring.

The applicant has made significant progress toward obtaining the required permits to commence construction of the project. The applicant has continued to work with the City on the grading plan review, and received a fourth round of comments from the City on May 25, 2023. The applicant submitted construction drawings for each of the proposed residential structures to the City for plan check review in April and May of 2023. Also, the final tract map has been reviewed by the Orange County Survey Department, and is now awaiting final signatures from the county surveyor.

Delays to the project have occurred due to the applicant's on-going attempt to comply with Condition of Approval No. 62 (a-b). These conditions of approval require the applicant to (I) construct a 7'-0" perimeter project block wall, (II) work with adjacent property owners in constructing the perimeter block wall to avoid having a double block wall, and (III) construct a decorative cap between the new project perimeter wall and any existing perimeter wall/fence if the applicant cannot obtain adjacent property owner's approval to build a single project perimeter wall.

The applicant has made several attempts to contact and receive approval from all eleven (11) property owners whose property abuts the project site for the purpose of constructing a single project perimeter block wall. To date, only two (2) of the eleven (11) property owners have agreed to a single project perimeter block wall design, while the other nine (9) property owners have not responded.

A Minor Modification was approved by the City on April 23, 2023 that allowed the applicant to proceed with constructing a single perimeter block wall on the project site due to challenges in obtaining approval from several of the adjacent property owners. Nevertheless, the applicant is required to continue to work with the City to comply with appropriate site drainage requirements between the perimeter walls.

Title 9 of the Municipal Code allows for a one (1) year time extension for approved entitlements, provided that the Planning Commission finds that: (a) the request for the time extension was submitted prior to the permit expiration date, (b) there has been no change in the general plan designation or zoning of the site, and (c) there is no land use action or study currently underway that would have the potential to render the development nonconforming. The applicant submitted the time extension application on May 4, 2023, prior to the expiration of the entitlements. In addition, the General Plan Land Use Designation of Low Density Residential and the R-1 (Single-Family Residential) zoning of the property have remained the same, and there are no pending land use actions or studies that would have the potential to render the approved development nonconforming. As such, the proposed project is conforming to the General Plan and zoning designations of the property. No changes are proposed to the previously approved project. The subject request is in compliance with Municipal Code standards for time extensions.

#### <u>CEQA</u>

As a part of the April 17, 2022 approval for SP-081-2020 and TT-18181, the Planning Commission determined that the project was categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). No changes are proposed to the project that was previously approved, and no further environmental review is required.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

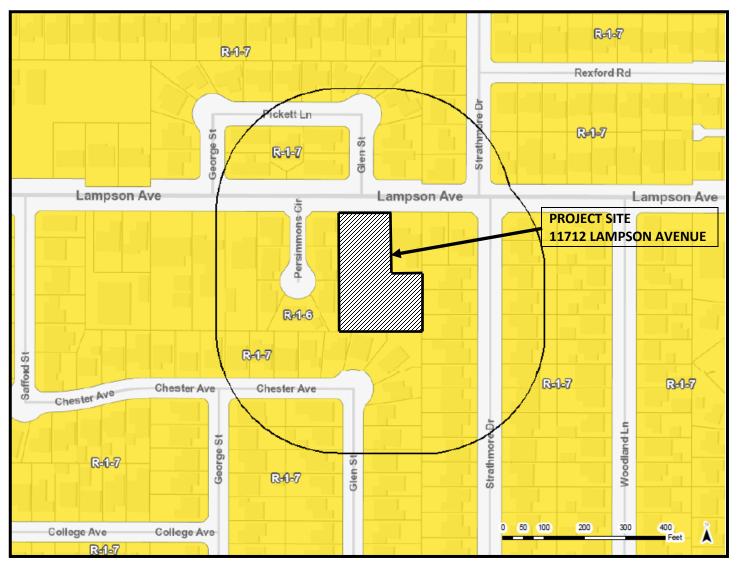
1. Adopt Resolution No. 6062-23 approving Site Plan No. SP-081-2020TE2 and Tentative Tract Map No. TT-18181TE2, subject to the original Conditions of Approval for Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181.

MARIA PARRA Planning Services Manager

Attachment 1: Attachment 2: Attachment 3:	Vicinity Map Plans Planning Staff Report dated April 16, 2020 with Resolution No. 5978-20 and Conditions of Approval for SP-081-2020 and TT-18181
Attachment 4: Attachment 5:	Planning Staff Report dated July 7, 2022 and Resolution No. 6047-22 for SP-081-2020(TE1) and TT-18181 (TE1) Minor Modification No. 1 for SP-081-2020 and TT-18181



# SITE PLAN NO. SP-081-2020TE2 TENTATIVE TRACT MAP NO. TT-18181TE2



## LEGEND



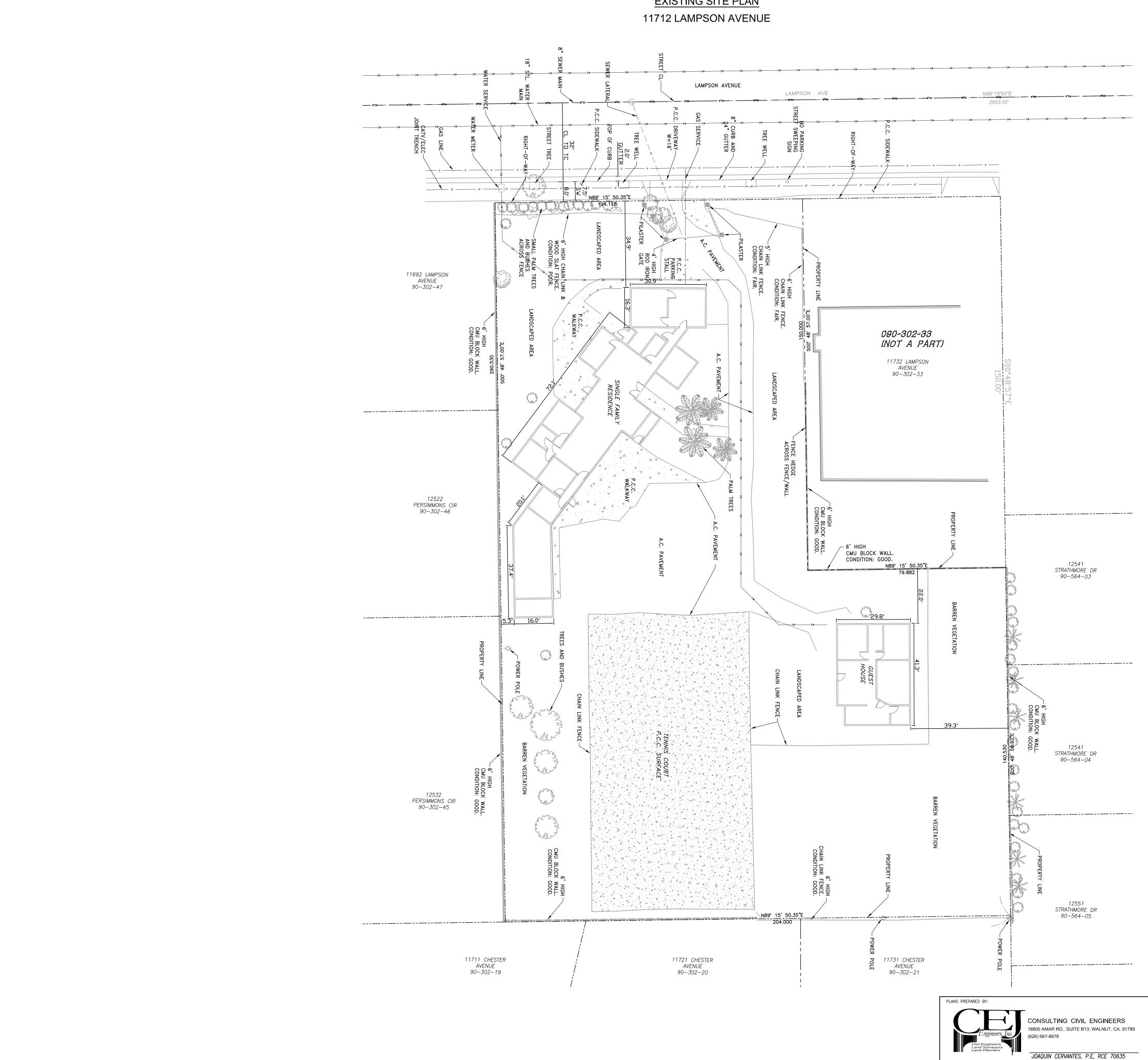
SUBJECT SITE(S) - 11712 LAMPSON AVENUE

300 FOOT RADIUS

## NOTES

- 1. SITE ADDRESSES 11712 LAMPSON AVENUE
- 2. ZONING: R-1 (SINGLE-FAMILY RESIDENTIAL)
- 3. GENERAL PLAN: LOW DENSITY RESIDENTIAL

CITY OF GARDEN GROVE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT PLANNING DIVISION JUNE 2023



# EXISTING SITE PLAN

## <u>LEGAL DESCRIPTION:</u> THE EAST 204.000 FEET OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

#### <u>BENCHMARK # 05530</u> SQ SPIKE IN W. CURB

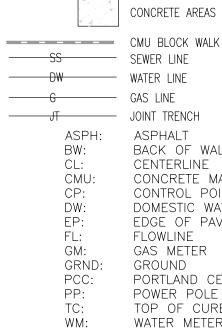
LAMPSON AVE 2FT W OF BC CURB RETURN SW CORNER OF WEST ST. BM ELEVATION = 112.121'ADJUSTED 1985, NGVD 1929'

CONTOUR INTERVAL 0.50'

BASIS OF BEARINGS: N89°15'50"E ALONG CENTERLINE STREET OF LAMPSON AVENUE.

PROJECT SITE DATA: EXISTING LAND USE: RESIDENTIAL (R-1-7)A.P.N. 090-302-40 LOT SIZE = 1.08 ACRES

# LEGEND



DESCRIPTION BY DATE

JD 9/20/19

JD 9/20/19

JD 9/20/19

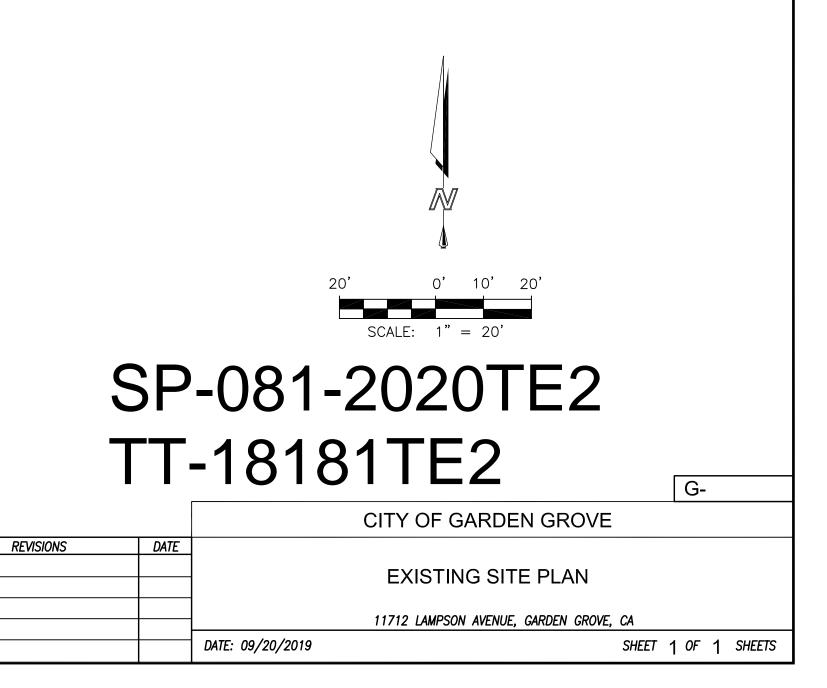
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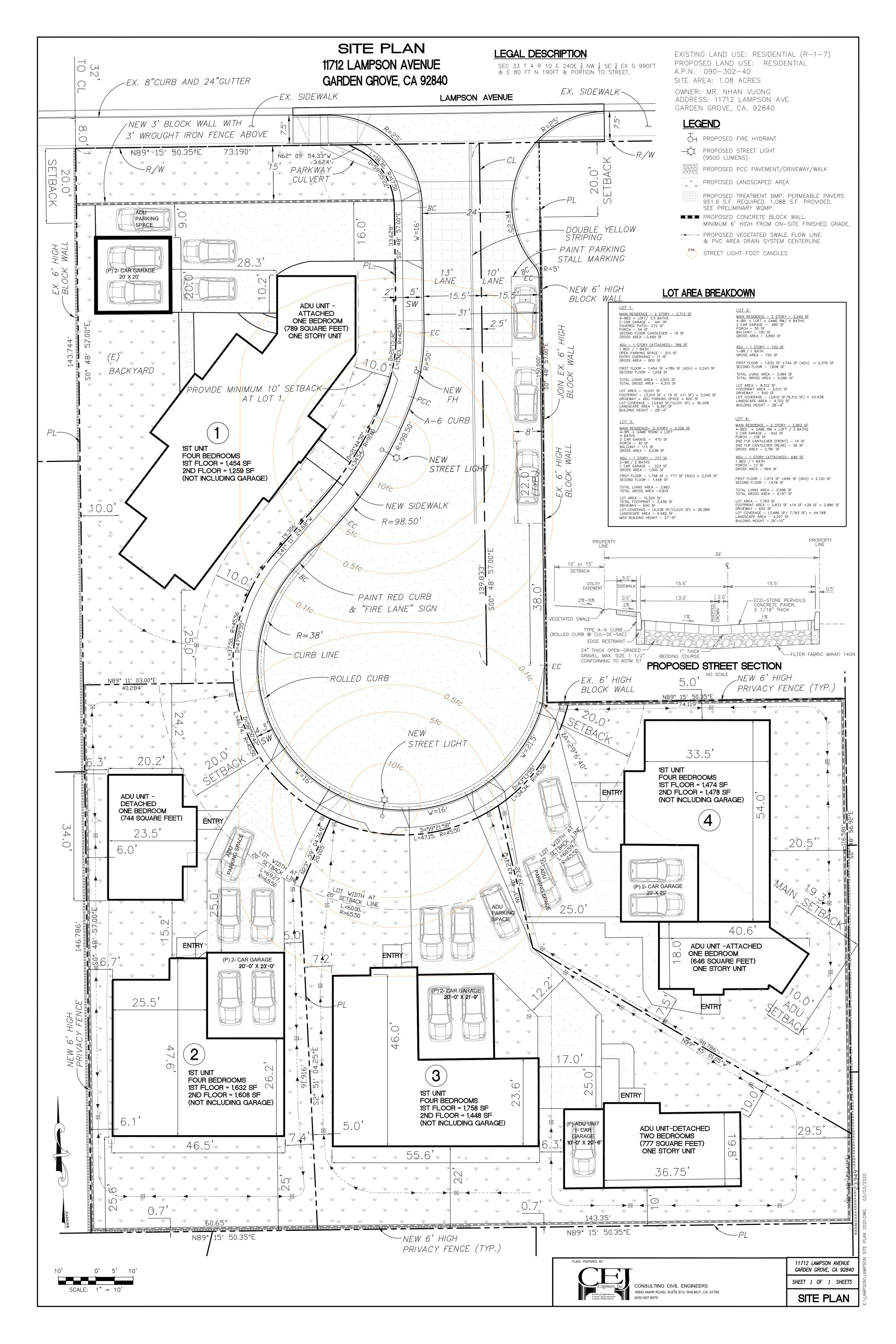
DESIGNED BY

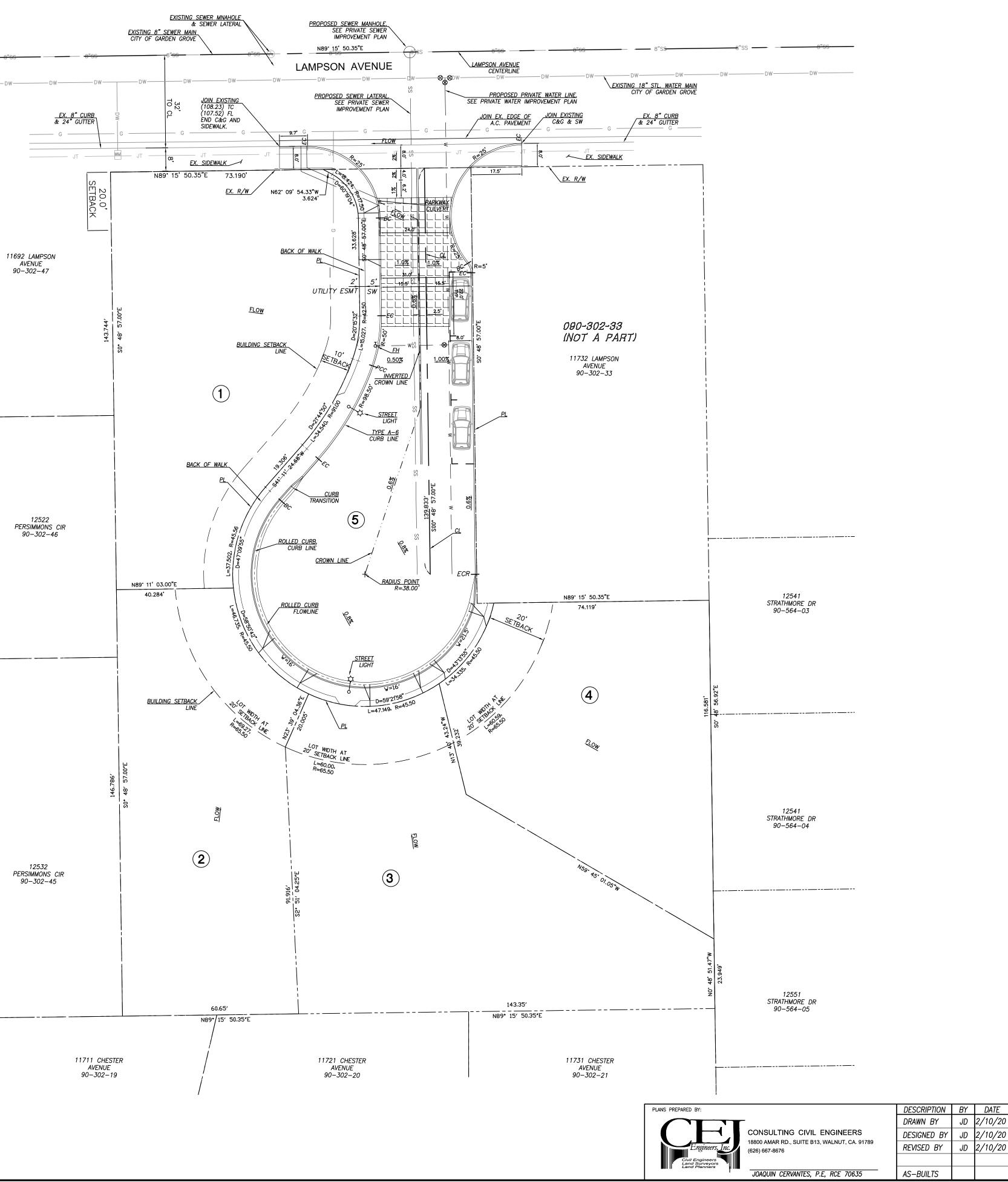
REVISED BY

AS–BUILTS

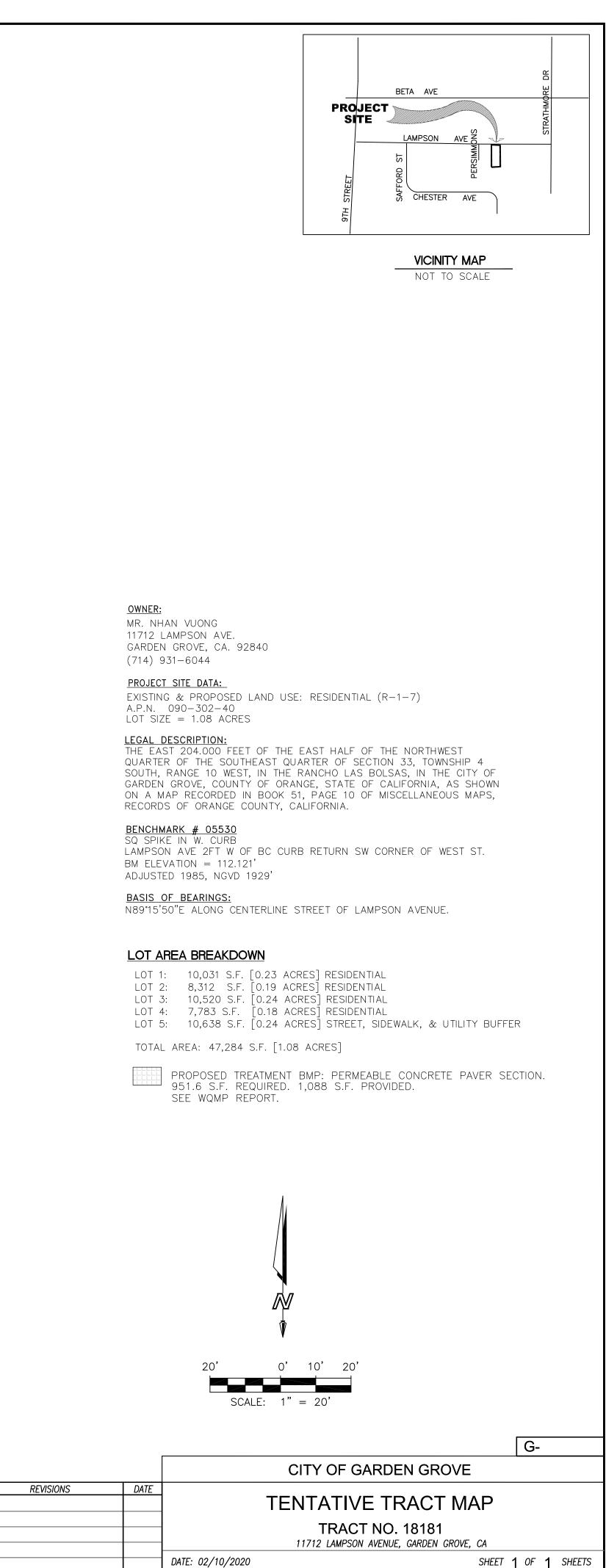
ASPHALT BACK OF WALK CENTERLINE CONCRETE MASONRY UNIT CONTROL POINT DOMESTIC WATER EDGE OF PAVEMENT FLOWLINE GAS METER GROUND PORTLAND CEMENT CONCRETE POWER POLE TOP OF CURB WATER METER











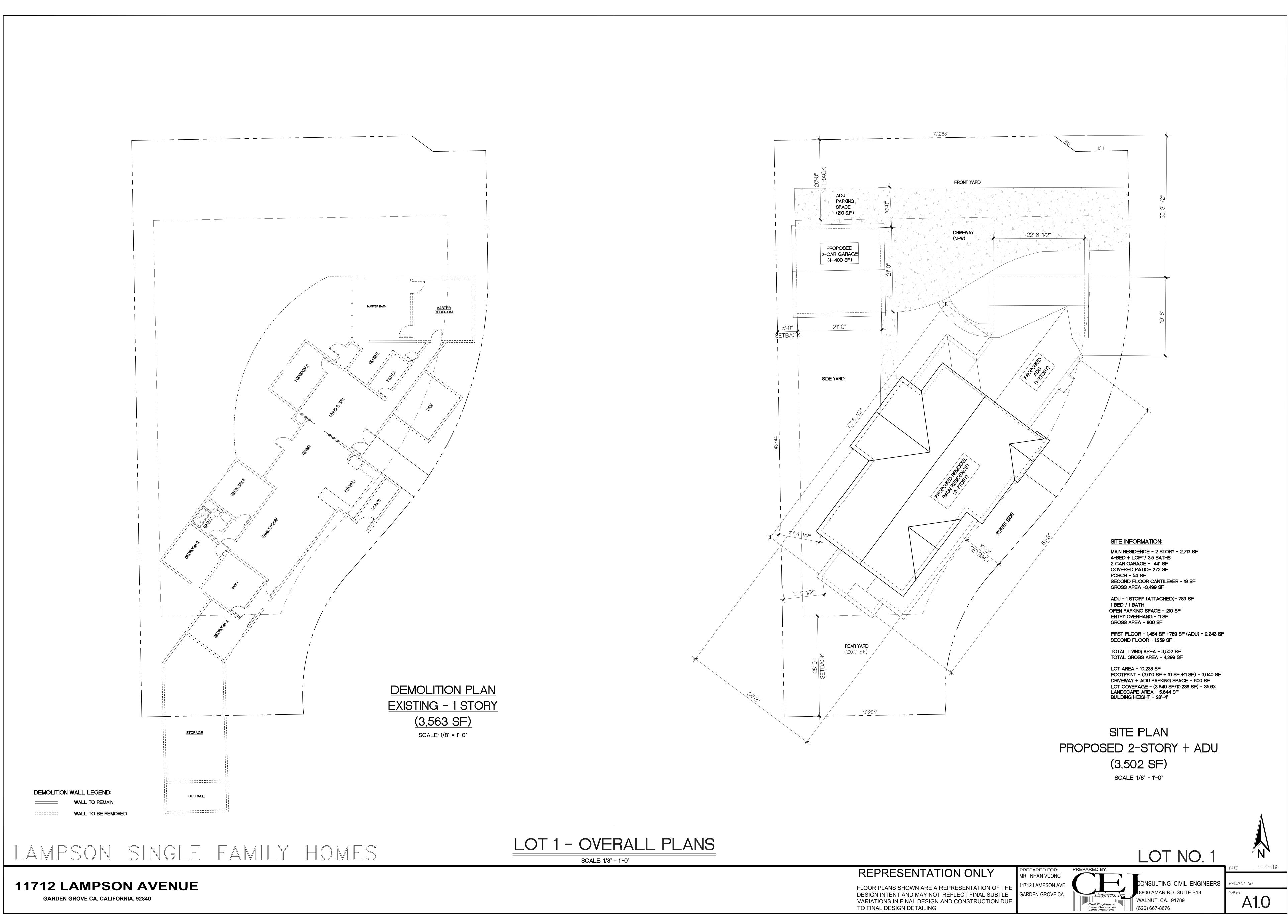
DESCRIPTION BY DATE

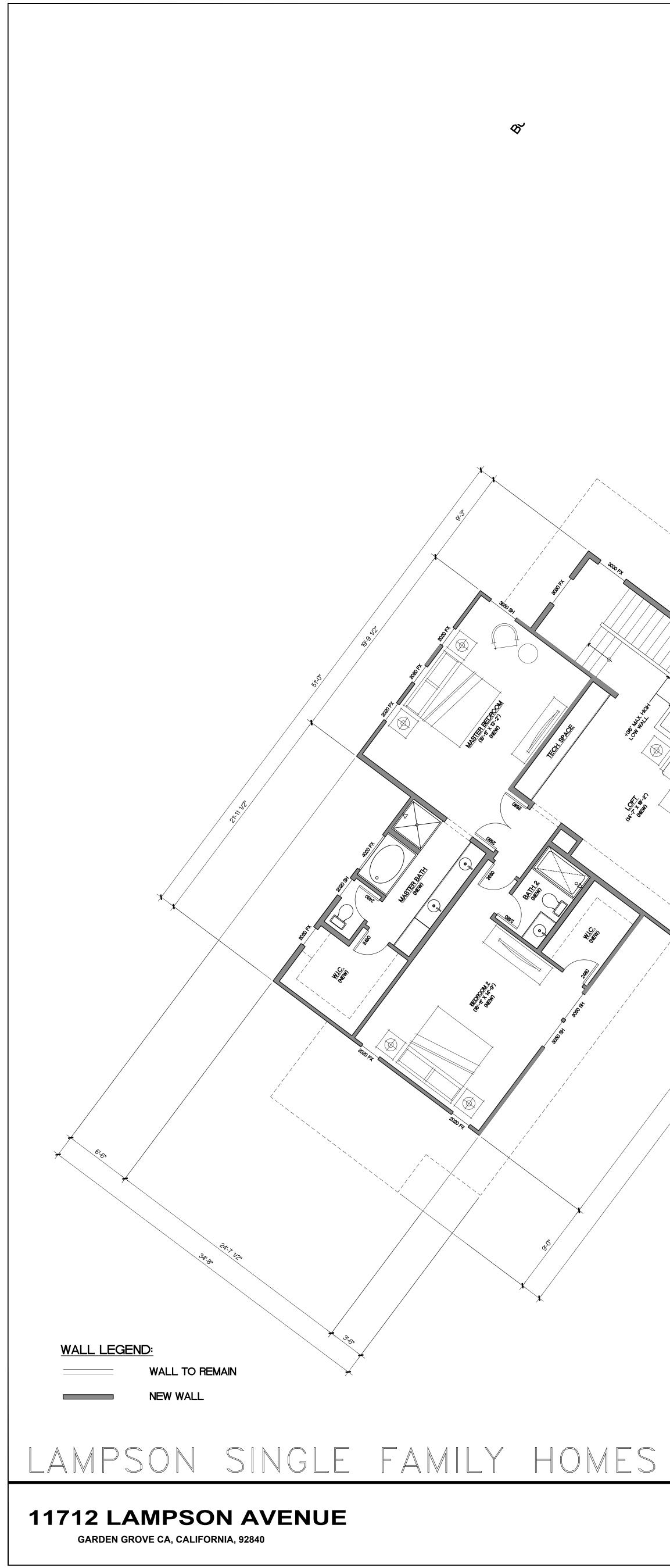
JD 2/10/20

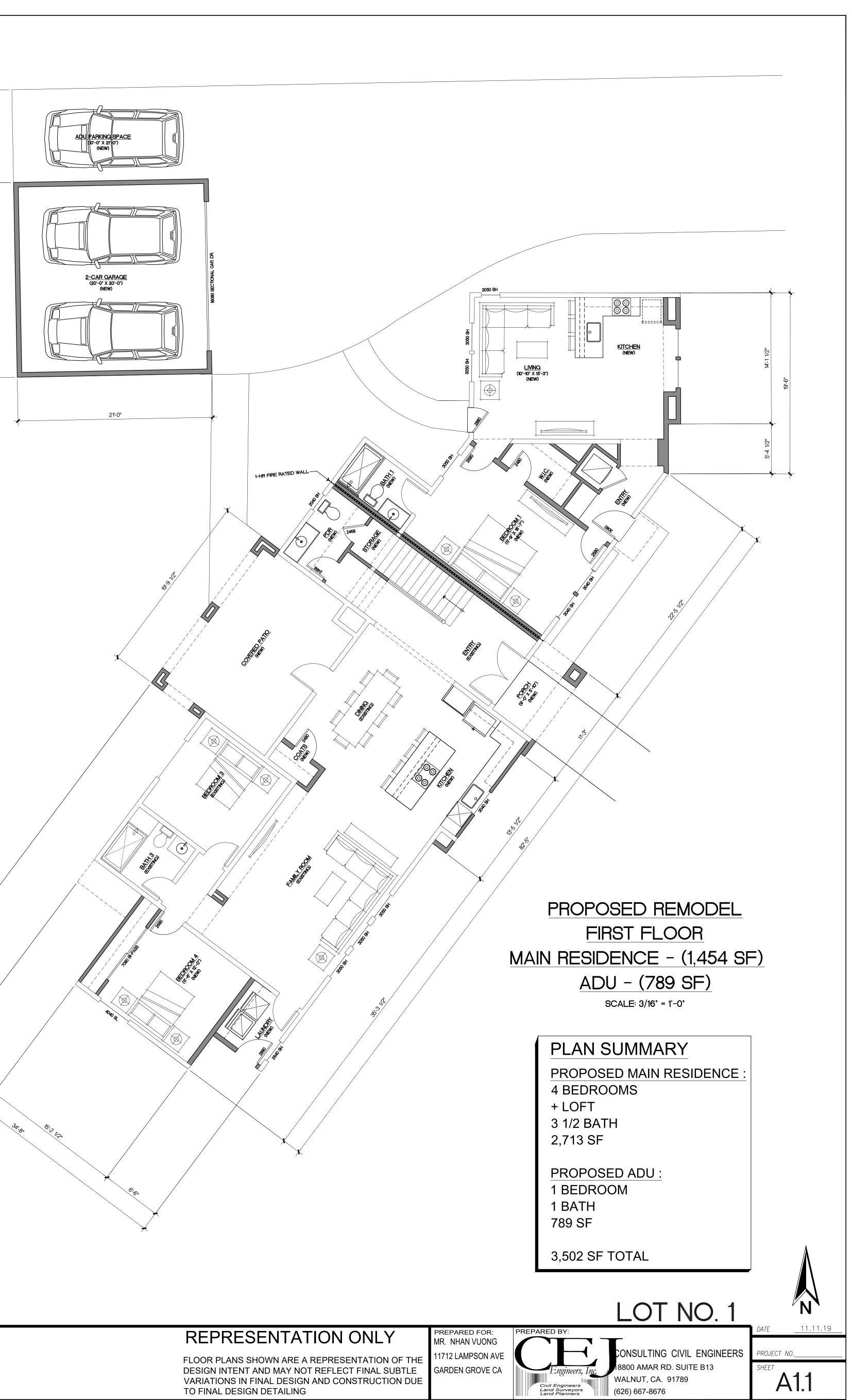
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CHANGE	DATE	EFFECTED OR AD







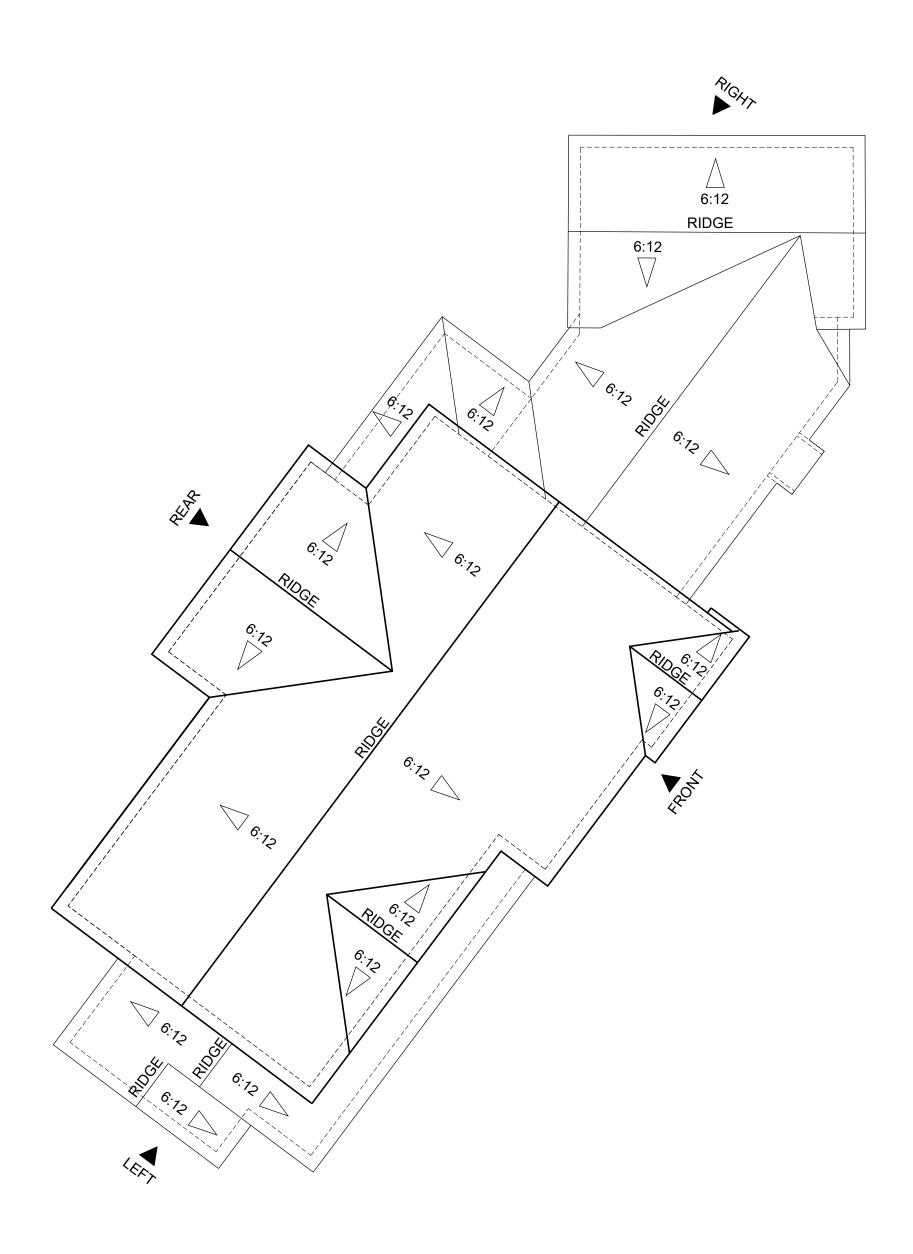
PROPOSED SECOND FLOOR <u>(1,259 SF)</u> SCALE: 3/16" = 1'-0"

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# LOT 1 - FLOOR PLANS SCALE: 3/16" = 1'-0"







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



11712 LAMPSON AVENUE GARDEN GROVE CA, CALIFORNIA, 92840

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



**RIGHT ELEVATION** SCALE: 1/4" = 1'-0"

# LOT 1 - ELEVATIONS

# PLAN 1 - MATERIAL LEGEND: 1. FLAT TILE ROOFING 2. STUCCO

- 3. METAL GARAGE DOORS 4. PERIMETER FENCING
- 5. LIGHT FIXTURE
- 6. SINGLE HUNG VINYL WINDOWS 7. STUCCO TRIM
- 8. STONE VENEER
- 9. DECORATIVE CORBEL
- 10. DECORATIVE SHUTTERS
- 11. OUTLOOKER AND KICKER 12. LAP SIDING



**REPRESENTATION ONLY** 

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA



CONSULTING CIVIL ENGINEERS Engineers, Inc. Civil Engineers Land Surveyors Land Planners Land Planners Land Planners Land Planners Land Planners Land Planners

GARAGE DOOR - Wood Tone (See Specifications)

ROOF TILE - Eagle - 357 Live Oak - Ponderosa

STONE VENEER - Eldorado - Weather Edge - Amber Falls



PROJECT	N()		
INCOLOI	110.		

11.11.19

SHEET A1.2





11712 LAMPSON AVENUE GARDEN GROVE CA, CALIFORNIA, 92840

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



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

# LOT 1 - ELEVATIONS

FROSTED GLASS IN ALL PROPOSED 2ND STORY WINDOWS FACING REAR YARD, IN COMBINATION WITH 6' HIGH PROPERTY LINE FENCE, WILL SATISFY 2ND STORY PRIVACY PROVISION.

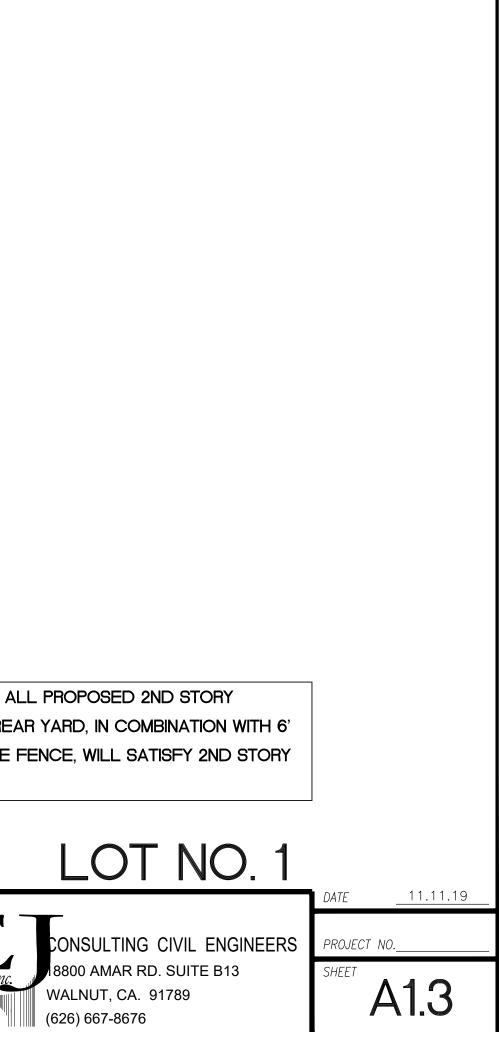


# **REPRESENTATION ONLY**

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

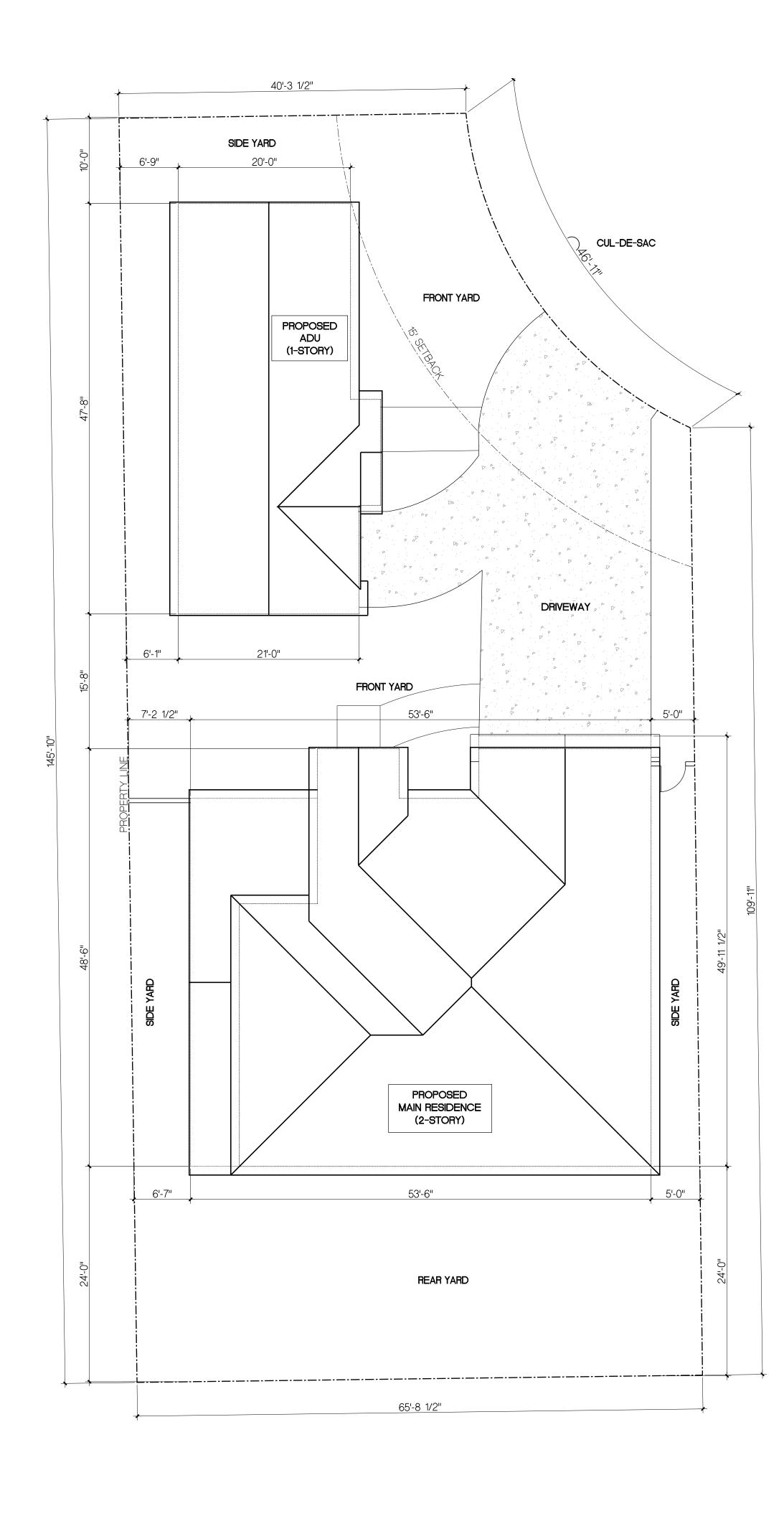
PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA





# **11712 LAMPSON AVENUE**

GARDEN GROVE CA, CALIFORNIA, 92840



LOT 2 - SITE PLAN SCALE: 1/8" = 1'-0"

# SITE INFORMATION:

MAIN RESIDENCE - 2 STORY - 3,457 SF 4-BR. + LOFT + GAME RM/ 4 BATHS 2 CAR GARAGE - 485 SF PORCH - 55 SF BALCONY - 100 SF GROSS AREA - 4,097 SF

<u> ADU - 1 STORY - 785 SF</u> 2-BR./ 2 BATHS 1 CAR GARAGE - 215 SF GROSS AREA - 1,000 SF

FIRST FLOOR - 1,922 SF +785 SF (ADU) = 2,707 SF SECOND FLOOR - 1,535 SF

TOTAL LIVING AREA - 4,242 SF TOTAL GROSS AREA - 5,097 SF

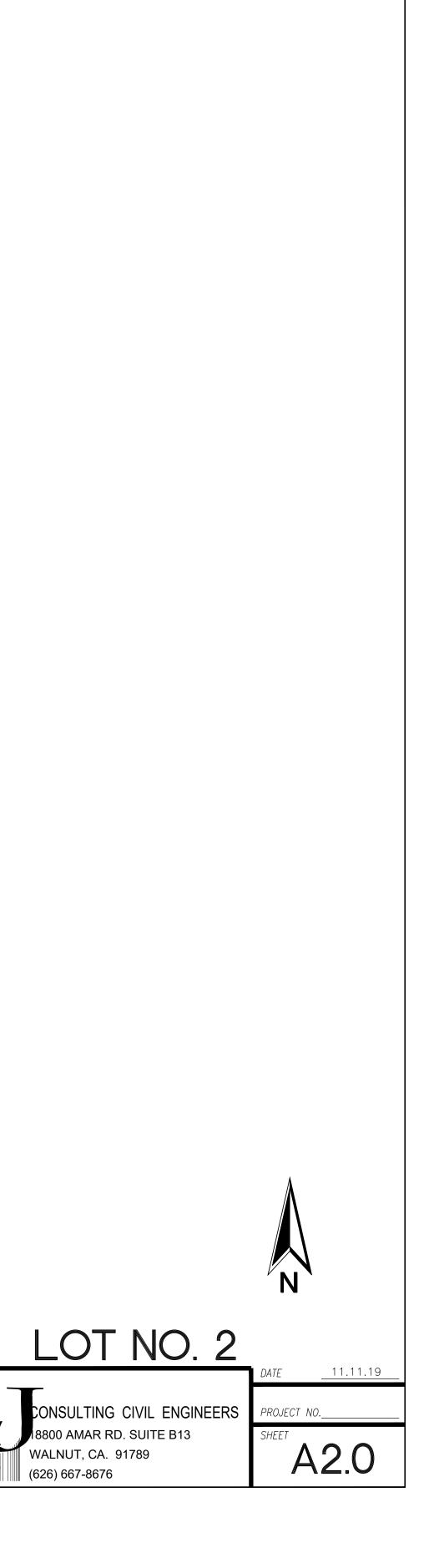
LOT AREA - 9,014 SF FOOTPRINT AREA - 3,562 SF DRIVEWAY - 600 SF LOT COVERAGE - (4,162 SF/9,014 SF) = 46.2 %LANDSCAPE AREA - 4,415 SF BUILDING HEIGHT - 28'-9"

# **REPRESENTATION ONLY**

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

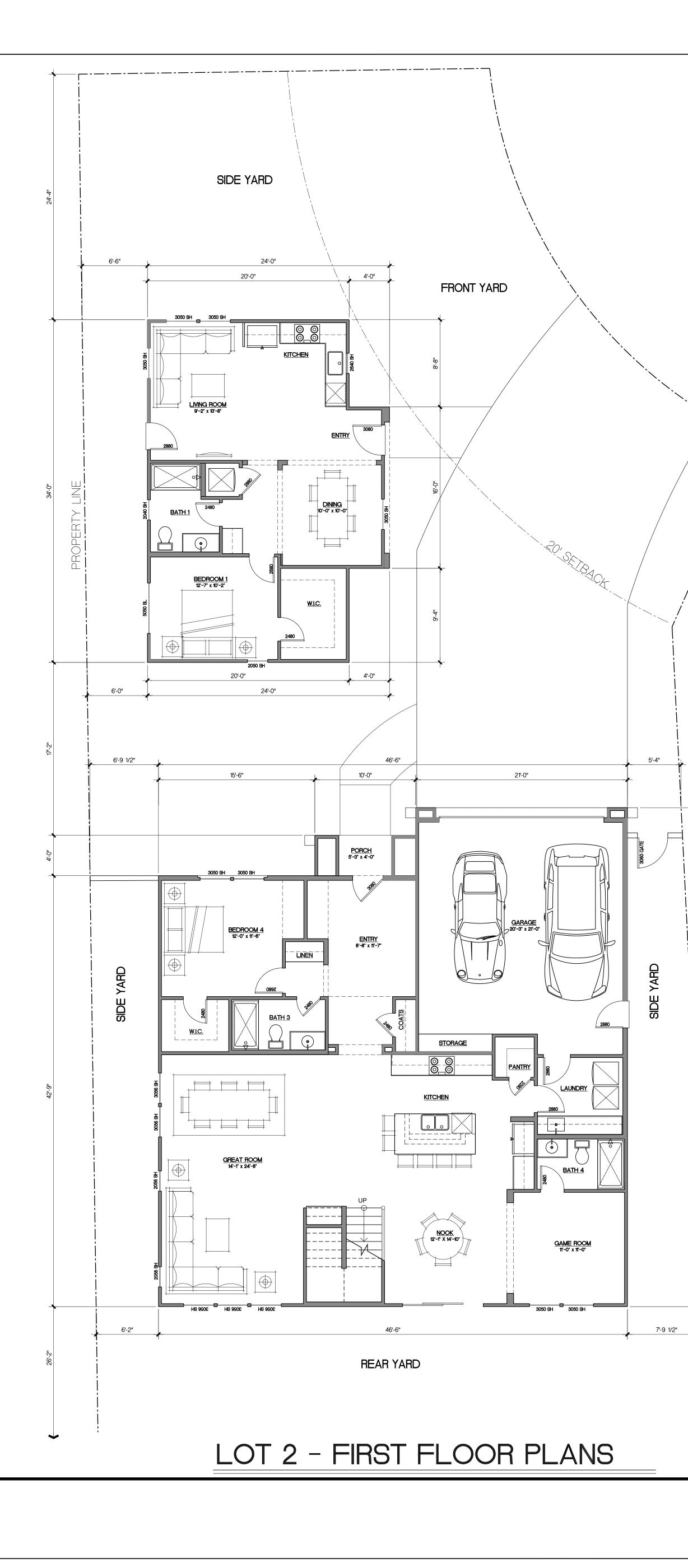
PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA





# **11712 LAMPSON AVENUE**

GARDEN GROVE CA, CALIFORNIA, 92840





SCALE: 3/16" = 1'-0"

# ADU SUMMARY 1 BEDROOM

1 BATH 744 SF (TOTAL)

# FIRST FLOOR MAIN RESIDENCE - (1,632 SF) SCALE: 3/16" = 1'-0"

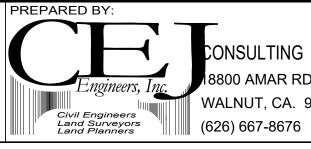
# MAIN RESIDENCE SUMMARY

- 4 BEDROOMS
- + RETREAT + GAME ROOM
- + LOFT
- 4 BATH
- 3,240 SF (TOTAL)

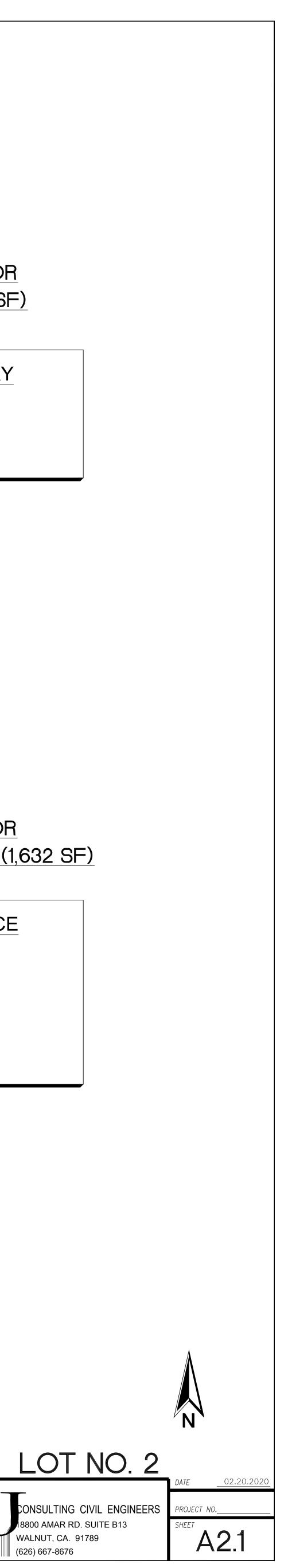
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PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA

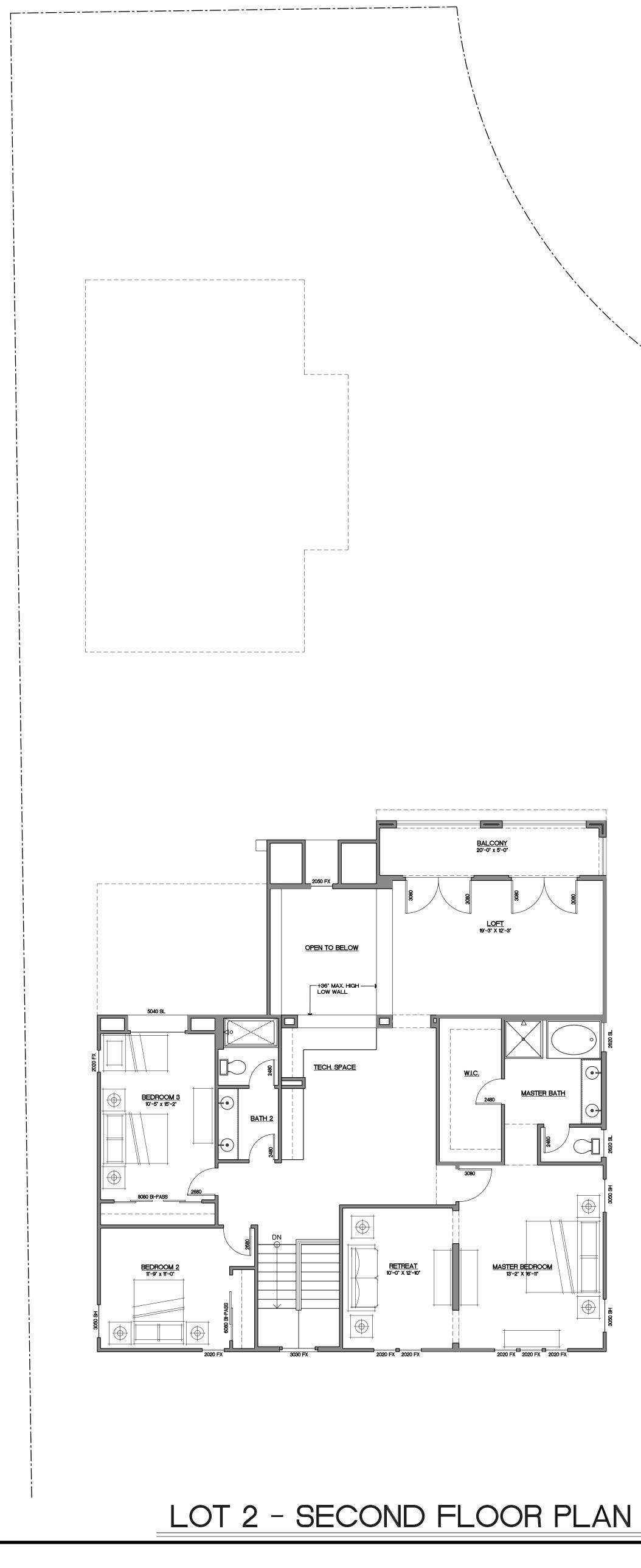


8800 AMAR RD. SUITE B13 WALNUT, CA. 91789



# **11712 LAMPSON AVENUE**

GARDEN GROVE CA, CALIFORNIA, 92840



# SECOND FLOOR MAIN RESIDENCE - (1,608 SF)

SCALE: 3/16" = 1'-0"

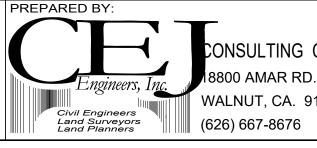
# MAIN RESIDENCE SUMMARY

- 4 BEDROOMS
- + RETREAT
- + GAME ROOM
- + LOFT
- 4 BATH 3,240 SF (TOTAL)

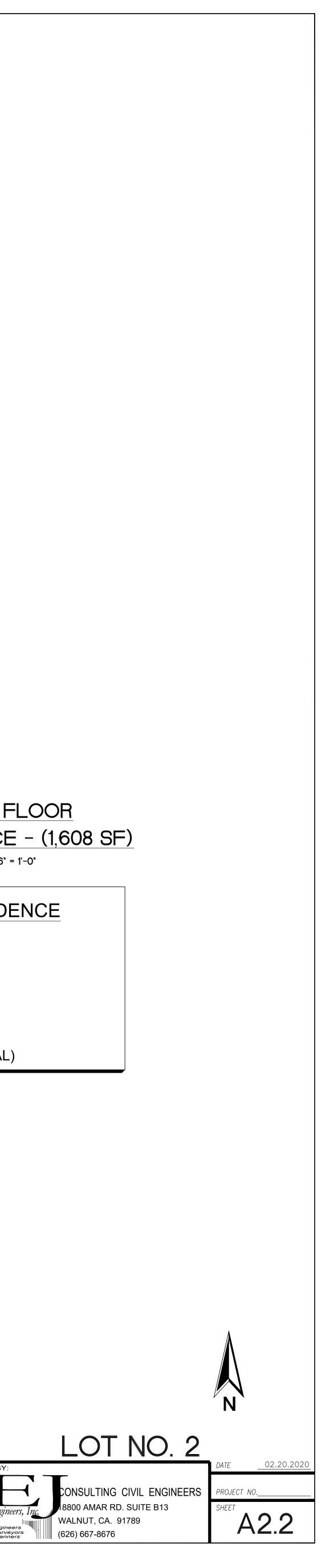
# **REPRESENTATION ONLY**

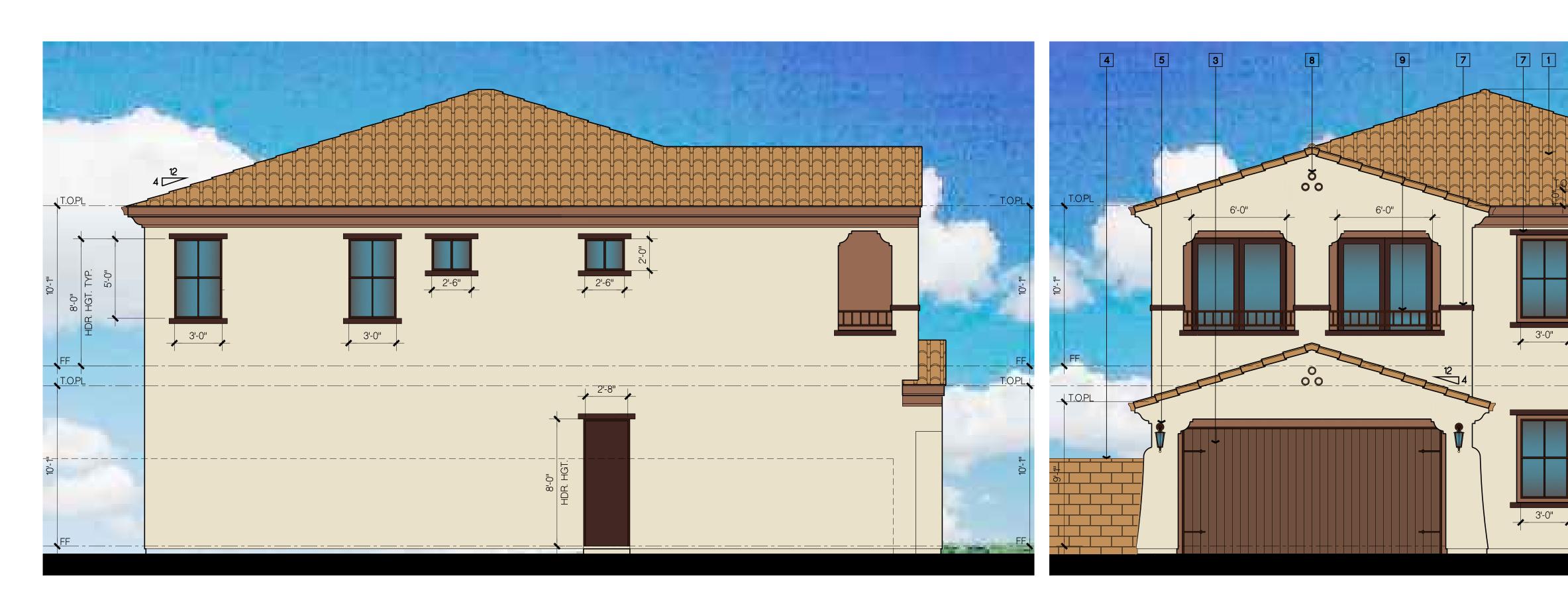
FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA



8800 AMAR RD. SUITE B13 WALNUT, CA. 91789





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



**RIGHT ELEVATION** SCALE: 1/4" = 1'-0"

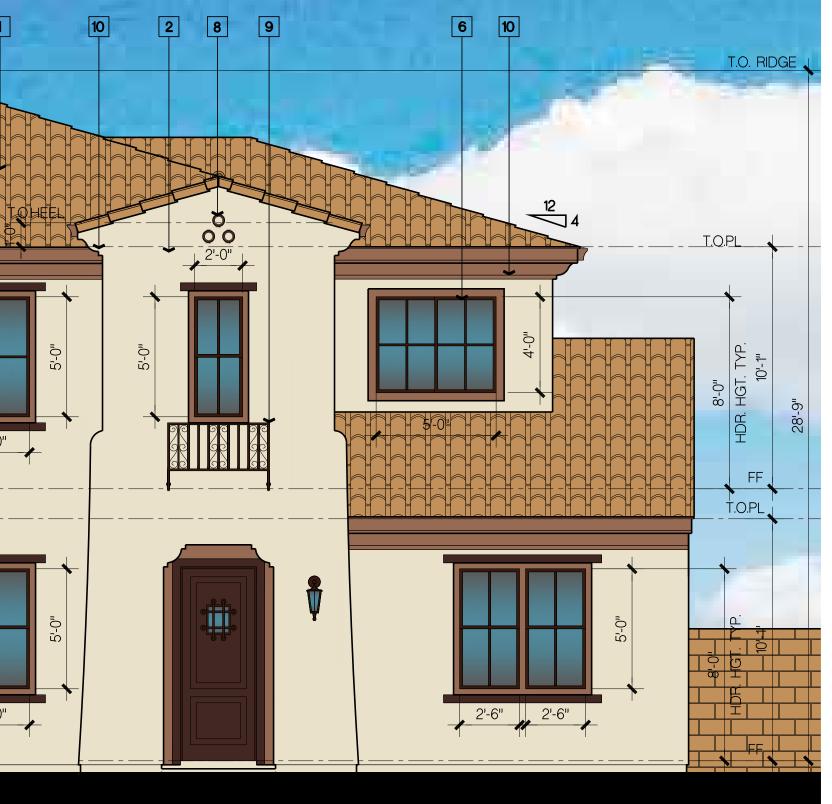


**11712 LAMPSON AVENUE** GARDEN GROVE CA, CALIFORNIA, 92840

 $\sim$ 4 T.O.PL T.O.PL 2'-0"



LOT 2 - MAIN RESIDENCE - ELEVATIONS



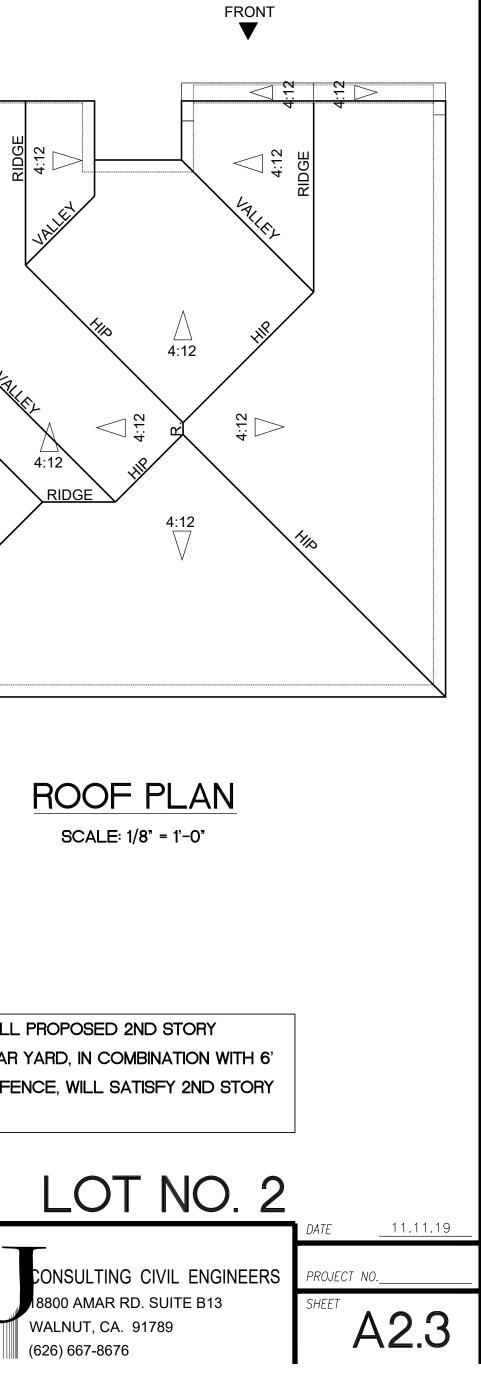


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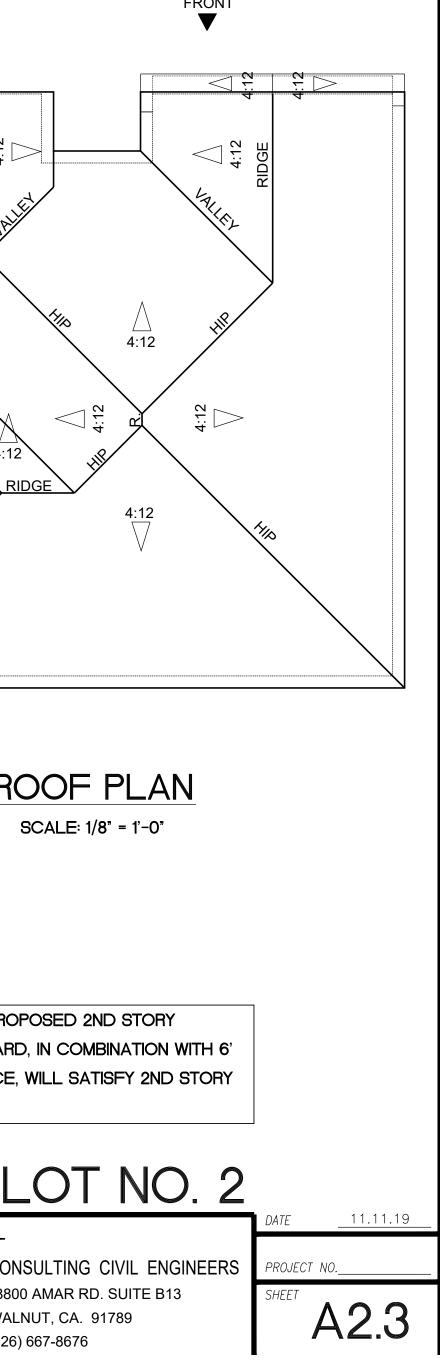
# 4:12 t:12

# REAR ELEVATION

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



FROSTED GLASS IN ALL PROPOSED 2ND STORY WINDOWS FACING REAR YARD, IN COMBINATION WITH 6' HIGH PROPERTY LINE FENCE, WILL SATISFY 2ND STORY PRIVACY PROVISION.



# **REPRESENTATION ONLY**

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA



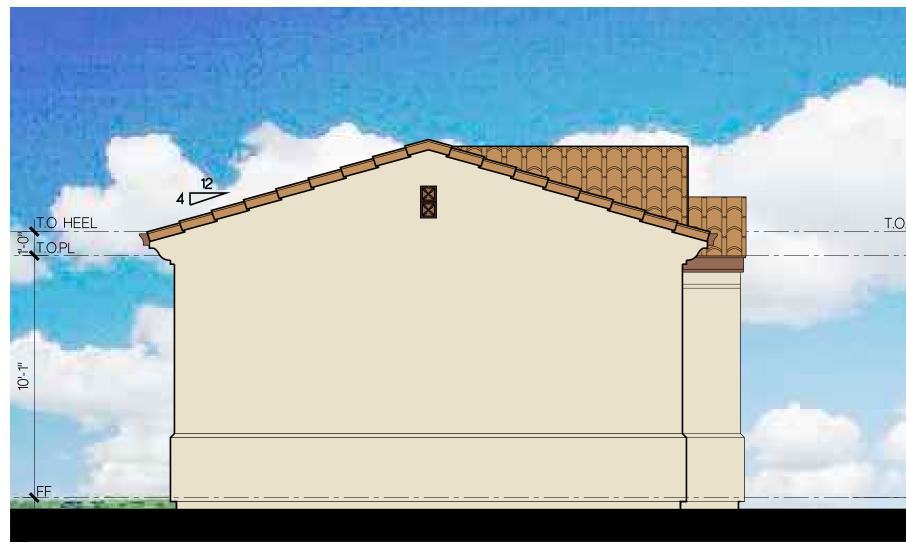
# <u> PLAN 2 - MATERIAL LEGEND:</u>

STUCCO BODY - La Habra Hacienda 82 (59)

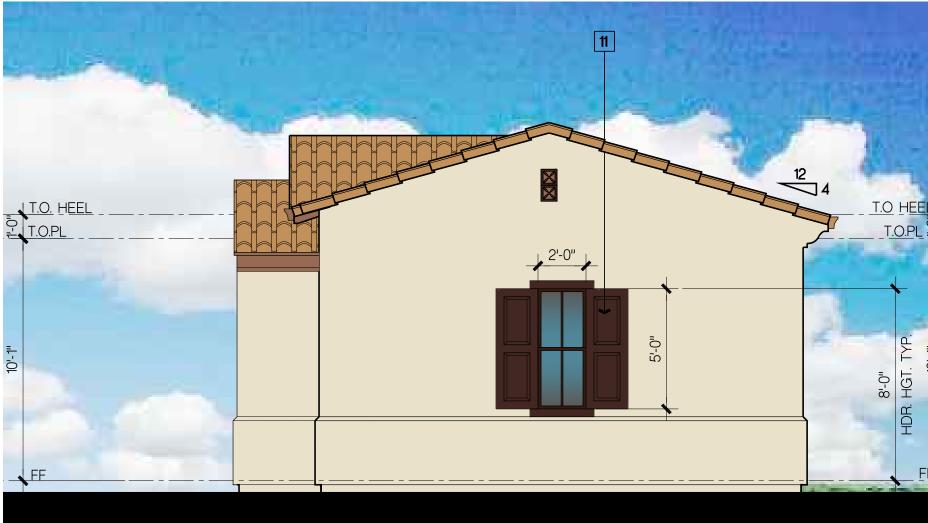
GARAGE DOOR - Wood Tone (See Specifications)

CENT - SW 2838 Polished Mahogany

ROOF TILE - Eagle - 2605 San Benito Blend



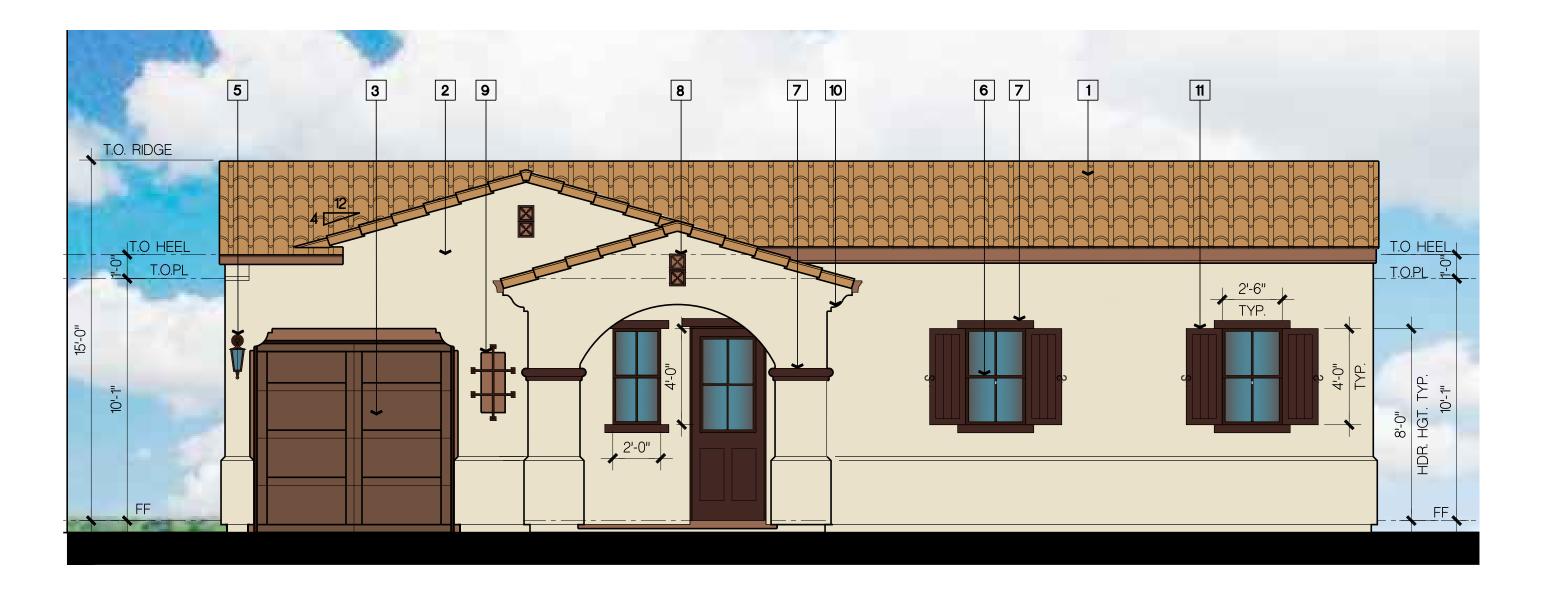
LEFT ELEVATION SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION** SCALE: 1/4" = 1'-0"



**11712 LAMPSON AVENUE** GARDEN GROVE CA, CALIFORNIA, 92840



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



# LOT 2 - ADU - ELEVATIONS

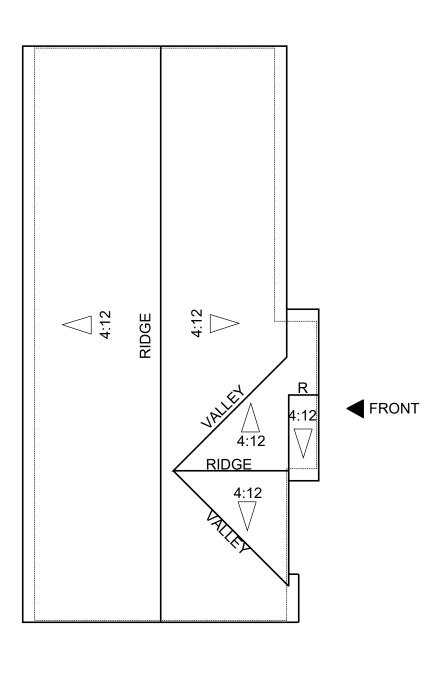
T.O. HEEL T.O.P

**REAR ELEVATION** SCALE: 1/4" = 1'-0"

# <u> PLAN 2 (ADU) - MATERIAL LEGEND:</u> 1. S-TILE ROOFING

- 2. STUCCO
- 3. METAL GARAGE DOORS
- 4. PERIMETER FENCING 5. LIGHT FIXTURE
- 6. SINGLE HUNG VINYL WINDOWS
- 7. STUCCO TRIM
- 8. DECORATIVE SPANISH TILE
- 9. DECORATIVE RECESS W/ WROUGHT IRON 10. DECORATIVE EAVE CORBEL
- 11. DECORATIVE SHUTTERS





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

# **REPRESENTATION ONLY**

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PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA

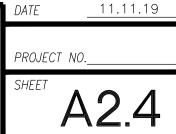


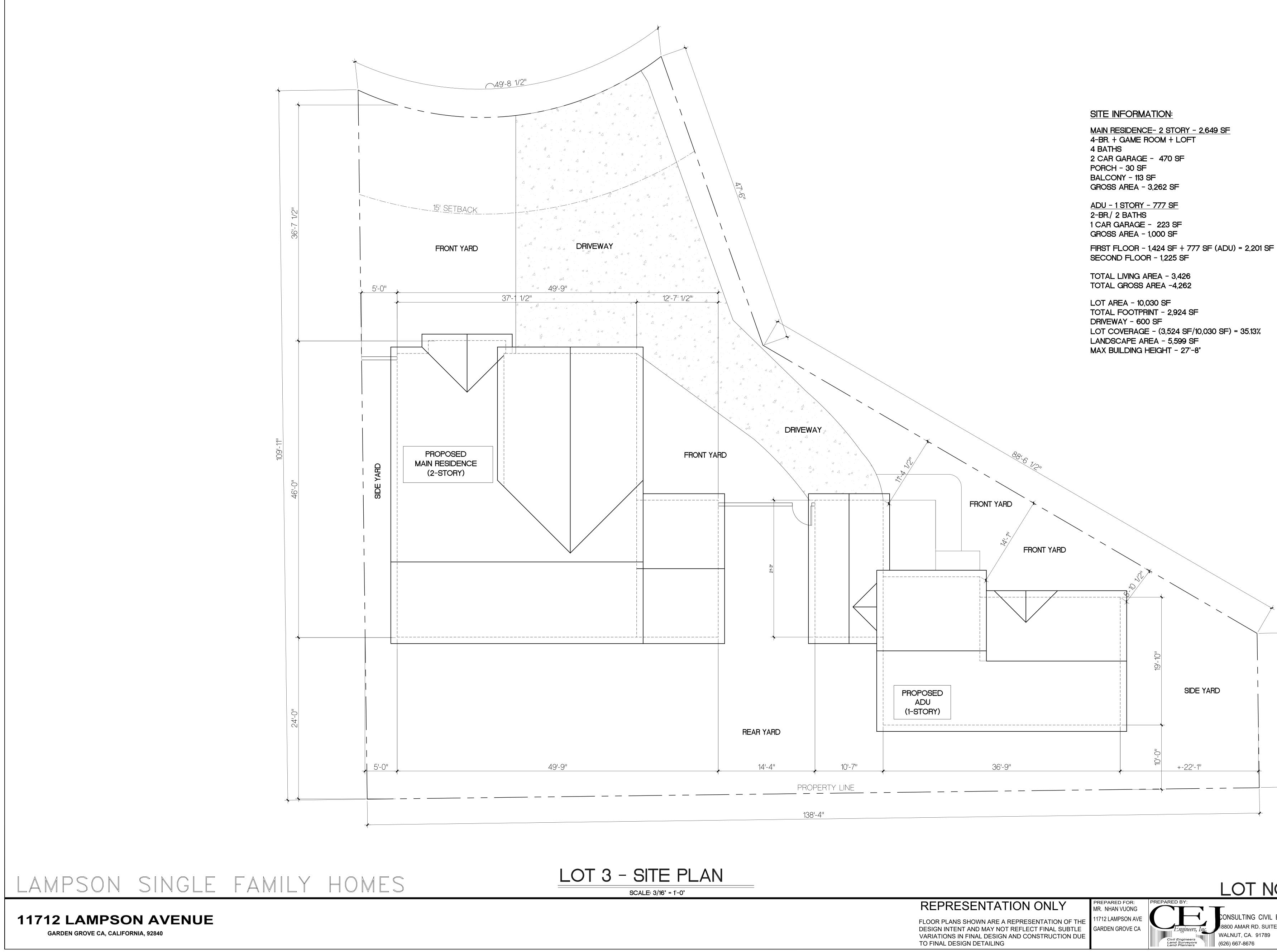
CONSULTING CIVIL ENGINEERS PROJECT NO.\_ 8800 AMAR RD. SUITE B13 WALNUT, CA. 91789

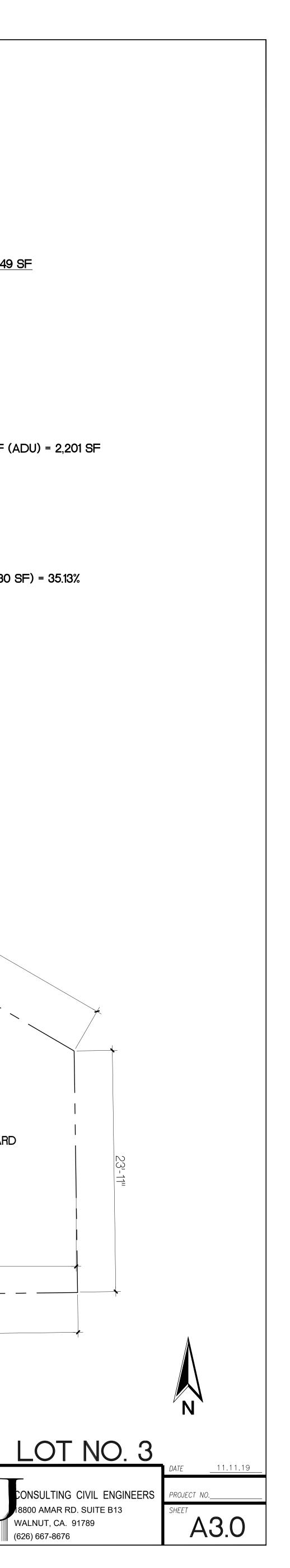
STUCCO BODY - La Habra Hacienda 82 (59)

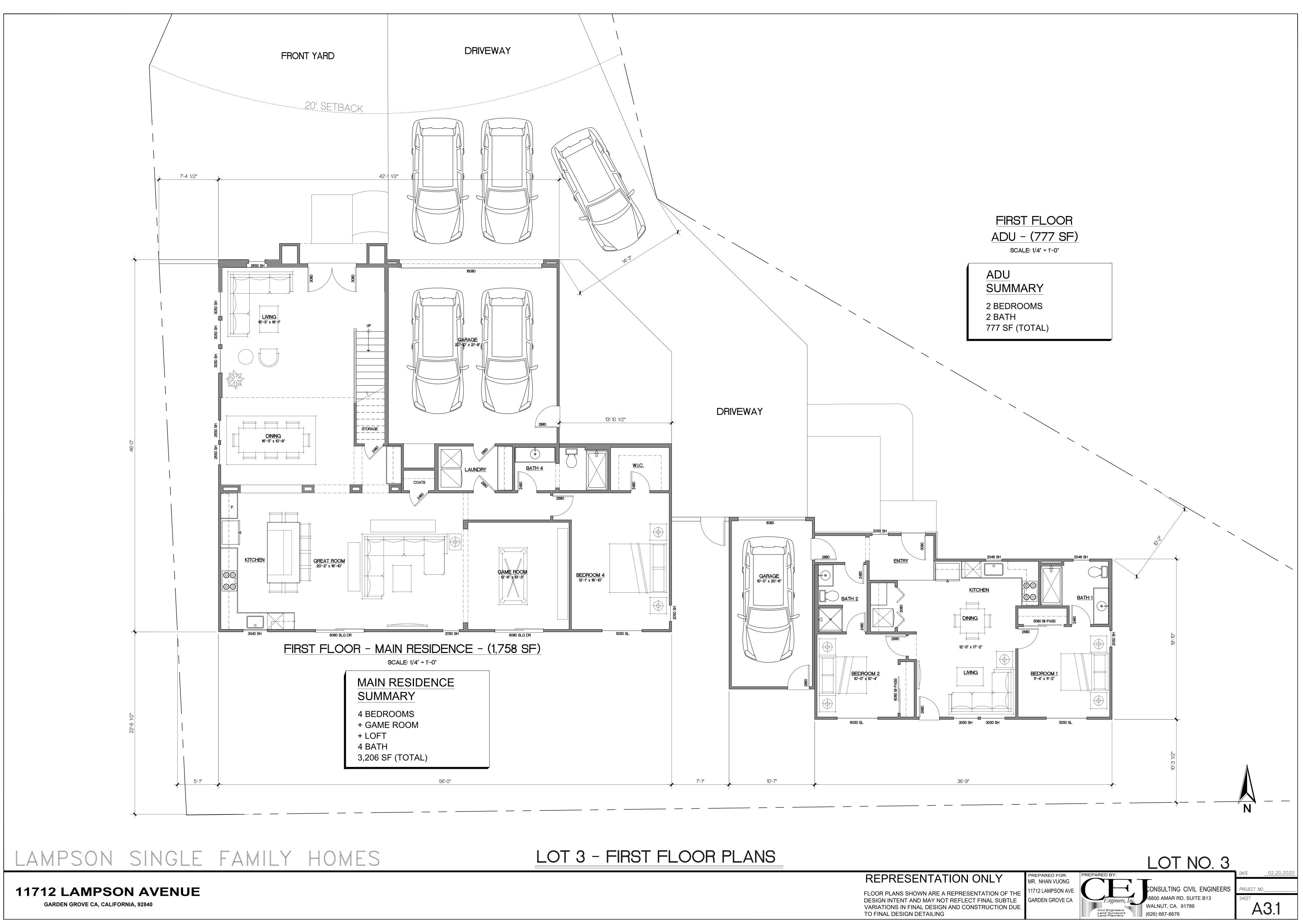
GARAGE DOOR - Wood Tone (See Specifications)

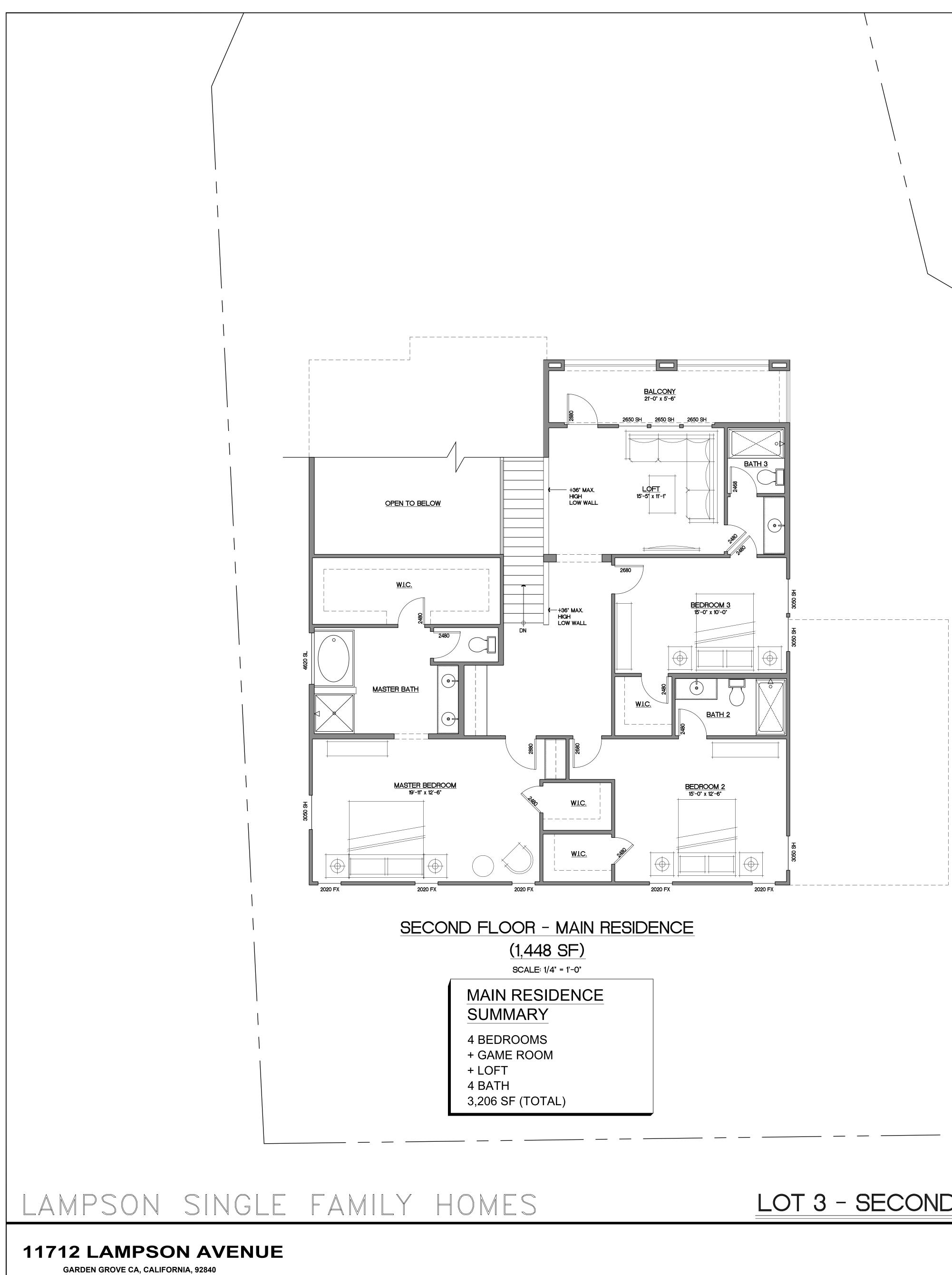












# LOT 3 - SECOND FLOOR PLANS



\_\_\_\_\_

L\_\_\_\_\_

# **REPRESENTATION ONLY**

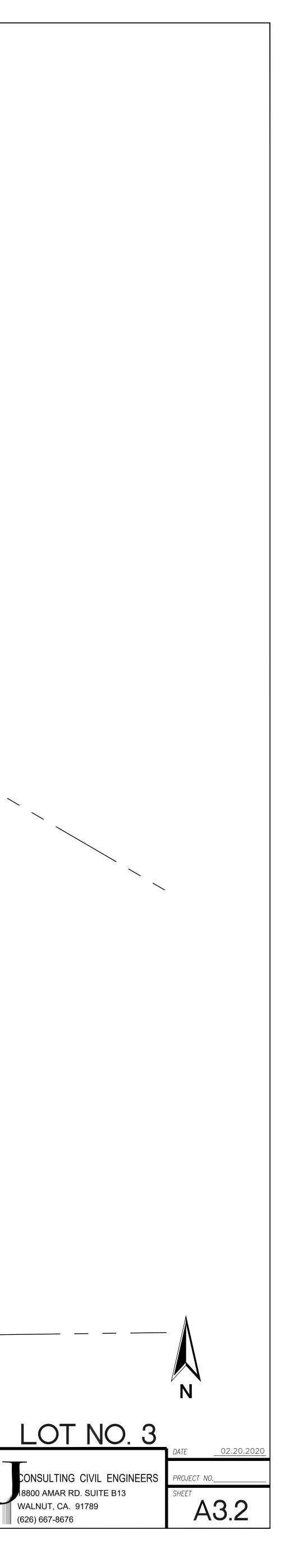
FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

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PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA

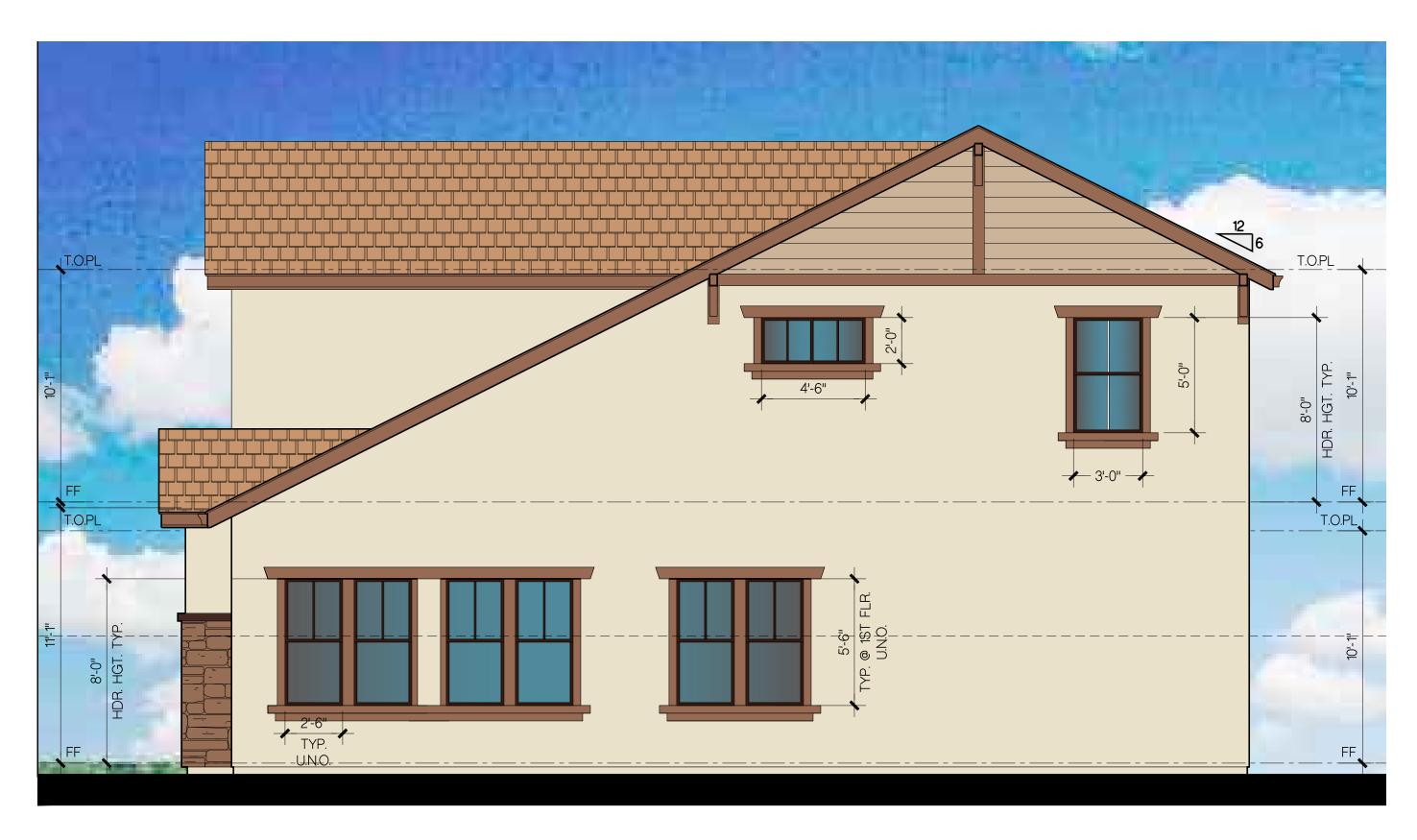
L\_\_\_\_\_\_







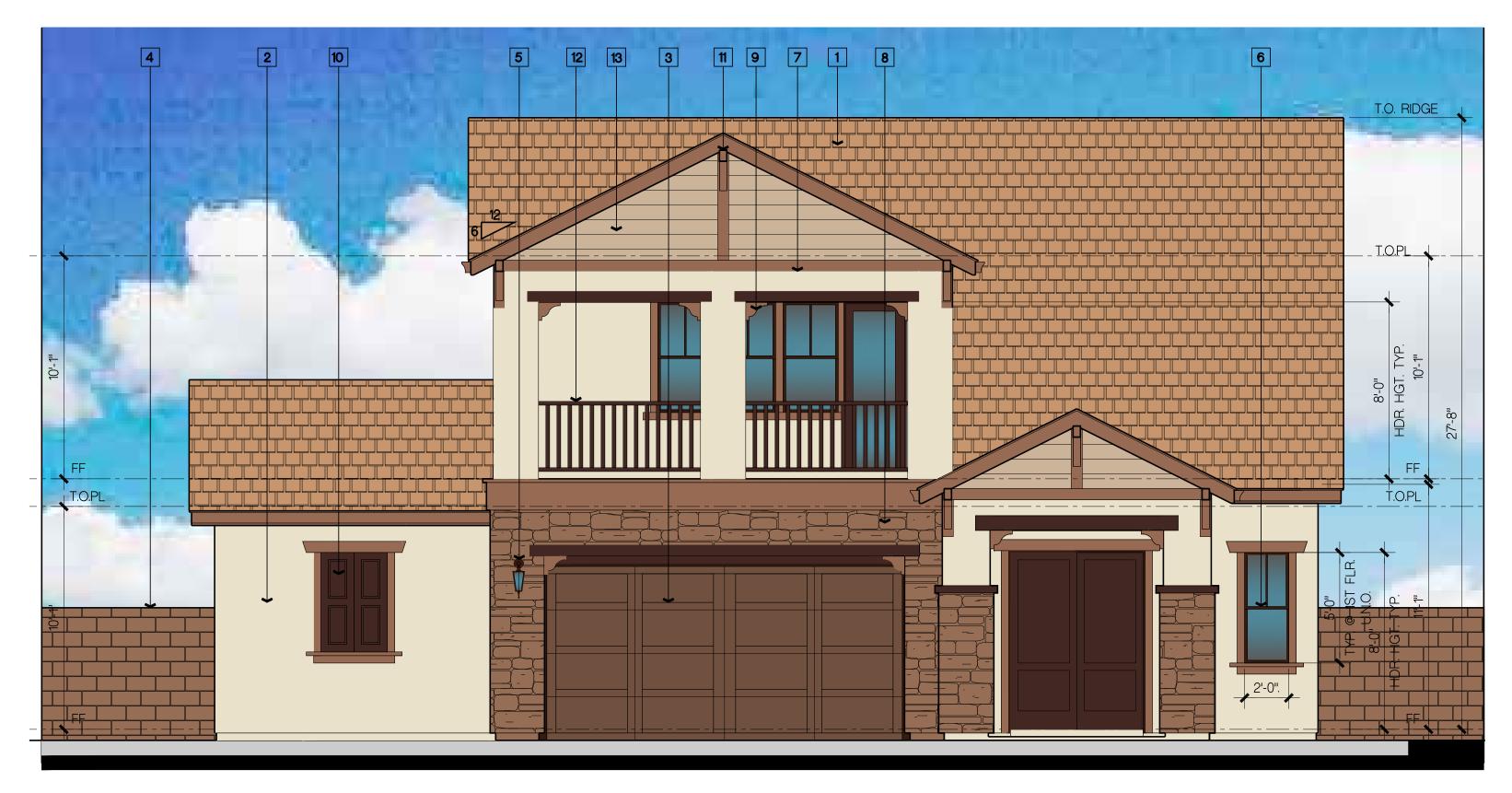
LEFT ELEVATION SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION** SCALE: 1/4" = 1'-0"



**11712 LAMPSON AVENUE** GARDEN GROVE CA, CALIFORNIA, 92840





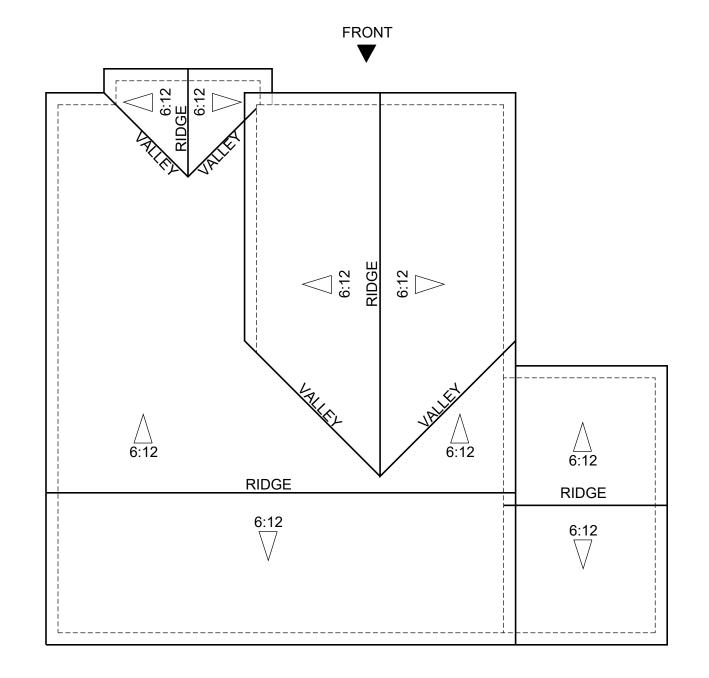


LOT 3 - MAIN RESIDENCE - ELEVATIONS

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







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

FROSTED GLASS IN ALL PROPOSED 2ND STORY WINDOWS FACING REAR YARD, IN COMBINATION WITH 6' HIGH PROPERTY LINE FENCE, WILL SATISFY 2ND STORY PRIVACY PROVISION. LOT NO. 3 11.11.19 DATE PREPARED BY CONSULTING CIVIL ENGINEERS PROJECT NO. 18800 AMAR RD. SUITE B13 Engineers, Inc. A3.3 WALNUT, CA. 91789 Civil Engineers Land Surveyors Land Planners (626) 667-8676



# **REPRESENTATION ONLY**

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA







GARAGE DOOR - Wood Tone (See Specifications)

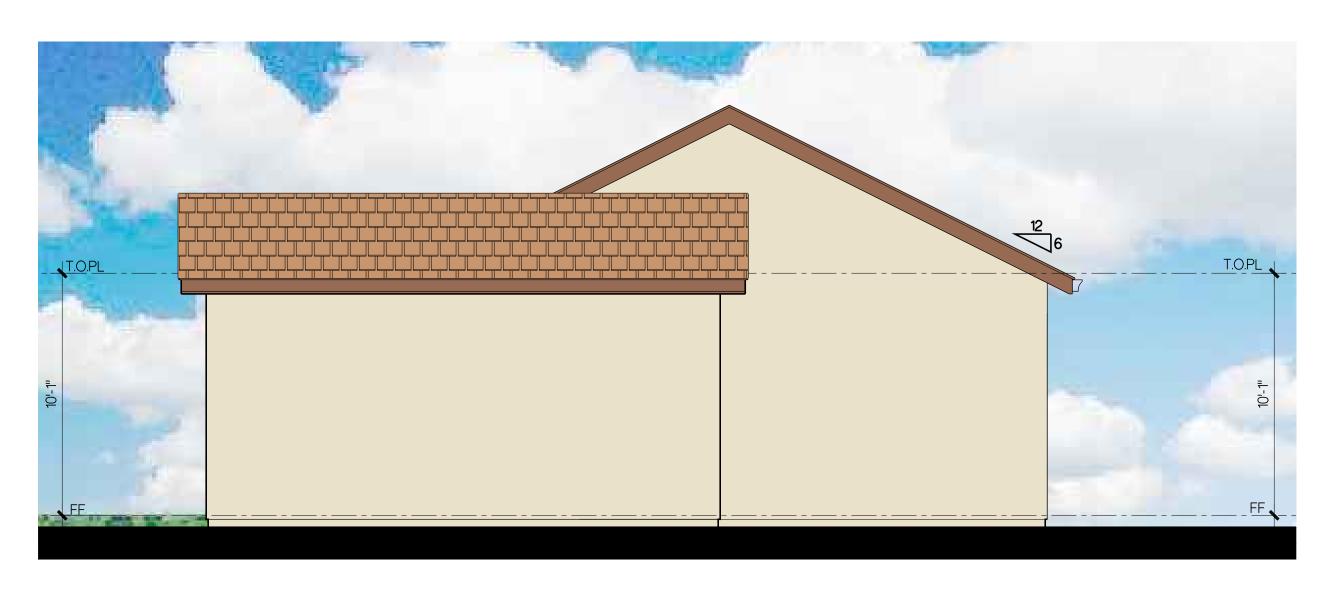
ROOF TILE - Eagle - 357 Live Oak - Ponderosa

STONE VENEER - Eldorado - Weather Edge - Amber Falls





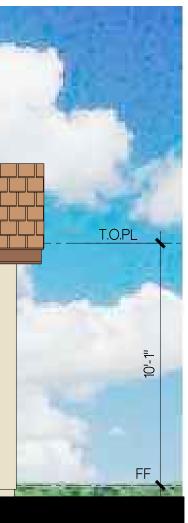
LEFT ELEVATION SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION** SCALE: 1/4" = 1'-0"



**11712 LAMPSON AVENUE** GARDEN GROVE CA, CALIFORNIA, 92840



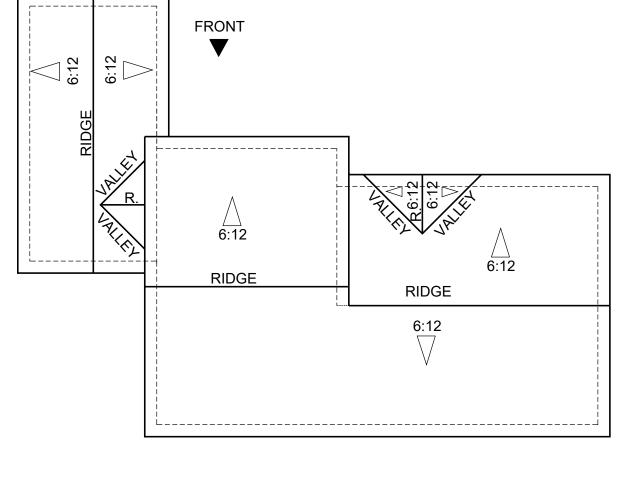


FRONT ELEVATION SCALE: 1/4" = 1'-0"



# LOT 3 - ADU - ELEVATIONS

**REAR ELEVATION** SCALE: 1/4" = 1'-0"



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

# **REPRESENTATION ONLY**

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PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AV GARDEN GROVE CA





<u> PLAN 3 - MATERIAL LEGEND:</u>

GARAGE DOOR - Wood Tone (See Specifications)

ROOF TILE - Eagle - 357 Live Oak - Ponderosa

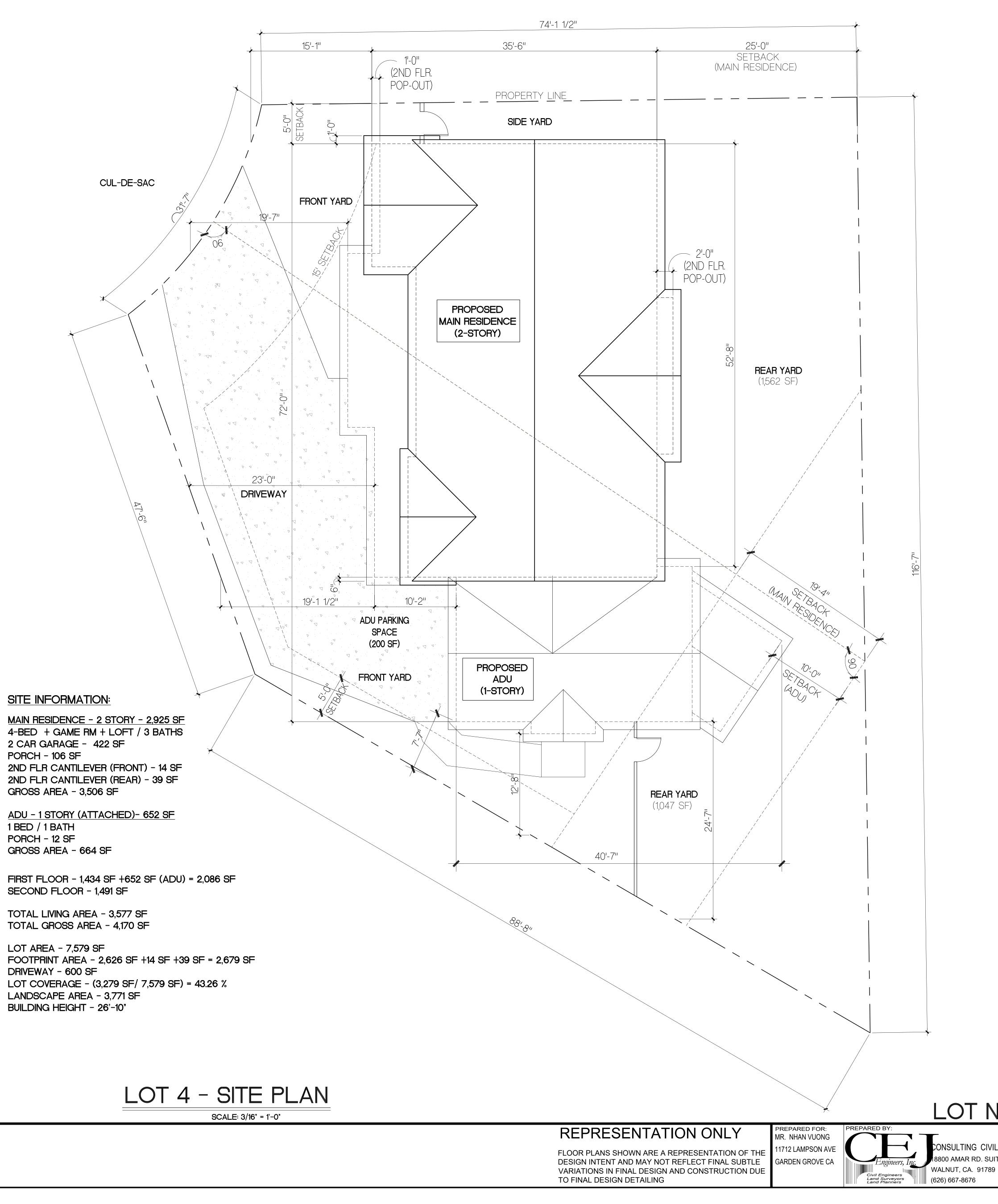
STONE VENEER - Eldorado - Weather Edge - Amber Falls

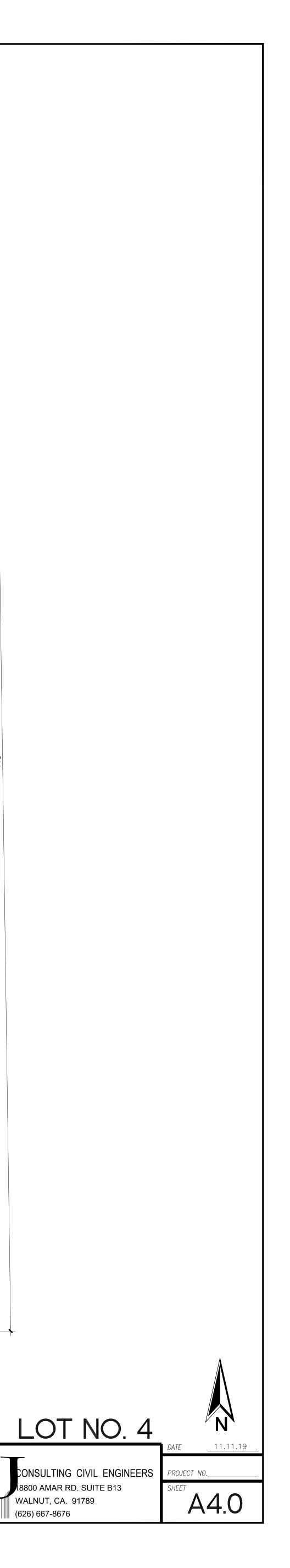


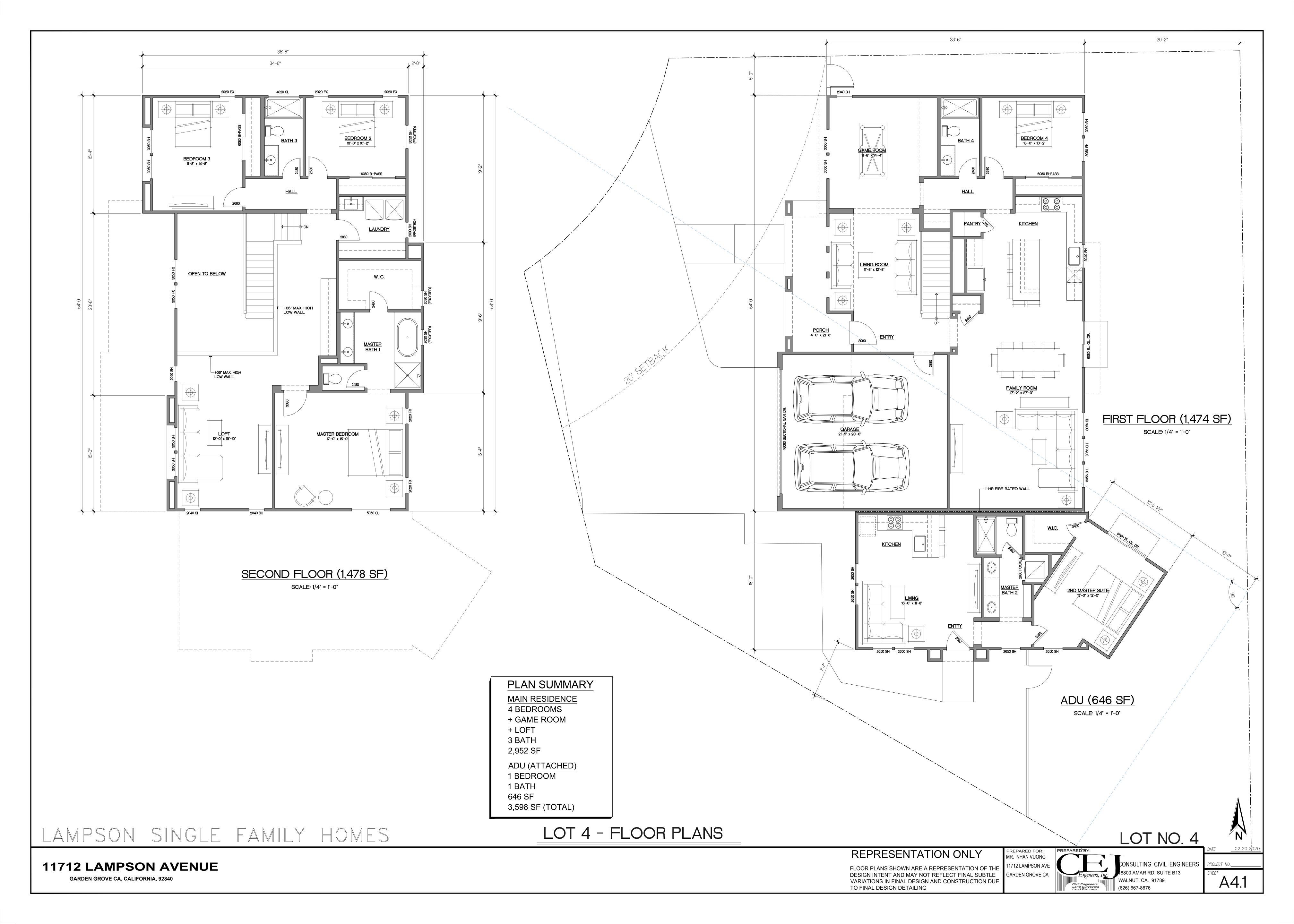
11.11.19 DATE A3.4

# **11712 LAMPSON AVENUE**

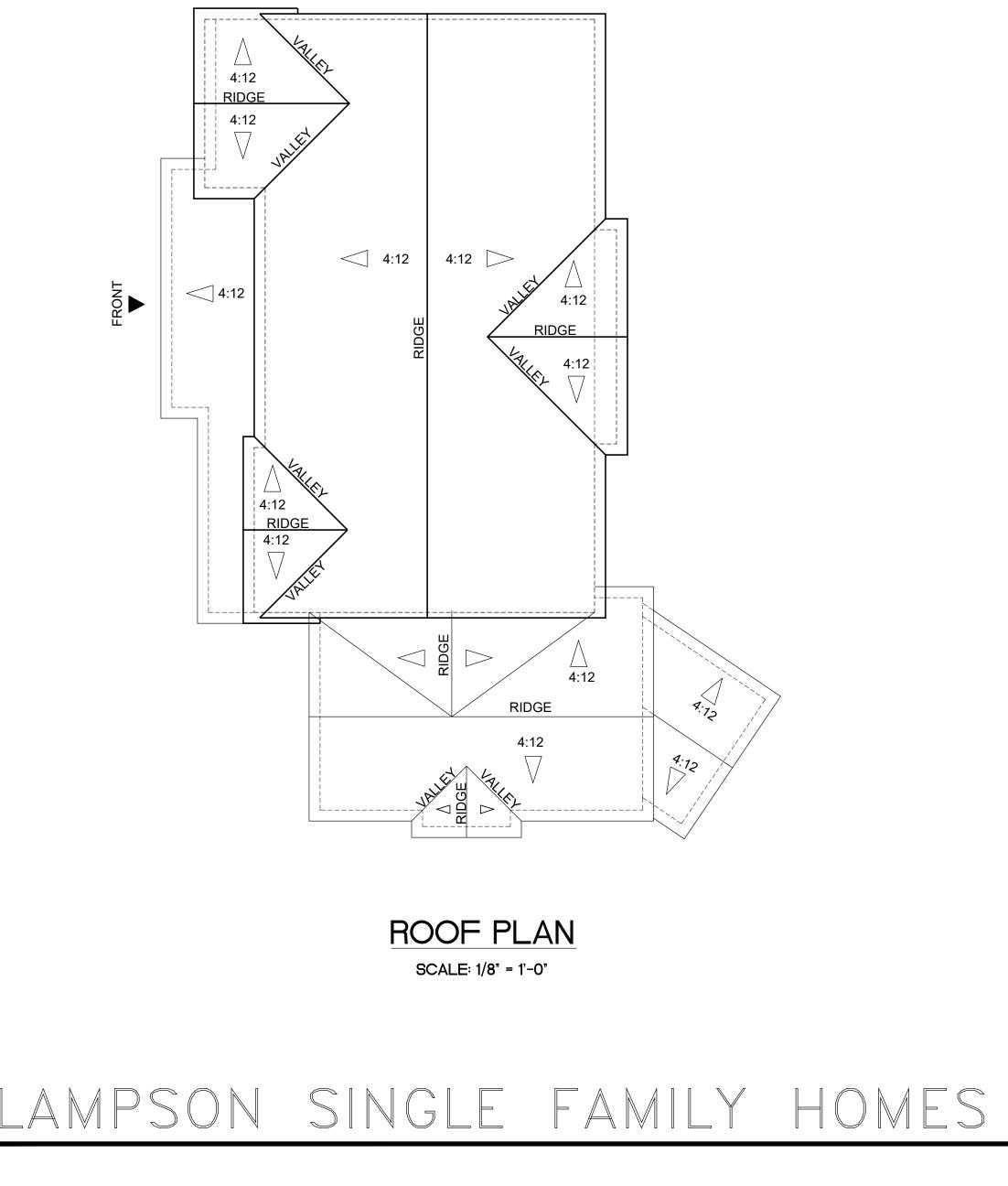
GARDEN GROVE CA, CALIFORNIA, 92840











**11712 LAMPSON AVENUE** 

GARDEN GROVE CA, CALIFORNIA, 92840

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



**RIGHT ELEVATION** SCALE: 1/4" = 1'-0"

LOT 4 - ELEVATIONS





# **REPRESENTATION ONLY**

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

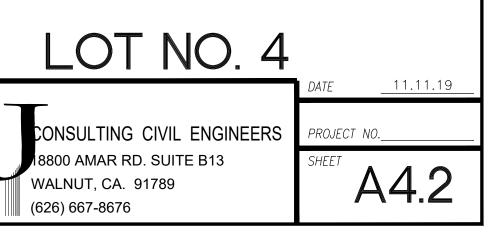
PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA



<u> PLAN 4 - MATERIAL LEGEND:</u>

GARAGE DOOR - Wood Tone (See Specifications)

ACCENT COLOR - SW 2838 Polished Mahogany





# **11712 LAMPSON AVENUE**

GARDEN GROVE CA, CALIFORNIA, 92840







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

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

LOT 4 - ELEVATIONS



FROSTED GLASS IN ALL PROPOSED 2ND WINDOWS FACING REAR YARD, IN COMBIN HIGH PROPERTY LINE FENCE, WILL SATIS PRIVACY PROVISION.



# **REPRESENTATION ONLY**

FLOOR PLANS SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT FINAL SUBTLE VARIATIONS IN FINAL DESIGN AND CONSTRUCTION DUE TO FINAL DESIGN DETAILING

PREPARED FOR: MR. NHAN VUONG 11712 LAMPSON AVE GARDEN GROVE CA



D STORY INATION WITH 6' SFY 2ND STORY		
NO. 4	DATE	_ 11.11.19
CIVIL ENGINEERS	PROJECT SHEET	
1789		A4.3

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	<b>SITE LOCATION:</b> South side of Lampson Avenue, between 9 <sup>th</sup> Street and West Street, at 11712 Lampson Avenue
HEARING DATE: April 16, 2020	<b>GENERAL PLAN:</b> Low Density Residential
<b>CASE NO.:</b> Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181	<b>ZONE:</b> R-1 (Single-Family Residential)
	<b>APN:</b> 090-302-40
APPLICANT & PROPERTY OWNER: Nhan Vuong	<b>CEQA DETERMINATION:</b> Exempt- Section 15332 "In-Fill Development Projects"

## **REQUEST:**

The applicant is requesting Site Plan and Tentative Tract Map approval to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as cul-de-sac (Lot 5). Each lot will have a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and will include the construction of a new second-story addition. Lots 2, 3 and 4 will each be improved with a new two-story, single-family home. Also, a request for a minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

## **BACKGROUND:**

The project site is a 47,284 square foot lot located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site is located in a residential area improved with single-family residences. The project site abuts R-1 zoned properties developed with single-family homes to the north, across Lampson Avenue, to the east, south, and to the west. The properties that directly abut the project site to the west are part of a single-family residential subdivision developed with seven (7) parcels located on Persimmons Circle. The minimum lot size of the surrounding residential zone is

#### STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-081-2020 AND TT-18181

7,200 square feet, with the exception of the subdivision on Persimmons Circle that has a minimum lot size requirement of 6,000 square feet.

The project site is currently improved with a 2,905 square foot single-family home with an attached, 655 square foot, carport constructed in 1957, and a detached 1,120 square foot guest house constructed in 1963.

In 1990, Site Plan No. SP-122-90 and Tentative Tract Map No. TT-14403 were approved to allow the construction of five (5), one-story, single-family homes on five (5) individuals parcels served by a private street designed as a cul-de-sac. The average lot size of the proposed subdivision was 7,436 square feet.

In 1993, a one-year time extension was approved for Site Plan SP-122-90 and Tentative Tract Map No. TT-14403. The project was never constructed, and the Site Plan and Tentative Tract Map expired.

The property has been in the applicant's family since 1995 with the applicant holding title to the property since 2001. The applicant proposes to subdivide the property into four (4) residential lots that will be served by a private street (Lot 5) in order to improve each lot with a single-family home. The existing single-family home will be reconfigured and remodeled to accommodate the proposed subdivision, and the existing guesthouse will be demolished and replaced on Lot 1 as an Accessory Dwelling Unit (ADU) as permitted by State Law. It should be noted that the applicant has included an ADU on each lot to illustrate how an ADU can be constructed on each lot in compliance with the applicable development standards. Per State Law, ADUs are permitted on R-1 zoned properties, and are reviewed and approved ministerially.

## **PROJECT STATISTICS:**

NET PROJECT SITE	47,284 (1.08-acre)

	CODE		PROP	OSED		
DENSITY	9 units per acre	3.68 units per acre		s per acre		
		Lot 1	Lot 2	Lot 3	Lot 4	
LOT SIZE	7,200 S.F.	10,031 S.F.	8,312 S.F.	10,520 S.F.	7,783 S.F.	
LOT WIDTH <sup>1,2</sup>						
Corner Lot	65′-0″	73.19′	-	-	-	
Interior Lot	60'-0"	-	69.27′	60.00′	60.59′	
SETBACKS						
Front <sup>1</sup>	20'-0"	20'-0"	20'-0"	20'-0"		
Side Interior	5'-0"	5′-0″	5'-0"	5'-0"		
Side Street	10'-0"	10'-0"	N/A	N/A		
Rear <sup>2</sup>	20% of the Lot Depth	25'-0″	25'-0"	22'-0"	19.3′	
MAXIMUM LOT <sup>3</sup> COVERAGE	50%	26.3%	26.5%	26.1%	33%	
PARKING <sup>4</sup>						
Enclosed Garage	2	2	2	2	2	
Open Parking	2	2	2	2	2	
Total Parking	4	4	4	4	4	
BUILDING HEIGHT	35'-0″	28'-4″	28'-9"	27'-8″	26'-10"	

## STAFF REPORT FOR PUBLIC HEARING

#### CASE NO. SP-081-2020 AND TT-18181

- 1. For lots located along the radius of a cul-de-sac, the Municipal Code establishes the lot width at the 20-foot front setback line. The lot width for Lots 2, 3, and 4 is measured from the 20-foot front setback line.
- 2. The Municipal Code requires corner lots to maintain a lot width of 65'-0", and interior lots to maintain a lot width of 60'-0".
- 3. The maximum lot coverage percentage for each lot excludes the Accessory Dwelling Unit as this use will be reviewed ministerially.
- 4. The Municipal Code requires single-family homes with up to four (4) bedrooms to provide parking at a rate of two (2) parking spaces in an enclosed garage, and two (2) open parking spaces.

### **Building Type Summary**

Lot	Number of Bedrooms/Baths	Unit Size*
Lot 1	4 Bedrooms, 3.5 Baths	2,713 S.F.
Lot 2	4 Bedrooms, 4 Baths	3,240 S.F.
Lot 3	4 Bedrooms, 4 Baths	3,206 S.F.
Lot 4	4 Bedrooms, 3 Baths	2,952 S.F.

\*Total living area, garages are not included.

### **DISCUSSION:**

#### SITE PLAN:

#### Site Design and Circulation

The project will consist of subdividing a 47,284 square foot lot into four (4) residential parcels in order to improve each lot with a two-story, single-family home. The project site will be accessed from a private street from Lampson Avenue that is designed as a cul-de-sac. The private street is designated as Lot 5 that encompasses the street and sidewalk areas. The private street will be located along the east side of the project site, and provides access to each parcel. The private street is designed per City standard to accommodate two-way traffic, on-street parallel parking spaces, and the required turn-around area for trash truck and emergency vehicle access. The appropriate red curbs and "No Parking" signs will be installed to allow for sufficient maneuvering of trash trucks and emergency vehicles. In addition, the project site will also be served by a sidewalk that originates from Lampson Avenue to provide pedestrian and handicap access to each parcel.

Each home is designed to comply with the single-family parking requirements of the Municipal Code. The required number of parking spaces for each single-family home is based on the proposed number of bedrooms. The Municipal Code requires a two-car enclosed garage and two (2) open parking spaces for a home with up to four (4) bedrooms. Each lot will provide a two (2) car enclosed garage, and two (2) open parking spaces to comply with the parking requirement for a four (4) bedroom home. In addition, three (3) parallel parking spaces will be provided along the east side of the private street to serve the project site.

#### STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-081-2020 AND TT-18181

Each lot has been designed to comply with the building setbacks, building height, lot coverage, and open space requirements of the Municipal Code.

#### <u>Unit Design</u>

#### Lot 1

Lot 1 will have a lot size of 10,031 square feet. The existing, 2,905 square foot, one-story, single-family home will be reconfigured to fit within the developable land area of Lot 1. This includes demolishing 1,225 square feet of the existing residential structure, which includes portions of the existing living area and the attached carport, to comply with the required setbacks, as measured from the new property lines. The residential structures will include the main house and an attached ADU, as permitted by State Law.

The main house will be remodeled to include a new two-story addition. The main house will have a total living area of 2,713 square feet, excluding the living area of the proposed ADU, and will consist of a family room, a dining room, a kitchen, a laundry room, four (4) bedrooms, three and one-half bathrooms (3.5), and a loft on the second floor.

The proposed ADU will be located within the northerly portion of the structure, and will have a living area of 789 square feet. One (1) open parking space for the ADU will be provided along the driveway.

A new, 441 square foot, detached, two-car garage will be constructed along the north property line, to serve the residential unit. The required two (2) open parking spaces will be provided along the driveway. The garage will maintain a 20'-0" setback from the Lampson Avenue front property line, and will be accessed from a new driveway approach from the proposed private street.

#### Lot 2

Lot 2 will have a lot size of 8,312 square feet. A new two-story, 3,240 square foot, single-family home will be constructed on Lot 2. The single-family home will consist of a great room, a kitchen with a nook, a game room, a laundry room, four (4) bedrooms (which includes a Master bedroom with a retreat area), four (4) bathrooms, and a loft on the second floor. An attached two-car garage will be provided for the unit with the required two (2) open parking spaces located along the driveway.

The applicant proposes to construct a detached, 744 square foot, ADU, as permitted by State Law, at the front of the property. One (1) open parking space for the ADU will be provided along the driveway.

## Lot 3

Lot 3 will have a lot size of 10,520 square feet. A new two-story, 3,206 square foot, single-family home will be constructed on Lot 3. The single-family home will consist of a living room, a dining room, a great room, a kitchen, a game room, a laundry room, four (4) bedrooms, four (4) bathrooms, and a loft on the second floor. An attached two-car garage will be provided for the unit with the required open parking spaces located along the driveway.

The applicant proposes to construct a detached, 777 square foot, ADU, with an attached one-car garage, as permitted by State Law, at the rear of the property. In addition, one (1) open parking space for the ADU will be provided along the driveway.

## Lot 4

Lot 4 will have a lot size of 7,783 square feet. A new two-story, 2,952 square foot, single-family home will be constructed on Lot 4. The single-family home will consist of a living room, a family room, kitchen, a game room, a laundry room, four (4) bedrooms, three (3) bathrooms, and a loft on the second floor. An attached two-car garage will be provided for the unit with the required two (2) open parking spaces located along the driveway.

The applicant proposes to construct an attached, 646 square foot, ADU, as permitted by State Law, at the rear of the property. One (1) open parking space for the ADU will be provided along the driveway.

As previously noted, pursuant to State law, the ADUs will be reviewed ministerially, and are depicted on the plans for representation purposes only.

## <u>Building Design</u>

The architecture style of each residential home is contemporary in design that incorporates Mediterranean or Craftsman inspired architectural detailing to enhance the building elevations. Each home incorporates projecting and recessed building masses, along with varied rooflines, in order to articulate the building's facade. The building's architectural detailing includes the use of an entry porch, varied window shapes, multi-pane windows, and decorative trim around the windows and doors to enhance the building. The exterior building materials for each unit will consist of a stucco finish with concrete roof tile, along with architectural detailing that compliments the style of each home.

Each unit has been designed to comply with the second-story privacy provision requirements of the R-1 zone by providing windows that will minimize visual intrusion into the adjacent neighbor's private recreation areas. In particular, the rear elevation of Lot 2 and 3 include high clerestory windows. The rear and side (south) elevation of Lot 1 includes clerestory windows. Similarly, the side (north) elevation of Lot 4 includes clerestory windows, and the rear elevation includes a mix

of clerestory and frosted windows. The Planning Division will review and approve the final design and placement of all second-story windows to ensure privacy compliance.

#### Perimeter Walls and Landscaping

The project is required to maintain a six-foot high, decorative masonry block wall along the perimeter of the project site. In addition, six-foot high fencing is required along the interior property lines of each parcel to delineate the boundary of each lot.

The applicant is required to provide a landscape and irrigation plan to the City that complies with the landscaping requirements of Title 9 of the Municipal Code. Planning staff will review the type and location of all proposed plant materials. As part of the landscape plan, a variety of trees, shrubs, and flowers are required.

#### TENTATIVE TRACT MAP:

In accordance with the State Subdivision Map Act, the applicant is requesting approval of Tentative Tract Map No. TT-18181 to subdivide the existing property into four (4) lots that will be served by a private street (Lot 5) for the purpose of improving each lot with a single-family home. The proposed Tentative Tract Map is in conformance with the City's General Plan, the City's Subdivision Ordinance, the R-1 zone requirements, and the State's Subdivision Map Act.

Each lot has been designed to comply with the minimum lot size of 7,200 square feet and the minimum lot width of 60 feet for interior lots and 65 feet for corner lots per the development standards of the R-1 zone. Each lot will provide a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4), which complies with the minimum lot size of 7,200 square feet.

Lot 1 is a corner lot, and will provide a width of 73.19 feet, while the interior lots, Lots 2, 3 and 4, will each provide a lot width of 69.27 feet, 60 feet, and 60.59 feet respectively. It should be noted that for lots located along the radius of a cul-de-sac, the Municipal Code establishes the lot width at the 20 foot front setback line. Lots 2, 3 and 4 will each maintain the required minimum lot width of 60 feet at the 20-foot front setback line.

#### MINOR DEVIATION

The applicant requests a minor deviation to construct a new, 6-foot high, wrought iron fence within the required 20-foot front yard setback area of Lot 1, along Lampson Avenue, to secure the parcel. Title 9 of the Municipal Code requires fences and block walls located within the front yard setback to maintain a maximum height of 3 feet. However, Title 9 of the Municipal also allows fences located within the required front yard setback of residentially zoned properties to be constructed to a maximum height of six feet, provided the upper 36-inches of the fence is

## STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-081-2020 AND TT-18181

wrought iron fencing with vertical railing no less than three inches apart, through approval of a minor deviation.

The project site currently has a combination of chain link fence and wrought iron fence with wood slat and four (4) pilasters, at a height of 6 feet, that secures the front of the property along Lampson Avenue. The applicant purposes to secure a portion of the front property with a new 6-foot high fence that will maintain a 15-foot setback from the Lampson Avenue front property line to secure Lot 1 due to the placement and orientation of the existing residential structure that will remain.

Lot 1 is designed as a corner lot. The front of the lot is designated along Lampson Avenue, and the side street of the lot is designated along the proposed private street. The existing and proposed building structures observe the required 20-foot front setbacks from Lampson Avenue, and the required 10-foot side street setback from the proposed private street. The design and placement of the existing house is such that the front entry is oriented toward the interior side of the property. With the proposed subdivision, the existing residential structure will continue to maintain the same building orientation with the front entry now being oriented toward the proposed private street. As such, the Lampson Avenue side of the property will function as the "side" of the property.

The placement of the proposed fence allows Lot 1 to be secured along Lampson Avenue, and it also allows the lot to maintain the required 16-foot wide driveway to access the site from the private street. In addition, the placement of the fence allows landscaping to be installed, and maintained, within the first 15 feet of the front setback area.

The proposed fence will be designed as a decorative fence with the bottom, 36-inch portion of the fence constructed of decorative block, and the upper, 36-inch portion of the fence constructed of wrought iron with pilasters evenly spaced. The appropriate conditions of approval have been included to ensure that the proposed fence complies with the code requirements.

# <u>CEQA</u>

The proposed development has been determined to be exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). As set forth in the Class 32 exemption, the proposed project is: (1) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (2) the proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; (3) the project site has no value as habitat for endangered, rare or threatened species; (4) approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality; and (5) the site can be adequately served by all required utilities and public services.

## **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 5978-20 approving Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, subject to the recommended Conditions of Approval.

LEE MARINO Planning Services Manager

By: Maria Parra Senior Planner

## RESOLUTION NO. 5978-20

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-081-2020 AND TENTATIVE TRACT MAP NO. TT-18181, FOR PROPERTY LOCATED ON THE SOUTH SIDE OF LAMPSON AVENUE, BETWEEN  $9^{TH}$  STREET AND WEST STREET, AT 11712 LAMPSON AVENUE, ASSESSOR'S PARCEL NO. 090-302-40.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on April 16, 2020, hereby approves Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, for a property located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street, at 11712 Lampson Avenue, Assessor's Parcel No. 090-302-40.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, the Planning Commission of the City of Garden Grove does hereby report as follows:

- 1. The subject case was initiated by Nhan Vuong.
- 2. The applicant is requesting Site Plan and Tentative Tract Map approval to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as cul-de-sac (Lot 5). Each lot will have a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1. Lots 2, 3 and 4 will each be improved with a new two-story, single-family home. Also, a request for a minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.
- 3. The City of Garden Grove has determined that Pursuant to the California Environmental Quality Act ("CEQA"), the proposed project is categorically exempt from the CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). As set forth in the Class 32 exemption, the proposed project is: (1) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (2) the proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; (3) the project site has no value as habitat for endangered, rare or threatened species; (4) approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality; and (5) the site can be adequately served by all required utilities and public services. The project is therefore exempt from CEQA review.

- 4. The property has a General Plan Land Use designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The site is currently improved with a single-family home and a detached guest home. The existing single-family home will remain, and will be reconfigured, to fit within the developable lot area of Lot 1 of the proposed subdivision. The existing guest home will be demolished, and will be replaced on Lot 1 as a new Accessory Dwelling Unit (ADU) as permitted by State Law.
- 5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
- 6. Report submitted by the City staff was reviewed.
- 7. Pursuant to a legal notice, a public hearing was held on April 16, 2020, and all interested persons were given an opportunity to be heard.
- 8. The Planning Commission gave due and careful consideration to the matter during its meeting on April 16, 2020; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.04.030 are as follows:

## FACTS:

The property is a 47,284 square foot lot located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The property is located in a residential area improved with single-family residences. The property is currently improved with a 2,905 square foot single-family home with an attached, 655 square foot, carport constructed in 1957, and a detached, 1,120 square foot, guest house constructed in 1963.

The applicant proposes to subdivide the property into four (4) residential lots that will be served by a private street (Lot 5) in order to improve each lot with a single-family home. The project proposes a density of 3.68 dwelling units per acre, which is consistent with the land use designation density of up to nine (9) dwelling units per acre.

Each parcel will have a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured and remodeled to accommodate the

proposed subdivision, and will include a new second-story addition. Lots 2, 3, and 4 will each be improved with a new single-family home.

The project has been designed to comply with the development standards of the R-1 zone, including minimum lot size, lot width, building setbacks, building height, lot coverage, open space, and parking.

In addition, the proposed minor deviation will allow a 6-foot high wrought iron fence to be constructed 15 feet from the front property line, along Lampson Avenue, to secure Lot 1.

## FINDINGS AND REASONS:

# <u>SITE PLAN</u>

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

The General Plan Land Use Designation of the subject site is Low Density Residential, which is intended to create, maintain, and enhance residential areas characterized by detached, single unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. Policy LU-2.4 of the General Plan encourages the type and intensity of land uses to be consistent with that of the immediate neighborhood, while LU-IMP-2B encourages that new development be similar in scale to the adjoining residential neighborhood to preserve its character. The Low Density Residential General Plan Land Use Designation allows residential densities up to nine (9) dwelling units per acre with detached units on individual parcels.

The proposed project will subdivide an existing 47,284 square foot lot to create a residential neighborhood with four (4) single-family residential lots that will be served by a private street designed as a cul-de-sac (Lot 5). The project will have a density of 3.68 units per acre, which complies with the density requirement of the Low Density Residential General Plan Land Use Designation. The existing single-family home on the project site will be reconfigured, and remodeled, to fit within the lot area of Lot 1, and Lots 2, 3 and 4 will each be developed with a new, two-story, single-family home. The project is located in a residential neighborhood improved with single-story and two-story single-family homes of various architectural styles and square footages. The proposed single-family homes will be consistent and compatible with the existing residential neighborhood as each home is designed to comply

with the R-1 development standards, including building setbacks, building height, parking, lot coverage, lot size, and lot width, to ensure that is home similar in scale and type as the surrounding residential lots. The proposed project will be a valued addition to the area, and will provide additional housing units in the immediate area that will further the goals of the City's Housing Element. Therefore, the project complies with the General Plan Land Use Designation and Title 9 of the Municipal Code.

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

The property will be accessed from a private street from Lampson Avenue that is designed as a cul-de-sac that will serve each lot. The design of the private street will accommodate two-way traffic, on-street parallel parking spaces, as well as provide the required turn-around area for trash truck and emergency vehicle access. The appropriate red curbs and "No Parking" signs will be installed to allow for sufficient maneuvering of trash trucks and emergency vehicles. The project site will also provide an interior sidewalk that originates from Lampson Avenue for pedestrian and handicap access.

Each residential home will be designed with four (4) bedrooms. Based on the proposed number of bedrooms, each home is required to provide a two-car enclosed garage and two (2) open parking spaces, for a total of four (4) parking spaces per lot. Each lot will provide an attached or detached two-car enclosed garage and driveway space to accommodate two (2) open parking spaces, which meets the minimum required by Code. Additionally, three (3) parking spaces will be provided along the east side of the private street to serve the project site.

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

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

The streets in the area will be adequate to accommodate the development once the developer provides the necessary improvements for the project. Utilities and drainage channels in the area are existing and are adequate to accommodate the development. The proposed development will provide landscaping and proper grading of the site, thereby, improving drainage in the area.

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 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 has been designed to comply with the R-1 zone development standards of Title 9 of the Municipal Code. The project site is located in a residential area improved with single-family homes. The proposed project will be compatible with the existing single-family developments in the area as each proposed lot will be improved with one (1) single-family home designed to comply with the development standards of the R-1 zone. Each home will provide a building design with architectural detailing that incorporates projecting building masses along the front building. Each lot will provide landscaping within the front yard setback area, and within the interior private yard areas. Therefore, the project will have a reasonable degree of physical, functional, and visual compatibility with neighborhood.

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

The project has been designed for building appearance, building placement and landscaping to attain an attractive environment that will be an enhancement to the residential neighborhood. The project has been designed to comply with the fifty-percent (50%) lot coverage requirement of the R-1 zone that will ensure that each parcel maintains the required amount of open usable space. Additionally, the conditions of approval will ensure that the landscaping requirements of the Municipal Code will be complied with.

The architectural style of each home is contemporary in design that incorporates Mediterranean or Craftsman style inspired architectural detailing. Each home incorporates projecting and recessed building masses, along with varied rooflines, in order to articulate the building's facade. The building's architectural detailing includes the use of an entry porch, varied window shapes, multi-pane windows, and decorative trim around the windows and doors to enhance the building. The exterior building materials for each unit will consist of a stucco finish with concrete roof tile, along with architectural detailing that compliments the style of each home.

# TENTATIVE TRACT MAP

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

The proposed map is consistent with the provisions of the General Plan Land Use Designation of Low Density Residential. The General Plan Land Use Designation of Low Density Residential is intended to create, maintain, and enhance residential areas characterized by detached, single unit structures, and single-family residential neighborhoods. The Low Density Residential land use designation allows densities of up to nine (9) dwelling units per acre with a detached unit on their own parcel. Policy LU-2.4 of the General Plan encourages the type and intensity of land uses to be consistent with that of the immediate neighborhood; while LU-IMP-2B encourages that new development be similar in scale to the adjoining residential neighborhood to preserve its character.

The project site is located in a residential area improved with single-family homes. The proposed map will subdivide a 47,284 square foot lot into four (4) residential lots (Lots 1 to 4) that will be served by a private street (Lot 5), to create a single-family neighborhood. The proposed subdivision will be similar in scale to the surrounding single-family neighborhood as the project is designed to comply with the development standards of the R-1 zone. Each residential lot will be improved with one (1) single-family home, with a density of 3.6 units per acre, which complies with the General Plan density requirement.

Each lot is designed to comply with the minimum lot size requirement of 7,200 square feet, and the minimum lot width of 60 feet for an interior lot, and 65 feet for a corner lot, of the R-1 zone. Each single-family home is also designed to comply with the R-1 zone requirements, include building setbacks, building height, lot coverage, and parking. The configuration of each lot, and the design of each home, is compatible with the existing residential neighborhood. The construction of the new single-family homes will increase the number of available housing in the area, and further the goals of the Housing Element of the General Plan to meet the City's regional housing needs.

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

The design and improvement of the proposed map is consistent with the General Plan of Low Density Residential, which is intended to create, maintain, and enhance residential areas characterized by detached, singlefamily homes on a single parcel. The proposed residential subdivision will create four (4) lots that will be served by a private street (Lot 5) for the purpose of improving each lot with one (1) single-family home. The proposed subdivision will create a single-family residential neighborhood that complies with the R-1 zone requirements. Each lot complies with the minimum lot size of 7,200 square foot lot size, and the minimum lot width of 60 feet for interior lots, and 65 feet for corner lots of the R-1 zone. Each single-family home is designed to comply with the building setbacks, building height, lot coverage, and parking requirements of the R-1 zone. The configuration of the lots and design of the proposed single-family homes is compatible with the existing surrounding residential neighborhood.

In addition, the construction of the new single-family homes will increase the number of available housing in the area, and further the goals of the Housing Element of the General Plan to meet the City's regional housing needs.

3. The site is physically suitable for the type of development and complies with the spirit and intent of the Municipal Code.

The site is physically suitable for the proposed development. The project site has a net lot size of 47,284 square feet and can accommodate the proposed residential subdivision that complies with the development standards of the R-1 zone. The proposed subdivision will create four (4) residential lots that will be served by a private street (Lot 5). Each proposed lot will comply with the minimum lot size of 7,200 square feet, and the minimum lot width of 60 feet for an interior lot, and 65 feet for a corner lot of the R-1 zone. Each lot will provide a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4), which complies with the minimum lot size of 7,200 square feet. Lot 1 is a corner lot, and will provide a width of 73.19 feet, while the interior lots, Lots 2, 3 and 4, will each provide a lot width of 69.27 feet, 60 feet, and 60.59 feet, respectively.

The private street has been designed per the City's standard and provides adequate access for trash trucks and emergency vehicles, along with accommodating three (3) parallel parking spaces to serve the residential development. In addition, each residential unit complies with required building setbacks, building height, parking requirements, rear yard open space, lot coverage, and landscaping. The project has been designed to comply with the R-1 development standards, and complies with the spirit and intent of the Municipal Code.

4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and the requirements of the California Environmental Quality Act have been satisfied.

Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that the proposed project is categorically exempt from the CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15332). The proposed project is characterized as in-fill development meeting conditions described in Section 15332.

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

The site is physically suitable for the density proposed by the developer. The Low Density Residential General Plan Land Use designation allows a density of up to nine (9) dwelling units per acre with detached units on their own parcel. The proposed Tentative Tract Map will subdivide a 47,284 square foot parcel into five (5) separate lots, four (4) residential lots (Lots 1 to 4) and one lot that will be used for the private street (Lot 5), to create a single-family neighborhood with a proposed density of 3.68 units per acre.

The proposed design of each residential lot allows for the placement of one single-family home on each lot, which complies with the density requirement. Therefore, the property is sufficient in size to accommodate the proposed development, and complies with all applicable provisions of the City of Garden Grove Municipal Code, including the building setbacks, building height, parking, and lot coverage.

6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The design of the subdivision and the proposed improvements are not likely to cause serious public health problems since conditions of approval will be in place to safeguard the public health. The proposed subdivision has been designed to comply with the development standards of the R-1 zone. City Departments, including Traffic Division, Water Division, Engineering Division, and the Planning Division, and the Orange County Fire Authority (OCFA) have reviewed the proposed development and have applied conditions of approval to minimize potential negative impacts that the project may have on the community. The conditions of approval for on and off-site improvements will safeguard the public health.

7. The design of the project and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the subdivision; or, if such easements exist, alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.

The design of the subdivision and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision. The project has been designed to avoid development over existing easements.

8. The design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations.

The design of the subdivision is suitable for the proposed low-density residential project that will subdivide an existing 47,284 square foot lot into four (4) residential lots to accommodate single-family homes that will be served by a private street (Lot 5). The subdivision complies with the spirit and intent of the General Plan, and the Subdivision Map Act. The project has also been designed to comply with the R-1 development standards. Each residential lot will comply with the minimum lot size and minimum lot width requirement of the R-1 zone, and each proposed dwelling unit will comply with the setbacks, lot coverage, and parking requirements of the R-1 zone.

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

To the extent feasible, the project has been designed in accordance with Government Code Section 66473.1, such as to allow for passive or natural heating opportunities in the subdivision design, to encourage the orientation of structures to take advantage of shade and prevailing breezes, to allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. The design, density, and configuration of the subdivision strike a balance between the affect of the subdivision on the housing needs of the region and public service needs. The character of the subdivision is compatible with the design of existing structures, and the lot sizes of the subdivision are substantially compatible with the lot sizes within the general area. The project has been reviewed in relation to the housing needs and goals of the City and is compatible with existing residential projects in the vicinity. The property is located in a residential area improved with single-family residences. The proposed project will create four (4) residential lots that will each be improved with a single-family home. The existing single-family home will remain, and will be reconfigured to fit within the lot area of the proposed lot design, and three (3) new single-family homes will be constructed on each of the three (3) remaining lots. The subdivision is compatible with the surrounding area since each lot will be improved with one (1) single-family home as permitted by code. The project site abuts a residential subdivision to the west, located on Persimmons Circle, that is developed with seven (7) residential lots, which are similar to the proposed subdivision.

In addition, the zoning requires a minimum lot size of 7,200 square for new subdivisions in the R-1 zone. Each proposed lot is designed to comply with the minimum lot size requirement, and will provide a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The proposed lot sizes comply with the minimum code requirement, and are compatible with the lot sizes of existing residential properties in the area. Also, the subdivision will be served by a private street that is designed to City standards that allow for adequate public service access for emergency vehicles.

The proposed subdivision and the construction of the new single-family homes will increase the number of available housing in the area, and further the goals of the Housing Element of the General Plan.

- 11. The subject property is not located within a state responsibility area or a very high fire hazard severity zone, the proposed subdivision is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.
- 12. The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. The conditions of approval for on and off-site improvements will ensure permitted capacity of the public sewer system is not exceeded.

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

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The Site Plan and Tentative Tract Map possess characteristics that would justify the request in accordance with Municipal Code Section No. 9.32.030.3 (Site Plan) and Section 9.40.060 (Tentative Maps).
- 2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181.

Adopted this 16th day of April 2020

ATTEST:

/s/ <u>JEREMY LEHMAN</u> CHAIR

/s/ <u>JUDITH MOORE</u> RECORDING 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 April 16, 2020, by the following vote:

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

> /s/ JUDITH MOORE RECORDING SECRETARY

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

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is May 8, 2020.

# EXHIBIT "A"

# Site Plan No. SP-081-2020

# Tentative Tract Map No. TT-18181

11712 Lampson 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 Discretionary Permit Approval and Agreement with Conditions 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, Nhan Vuong, 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 and Tentative Tract Map 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 and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
- 5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

# Public Works Engineering Division

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

- 7. A separate street permit is required for work performed within the public right-of-way.
- 8. Grading 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 feet 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, sewer, and street improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
- 9. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
- 10. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
- 11. The new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120 (option #3).
- 12. All on-site angled driveways on the site shall be designed per County of Orange Standard Plan 1209 (sheet 5 of 5).
- 13. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within and frontage of the development in a manner meeting the approval of the City's Lighting Administrator. Location of lighting poles shall be shown on all the improvement plans.
- 14. 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.

- 15. The grading plan shall depict an accessibility route for the Americans with Disability Act (ADA) pathway in conformance with the requirements of the Department of Justice standards, latest edition.
- 16. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
- 17. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval of a Water Quality Management Plan that:
  - a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
  - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP
  - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP
  - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
  - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
  - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs
- 18. 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
- 19. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any re-survey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.
- 20. TIES TO HORIZONTAL CONTROL:

Prior to recordation of a final tract map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.

21. DIGITAL MAP SUBMISSION:

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

- 22. Prior to issuance of a grading permit, the applicant shall submit to Planning Services Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat for review and approval of the tract map.
- 23. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water

Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.

- 24. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
  - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.
- 25. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
- 26. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
- 27. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
- 28. Any required lane closures should occur outside of peak travel periods.
- 29. Construction vehicles should be parked off traveled roadways in a designated parking.
- 30. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B or City of Garden Grove Standard Plan B-209. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
- 31. The applicant shall remove substandard driveway approach, curb, and sidewalk along Lampson Avenue and construct street frontage improvements as identified below. All landscape, sidewalk, and lighting improvements installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Division.

#### Lampson Avenue

- a. Remove the existing substandard driveway on Lampson Avenue and construct new curb, gutter and sidewalk.
- b. The new street driveway approach to the site on Lampson Avenue shall be constructed in accordance with City of Garden Grove Standard Plan B-120 (option #3). Standard Plan B-120 calls for a minimum width of 24-feet for arterial street driveways.
- c. Construct 8-inch curb and gutter replacing the existing driveway approach along the property frontage at 30 feet from centerline in accordance with City Standard Plan B-113.
- d. Protect existing westerly tree on Lampson Avenue and plant a 15 gallon Australian Peppermint Willow tree at the existing westerly tree well.
- e. Remove and replace 8-foot sidewalk replacing the existing driveway approach on Lampson Avenue in accordance with City Standard B-106.
- f. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Lampson Avenue with the Planning Services Division and the Water Division.
- g. Any proposed new landscaping in public right-of-way shall be approved by Planning Services Division and maintained by the owner.

## Public Works Environmental

32. The developer shall use the City's trash disposal provides, Republic Services, for the processing of construction and demolition debris.

#### Public Works Water Services Division

- 33. New water service installations 2" and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted.
- 34. Water meters shall be located within the City right-of-way or within dedicated waterline easement.
- 35. Should the landscape system require a separate irrigation meter, a Reduced Pressure Principal Device (RPPD) shall be installed for meter protection. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection

inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.

- 36. A composite utility site plan (W-drawing) shall be part of the water plan approval.
- 37. New water system within the private street shall connect to the water main on Lampson Ave, and shall be constructed per City Standards by developer and dedicated to the City. Bonding will be required.
- 38. There shall be a minimum 15-foot clearance of building footings from the water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.
- 39. There shall be no structures or utilities built on or crossing water or sewer main easements.
- 40. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
- 41. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
- 42. The meter and services for the new lots shall be installed per City Standard B-719, which specifies a residential fire sprinkler connection (RFSC) on the backside of the meter. There shall be one meter and service per lot, unless otherwise allowed by City of Garden Grove Planning Services Division.
- 43. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
- 44. 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.
- 45. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests.
- 46. Water services shall not be turned on until an account is set up.
- 47. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.

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- 48. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
- 49. Owner shall install new private sewer main with laterals and clean outs at right-of-way line. The sewer main connection in public right-of-way shall be 6" minimum diameter, extra strength VCP with wedgelock joints and inspected by GGSD. All on site sewer and appurtenances to be installed per the California Plumbing Code and inspected by the Building and Safety Division.
- 50. New private sewer main shall cross below the 18" water main on Lampson Avenue with a minimum separation of 12" outside diameter to outside diameter. Any deviations from the above shall require a variance from the State Water Resources Control Board.
- 51. 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.

# **Building and Safety Division**

52. The project shall comply with the requirements of the 2019 California Building Code, the California Green Building Code, and all California Model Codes, including, that the buildings shall be solar ready.

# Fire Department

53. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

# Planning Services Division

- 54. The applicant shall submit detailed plans, showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Services Division for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:
  - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property), within the perimeter of the site and to the centerline of the adjacent streets, shall be installed or relocated underground. All on-site and off-site utilities pertaining to the improvements proposed under this Site Plan and Tentative Tract Map, shall be installed or relocated underground.
  - All above-ground utility equipment (e.g. electrical, gas, telephone, cable TV) 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 and Economic Development Director.

- c. No roof-mounted mechanical equipment including, but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. 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. Roof rain gutters are permitted. The rain gutters shall follow the natural architecture lines of the building.
- 55. All landscaping shall be consistent with the landscape requirements of Title 9 of the Municipal Code. The developer shall submit a complete landscape plan governing the entire development. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines. The landscape plan is also subject to the following:
  - a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. The sprinklers shall be of drip or microspray system sprinkler heads for water conservation.
  - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, Boston Ivy shall be used.
  - c. The applicant shall be responsible for installing and maintaining the landscaping until such time as the project nears complete sell-out and the Homeowner's Association or a lot owner takes over maintenance responsibility.

- Except as otherwise provided in the CC&Rs approved by the City, the d. Homeowner's Association shall be responsible for all installation and permanent maintenance of all landscaping on the property. Said responsibility shall extend to the parkway landscaping, sidewalk, curb, and pavement of the site. All planting areas are to be kept free of weeds, debris, and graffiti. All organic landscaping waste shall be disposed of in accordance with applicable law and regulations of the City, Grove Sanitary District, the Garden and the State of California. Maintenance of these landscape areas shall be included within the CC&R's for the project.
- e. No trees shall be planted closer than five feet (5') from any public rightof-way. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low height variety to ensure safe sight clearance. All trees planted on the individual private lots, whether for screening the houses from the neighboring lots or for aesthetic or selling/marketing purposes, shall have an irrigation system installed in order maintain the trees.
- f. The landscaping treatment along the Lampson Avenue frontage, including the area designated as public right-of-way, and the front setback areas of each lot, shall incorporate a mixture of groundcover, flowerbeds, shrubs, and trees to enhance the appearance of the property. The Community and Economic Development Department, Planning Services Division shall review the type and location of all proposed trees and plant materials.
- g. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water run-off. This is to also to be inclusive of any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.
- h. At the time of irrigation installation, the irrigation system shall comply with all applicable provisions of the City's Water Conservation Ordinance, the City's Municipal Code landscape provisions, and all applicable state regulations.
- i. All above-ground utilities (e.g. water backflow devices, electrical transformers, irrigation equipment) shall be shown on the landscaping plan in order to ensure proper landscape screening will be provided.
- 56. Enhanced concrete treatment shall be provided along the entry to the private street subject to the Community and Economic Development Department's

approval that includes decorative stamped concrete or interlocking pavers or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern, material, and final design and configuration shall be shall be approved by the Community and Economic Development Department, Planning Division, and shall be shown on the final site plan, grading plan, and landscape plans.

- 57. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.
- 58. Hours and days of construction and grading shall be as set forth in the City of Garden Grove Municipal Code Section 8.47.010 as adopted, except that:
  - a. Monday through Friday not before 7:00 a.m. and not after 5:00 p.m.
  - Saturday not before 8:00 a.m. and not after 5:00 p.m. All construction activity on Saturday shall be limited to interior construction only.
  - c. Sunday and Federal Holidays no construction shall occur.
- 59. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, the use of methanol, natural gas, propane, or butane vehicles instead of gasoline or diesel powered equipment, where feasible, the use of solar or low-emission water heaters, and the use of low-sodium parking lot lights, to ensure compliance with Title 24.
- 60. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable law.
- 61. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:
  - a. The facade of the units 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 and Economic Development Department prior to the issuance of building permits.
  - b. Prior to the finalization of working drawings for Planning Services Division, Engineering Division, and Building and Safety Division Plan

Check, the applicant shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project.

- c. Each unit shall have phone jacks and cable-TV outlets in all rooms, except the laundry area, hallways, and bathrooms. All garage doors shall be of automatic roll-up type. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5 feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit, and is properly screened from view.
- d. The second floor windows shall, to the extent feasible, be oriented away from the existing single-family homes and/or incorporate view-obscuring measures such as the use of high windows, window alignment, and obscure glass window glazing.
- e. Should the applicant elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community and Economic Development Department prior to releasing units for model purposes. The phasing plan shall include, but not be limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community and Economic Development, Public Works Departments, ad OCFA prior to issuance of building permits.
- 62. All new block walls, and/or retaining wall(s), including existing block walls to remain, shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
  - a. Decorative perimeter block walls shall be required, and shall be constructed to a minimum height of 6 feet to a maximum height of 7 feet, as measured from highest point of the on-site finished grade. The block walls shall be constructed of decorative split-face masonry with decorative caps, subject to the Community and Economic Development Department's approval. No walls greater than 36-inches in height shall be construction with the driveway vision clearance area of the project's entrance. All existing block walls shall be modified, as necessary, to

comply with the minimum block wall height requirement. The type, texture, and color of the block wall shall be approved by the Planning Services Division, and shall match any existing block wall that will remain.

- a. Private interior project walls, with a minimum height of 6 feet, and a maximum height of 7 feet, constructed from decorative masonry block or from wood, shall be constructed along the property line of each lot to provide privacy to each unit. The walls shall maintain a minimum setback of 20 feet from the front property line or a 20 feet setback if located adjacent to any driveway. Any wall located within the front setback area shall be limited to a height of 36-inches, except as allowed in Condition of Approval 64.
- The applicant shall work with the existing property owners along the b. project perimeter in designing and constructing the 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 the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the applicant shall work with City Staff to address this situation. The Community and Economic Development Director shall be authorized to approve minor alterations the size and/or location of the landscape planter to accommodate the placement of such wall.
- 63. The proposed 6'-0" fence allowed within the front setback area of Lot 1, shall comply with the following:
  - a. The 6 foot fence shall maintain a 15 foot setback from the front property line located along Lampson Avenue.
  - b. The design of the fence shall be decorative, with the bottom, 36-inches of the fence constructed of decorative block that matches the decorative block used for the perimeter block wall, and the upper, 36-inches of wrought iron with decorative pilasters.
  - c. The overall height of the 6 foot fence, including pilasters, shall be measured from the on-site grade located adjacent to the block wall.
  - d. The pilasters, as measured from the on-site finished grade, shall be 6 feet in height, regardless of the grading level height. The pilasters shall be spaced evenly.

- e. The applicant shall obtain a building permit for the construction of the pilasters.
- 64. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&R's) for review and approval by the City Attorney's Office and the Community and Economic Development Department prior to the issuance of building permits. The approved CC&R's shall be recorded at the same time that the subdivision map is recorded and two copies of the recorded CC&R's shall be provided to the Planning Services Division. The CC&R's shall include the following stipulations and/or provisions:
  - a. All units shall maintain the ability to park two (2) vehicles within the garages at all times. Garages shall not be converted to any other use.
  - a. There shall be no business activities, day care, or garage sales conducted within or from the garages.
  - b. Garages shall not be rented or leased separately from the dwelling units and shall not be made unavailable to the occupants of the units.
  - c. Parking spaces in the garages shall be made available to the occupants of the unit at all times.
  - d. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces located within the enclosed garage space for each unit and the open parking spaces located along the private driveway. However, the three (3) on-street parallel parking spaces may be utilized by residents or guests for temporary parking. Any issues arising from the use, application, or restriction of such open parking spaces shall be at the resolve of the Homeowner's Association.
  - Each Owner shall prevent and abate all graffiti vandalism within e. his/her/its Lot and/or within any Exclusive Use Area or Property Wall over which he/she/it exercises control and/or is responsible to maintain. The Homeowner's Association shall prevent and abate all graffiti vandalism within the Common Area and any other portions of the Properties or Property Walls owned or controlled by the Association. The Homeowners Association and Owners shall implement best management practices to prevent and abate graffiti vandalism within the Properties throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the Homeowner's Association or responsible Owner as soon as

reasonably possible after it is discovered, but not later than 72 hours after discovery.

- f. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
- g. Second-story decks shall remain open and shall not be enclosed at any time. There shall be no storage allowed in the balconies at any time.
- h. Parking and storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited.
- i. There shall be no parking allowed along the drive-aisle and the turn-around area, except within the designated guest parking spaces. All curbs not designated as parking areas, including the Fire Department turn-around area, shall be painted red.
- j. Each unit shall maintain a minimum of one thousand square feet of usable open space in the required rear yard. This area shall be open and unobstructed from the ground to the sky.
- k. Each lot shall be subject to the development standards of the R-1 (Single-Family Residential) zone.
- I. Trash containers shall be stored within designated storage areas only and not within the garage parking area. The placement of trash containers for pick-up, and the duration of time prior to and after trash collection of those trash containers, is subject to the Garden Grove Sanitary District requirements. The applicant shall provide each individual unit with a trash storage area to accommodate three trash containers. The area for each container shall be a minimum of 38 inches by 38 inches. The trash areas shall be paved and accessed by gates and a walkway for ease of taking trash containers to and from the street.
- m. The CC&R's shall include provisions providing the owners or tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as street sweepers, trash trucks, fire trucks, etc., from maneuvering through the site.
- n. The CC&R's shall include stipulations that maintenance of the private drive aisles, storm drain, sewer system, and open space areas within the interior of the development, and the landscape setback areas outside the development walls adjacent to the Lampson Avenue

frontage road is the responsibility of the Homeowner's Association, including the common landscaped areas.

- o. The Conditions of Approval for Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 shall be incorporated into the CC&Rs, and provisions corresponding to any applicable Conditions of Approval shall be included in the CC&Rs.
- p. The following provisions shall be included within the CC&R's (in substantially the same form as below or as otherwise approved by the City Attorney):
  - i. <u>Compliance with Stormwater Quality Regulations</u>. The Homeowner's Association shall implement, and fund implementation of, the Operation and Maintenance ("O&M") Plan for the Property, which was approved by the City as part of the Water Quality Management Plan ("WQMP") required for development of the Property, and shall operate and maintain the Best Management Practices ("BMPs") described in the O&M Plan for the Property, which includes:
    - f. Description of all post-construction BMPs (nonstructural and structural),
    - g. Description of the Property owner's(s') responsibilities and required training of persons performing BMP implementation, operation and maintenance,
    - h. Implementation frequency and operating schedule,
    - i. Inspection/maintenance frequency and schedule,
    - j. Specific maintenance activities,
    - k. Required permits from resource agencies, if any,
    - I. Forms to be used in documenting implementation, operation and maintenance activities,
    - m. Recordkeeping requirements.

A copy of the approved O&M Plan is described in the current WQMP for the Project, as it may be amended from time to time according to its terms, which is on file with the City of Garden Grove Community and Economic Development Department, and is incorporated herein by this reference. The Committee shall maintain a copy of the current WQMP at a location on the Property.

The Property shall be, and the Homeowner's Association shall ensure that the Property is, used and maintained in full compliance with the provisions of the O&M Plan and Chapter 6.40 (Stormwater Quality) of the Garden Grove Municipal Code, as it may be amended. The City shall have the right to inspect the Property for the purpose of verifying compliance with this provision. The City of Garden Grove shall be an intended third-party beneficiary to this provision. The City shall have Exhibit "A" Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 Conditions of Approval

> the right and authority, but not the obligation, to enforce this provision by any legal or equitable means, or by any method available to the Property owners as provided elsewhere in the Declaration, against the Declarant, Homeowner's Association, Owners, their successors and assigns, or other persons in possession of the Property. This provision shall not be amended or terminated without the written approval of the City of Garden Grove Community and Economic Development Department.

- ii. <u>Enforcement</u>: The City is hereby made a party to this Declaration solely for purposes of enforcing its provisions and the Conditions of Approval of Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181. The City, its agents, departments and employees shall have the unrestricted right and authority, but not the obligation, to enforce the provisions of this Declaration and the Conditions of Approval of Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181. In the enforcement of this Declaration, the City shall not be limited to the procedures or processes described in this Declaration and may use any remedy provided under law or equity, including the City's Municipal Code. The City, its agents, departments and employees may further refuse to issue any building, electrical or plumbing permit that may be in violation of these Declarations or Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 approvals. However, the City shall not be liable for failing or refusing to enforce the provisions of these Declarations or the Conditions of Approval of Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181. The alternative dispute resolution provisions set forth in Section / Article [SECTION] of this Declaration shall not apply to or legally bind the City.
- iii. Assessments: The City may levy special assessments against the properties in connection with its actions to enforce the conditions of this Declaration or Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 approvals, or to abate the violation thereof. The Citv shall have the same power as the Association to levy special assessments pursuant to the provisions of [SECTION] of this Declaration in the event that it incurs expenses in the enforcement of the conditions of these Declarations or Site Plan No. SP-081-2020 and Tentative Tract Notice of intention to make such Map No. TT-18181 approvals. assessment shall be mailed by the City to the Owner of each affected [LOT/UNIT] affording the Owner thirty (30) days' notice to satisfy or reimburse the City's expenditure. In the event of the failure of any Owner of any affected [LOT/UNIT] to reimburse the City within thirty (30) days, notice of such assessment shall be mailed by the City to said Owner, and said assessment shall thereafter be due as a separate debt to the City within thirty (30) days following the mailing of such notice. Any such delinquent assessment may be and may become a lien upon the interest of the defaulting Owner in the Lot upon the execution by

the City and the recording in the Orange County Recorder's office of a notice of delinquent assessment under the same conditions that the Association could record the same pursuant to the provisions of [SECTION]. The City may foreclose on such notice of delinquent assessment in the same manner and with the same power as the Association could foreclose on such notice pursuant to the provisions of [SECTION]. It is the intent of Declarant, which intent shall be binding upon all of Declarant's successors in interest in the Properties, that the City shall be deemed an interest holder pursuant to the provisions of these Declarations in order to enforce the rights which have been given to the City generally in these Declarations and specifically pursuant to this Section.

- iv. <u>Attorney Fees</u>: The City shall be entitled to recover its attorney's fees incurred in connection with its actions to enforce the conditions of these Declarations or Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 approvals, or to abate the violation thereof.
- v. <u>Public Safety Access</u>: The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.
- vi. <u>Modification/Termination</u>: This Declaration shall not be terminated or substantially amended without the prior written approval of the City of Garden Grove Community and Economic Development Department.
- 65. Final Tentative Tract Map No. TT-18181 shall be approved by the City recorded by the applicant prior to issuance of building permits for the proposed single-family homes.
- 66. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, and his/her 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 Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a

party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

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- 68. In accordance with Garden Grove Municipal Code Sections 9.32.160 and 9.40.070.A, respectively, the rights granted pursuant to Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 shall be valid for a period of two years from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Site Plan No. SP-081-2020 shall become null and void if the subject development and construction necessary and incidental thereto is not commenced within two (2) years of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-081-2020 shall expire if the building permits for the project expire.
- 69. 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-081-2020 and Tentative Tract Map No. TT-18181, has begun.
- 70. The garage for Lot 4 shall be designed to maintain a minimum garage door size width of 18 feet.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	<b>SITE LOCATION:</b> South side of Lampson Avenue, between 9 <sup>th</sup> Street and
C.1.	West Street, at 11712 Lampson Avenue
HEARING DATE: July 7, 2022	<b>GENERAL PLAN:</b> Low Density Residential
<b>CASE NO.:</b> Site Plan No. SP-081-2020TE1 and Tentative Tract Map	<b>ZONE:</b> R-1 (Single-Family Residential)
No. TT-18181TE1	<b>APN:</b> 090-302-40
APPLICANT & PROPERTY OWNER: Nhan Vuong	<b>CEQA DETERMINATION:</b> Previously adopted Exemption- Section 15332 "In- Fill Development Projects"

# **REQUEST:**

The applicant is requesting approval of a one-year time extension for the approved entitlements under Site Plan No. SP-081-2020 and Tentative Tract Map No. 18181 to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as a cul-de-sac (Lot 5). The approval allowed each parcel with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3 and 4 will each be developed with a new two-story, single-family home. Also, a minor land deviation was approved to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

# **BACKGROUND:**

The project site is a 47,284 square foot lot located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site is located in a residential area improved with single-family residences. The project site abuts R-1 zoned properties developed with single-family homes to the north, across Lampson Avenue, to the east, south, and to the west. The properties that directly abut the project site to the west are part of a single-family residential subdivision developed with seven (7) parcels located on Persimmons Circle.

## STAFF REPORT FOR PUBLIC HEARING

# CASE NO. SP-081-2020TE1 AND TT-18181TE1

On April 7, 2020, the Planning Commission approved Site Plan No. SP-081-2020, and Tentative Tract Map No. TT-18181 with seven (7) yes votes. The approval allowed the subdivision of an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as cul-de-sac (Lot 5). Each lot was approved with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3 and 4 will each be developed with a new two-story, single-family home. Also, the approval included a minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

Under the State Subdivision Map Act, tentative maps expire two-years from the date the land use approval becomes effective. Condition of Approval No. 69 of SP-081-2021 and TT-18181 allowed the Site Plan to expire two years from the date the approval became effective to be consistent with the two-year expiration date of the Tentative Tract Map. For this approval, the land use entitlements became effective on May 8, 2020, with a two-year expiration date of May 8, 2022.

On May 3, 2022, prior to the expiration of the subject entitlements, the applicant filed a land use application with the City requesting a one-year time extension of Site Plan No. SP-081-2020 and Tentative Tact Map No. TT-18181.

In accordance with the Municipal Code, and because the approved entitlements were not yet exercised, the applicant is now requesting a one-year time extension for the previously approved entitlements. No changes are proposed to the previously approved project.

# **DISCUSSION:**

## TIME EXTENSION

Site Plan No. SP-081-2020 and Tentative Tract Map No. 18181 went into effect on May 8, 2020, with a two-year expiration date of May 8, 2022. The applicant filed an application with the City of Garden Grove requesting a time extension (Time Extension #1) on May 3, 2022, prior to the entitlements expiring.

Delays to the construction of the project have occurred due to significant changes to the grading plans. On June 17, 2020, grading plans were submitted to the City of Garden Grove for plan review. Initial City comments provided on the grading plans required the applicant to redesign the plans, which presented challenges and caused a delay. The grading plans continue in the plan review process. The applicant submitted revised grading plans to the City of May, 2021 for 2<sup>nd</sup> review, and most recently on April 4, 2022 for 3<sup>rd</sup> review.

The applicant anticipates the grading plans will be approved by the end of 2022, and thereafter, construction plans will be submitted to the City's Building and Safety Division for plan check review.

### STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-081-2020TE1 AND TT-18181TE1

Title 9 of the Municipal Code allows for a one (1) year time extension for approved entitlements, provided that the Planning Commission finds that: (a) the request for the time extension was submitted prior to the permit expiration date, (b) there has been no change in the general plan designation or zoning of the site, and (c) there is no land use action or study currently underway that would have the potential to render the development nonconforming.

The applicant submitted the time extension application on May 3, 2022, prior to the expiration of the entitlements. In addition, the General Plan Land Use Designation of Low Density Residential and the R-1 (Single-Family Residential) zoning of the property have remained the same, and there are no pending land use actions or studies that would have the potential to render the approved development nonconforming. As such, the proposed project is conforming to the General Plan and zoning designations of the property. No changes are proposed to the previously approved project. The subject request is in compliance with Municipal Code standards for time extensions.

### <u>CEQA</u>

As a part of the April 17, 2022 approval, the Planning Commission determined that the project was categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). No changes are proposed to the project that was previously approved, and no further environmental review is required.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 6047-22 approving Site Plan No. SP-081-2020TE1 and Tentative Tract Map No. TT-18181TE1, subject to the original Conditions of Approval for Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181.

LEE MARINO Planning Services Manager By: Maria Parra Senior Planner

Attachment "A": Planning Staff Report dated April 16, 2020 with Resolution No. 5978-20 and Conditions of Approval for SP-081-2020 and TT-18181

### RESOLUTION NO. 6047-22

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING A ONE-YEAR TIME EXTENSION FOR SITE PLAN NO. SP-081-2020 AND TENTATIVE TRACT MAP NO. TT-18181 (REFERRED TO AS SP-081-2020TE1 AND TT-18181 TE1).

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 7, 2022, does hereby approve a one (1) year time extension for the entitlements approved under Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, for a property located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street, at 11712 Lampson Avenue, Assessor's Parcel No. 090-302-40.

BE IT FURTHER RESOLVED in the matter of the time extension for Site Plan No. SP-081-2020TE1 and Tentative Tract Map No. TT-18181 TE1, the Planning Commission of the City of Garden Grove does hereby report as follows:

- 1. The subject case was initiated by Nhan Vuong.
- 2. The applicant is requesting approval of a one-year time extension for the approved entitlements under Site Plan No. SP-081-2020 and Tentative Tract Map No. 18181 to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as a cul de-sac (Lot 5). The approval allowed each parcel with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3 and 4 will each be developed with a new two-story, single-family home. Also, a minor land deviation was approved to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.
- 3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove previously determined that the proposed project was categorically exempt from the CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). As set forth in the Class 32 exemption, the proposed project is: (1) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (2) the proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; (3) the project site has no value as habitat for endangered, rare or threatened species; (4) approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality; and (5) the site can be adequately served by all required utilities and public services.

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- 4. The property has a General Plan Land Use designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The site is currently improved with a single-family home and a detached guest home. The existing single-family home will remain, and will be reconfigured, to fit within the developable lot area of Lot 1 of the proposed subdivision. The existing guest home will be demolished, and will be replaced on Lot 1 as a new Accessory Dwelling Unit (ADU) as permitted by State Law.
- 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 July 7, 2022, 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 July 7, 2022; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030.D.9, are as follows:

### FACTS:

The project site is a 47,284 square foot lot located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site is located in a residential area improved with single-family residences. The project site abuts R-1 zoned properties developed with single-family homes to the north, across Lampson Avenue, to the east, south, and to the west. The properties that directly abut the project site to the west are part of a single-family residential subdivision.

On April 7, 2020, the Planning Commission approved Site Plan No. SP-081-2020, and Tentative Tract Map No. TT-18181 with seven (7) yes votes. The approval allowed the subdivision of an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as cul-de-sac (Lot 5). Each lot was approved with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3 and 4 will each be developed with a new two-story, single-family home. Also, the approval included a

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minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

Under the State Subdivision Map Act, tentative maps expire two-years from the date the land use approval becomes effective. Condition of Approval No. 69 of SP-081-2021 and TT-18181 allowed the Site Plan to expire two years from the date the approval became effective to be consistent with the two-year expiration date of the Tentative Tract Map. For this approval, the land use entitlements became effective on May 8, 2020 with a two-year expiration date of May 8, 2022.

On May 3, 2022, prior to the expiration of the subject entitlements, the applicant filed a land use application with the City requesting a one-year time extension of Site Plan No. SP-081-2020 and Tentative Tact Map No. TT-18181.

In accordance with the Municipal Code, and because the approved entitlements were not yet exercised, the applicant is now requesting a one-year time extension for the previously approved entitlements. No changes are proposed to the previously approved project.

### FINDINGS AND REASONS:

### Time Extension:

1. A request for a time extension, including the reasons therefore, has been submitted prior to the permit expiration date, or the hearing body finds that due to special circumstances demonstrated by the property owner or the applicant, a late-filed request should be considered.

The applicant submitted a timely request to extend the Site Plan and Tentative Tract Map approvals of the subject project for one (1) year, prior to the entitlement expiration date of May 8, 2022. Delays to the construction of the project have occurred due to significant changes to the grading plans. Initial City comments provided on the grading plans required the applicant to redesign the plans, which presented challenges and caused a delay. The applicant is requesting the time extension to finalize the grading plans, as well as to subsequently submit construction drawing to the City for plan check review.

2. There has been no change in the General Plan designation or Zoning of the site that would render the development or use nonconforming.

The subject site's General Plan Land Use Designation of Low Density Residential, and the zoning of R-1 (Single-Family Residential) have not changed since the original approval on April 16, 2020. Therefore, the development will not be rendered nonconforming.

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3. There are no land use actions or studies currently underway that would have the potential to render the development or use nonconforming.

There are no known studies or actions that would affect the site or proposed development that would possibly render the development nonconforming.

### 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 Time Extensions for the approved Site Plan and Tentative Tract Map do possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030.D.9 (Time Extension).
- 2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the originally approved conditions of approval for Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 shall remain in effect.

Adopted this 7th day of July 2022

ATTEST:

/s/ <u>JOHN RAMIREZ</u> CHAIR

/s/ <u>JUDITH MOORE</u> RECORDING 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 July 7, 2022, by the following vote:

AYES: COMMISSIONERS: (7) ARESTEGUI, CUNNINGHAM, LEHMAN, LINDSAY, PEREZ, RAMIREZ, SOEFFNER NOES: COMMISSIONERS: (0) NONE

/s/ JUDITH MOORE RECORDING SECRETARY

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

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is July 28, 2022.



## **CITY OF GARDEN GROVE**

Steve Jones Mayor

George S. Brietigam Mayor Pro Tem - District 1 John R. O'Neill

Council Member - District 2

Cindy Ngoc Tran Council Member - District 3

Joe DoVinh Council Member - District 4

**Stephanie Klopfenstein** Council Member - District 5

**Kim Bernice Nguyen** Council Member - District 6

Nhan Vuong 11712 Lampson Avenue Garden Grove, CA 92840

### SUBJECT: MINOR MODIFICATION NO. 1 TO SITE PLAN NO. SP-081-2020 AND TENTATIVE TRACT MAP NO. TT-18181 FOR PROJECT LOCATED AT 11712 LAMPSON AVENUE

Dear Mr. Vuong,

April 17, 2023

The City of Garden Grove has reviewed, and hereby approves, the request to modify Condition of Approval No. 62.b. of Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, to permit the Applicant to construct a new retaining/perimeter block wall within the subject site in accordance with the submitted grading plans, without replacing the existing walls between the subject property and nine (9) adjacent properties or constructing a decorative cap between the new and existing walls.

On April 7, 2020, Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 were approved and authorized the subdivision of an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as cul-de-sac. The existing single-family home was planned to be reconfigured to fit within the developable lot area of Lot 1, while Lots 2, 3 and 4 will each be developed with a new two-story, single-family home. The approval also included a minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet (6'-0").

On July 7, 2023, a one-year time extension was approved to Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, which extended the entitlement expiration date to May 8, 2023.

Condition of Approval No. 4 of SP-081-2020 and TT-18181 authorizes the Community and Economic Development to approve minor modifications to the Site Plan and/or Conditions of Approval, which are minor in nature.

Condition of Approval No. 62 (a-b) establishes specific conditions that (I) require the applicant to construct a 7'-0" perimeter block wall, (II) that requires the

Minor Modification No. 1 to SP-081-2020 April 17, 2023 Page 2

applicant to work with adjacent property owners in constructing the perimeter block wall to avoid having a double block wall, and (III) requires that if the applicant cannot obtain adjacent property owner's approval to build a single project perimeter wall, then the applicant is required to construct a decorative cap between the new project perimeter wall and any existing perimeter wall/fence that will remain.

You have submitted grading plans to the City of Garden Grove for review and approval. The grading plans show the construction of a new retaining wall and a 7'-0" block wall along the sides and rear of the project site. Pursuant to the grading plan, an approximately 12-inch gap or greater will exist between the new retaining/perimeter block wall and any other abutting perimeter wall that will remain on the adjacent neighbor's property as reflected in the grading plans (see Attachment 1).

Construction of either a single project perimeter wall or a decorative cap between the existing wall and a new wall pursuant to Condition 62.b. requires the consent of the owners of eleven (11) adjacent property owners. In your efforts to address Condition of Approval No. 62.b., you have made a concerted effort to contact and receive approval from all eleven (11) property owners whose property abuts the project site for the purpose of constructing a single project perimeter block wall. The single project perimeter block wall design would involve removing all existing block walls or fences and constructing one single perimeter wall to avoid a double wall/fence situation.

In your request letter dated March 24, 2023, you indicated that several attempts were made to contact the adjacent property owners for the purpose of receiving their approval to construct a single project perimeter block wall. Your attempts included mailing certified letters to each abutting property owner in late December 2021/ early January 2022, in November 2022, and in February 2023, and also conducting a door-to-door outreach to each of the adjacent property owners in December 2022/January 2023. To date, only two (2) of the eleven (11) property owners have agreed to a single project perimeter block wall design, and nine (9) property owners have not provided a response.

In addition, you considered, and presented to the Planning Services Division, several alternative options in-lieu of providing a decorative cap that were not feasible options.

Due to the apparent infeasibility of obtaining approval from nine (9) out of the eleven (11) property owners for construction of a single project perimeter wall or decorative cap, you have requested a modification to Condition of Approval No. 62.b, to permit the construction of a new retaining/perimeter block wall within the subject site that does not involve replacement of the existing block wall shared with

Minor Modification No. 1 to SP-081-2020 April 17, 2023 Page 3

the nine (9) neighboring properties, where the property owner has not agreed to the construction of a single project perimeter wall, or the construction of a decorative cap between the two walls, as shown on the submitted grading plans.

The City has determined that the requested modification will not materially change the scope or intensity of the project as approved by SP-081-2020 and TT-18181.

Therefore, the proposed modification is minor and can be approved by the Community and Economic Development Director.

No additional changes to the plans will be permitted without approval of the Community and Economic Department. If other changes to the plans are proposed that would have the effect of expanding or intensifying the use, the appropriate entitlement must be filed. The project is required to continue to comply with the Conditions of Approval of SP-081-2020 and TT-18181.

If you have any questions about this approval, please contact Maria Parra, Planning Manager, at the Planning Services Division at (714) 741-5323.

Sincerely,

Craig Beck Interim Community and Economic Development Director

Attachment 1: Grading Plans for SP-081-2020

## **ATTACHMENT 1**

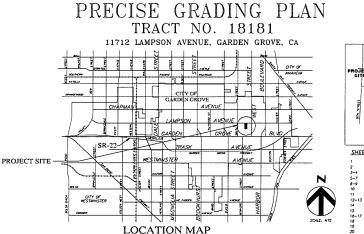
Grading Plans for SP-081-2020

#### GRADING GENERAL NOTES

- 48 HOUR ADVANCE NOTICE IS REQUIRED PRIOR TO THE START OF ANY WORK (714) 741-5887
- ALL NORN SHALL CONFORM TO THE ETTY OF GARGEN CREDE LATEST DRUMANCE NO 2025 STANDARD PLANS AND SPECIFICATIONS. THE 2019 STANDARD SPECIFICATIONS OF THE STATE OF CULTORNIA DEPARTMENT OF THANSFORTATION, THE CITY OF GARGEN CREDE CORDUNACE NO. 2020 THE 2019 CALFORMA BULDING SCORE CALFORMA CREDE BULDINGS STANDARD CODE, AND THE STANDARD SPECIFICATIONS FOR FUDUE WORKS CONSTRUCTION (GREENBOOK) 2018 EDITION
- THE CONTRACTOR SHALL DITAN ALL NEECSSARY PERMITS AND NOTEY THE DTY OF SANDAN DRIVE WATER DEPARTMENT AND ALL DOTER UTILITY COMPARES A WANDLU OF 44 HOURS PROM TO THE START OF CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE ALL PHASES OF CONSTRUCTION WITH THE WARDLE DILITY COMPARES INVOLVED.
- SUBNITIAL DOCUMENT REQUIREMENTS SHALL AT A MINIMUM, CONFORM TO ALL REQUIREMENTS OF SECTIONS 107 AND 110 OF THE CALIFORNIA BUILDING CODE, INCLUDING THE FOLLOWING:
- a DRADING PLAN WITH STE PLAN SHOWING TO SCALE THE SIZE AND LOCATION OF NEW CONSTRUCTION AN DISTING STRUCTURES ON THE SITE AND ADJACENT TO THE SITE A MINIMUM OF THREEY FEET (30) TROM PROPERTY DOUDARY.
- 6. HORIZONTAL AND VERTICAL DISTANCES AND ELEVATIONS IN RELATION TO THE PROPERTY LOT LINES AND NEAREST DTY BENDMARKS FOR TOPOGRAPHIC CONTROL. (TEMPORARY BENDH WARKS SHALL NOT BE USED FOR TOPOGRAPHIC CONTROL),
- c. EXISTING STREET CRADES AND PROPOSED DESIGN GRADES FOR ALL PROJECT FRONTAGES AND ADJACENT ACCESS IMPROVEMENTS
- 6. ALL SITE/GRADING PLANS SHALL BE BASED UPON AN ACCURATE BOUNDARY LINE SURVEY WITH MONUMENT AND HORIZONTAL/VERTICAL CONTROL DISPOSITION SHOWN ON THE PLANS; (SECTION 107.2.5 CALIFORNIA BUILDING COOP).
- \* DEMOLITION WORK FOR IMPROVEMENTS TO BE REMOVED AND/OR PROTECTED IN PLACE, I. ANY PHASING OF IMPROVEMENTS AS ALLONED BY THE CITY.
- 4. THE CONTRACTOR SHALL OBTAIN A SEPARATE PERMIT FOR ALL WORK WITHIN THE STREET RIGHT-OF-WAY, THEOROMITY A.E. PANNES SHALL BE PLACED WHERE SOCKALK REMOVALS EXTEND LONGER THAN (24) THEORY-FOLKING HOURE AS DIRECTED BY THE CET IN SECTORY.
- 5. DUST SHALL BE CONTROLLED BY WATERING AND IF FULL CONFORMANCE WITH THE REQUIREMENTS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT GUDELINES.
- 5. SANITARY FACELITES SHALL BE MAINTAINED ON SITE FACILITIES SHALL BE LOCATED SUCH THAT SPELS SHALL BE CONTAINED AND AT NO TIME ENTER A PUBLIC OF PRIVATE STORE GRAIN.
- PROP TO THE POURNE OF ANY FOUNDATION WATCHILS, THE PAD ELEVATION AND THE BUILDING COMMENS MUST BE VORFED IN WRITING TO THE BUILDING SECTION BY THE REGISTERIES CHILL DREADER OR THE USERNAY ITS OF THE CALIFORNIA BUILDING CODE.
- 6. NO FEL SHALL BE PLACED UNTE, THE BUILDING OFFICIAL AND THE SOLS ENGINEER APPROVE PREPARATION OF CROWNS
- FILS SHALL BE ECHPACTED THROUGHOUT TO SOX BENSITY AS DETERMINED BY A.S.T.M. DISSO, A.S.T.M. DISSO (SANG CONE), AND/OR A.S.T.M. DISZO, (NUCLER!). SANG COME METHOD MUST REPRESENT NO MORE THAN 2016 OF TESTING, DAVE TUBE TESTING IS NOT PERMITED.
- 10. FILL SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL AND SHALL HAVE NOT LESS THAN DOX COMPACTION OUT TO THE FINISH SURFACE.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE THE UTLITES OF EVERY NATURE METHER SHOWN HEREON OR NOT AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR TOTAL COST OF REPARE OR REPAREDENT OF SHOLD UTLITES DAMAGE DY OPERATIONS.
- 12. N. ACCORDANCE WITH SPECIFICATIONS AND CODES RETERVISED IN PARAGRAPH 1; CONSTRUCTION DOCUMENTS AND A SO-COLLE FOR DEMONITION SHALL BE CUIRENTED WHERE REQUIRED BY THE OTH DEMOCRAND DISSON AND DR BULDING SCRIMESS DISSON, WHERE SUCH INFORMATION IS REQUIRED, NO MORE SHALL BE DONE UNIT, SUCH CONSTRUCTION DEMONSTRY OF SO-COLLE, OR BIDTH, ARE APPROVED
- I. THE CONTRACTOR SHALL MAKE PROVISIONS TO HAVE ALL EXISTING ON-SITE SEMER, MATER, GAS, ELECTRIC, INFRACTION ON TELEPHONE UNES REMOVED, ABANDONED, OR RELOCATED IF THEY ARE INTERFERING WITH THE PROPOSED CONSTRUCTION.
- THE CONTRACTOR SHALL REMOVE, CAP, AND ARANDON ALL EXISTING ON-SITE WATER WELLS, CESSPORES, DR SEPTIC TANKS DECONTRACE DURING GRADING IN ACCOMPANCE WITH THE LAREST EDITION OF THE UNIFORM REMURING COORD. THE EDITARTION OF HEALT NA DO THE CIT WURDERAL CODE.
- . ANY DROKEN OR DAMAGED IMPROVEMENTS ON ADJACENT PRIVATE PROPERTY OR PUBLIC RIGHT\_OF\_WAY SHALL BE REPLACED ON REPARED IN KIND AS DIRECTED BY THE CITY ENGINEER.
- 15. TUMPINAY TRAFFIC CONTROL AND PERCETRIAN ACCESS AND PROTECTION DURING CONSTRUCTOR SHALL CONFIDENT TO THE OPENAMENT OF PARKE WORKS AND DEVLOPMENT'S LATEST "PUBLIC CONVENCE AND TRAFFIC CONTROL PERCENCE" SHIEL, AND THE "WHITEN WARKING" AS PROJECTED BY THE APPRA, OMPTITE 30 OF THE CAURDINAN BULDANE GOOD AND THE RECOMPLICATION OF THE CITY DATACED.
- 16 ALL TRATTIC CONTROL DEVICES SHALL BE INSTALLED, RELOCATED, OR REMOVED TO THE SATISFACTION OF THE CITY TRAFFIC ENDINGER.
- 17. THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEER PRIOR TO THE REMOVAL, PARTIAL REMOVAL OR TRIMMING OF TREES OVERHANGING OR LYING PARTIALLY OR FULLY WITHIN EXISTING RIGHT-OF-WAY,
- 18. THE SOLS REPORT PREPARED BY <u>SOSSAN DEDETERTS INC.</u> DATED <u>JUNE 17, 2019</u> AND ALL RECOMMENDATIONS CONTAINED THEREN, SHALL BE MADE A PART OF DHEE PLANS, SOLS REPORTS AND ITSTING SHALL DE DONG BY A CHILL ON CONTENNAL FRANCER RECEITED IN THE STATE OF CALIFORNI.
- 19 PROF TO THE UNPORTATION OF ANY TOOL WAITERNL TO THE STIE, AN INVESTIGATION SHALL BE UNDER AND A SECONT FLICE WITH THE BALLING OFTENAL. USE OF THE SOL MLL WET BE EXPONETED AT IT IS DETENDED SHALL ADD BE FORMED ID WARDED (SOL AND FESSION STATE) TO THE SOLUME DEVICES. INVESTIGATION SHALL BE CAUSE TO RETENDED AND UNDER SOL AND FESSION STATE. TO THE SOLUMENT SHALL BE CAUSE TO RETENDENT AND INFORMATION SHALL BE ADD FOR THE SOLUTION TO THE SOLUTION AND THE SOL SHALL BE CLEAN AND FERLE OF ANY SORTS. FLALE TO SOLUTION TO THESE REDURENCES SHALL DE CAUSE TO RETENDENT AND BEFORE OFTEN SOLUTION STATES. TO SOLUTION TO THESE AND THE SOL SHALL BE CLEAN AND FERLE OFTEN SOLUTION TO SOLUTION TO THESE AND THE SOL SHALL BE CLEAN AND FERLE OFTEN SOLUTION TO SOLUTION TO THESE AND THE SOL SHALL BE CLEAN AND FERLE OFTEN SOLUTION TO SOLUTION TO THE SOLUTION TO SOLUTION TO SOLUTION TO SOLUTION TO SOLUTION TO THE SOLUTION TO THE SOLUTION TO SOLUTION THE SOLUTION TO SOLUTION TO SOLUTION TO THE SOLUTION TO THE SOLUTION TO SOLUTION THE SOLUTION TO SOLUTION TO SOLUTION TO THE SOLUTION TO THE SOLUTION TO SOLUTION TO SOLUTION TO SOLUTION TO SOLUTION TO SOLUTION TO THE SOLUTION TO SOLUTION TO
- 20. STATEMENT OF QUANTITIES INCLUDING ALL REMEDIAL GRADING AS RECOMMENDED IN THE SOLS REPORTS
  - CUT (SEE EARTHBORN TABLE, THIS SHEET) CUBIC YARDS (GROSS)

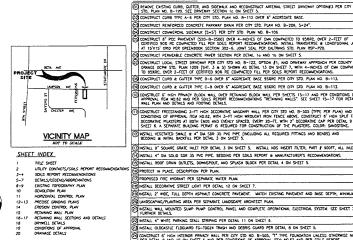
#### . FUL COFF FARTHWORK TABLE THIS SHEETL CUBIC YARDS (CROSS)

- 22. ALL CARTHWORK AND OTHER QUANTITIES ARE ESTIMATED FOR BONDING AND PLAN CHECK FEE PURPOSES DRLY --- NOT FOR BODING PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE ACCURACY OF THE ESTMATE
- 23. WATER WETER AND SERVICE TO BE INSTALLED BY OTY FORCES UPON PAYMENT OF APPLICABLE FEES
- 24. PRIDE TO PLACEMENT OF PARKING LOT STRUCTURAL SECTION, DEVELOPER SHALL COMPACT SUB-GRADE TO • must in pructicity of Palendo (10) STRUCTERS SCIENCE, SCIENCE SCIENCE, SCIENCE SCIENCE, SCIENCE SCIENCE, S



25 THE CONTRACTOR SHALL ANSTALL AND MAINTAIN A SIX (8) FOOT HIGH CHAIN LINK FENCE TO SECURE THE PROJECT PERMETER. THE FEMALE BLE REMOVED UPON CONSTRUCTION OF PERMANENT PERMETER FENCING AND/OR COMPLETING OF THE PROJECT.

- 28. CONCRETE FORM LEVATIONS FOR CURB AND DRAWAGE SUITERS ARE TO BE VERFED FOR PLAN CRACE BY A LEVELOS SURVEYOR PROFI TO CONCRETE POUR. ANY DEVATIONS FROM THESE APPROVED PLANS SUALL REQUIRE APPROVAL BY THE CITY DUALER OR CORRECTED PRIOR TO PLACEMENT OF CONCRETE BY SUBWITHAL OF A REQUERT OR REVISION TO THE APPROVED PLANS.
- 21. LOPID COMPLETION OF ALL MON, THE RECETTING DAY, LOWARDS OF RECORD SHALL CREETE IN WITHING THAT THE REALT IS IN COMPLEXED. WITH THE LINES, DARCE, AND LLAVITORS ON THE APPROVED DRAWLE CANNOT DRAWNING THAT ALL MONT THE LINES, DARCE, AND LLAVITORS ON THE APPROVED DRAWLE CANNOT DRAWNING THAT ALL MONT THAT THE DRAWLE DRAWLE CANNOT HEALT DRAWLE DRAWLE CANNOT DRAWLE THAT THE DRAWLE DRAWLE CANNOT HEALT DRAWLE DRAWLE THAT THE DRAWLE DRAWLE DRAWLE CANNOT HEALT DRAWLE DRAWLE THAT THE DRAWLE DRAWLE DRAWLE CANNOT LINE THAT THE HEALT DRAWLE DRAWLE THAT THE DRAWLE DRAWLE DRAWLE CANNOT LINE THAT THE HEALT DRAWLE DRAWLE THAT THE DRAWLE DRAWLE
- 28 ALL CONCRETE FOR CURBS, GUTTERS, AND SIDEWALKS SHALL BE 2500 PSI AT 28 DAYS. CATCH DASHS AND TRUCK WELLS SHALL BE 3000 PSI AT 28 DAYS.
- 30 AN ADDITIONAL SION SHALL ALSO BE POSITID, IN A COMPREUDUS PLACE, AT (ACM EVIRANCE TO OTT-SPRET PARANE FACULTIES, ON INMEDIATELY ADJACENT TO AND VISIBLE TROM EACH STALL ON SPACE. THE SIX SMALL BE ON LIES THAN IT AN EVER'S X 23 NOCE IN SIZE WITH LETTERING NOT LESS THAN I A INDE IN HEIDHT, WHEN GLARLY AND CONSPICUOUSLY STATES THE FOLLOWING.
- 31. "UNAUTHORIZED VERGLES PARKED IN DESIGNATED HANDICAPPED SPACES NOT DISPLATING DISTINGUISHING PLACARDS OR LUCKIZE RARTE ISSUED FOR PHYSICALLY DISPLATED PERSONS MAY BE TOWED MANY AT OWNER'S CUPPENE. THEOR VERGLE MAY BE RECLAVED BY TELEPHONDRY (74) 741-750
  - WORKY NUMBER WITH POLICE DEPARTMENT PRIOR TO FABRICATION OF SONS.
- 32. IN ADDITION TO THE ADDVE-REQUIRED SIGNS, THE SURFACE OF EACH PARKING SPACE SHALL HAVE A SURFACE IDENTFICATION OF EXTREM OF THE FOLLOWING:
- A. OUTLINE THE STALL IN BLUE AND PROVIDE A PROFILE VIEW OF A WHEELCHAIR WITH DECUPANT IN WHITE (OR DITHER CONTRASTING COLOR).
- B PROVIDE A 36 INCHES X 36 INCHES PROFILE MEM OF A WHELECHAR WITH OCCUPANT IN WHITE ON A BLUE BACKROUND. STHUDD, STALL BE LOCATED SUCH THAT IT IS MSIBLE TO A TRAFFIC ENFORCEMENT OFFICER MONEY THE WEAK THE VERALL IS PAREED.
- CALL COMPACT PARKING STALLS STALL BE INDIVIDUALLY STRIPED AND MARKED ON THE PARKING SPACE SURFACE ALL PARKING STALLS STALLS BE PARTED RED. STALL STALL BE PARTED BE PARTED RED.
- 33 ALL CURD RAMPS SHALL HAVE A GROOVED BORDER 12 INCHES MDC, AT THE LEVEL SURFACE OR LANDING OF The source of the top of the rese and each source product is sately and the source of the topolog. All does remain response to the research of the topolog. All does remain remains the response of the topologic response remains remains remains remains the remainstrate of the remainstrate remainstrates r
- 4. FOR EXTEROR WALKWAYS AND PAINS OF TRAVEL ORACIS PROJECTING TROW WALLS (FOR EXAMPLE TELEPHORES) with Torke Leadong Logis Retrief 27 works and 80 works above the finished flood solar protocols on both than a works with walks, halls, commons, presameterys or actes solarts upanto with There Leadon Edges at or Below 27 works above the Finished Redow and Walks
- 35. TRESTANDING OBJECTS MULARIED ON POSTS OR PILONG WAY DVERHANG 12 INCHES MAXIMUM FROM 27 NOCES TO BO NOCES ADDRESS TO E GOUND OF PILONGON PORTUDING DULECTS SHILL NOT REQUEL THE LEAR MODIT ON A ACCESSION E MOUT OF MANAGEMENT SPACE. AN INFORMATION A PILOSITHAN THAT SHALL BE A MINIAUM OF BO NOCES ABOVE THE MAXIMUM SUMPLATE AS MERSURED TO THE BOTTAN OF THE CONSTRUCTOR.



CONSTRUCTION NOTES:

6	CONSTRUCT CURB TYPE A-6 PER CITY STD. PLAN NO. 8-112 OVER 6" ACCRECATE BASE.	280 U	
6	CONSTRUCT REINFORCED CONCRETE PARKWAY ORAIN PER CITY STD. PLAN ND. 8-209, 5+24".	1 EA	
6	CONSTRUCT COMMERCIAL SIDDWALK (S+S') PER CITY STD. PLAN NO. 8-106.	1,560 SF	
6	CONSTRUCT & PCC PAYLMENT (520-8-2500) OVTR 4-INCHES OF CAN COMPACTED TO STARC, OVER 2-FEET OF CREATED SOX RC COMPACTED FILL PER SOLS REPORT RECOMMENDATIONS. INSTALL TRANSVERSE & LOACIDUDAL JOINTS AT 15/XT15 GHD PER OFTENDROKS SECTION 302-6. JOINT SOL, PER CATTANAS STD. PAIN REP-P20.	5,300 55	
6	CONSTRUCT PERMEABLE CONCRETE PAVER SECTION PER DETAIL to AND to DN SHEET S.	2,575 SF	
۲	CONSTRUCT LOCAL STREET DRIVEWAY PER CITY STD NO. B-122, OPTION $\frac{1}{2}$ , AND DRIVEWAY APPROACH PER COUNTY OF ORANGE COMP STD. PLAN 1200 (SHI, 3 & 5) SHOW NAS DETAL 13 ON SHEET 7, WITH 4-INCRES OF CAME COMPACTED TO SEXER, OVER 2-FEET OF CERTIFIED 90X RE COMPACTED STUL PER SOLS REPORT RECOMPLICATIONS.	850 SF	
6	CONSTRUCT CURB & GUTTER TYPE D-S OVER 5" ACCREGATE BASE SSTRC PER CITY STD. PLAN NO. 8-113.	115 UF	
69	CONSTRUCT CURB & GUTTER TYPE C-8 OVER 6" AGGREGATE BASE 95KRC PER CITY STD. PLAN NO. 8-113.	10 LF	
1	CONSTRUCT 5' HOH PRIMCY BLOCK MALL DVER RETAINING BLOCK WALL PER SHEETS 15-17 AND PER CONDITIONS OF APPROVAL ITEM NO.52 AND PER SOLS REPORT RECOMMENDING TRETAINING WALLS' STE SHEET 15-17 FOR RETAINING WALL PLAN NO DETAILS AND FORMS DETAILS.	565 LF	
	Construct frectioners 3-it has decreating incoment will fee out to to 3-iss (the fee plan) and res conditions of perform (EIN Mar), with 3-it have reacted into in Decl Ander, construct if has sure frec decorative plantifies and the decision of the second into into the charges, construct is the sure frec decorative plantifies and the decision of the charges of the decision of the sure is a second sure of the decision of the decision of the charges consisted.		
U	ASTALL VEGETATED SWALE & 4" DIA SDR 35 PVC PIPE (INCLUDING ALL REQUIRED FITTINGS AND BENDS) AND BEDDING & MITHL BUCKTLL PER DETAL 3 ON SHEET 5.	1,014 U	
$\odot$	INSTALL 9" SOLARE GRATE INLET PER DETAIL 3 ON SHEET 5. INSTALL NDS INSERT FILTER, PART # SODFF, ALL INLETS.	36 EA	
$\odot$	INSTALL 4" DIA SOLID SOR 35 PVC PIPE, BEDDING PER SOILS REPORT & MANUFACTURER'S RECOMMENDATIONS.	54 17	
$\odot$	INSTALL ROOF DRAIN DUTLETS, DOWNSPOUT, AND SPLASH BLOCK PER DETAIL 4 ON SHEET 5.	43 EA	
16	PROTECT IN PLACE, DESCRIPTION PER PLAN,	-	
Ô	PROPOSED FIRE HYDRANT PER SEPARATE WATER PLAN.	t DA	
Ē	INSTALL DECORATIVE STREET JICHT PER DETAIL 12 ON SHEET 7.	2 EA	
Ò	INSTALL 2' HIDE, FULL DEPTH ASPHALT CONCRETE PAVEMENT. WATCH DUSTING PAVEMENT AND BASE DEPTH, WINIHUM	167 SF	
0	LANDSCAPINC/PLANTING AREA PER SEPARATE LANDSCAPE ARCHITECT PLAN.	1 15	
Ò	INSTALL WALL MOUNTED SUMP PUMP CONTROL PANEL AND COMPLETE OPERATIONAL ELECTRICAL SYSTEM, SEE SHEET 20 FOR FURTHER DETAILS.	255 Lf	
1	INSTALL 4" WHITE PARKING STALL STRIPING PER DETAIL 11 ON SHEET 6.	1 15	
6	INSTALL OLDCASTLE FLOGLARD FG-TDG24 TRASH AND DEBRIS GUARD PER DETAIL & DN SHEET 5.	1 EA	
3	cancerent of horn interde primary wall pire city 370 kg, B-363, 17" free foundation unerses otherwise noted. Prir ditale and 10 on sheft is and for conditions of approxim, item no.82 and per solls report Recommendations "retaining walls".	319 UF	
O	INSTALL NEW 15 CALLON AUSTRALIAN PEPPERWINT WILLOW TREE AT DOSTING TREE WELL PER CITY STD NO. 8-127	1 DA	
-	CONSTRUCT 10'13.5' WINNUM * 4" THICK PCC CONCRETE PAD (320-8-2500) OVER 4-INCHES OF CMA COMPACTED TO 95xrc, FOR THREE TRASH CONTAINERS.	140 SF	
	NSTALL 12'X24" ALMANBRA FOUNDRY A-2015 ADA FRAME AND COVER (FDR PARKWAY DRAIN MAINTENANCE) PER DETAIL 7 ON SHEET 5.	1 EA	
_	CONSTRUCT FREESTANDING 3-FT HIGH MASONRY WALL PER CITY STD NO. 8-505, "" TYPE FOUNDATION, AND PER CONDITIONS OF APPROVAL ITEM NO.42.	60 LF	
20	CONSTRUCT 4" CURB DRAIN PER SPPWC STD. NO. 150-3, CURB PROFILE, S" CURB FACE, REBAR OVER OUTLET	\$ EA	
24	CONSTRUCT DEEPENED FOOTING PER DETAIL & ON SHEET S.	53 U	
ତ	CONSTRUCT DETECTABLE WARNING SURFACE PER CALTRANS STD. PLAN ABBA. COLOR: YELLOW.	2 EA	
62)	CONSTRUCT DRYWELL PER DETAIL 15 ON SHEET 18.	1 DA	
0	INSTALL 12"X12" DEDCASTLE FLOGARD INSERT FILTER MODEL FOP-12F PER DETAIL 16 ON SHEET 18.	1 DA	
9	CONSTRUCT & ENHANCED CONCRETE TREATED PANEMENT (S2D-B-2500) OVER 4-INCHES OF CMA COMPACTED TO 955RC, OVER 2-FEET OF CENTIFIED BOX RC COMPACTED FILL PER SOLS REPORT RECOMMENDATIONS.	144 SF	
9	CONSTRUCT 12" X 12" TRAFFIC RATED GRATE DRAINAGE INLET PER DETAIL 2 ON SHEET 20.	1 DA	

QUANTITIES

1 000 57

1 EA

20 LF

DIAL TOLL FREE

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AT LEAST TWO DAYS BEFORE YOU DIG

GALER,

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30 DRAWACE SHALL BE CHECKED BY FLODOWS OF PAVED AREAS AND COMERCIE CUTTERS. ANY CONCRETE AREAS HADDING WATE SHALL BE REMOVED AND REPLACED. ANY PAVEWONT AREAS HADDING WATER SHALL BE REMOVED AND REPLACED OR GROUND TO A UNIFORM DEPTH OF 1° AND CAMPED TO THE SATESFACTION OF THE COTT CHARGEE. 40. LANDSCAPE TREATMENT AND GROUND CONTOURING AS PER THE APPROVED LANDSCAPE PLAN, INCLUDING LIGHTING STANDARDS, SHALL BE SHOWN ON THE GRADING PLAN, LOCATION OF TREES SHALL ALSO BE SHOWN.

SE WALSE MALLE, COMBORIE, PAISAGEMANT, AIRLE OR OHLET DREULATION SPACES SHALL HAK' ID INDHES MINIMU CLAR HEDRIGON, PAISAGEMANT, AIRLES OR OHLET DREULATION SPACES SHALL HAK' ID INDHES MINIMU CLAR HEDRIGON, PAISAGEMANT, AIRLES OR OHLET DREULATION SPACES SHALL HAK' ID INDHES TOMATHON CLORED OF AD ADJECT TO MALES, DECRACES, OF OTHER PERSIMENT SAW THE CENTRED FOR UNDE FROLEDING AT LLAST & INDHES IN HEORT ABOVE THE ROSE OF OR SOLVAILE BURGES TO MANY THE BLUO O'R A POISIONE AT LLAST & INDHES IN HEORT ABOVE THE ROSE OF OR SOLVAILE BURGES TO MANY THE

37. WHO'R A CHARDRAIL OR HANDRAL IS PROVOCO, NO CLAR IS REDURED WHO'N A CHARD RAL IS PROVIDED CONTERD 3 INCHIS PLUS OR HANG ONL INCH ADDRC THE SHRAFE OF THE WALK OR SOCKWARK. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THILE 24, 2019 CALIFORNIA BULDING CODE, CHAPTER 11A AND 118 AND THE CHARTHOLT OF ASTIC, STANDARDS, LATIST COTTON.

38 ALL MANDICAP PARKING STALLS SMALL CONFORM TO THE DETAIL(S) SHOWN ON THE PLANS, AND TITLE 24, 2019 CALIFORMA BULDING CODE CHAPTER 11A AND 118, AND THE BEPARTMENT OF JUSTICE STANDARDS, LATEST EDITOR.

- 41 INC DOULDPUR SHALL SHEEP ALL STREETS IN THE AREA OF THE CONSTRUCTION SITE ON A DALY BASS AS REQUERDS IN THE CITY LOAKING. WASHING DOWN OF ANY STREETS SHALL NOT BE (PRIMITED HALSS) SPECIFICALLY WARDOO IN THE CITY LOAKING MITTER ALL REGION OF STATAMON ELEMENTS HALL BE DO COMPLY WITH THIS SECTION SHALL BE CAUSE FOR WARDING SUPERISON OF ALL WORK ON THE COLUMPLY AND AND AS SUPERISON OF ALL REGION OF ALL WORK ON THE COLUMPLY AND ALL AS SUPERISON OF ALL REGIONS OF AND AND AS AN ON THE COLUMPLY THE THE ALL AS SUPERISON OF ALL REGION OF ALL WORK ON THE COLUMPLY THE THE ALL AS SUPERISON OF ALL REGIONS OF ALL REGIONS OF ALL WORK ON THE COLUMPLY THE THE ALL AS SUPERISON OF ALL REGIONS OF
- 42 ALL MORE SHALL BE AN CONTORNANCE WITH THE LATEST MADE REMAIL AND OTY OF CAMOUN CROIC LOCAL MARCHARTANIAN FUNN (UP) AND ADDRYDS LOW HUACT COX(LOCAL) (LO) RECOMPLIANTS COPES OF APPRODE DESCRICTIONS, JUNIOR AND STORM MARCH POLLITION REFORMED PLAN (SAMPY) MORE RECOMPLIA DURINGER AND A CONTRACTORY STE AT ALL THES AND MADE AVMANDE UPDN RECORTS FOR RECOM NO DURINGERATION.
- 43. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL IMPORTED AND EXPORTED SOL IS FREE OF THE RED IMPORTED FIRE ANT (REA).
- 44. ALL ON-SITE CATCH BASHS SHALL BE SITINGLED NOTIFYING THE PUBLIC THAT NO DUNPING IS PERMITTED AND THAT ALL PLOWS DHAIN TO THE DECAN. THE CONTRACTOR SHALL DBTAIN THE LATEST STENCE FROM THE DITY STREETS DWIGH-714, 412-8276

### REFERENCES;

- STREET AND SEWER IMPROVEMENTS DWG. A-1077, TRACT NO. 6966, SHEET 1 OF 1.
- NOTE: 9A3 ovice representation to the solarad Dimensions, non-solarized atoms of Any periors of the design LEGAL DESCRIPTION: BENE A SUBDACEON OF THE LAST & OF THE NOTIMEST OF THE SUBJACE TO MEST, SAN BERNARDIN DENACI, STATE OF THE SUBJACE TO MEST, SAN BERNARDIN DENAC, STATE OF CAUFTREAK, AS SOMEN ON A WAR RECORDED IN BOOK 31, MAC 10 OF WEETLANCAUS WAS, RECORDED OF OMMERC COUNTRY, DAURDEMA. BASIS OF BEARINGS; METHEN, MI JEANING ARE BASED ON THE BEARING BETWEEN O.C.S. HORIZONTAN THE BEAPINGS ARE BASED ON THE BEARING BETWEEN O.C.S. HORIZONTAN CONTROL STATION OFS NO. 3254 AND STATION OFS NO. 3057 BEING MORTH BET4735 WEST PER RECORDS ON FRE IN THE OFFICE OF THE DRAWED COUNTY SURVIYOR SC.CU\_MARKS RECENT N = 5250 SC.SHACK N = 5250 SC.SHACK N = 5120 MARKSN MC 577 = 56 MC 2010 MC 20 10.000 at EARTHWORK ESTIMATE: SITE ACREACE (AC): 1.09 CUT (CU.YO.): 150 OVEREXC. CUT (CU.YO): 300 FUL (CU.YO.): 2,500 OVEREXC. FUL (CU.YO): 330 APN: 090-302-40 G-1427 WDID #: 8\_30C392522 CITY OF GARDEN GROVE NET (CU.TD.): 2.380 <WPORT> DESCRIPTION BY DATE RVISIONS DATE PRECISE GRADING PLAN EARTHWORK ESTIMATE NOTE: CONSULTING CIVIL ENCINEERS INSULATION CIVIL ENCINEERS INSULATION CIVIL ENCINEERS DRAMN BY 10 1/2/23 EARTHWORK QUANTITIES INDICATED ARE FOR THE DIMER & BONDING PURPOSES ONLY. CONTRACTOR SHALL CALCULATE OTH OLIVITIES TITLE SHEET DESIGNED BY .0 1/2/23 TRACT NO, 18181 REVISED BY 11712 LAMPSON AVENUE, GARDEN GROVE, CA DATE: 1/2/2023 SHEET 1 OF 20 SHEETS
- INSPECTED AND APPROVED BY THE GEOTECHNICAL CONSULTANT PRIOR TO PLACEMENT OF STEEL

CONSTRUCT STORM DRAIN PUMP PER DETAIL 1 ON SHEET 20.

ALL EXCAVATIONS SHALL BE

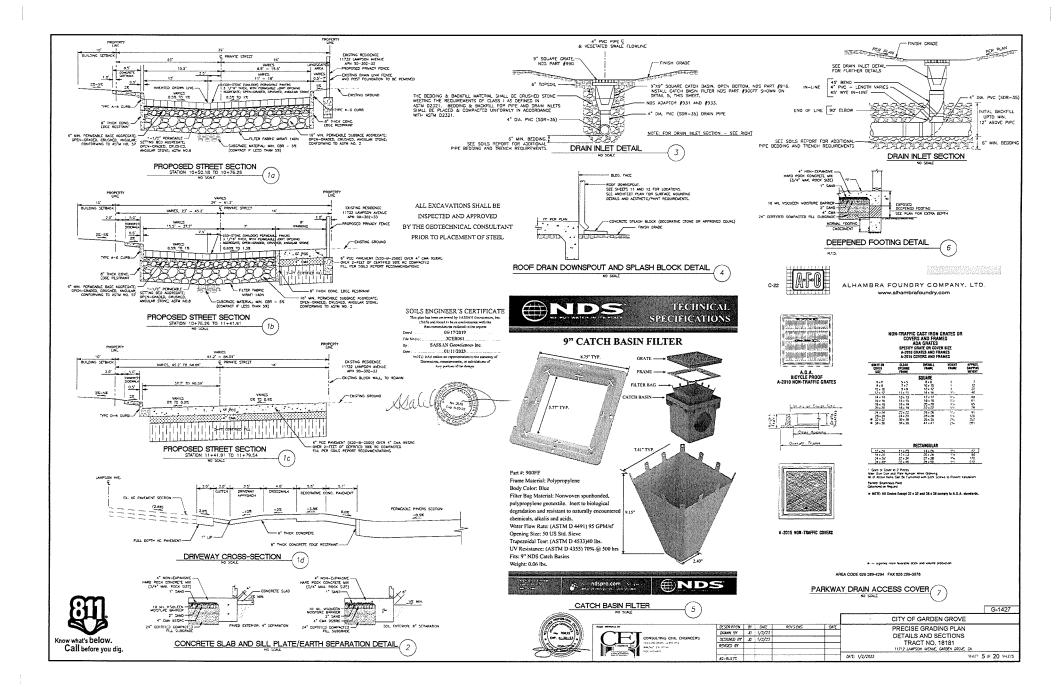
CONSTRUCT 2" DIA. SCHOO PVC FORCEMAIN STORM DRAIN. SEE DETAIL 1 ON SHEET 20.

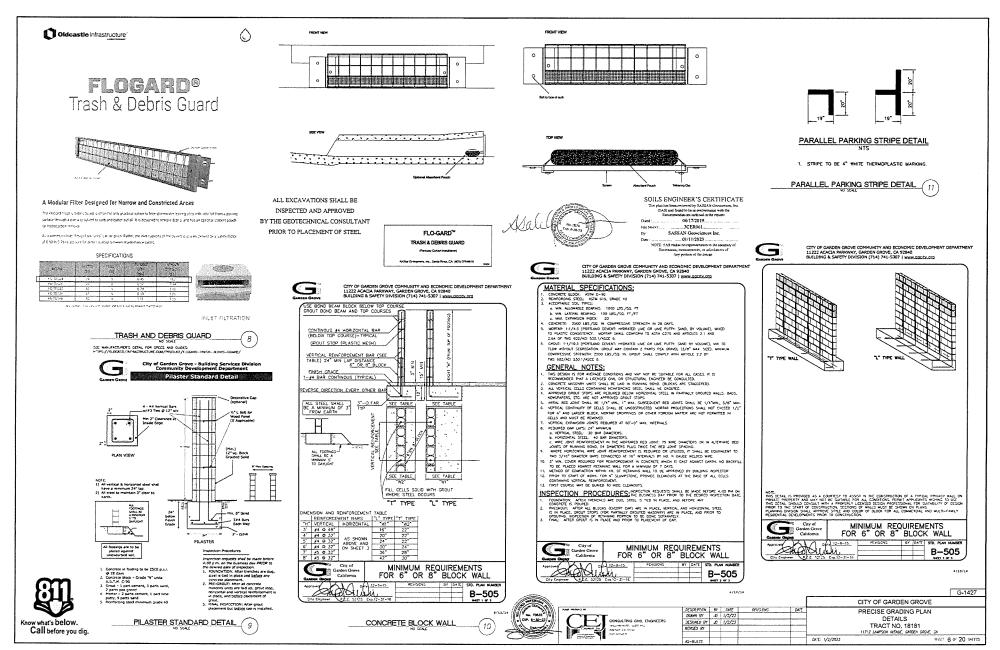
son	S ENGINEER'S CERTIFICATE				
	ian has been programed by SASSAN Generation, les.				
	(SAS) and found to be in conformance with the Recommendations outlined in the reports				
Dated :					
File No (*)					
0r	SASSAN Geosciences Inc.				

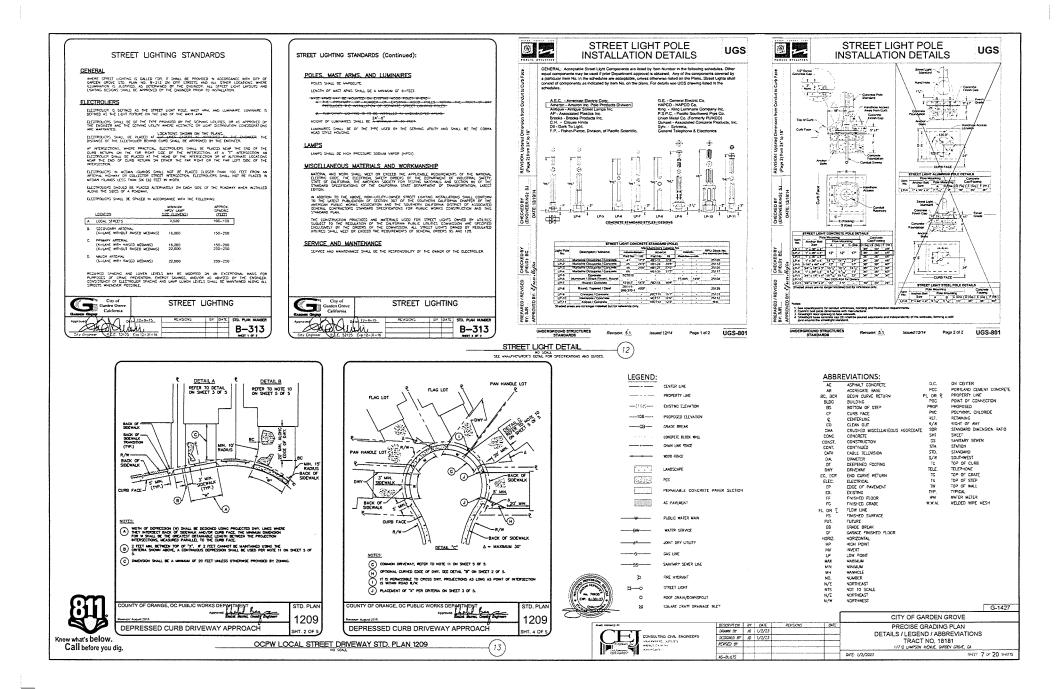
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Image:	City of Garden Grow Traffic Divin - Piber Optic Conduit Del Vu	11222 Acada Par Grove, CA 62946	atiway, Garden 754,741,311		P4,741,5578	devenue of the second		subject property due to earthshaking during a major earthquake. The analyses were
			*******					
Image: Description of the state of t	EDISON BEISON N	ALLE REGULTET ALLET COMPLET BCE Alle: Design Base	PEPORK			160°00001626.500		Standard Penetration Tests) and from the laboratory test results (unit weight of soil;
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		1241 S Drand Am				Lauran Daniel Burnter a load an D Brinderflare a come		Our analyses indicate that the native earth materials underlying the subject property
Impaired intervention       Impaired intervent						MINISTRUCTURE STREES AND STREET		and are not prone to liquefaction. Copies of the liquefaction analyses are presented in
Image: Im						Medinaeau/Deca.com		Appendix D.
Image: I		Bouthern Region	• }	n	754454-7797			
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as digreent to property lines must be performed in at "h-6-C" site-cut method. mentations for lait-cuting are provided in the following section of this report. NORMING ADDATES ADDA	near must be stringed of all segreta suid distanced by the removal of the and recompacted. In fall and allivies within upper the for foroadations support. A loca- per one (1) for of the allowant m organizered fall. The proposed are- supported and the allowant. In geneticed and materials are support clove the bottom of the proposed of the organizer of deph of emer- of the proposed structures must be are must be compacted. It Ecoavations and Shoring w of the architectural plans indicates interparted adating the proposed down of the the down of the proposed down of the proposed down of the the down of the proposed down of the proposed down of the the down of the down of the the down of the proposed down of the proposed down of the down of the the the down of the the down of the the the down of the the down of the the the down of the down of the the down of the down of the the down of the dow	three [3] feet thick layer of ear nitions where are. fill in propose mutions where are. fill in propose much emerging removed and re- fill must be placed in horizoni; ring the structural load, a musi- paring, and an area comprised and, whichever a greater heyer o overexeastant. The fill place or any structural load, a musi- place of the structural load, a musi- place of the structural load, a musi- our studies structural load. The structural structural load, a musi- metabolic structural load, a musi- metabolic structural load. The fill place is that excavations over five (3 structural load) and the temperatural metabolic structural load load on the temperature or with the recommendations p. 2 with be performed alignent in	able) must be the materials are ol, the causing placed with a tal layers, and lai layers, and insuen of three of a minimum rood the cod in over- 5) feet in depth ry extensitions. provided below, to the weatern		temporary exca table: When the above excavations. If parameters nece The contractor inspector who materials. The grading inspect	Available and the performed continuously in accordance with the following	<ul> <li>At locations where the temporary excavations must be performed adjacent to the property likes, the excavation and re-comparison must be performed in an "A-B-C" vion-cent masser. The following are our recommendations for dist-conting:</li> <li>a. The cattice length of the proposed excavations must be drivided into 8-foot long segments.</li> <li>b. The segments must be decignated "A", "B", "C", "A", "B", "C" and us on.</li> <li>c. Only "A" segments may be decignated "A", "B", "C", "A", "B", "C", and the one.</li> <li>d. Only "A" segments may be decignated "A", "B", "C", "A", "B", "C", and an one.</li> <li>d. Dottem proparation of the tyle-cavated at the varie time.</li> <li>d. Dottem proparation of the storage exclusions must be inspected and approved by the convoluting soils engineer.</li> <li>Place backfill earth materials and re-compact up to finish grade level per recommendations provided in this report. The compaction of the fill must be inspected by a representative of the cavations used at add 3.</li> <li>Excavate segments "B" and repeat steps 4 and 5.</li> <li>Excavate segments "C", and repeat steps 4 and 5.</li> <li>A. soils impected approved by an erponsible to this office will be required to provide</li> </ul>	Building Structures - The proposed structures must be supported by continuous footney, spread footings, or a combination of foots. Where compared each materials are supporting the structural lask, a minimum of the CO [5] feet below the bottom of the proposed footings, and an area compiled of a minimum of the CO [5] feet bottom bottom of the depth of removal, which were in presetts by pool to the Content of the proposed structure onust be over-steasured. The fill pleted in over-scenario area must be compared. Frontings must be founded into the expirencing fill with a minimum relative compaction of minet; 90 precent of its minimum of platensity (ASTM 137). It addition, the bottoms of proported Sortings must be below a platen with a logic of most be noted for domains. A hearing capacity of up to the maximum value of 2,000 prim has been for forman. A hearing capacity of up to the maximum value of 2,000 prim has been for formany explored. (1) index wide and founded information of 2,000 primes to every additional foor of which or depth to a maximum value of 2,000 print. The allowabb bearing capacity may be interacted by lowerty (20) precent for every additional foot of which or depth to a maximum value of 3,000 print. The allowabb bearing capacity may be interacted by lowerty (20) precent for every additional footings:
AND ATTACK AND A	ommendations for slot-cutting are pri	be performed in an "A-B-C" s1	n of this report.		£45 unus.	і (Стали) Ану, 201 Ридет 1 472	5.65 vartus (maximum m Mr 2, 203) Page 12:422 Tage arress to CONCULTING COV. DIGINEEPS	CITY OF GARDEN GROVE           0000 m²         001           0000 m²         01

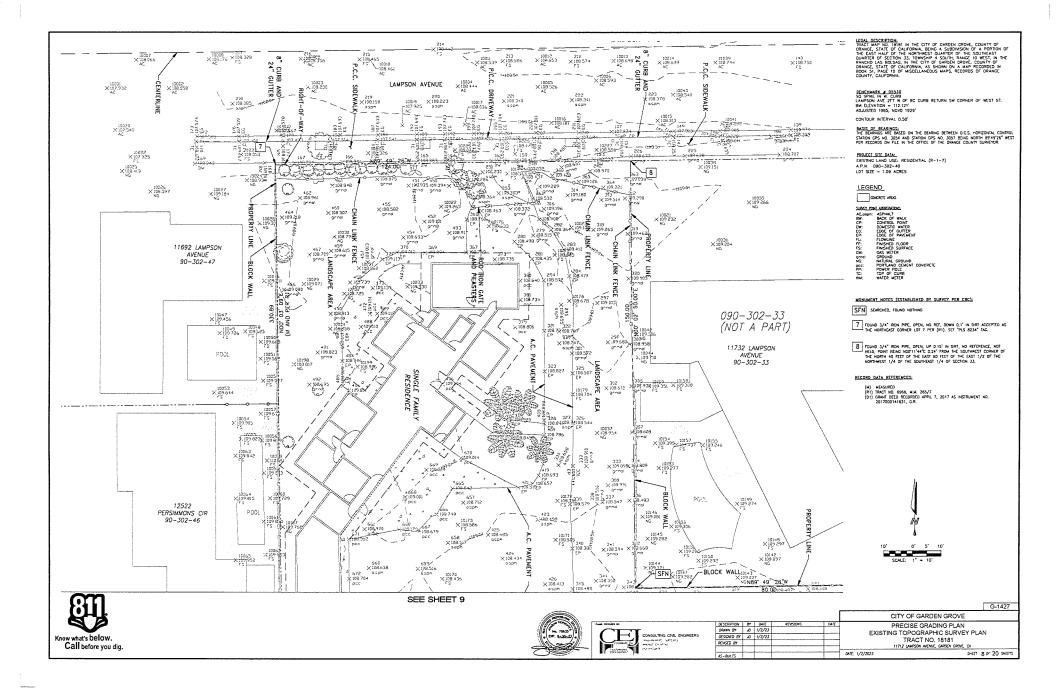
2. Footings must be reinforced with a minimum of four (4) 84 bars - two at the top and	1. Footings must be founded at a minimum depth of twenty-four (24) inches into	Sciamic Parameters	Seisnis Hazard	
two at the bottom. The final design of the footings must be provided by a structural engineer in conjunction with this office.	undisturbed allus ium,	The sessimic parameters for the design of the proposed structure based on the 2010	The subject property is shown on the "State of California Seismic Hazard Zones" map	
	2. Footings must be reinforced with a minimum of four (4) #4 bars - two at the top and	California Building Code are as follows:	The subject property is shown on the "State of California Seismic Hazard Zones" map presented in Appendix C. The site is located outside of the seismically induced landslide	
3. A coefficient of friction of 0.3 must be utilized for resisting lateral loads at the contact	two at the bottom. The final design of the footings must be provided by a structural	-	bazard zones, but it is located within a potential seismically induced liquefaction hazard	
surface of concrete and foundation soils.	engineer in conjunction with this office.	Latitude	zone. However, our liquefaction analyses indicate that the native earth materials	
4. Active earth pressure increasing at a rate of 30 psf per foot of depth may be used in	3. A coefficient of friction of 0.3 must be utilized for resisting lateral loads at the contact	Latitude 3.1" 46" 52" N Longitude 117" 55" 42" W	underlying the subject property possess factors of sofety against liquefaction in excess of minimum Code requirements and are not prone to liquefaction.	
calculations.	surface of concrete and foundation soils.	Sile Classification D		
5. Passive earth pressure increasing at the maximum rate of 300 psf per foot of depth, to a	4. Active earth pressure increasing at a minimum rate of 35 psf per foot of depth must be	Site Coefficient, F. 1.0	Engineered_Fill	
maximum of 3.000 psf, must be used in calculations.	4. Active early pressure increasing at a minimum rate of 55 per per 1000 of appin must be used in the design of cantilevered retaining walls.	Site Coefficient, Fr. 1.5 Site Spectral Response Acceleration Parameters (g);	All fill earth materials must consist of clean soil that is free of vegetation and other debris,	
		Mapped Acceleration, St (0.2 sec.)	The fill must be placed in six- (6-) to eight- (8-) inch thick lifts at near optimum motsture	
Retaining Walls - The proposed retaining walls must be supported by conventional continuous footings. Footings must be founded into undisturbed alluvium. In addition,	<ol><li>Passive earth pressure increasing at the maximum rate of 250 pcf per font of depth, to a maximum of 2,500 pcf, may be used in calculations.</li></ol>	Mapped Acceleration, S <sub>1</sub> (1 sec.) 0.495	content and compacted. Particles larger than three (3) inches in diameter must not be	
the bottoms of proposed footings must be below a plane with a slope of not horizontal to	maximum of 2,500 ps), may be used in calculations.	Adjusted Maximum Acceleration, See (0.2 soc.) 1.378 Adjusted Maximum Acceleration, Sei (1 soc.) 0.742	allowed in the back[6] material. Earth materials must not be imported to the site without prior approval by the soil engineer. All engineered 011 must be compared to a minimum	
one vertical (1:1) projected upward from the bottom edge of adjacent existing footings.	The retaining walls must be provided with weep holes or perforated pipe and gravel aub-	Davign Accelention, Spa (0.2 sec.) 0.918	of ninety (90) percent of its maximum dry density (ASTM D 1557). Where cohesionless	
A bearing capacity of up to the maximum value of 1,500 pvf may be used for footings	drain to prevent entrapment of water in the backfill. The perforated pipe must consist of four-inch (4") minimum diameter PVC Schodule 40, or ABS SDR-33, with a minimum of	Design Acceleration, 361 (1 soc.) 0.495	soil baving less than fifteen (15) percent finer than 0.005 millimeter is used for fill, it	
A bearing capacity of up to the maximum value of 1,500 psf may be used for footness twenty-four (24) inches wide and founded twenty-four (24) inches into undisturbed	four-inch (4") minimum diameter PVC Schedule 40, or ABS SDR-35, with a minimum of sixteen (16) perforations per foot on the bottom une-third of the pipe. Every foot of the		must be compacted to a minimum of ninety-floo (95) percent of its maximum dry denvity. Neither jetting nor water tamping are permitted.	1
afloxian.	pipe should be ensbedded in three (3) cubic feet of three-quarter-inch (3/4") gravel	Conformance with the above listed criteria for seismic design does not constitute any kind		
The ellipsicable become value to fee deed when the table is the table to be	wrapped in filter fabric (Mirafi 140N or equal). Placement of gravel and filter fabric is	of warranty, guarantee, or assurance that significant structural damage or ground failure	Heavy construction equipment must be maintained at a minimum distance of three (3) feet	
The allowable bearing value is for dead-plat-live loads and may be increased by thirty (30) percent for momentary wind and setsmic loads. The following minimums apply to all	also required for weep holes.	will not occur if a maximum level earthquake occurs. The primary goal of veismic design	from the existing structures. Hand-operated compaction equipment must be used to compact the backfill soils within this 3-foot-wide zone.	
footings:	Settlement	is to protect life and limb, and to prevent catastrophic failures, and not to avoid all damage, since such design may be economically prohibitive.	-venges in vestal tens want was produced as a	
		damage, since such uctign may be economicany promotive.		
	Maximum total and differential settlements are expected to be less than three-quarters ( $5$ ) and one-half ( $5$ ) inch, respectively, provided that our recommendations are followed.			
	and one-out 1-22 then, respectively, provided that our recommendations are routiwed.			
5.4.5 SASSAN Generative, Inc. JCERON	545 MISAN Generatives inc. NY XXIIIA	SAS SASSAM Generatives Int. JCERMI	SAS VATSAN Generation Inc. JCER001	
5:45 \$43544 Gaucement, Inc. 31CER061 May 3, 2013 Fast 14:07 (2)	545 3.033.00 Concernent, Inc. 30.23003 1007, 2003 Page 15 of 22	SAS SASSAM Generations, Int. 3(CEROM) July 3, 2013 Part 16 of 22	SAS 543547 Gammannen Inz. UCER061 1439 J. 2013 Faur 17 of 22	
Cracer: Since The subgrade for the proposed contrete slab-um-grade must consist of a minimum of two (s) two (s) by two (s) by	Exer Redding and Tranch Riskfull The pixel building music consist of could or similar gravitar material having a minimum symmetry of a index below and vertex (12) index above the pixel for the full tranch building building vertex of the pixel building of the distance of the pixel building way consist of reproved, ensure or imported units, and it must be compared, building way consist of reproved, ensure or imported units, and it must be compared, building way consist of reproved, ensure or imported units, and it must be compared, above a place with a large of 1:1, projected downward from the adjacent bottom of get or the distance of the	<text><text><text><text></text></text></text></text>	<text><text><text><text></text></text></text></text>	
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		CONSULTING CIVIL DIGINEERG	365/0460 87 J0 1/2/23 TRACT NO.	18181
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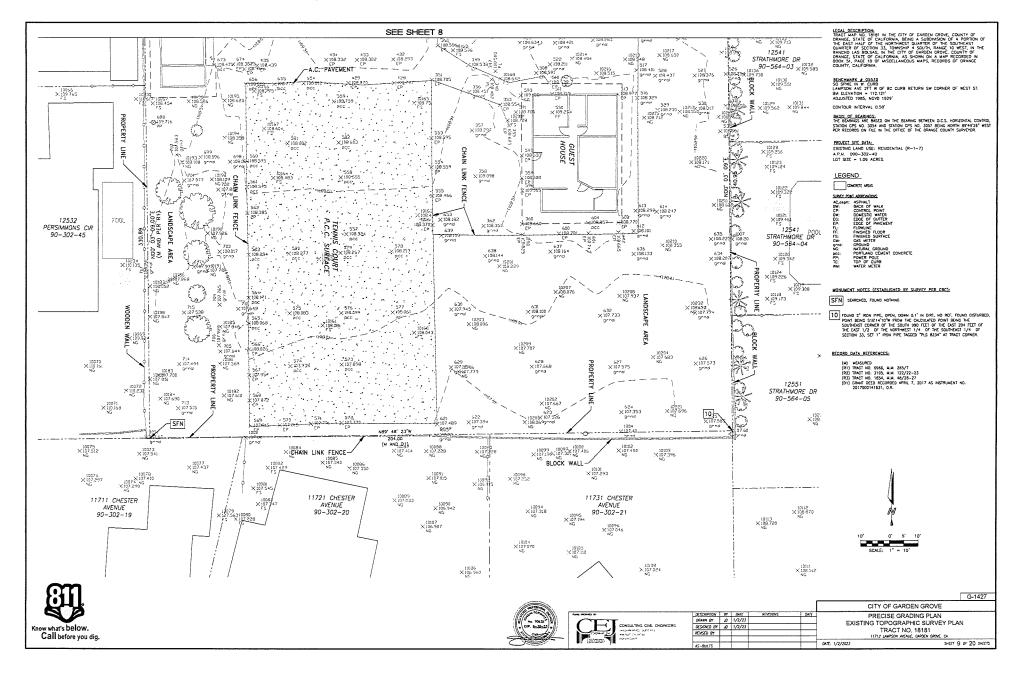
WE JOAQUIN CERVANTES, P.E. CEI ENGINEES, N.C. ESE DEATE EDAN RE, JUITE 101 IRWINDLAL CA 47006 PRELAMINARY CEOTECHNICAL ENGINEERING INVESTIGATION ADD LIQUEACTION STUDY FOR PRELAMINARY CEOTECHNICAL SAND HOURTACTION STUDY FOR PREMA MIL CAMPSON AVENUE GARDES GARVE	SASS XANS Generation, Inc.         Jane 17, 2019         Mr. Josephin Cervanics, P.L.         CEJ Engineering, Inc.         1337 But Eda PL, Soite 10         Invisible, CA 91700         Subject:       Update to Preliminary Genocelasian Engineering Invisible, CA 91700         Subject:       Update to Preliminary Genocelasian Engineering Invisible, CA 91700         Subject:       Update to Preliminary Genocelasian Engineering Invisible, CA 91700         Carrent Reference       Report         Solia Report       JCER661         Solia Report       JCER661         Deer Mr. Cervance, P.E.:       SASSAN Genociences, Inc.         SASSAN Genociences, P.E.:       SASSAN Genociences, Inc.         SASSAN Genociences, Inc. (SAS) has prepared his report to provide as update to nor previous preliminery protectionical majorering linvariguition and lingulation and prepert (inferanced above) for the prepared inprovements at the subject preperty.	UPDATE REPORT The subject size was visited by the substraining of consultant in July, 2019. The conditions of the subject size was visited by the substraining ways, and the property and the protection of the sub-latenci and any ways, and the property developments the substraining system of the substraining system of the substraining system substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the substraining system of the property remains unabled. The sensitization of the properts of the substraining system in the functionary and the substraining the substraining the property of the system of the sub- property remains unabled. The sensitization of the properts of the system of the sub- property straining system of the system of the system of the system of the system system of the function of the straining system of the system of the system system of the substraining by the system of the system of the system of the property straining system of the system of the system of the system of the system system of the straining system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system of the system	Sciuttic Zazametero In addition, the science parameters have changed struct the referenceal report was traved. The schemic parameters for the design of the purposed structure based on the meat receil California Bubling Code are a follows: Interface California Bubling Code are a follows: Interface California F, 120 Site California F, 120 Sit	
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We apprecisite the reportunity to be of service to you. If you have any quectume, please call our office. Succesty. SASAN GEOSCIENCES, INC. Savan A. Scherbyerg, Q.E. Precident Precident Construction of the service of			CITY OF GARDEN G CITY OF GARDEN G CITY OF GARDEN G PRECISE GRADING SOLU A FEPORT RECOMME SOLU A FEPORT RECOMME	PLAN
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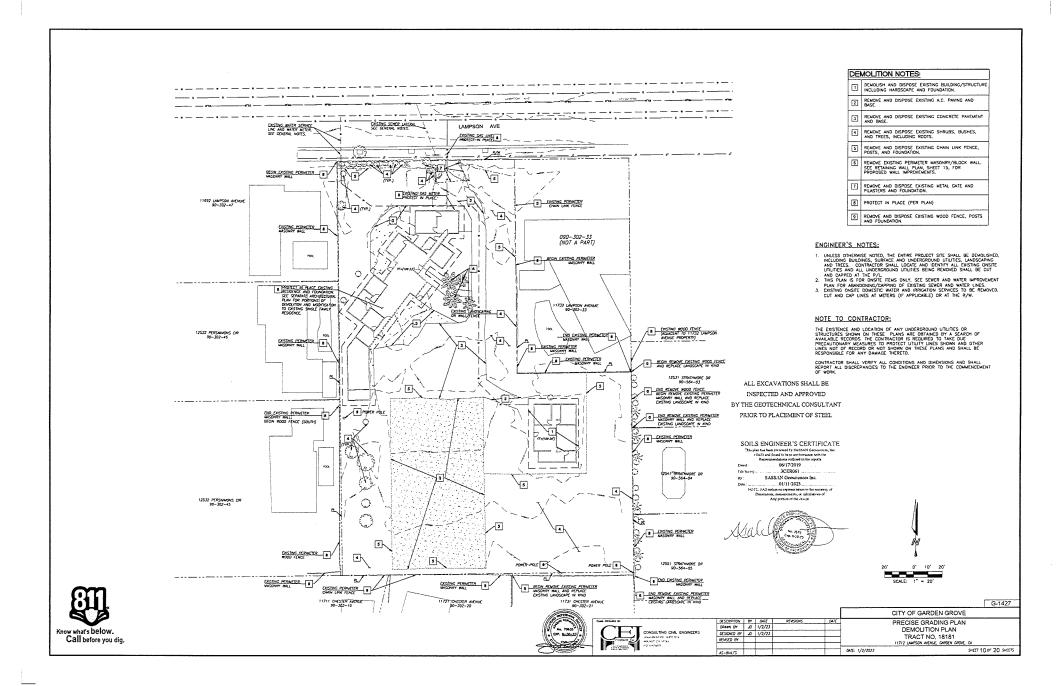




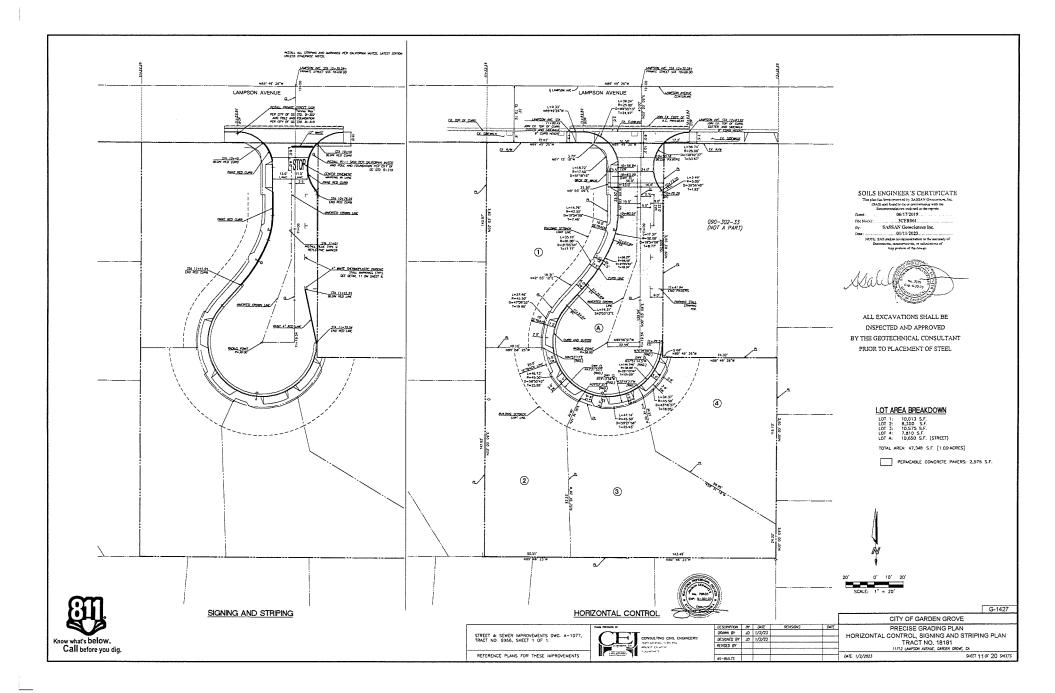


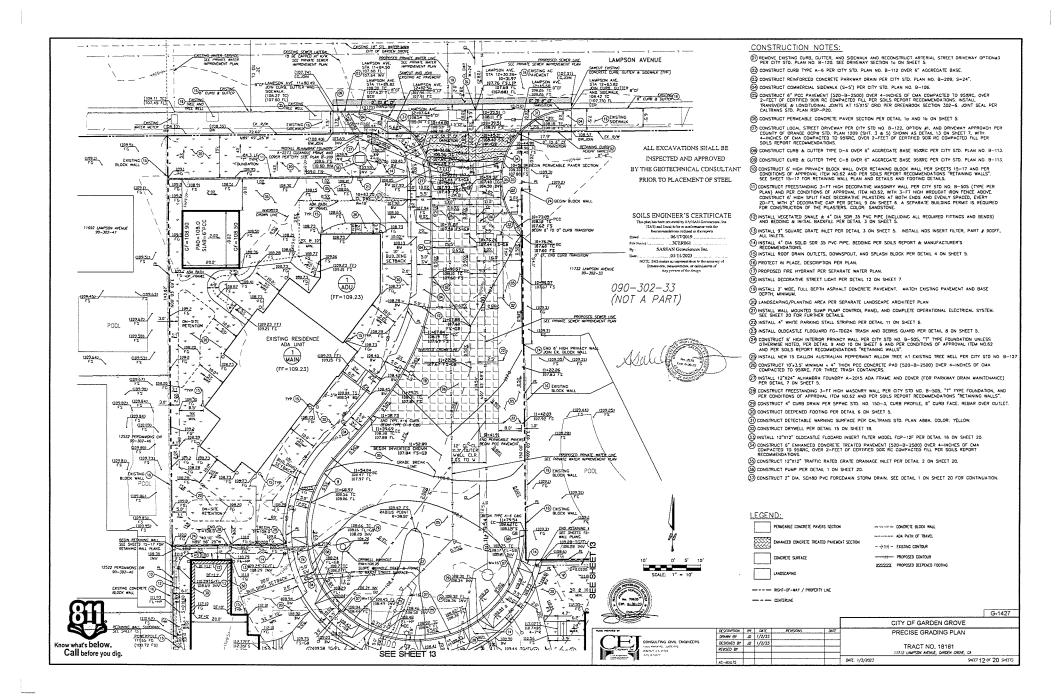


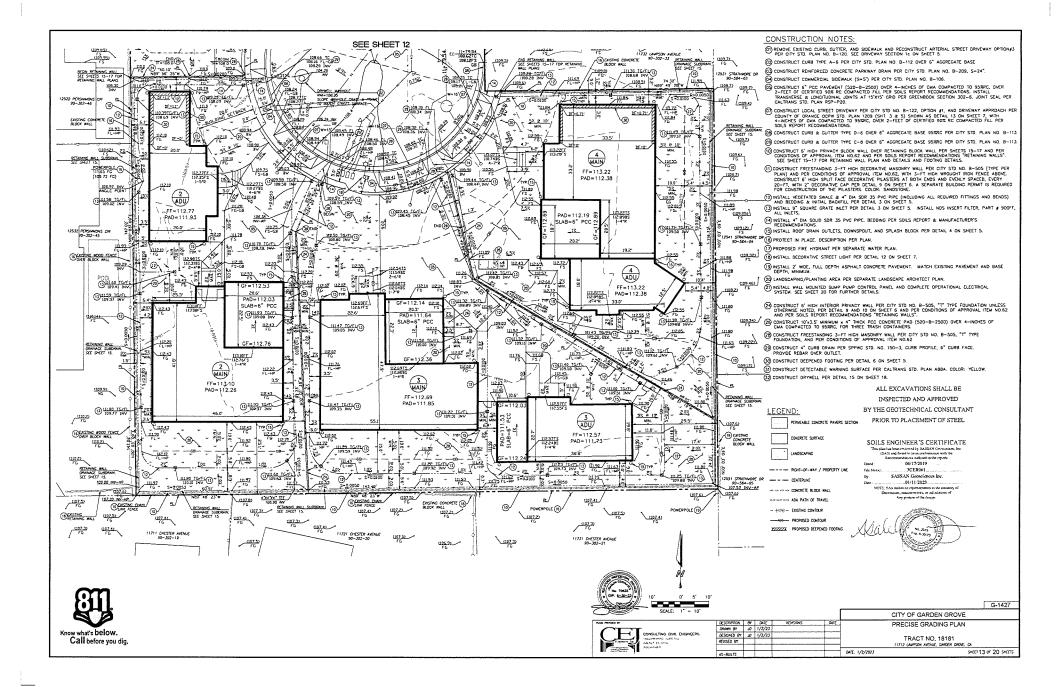
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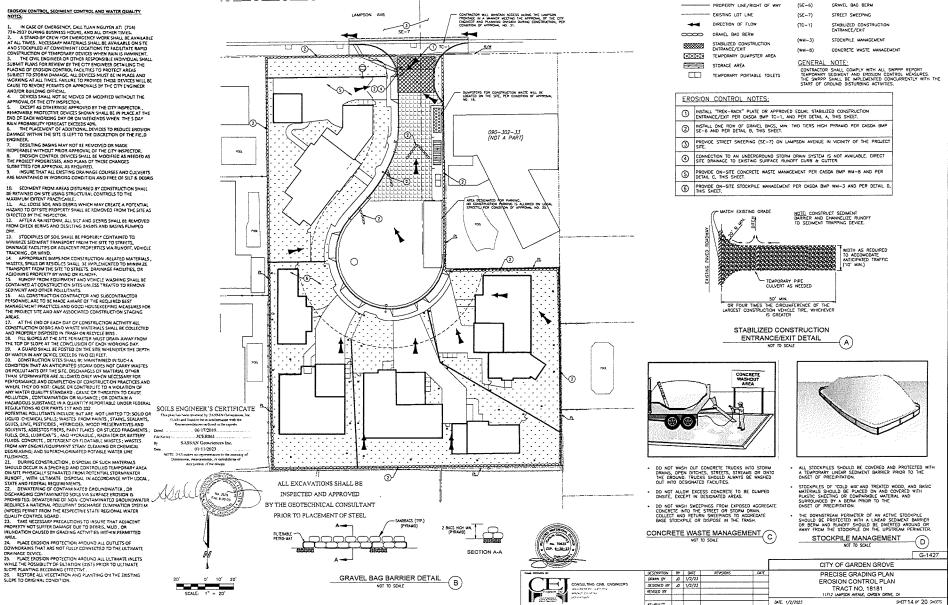


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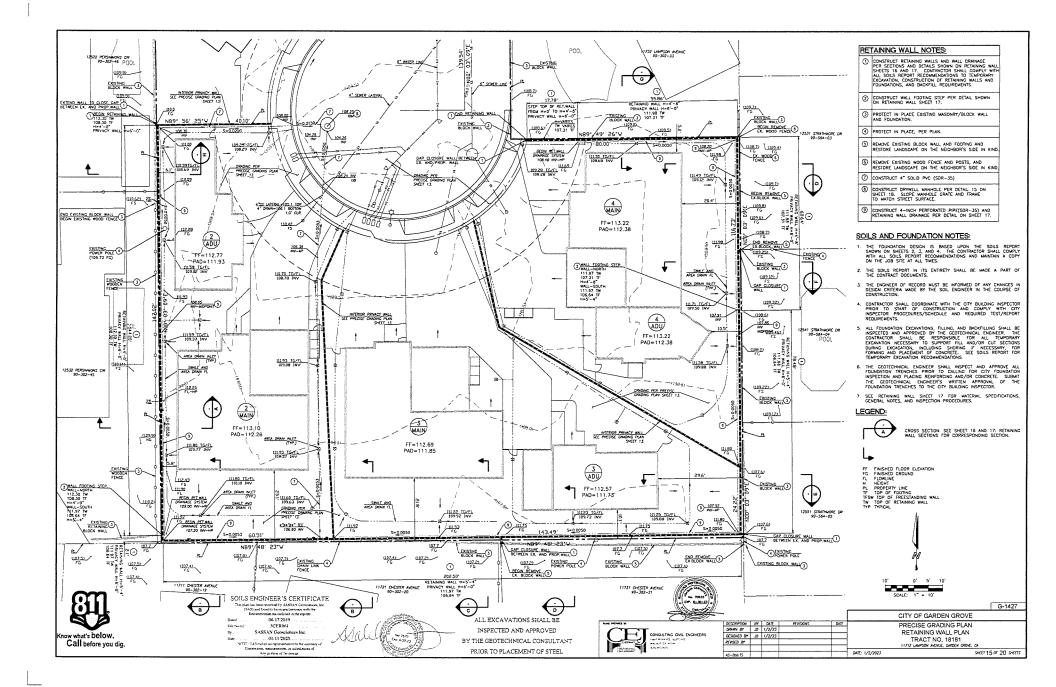
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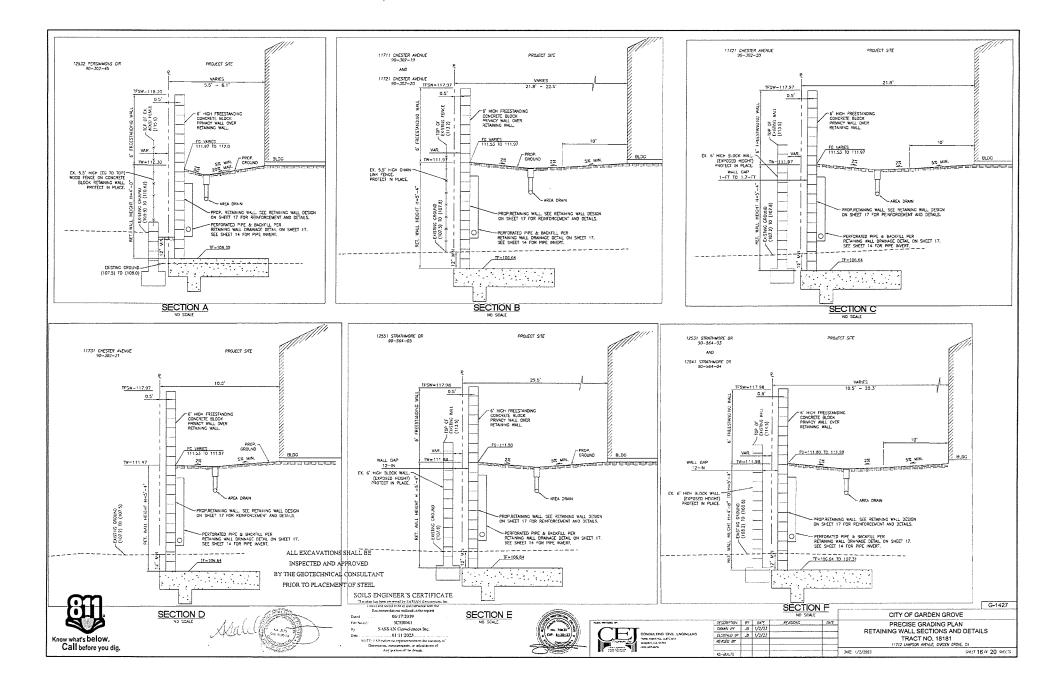
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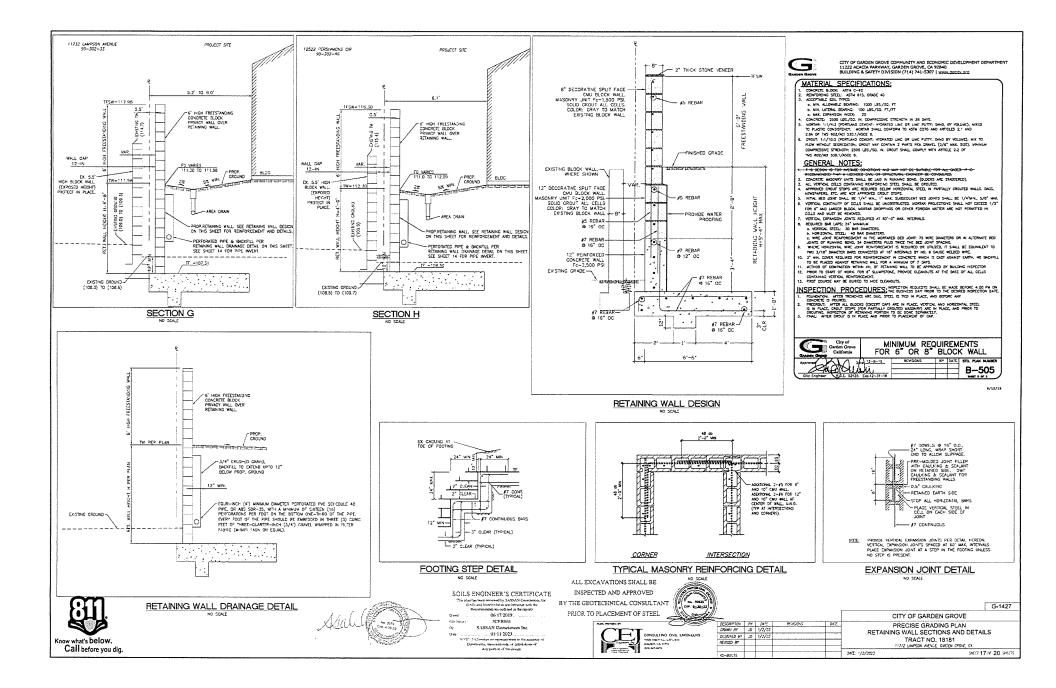
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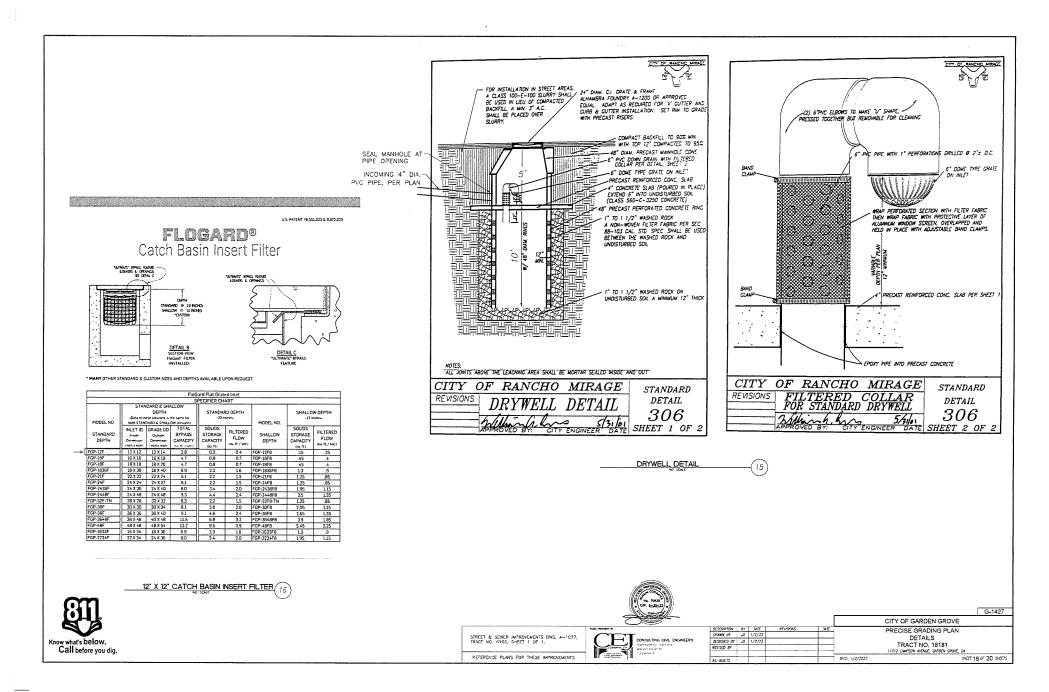
13. STOCKPILES OF SOIL SHALL BE PROPERLY CONTAINED TO

(NPDES) PERMIT FROM THE RESPECTIVE STATE REGIONAL WATER

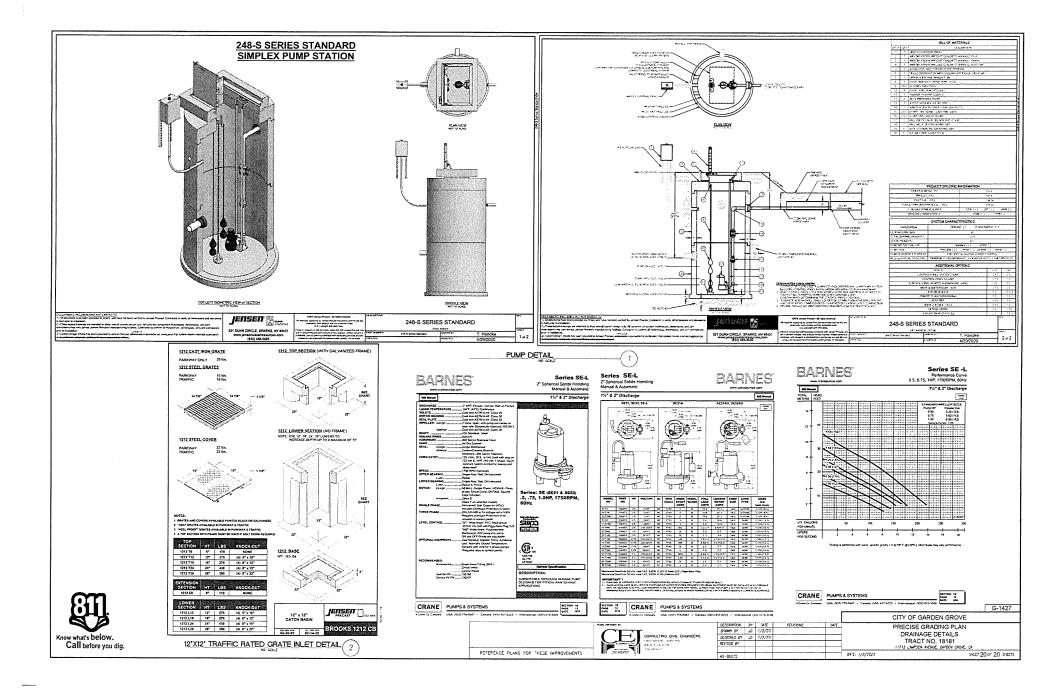








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<ol> <li>Each parties of the property shall even be, and the rap sum's shall report against</li> </ol>	proper that be 3.50% for canceles how they and 1.25% for suprat. The	Energy	priority to be result offer comparison of construction, why cars, incruments and bonch marks described suring conditaction shall be rewritiged Dange County	apation, the following which epoly:	6. Construct barch curd and junar repairing the inviding disease expressed array the property functions at 10 test from controlline in accurations with CPV Standard Res Hol.13.5.	
<ol> <li>Exploration of the property shall execute, and the size card visit report agents the property is "finite of Gardinesis Americ Expression and Advancement americ considers is "depression as accurated to the CBC Advances of Tax," or the property, imposite a sub-inconsistent is required particle assumed to be operated.</li> </ol>	process plan shall actual a comparated utility plan. Share approximating plan share configure to all formal and design requirements of the City Standard	Advecture Lee Design green associations in gestiectmicki mean manunenergiature prof. foldings: such as instantions inventing intervences areas, mastering primetories, menning director conversion and manufacture and consideration for such any invention and community and and any and any and any any any any any any and community and any	Sumawar Standards after nendhursun, Applicant and his contractor shall also rouad the balmonumers inhere such or curb remosiliary nerves and instacted	<ul> <li>The calor and imprends of all proposed bins wars, columns, and indeget uses forcing shall be approved by the Parking Sension Devian prev to investigation.</li> </ul>		
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and another the device decision at the second of the contract of the contract of the second	32. And provide that is a privity prevent, the approximate shall be expression with the privity prevent and the privity prevent on a privity prevent of the prevento of the prevent of the prevento of the prevent of	<ul> <li>Identifies the entity that we the resonance metalog (and operation and managements of the Treatment Control NMP).</li> </ul>	21. DIGPACHAP SCHOTSSON	<ol> <li>Ally required land globurgs should be called all point much behavior.</li> <li>Constructions variables and all be parsent all trained mechanis in a designation parsent.</li> </ol>	Calific Histor, Emilionnesial	
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Design not to be need to haber shall be inferent to approach of the and the amended and an excorporate by the approach of the approach.	region recommendations. The report shall projuge sub-surface -there privile region gener uses of the star, including sub-surface and basement and	of use at a contribute of accupancy, the applicant shall	DWG symmet.	stores grave par the Desinge Causity (Cert) standards. Persively Certify Intel he designed per Change Causity standard plan 1309, Tope 8 or Chy of Gerden	33 New water areases installar one 3" and visuler, she be invarient to the Cry of Garden Grise at passer Unterwagen's expense. Indiation she't to scheduld years generated a speciable rese, unlisted therman india.	
<ol> <li>all complians of approval star to requirements at the approximity experient, access where the lifed in the indexidual section.</li> </ol>	unity facilities. Any and or proceeder contamination plat for interaction over its new statement of a building participation and market present of the prior target statement. The	Commentation shart are satisfared percent memory of models (SNRs), encouraged in the Property Register have been constructive and interaction conferences with approved parameters dependentian.	22. Prior to insurem of a gracing period, the approach shall submit be Remain Services Devices an updated title report adving inth comment the received instruments bandle in the state methy, reference and update und to proper legal description and the state method accesses of the fract main.	Gebre Skelderij Han 8-200. Barrs shab to stral ne dial ne na statistik to str Islant Technical Gudante Decements.		
Dote Hale Strivenies Divisies	the Car Engineer is concert with the Orange County foruge of the injentif streets report used mass recommendations for proceeding provide the injentif streets	conference with approved prace and descent of constructions	description and the dist for males and approve of the fract map.	31. The approach shall remove substantiant drawner approach, onto, and information terminant feature and concruit shall hearing improvements.	<ol> <li>Water meters shall be located within the City tight-all-way or writer belowing watering balances;</li> </ol>	
5. The estimate that he subject to Traffic Will gallon Area, In-Law two Free	b) System and A sector (1, 1, 1, 1) and (1, 1) and (	(Sourcester and automatical in any and to any and in any ament all non-structural b. Demonstrative that wait-game is demonstrative and an any any any any any any any any any	22. Prior to the securice of any grading or building premits for projects that will result to and disturbance of one wate or more of and, the applicant shell.	31. The approxim shall immove solutionful dramate approximation, only, and before along compare terms and compare times hereing impresentation an interched many and impresentation of the solution of the imposed with the poster impresentate shall be maintened for the option of praners existing the approximation of the form of hermitian.	15. Should the latitudies eachern require a separate impation meter, a Reskund	
6. The spaceous shark is solving to Traffy Wayaclus Jeen, In-Low Han Yees, the sharp facility of Yees, Water Assessment, They, and other spaceous metageton new denominary in Creater 1.56 of the Garden Second Cont, along and all other spaceous time data amplied to the Care. The amount of	grandester levels	<ul> <li>Demonstrate that an exercise number of cases of the approved impeti- work are available shrink?</li> </ul>	32. Prior in the securice of any greating or building permits for projects that will result is see discussions all own agos in more of treat, the approach while comparison to the diverse for second interf. Collaboration and the collaboration of the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and the diverse for second and collaboration. All the diverse for second and collaboration and collaboration and collaboration. All the diverse for second and collaboration and collaboration and collaboration. All the diverse for second and collaboration and collaboration and collaboration. All the diverse for second and collaboration and collaboration and collaboration. All the diverse for second and collaboration and collaboration and collaboration. All the diverse for second and collaboration and collaboration and collaboration. All the diverse for second and collaboration and collabor	is a mance meeting the approval of the City Engineer and harring theater.	35. David the updates access require a search matchine match, a finition require the required barrier (IMP) matchine watchine the matchine extension. Instantions press as one car car standards and wat he tends by a certified backford device team investability after redshifter. Critis Environments	
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nhad "A" Feder 7 Te Plan ha, 594001-2020 and Tentymou Tract Hop ha, 37128141 gefforts of Approval	Schuber 14 Schuber 14 Schuber 14, Schuber	Enhand State Side Plan Rus Striddl. 2020 and Tenterow Tract Hep No. 17-14(24) Side Plan Rus Schötter	Faintine "A" See Han Hou. Sh-691-2020 and Tendeline Tract Hap No. TT-15381 Conditions of Agencyal	Exhibit "A" Page () See Hen No. Dh-Col: 2020 and Tensore "rest Hen No. 17-(618) Card ture of Approval	Central "A" Page 12 Stin man bits, Structure, Structure Terrel Hap Has, TT-24(18) Constraines of Assemble	
profess of Approval movements what he mysteric for inspection often the institution is completed	Consistence of Approval 46. Exception and number of the hydramic shall be as required on Webri Services Division of the Artic Provintional.	Candidians of Approval as any parries ways, and used is screened to the satisfaction of the Community and Contraries Devicement, Devices.	<ol> <li>Fright as intermise provided in the CEARs associated by the CP- in-</li> </ol>	Eard ture in Approval exprime theil includes depictive stansord contracts or interfacture service w	Onco, the applicant plus wainst to the Community and Exercised	
emperator shall be motived for incomparation offer the institution is completed General shall have affect periods tasked mines a web committen by a unitided parative overcome tenter and the test crunck to be an admitted in the Solice monta. Alder Services (Brokas), Disperty conter music spen a weber dector. Note webpack on 1970 period.	Design and the fire Design exert.	Connector and foorone Development Dearty.	higherborner's Association shall be measurable for as megaration and permanane meetismerce of all landyraping on the property. Such	elabored theil includes provable stampted controls of interfacting servers or relater extraopid presented, accusing accused and device memory control of the top policies, material, and find elabore and ending-unions and all or allow to provide by the Community and Economic Development Department, maximal Commu- and ball be born to the final term, relating services.	Overa, the explaner shall accord its the Community and Extension the extension of the extension of the extension of the first state of the Devis performance, and the second pairs and the the extension of the extension of the extension the extension of the the extension of the extension of the extension the extension of the extension extension of the extension of the extension of the extension of the extension of the extension of the extension of the extension of the extension of the extension of the extension of the body the extension of the extension of the extension of the extension of the body the extension of the extension of the extension of the extension of the body the extension of the body the extension of the extension of the extension of the extension of the body the extension of the extension of the extension of the extension of the body the extension of the extension of the extension of the extension of the body the extension of the body the extension of the extensi	
Ander Services Drokalt, Drokarty canar make aper a weiter account woon restance on at 6740 percent	19. Queue shall started new private saver man with latence and clean outs at reproducing line. The saver new private privation in subject reproduces shall be at the same saver man private saver shall be at the same saver.	<ul> <li>No reprincipated mechanical industrial including, but not incluse to displantament, shall be particulard unless a method of screening.</li> </ul>	importability shart extend to the partners languagene, advecte, out, and guarment of the site. All partners are to be beet free of marks offer and	by the Community and Economic Development Department, Ranning Duration, and shall be shown on the Final wite plan, yinding plan, and landscape plans.	surgery or approval the party take mapping consistent of all surgery whose the pressponer, landwraph matchinks, and matchinks, and building maintaints programs for the project.	
comparing which a set of an end of a set of the set of the weak of the set	15. Quarter shall private new gravitite same many with later sits and (Mart Acids at any) optimizers line. The same many many same gravitities in public regradients and the same many same many same private prior to same for the same private same same same same same same same sam	<ul> <li>The space-start analysis of page-start instruction, the rest in the original start is a space of the space of the space of the space of the grantestarts in the autorecture of the space of the space of the Grantestarts of the space of the space of the space of the space Grantestart of the space of the space of the space of the space multiple multiple registered than starts of apple starts and winded properties.</li> </ul>	4. Foreit is interview provide in first CSUB approval to the CAD, the presence interview of all indexects in the property. End memory and an experiment of all indexects in the property. End memory and an experiment of all indexects in the property index memory and an experiment of all indexects in the property index memory and an experiment of all indexects in the property index memory and an experiment of all indexects in the property index and an experiment of all indexects in the property index and an experiment of all indexects in the property index and an experiment of all indexects in the property index and an experiment of the property index and an experiment of the property index and all index and all index and all indexects in a property.	37. An update structure shall be parted by an 10 particle attract sets to the update property. An instrume ways shall be parted by an 10 particle attract sets to the update property. An instrume ways shall be instrumed and particle attract property to the biostepic structure wait-memories days, or a struct optimary waiting topping bath be provided throughout at antice give- analysis and instrumes to the biostepic structure. Unsubstitute instrume topping.	<ul> <li>C. Even und shall have phone jettes and seture TV extension at all rooms.</li> </ul>	
<ol> <li>New water suffers when the provide strait shall connect to the writer men of</li> </ol>	50. New private samer man shall prove serves the 14" were main on Lembers	mustate an owner a period and them when all autors that and mustate machanical equipment from view of autors there and surmarised and appendix.	Cantenia, Handenares of these landscape areas shall be included within the CEAR's for the project.	Services Domen. Upting adjected to readential projection shall be restricted to for the property watering the service of the s	Control of the advances of the control of the Y of the	
<ol> <li>New water uniform when the pitterie straint shall (privat) to the writer mean of Lampson key, and shall be contributed per Citle Services be developer and devices to the City. Serving will be required.</li> </ol>	50. You private server mans shall prove amounting 18" were main the Lettingen kommunities and an immunity espectical of 12" noticely demager to exhibit generation, long descentions from the actions shall require a service from the grain server selections Cartral Band.	<ol> <li>All ground properties.</li> <li>All ground an instrumental mechanical injurgement shall be attrained must use show any place part of the site.</li> </ol>	<ul> <li>As treas shall be started down than for test (51) from any public right- meters.</li> </ul>	Upting that be provided throughout all private drug uption and with enters to the decision and per City standards for direct lighting.	conditioning users, Jecustic sea equipment, sums planty, etc., their not be located coster than 5 limit of any side on run preparity the and their and the baseling to the finger gradients. All metabolisment users	
<ol> <li>There are it is a minimum (S-four clearance of building fractings from the water man, Characters was than 13 feet shall be reviewed and accorded by Welter Engineering.</li> </ol>	<ol> <li>Syme Wave Kangaran Cantral Bland.</li> <li>Conjuntor shall alwandan any examina shaked americational) at strend</li> </ol>		A Strengt will be particle down the function of the function of the strengt of the function of the strengt o	<ol> <li>Nours and dave of construction and grading that for on all forth in the City of Gargen Grave Municipie Gale Sectors 5.47,3(5) as edgered, many titler.</li> </ol>	The comparison of the most descent of the dealing with provided that may be placed adjusted to an its frage of the dealing with provided that matching and placed adjusted to an its frage of index any within the first of the matching adjusted of the second se	
Engenanning.	12. Conjunctor shart assertion any examined unlear interactily at stored matched was an the angugarty source is bits. The assert pair that the calculat acts in support the start pair and increased in contents.	c. No extensio pana, plantany, or mechanical dictars and be parretted on any neuroparticipals and/or bor video from any solid, registrations allowing property. Body and program programsed. The same gations and harber the national accidences tree of the backing.	Where safe upply character all lower planted on the solution of priority to unit, whether far icreating the basise form the notice-basis priority unit.	mendas investi finites and before 2(0) and and put after 1(0) p.m.	pedropean access to any unit, and is properly screened from view,	
Engeneering. 17 - Thomas shall be no shruct yook in shifting 2010 on an Uniteding water of seven ment. 4856matts.	Building and Jatety Dinako	angl forther the natural architecture trees of the Sections	entitets or second manual of purposes, that have an integrition sector.	8 The second	d. The second floor mediation shall be the colorer backles, per second at must been their activity a populations. There is an other interpretent remain ordering measurem such as the use of high windows, such as wagnesses, are reflective glow and/or global.	
New States shall have a review of State bentiated and a weakum 1-fast vertical reactings from anner must and assurbminists.	<ol> <li>The propert shall compy with the negativeness of the 2018 Carloma Suffree from, the Datama Green Burding Cole, and all Carloma Health Datama Anoulog, Data the burding but he to blar radio.</li> </ol>	• Suit being the analysis achietest must all the factors. 7.4. If the descent partial is exercised with the induced sectores of the "induced sectores" of the "induced sectores" of the induced sectores and the induced sectores and the induced sectores. The sectores are sectores and induced sectores are set of the induced sectores and t	The second se		where the sector and the rate of the sector and the	
united methods from a service control and application.		genering the entry deveryment. The landward program plans that the lade type, who include and quartity of all plans material. The landscape plan was used to provide a starting and starting and material was forward. All lands- man	of each lat, that income the service of grantinery, but the front setting a base of each lat, that incoments a market of grantinery, humanized, shrule, and there to provide the sciencing of an annual to	<ul> <li>Surday and redenal holders - to poststruction and occur.</li> </ul>	<ul> <li>Shauge the applicant next (a tool the project in more than one press, then a pleasing plan prior to use intercent to the Cammunity and Edenomic</li> </ul>	
they from acts do of sign to suitcle of par- title many and access for the new risk shad be callened per CTs Standard	Cira Reportment	sectors any pran plant and there are planting and chance and environment sectors shall comply with the City's Landscape for hance and environment where there every company. The sectors plant is also writed to the	Community and transmit Development Department, Harvery Services Development what review she type and acception of all pressured trees and black	<ol> <li>Construction activities shall achieve its SCAQMD Rule 423 (Pupther Duty), which instudes Duty throws price measures, the use of instruction from summarizing</li> </ol>	Development Department prior to releasing using the model purpose. The pleasing plan shall include, but not be trained to, a use plan showing	
Then used to a number contract, then source man and what man of 18 the section of the to total of a first the total of a first the contract period. Structure is the total and the section of the total of the total of the section of the total of the section of the total of the section of t	<ol> <li>The applicant shall compresent all approximation Dramps Orienter free Authority requirements, including, but not immed to the fee Marter Pan.</li> </ol>		metanas. Be letterase nim shallow	36. Consist-construction schult andrem in SUC2/DF failer 423 (Fragmer Dutz), when includes path intermetations interaction, the care of period failer and a metal- endiane path intermetation interaction and a metal-term environ is part opportune of period and and and and a second and and and explores of, whether factors, these and of labor of intermetation under reference to the and formational provided of staffs of interactional metal-metal- tion and formational provided of staffs of interactional metal-metal- tion. And formational provided of staffs of interactional metal-metal- tion and formational provided of staffs of interactional provided and the staff of the staffs of the staffs of the staffs of the staffs of the staffs.	approver, yet deriver, plan strates (974). 39-bit der spätzer einst bei der spätzert ihrer bei der spätzer beisbereichen strate der spätzer einstellt auf der spätzer beisbereichen spätzer einstellt auf der spätzer heren hist planet der spätzer einstellt auf der spätzer heren einstellten der spätzer einstellt auf der spätzer heren einstellten der spätzer einstellt auf der spätzer einstellt spätzer einstellten der spätzer einstellten der spätzer spätzer einstellten der spätzer spätzer einstellten der spätzer einstellten der spätzer spätzer einstellten der spätzer spätzer spät	
openess proceed by Ciry of Central Ones Penessong Services Lower 4.1. Any mean of execting water when loading which rate continue dominant of adjusted content.come when the minimum and per Cirk Standard 0-753.	Cianama Seraica. Bhiaton	<ul> <li>A complete, primation, externally remain control imposes typical wait to provided the ait inducemps areas solved in the plan. The genues provide of two primitingers years or provider and the matrix</li> </ul>	5. The Enforcemp from their interpreting and insertion for the life of the project these means and methods, the address where reveal and shrelfed in some theory (broadparked insertions), which address water the strength of the strength broadparked interpreting the Heardparket prime (ACMP), for input and the prime prime Heardparket system (commonly and the strength prime) (b00); while my other address common address and the type of the strength or strength of the strength prime in the type of the strength prime in common the strength prime in the type of the strength prime in the strength of the strength prime in the type of the strength prime in the strength prime in the type of the strength prime in the strength prime in the strength prime in the type of the strength prime in t	equipment, where nances, the use of table of forwardship weath factors, and the use of how-weathers parking for lights, to answe comprising with The M.	impreviousing, and unsergitured utilities, shed to compared in the first phase. The phasing plan shall be apprived by the Community and	
arguments resource starts that the recommendations per City Standard B-751.	54. The applicant shall submit defailed using, showing the presented MONAH if upties and responded supported to the Community and Exercising purples workshop allows and she budge and Salary Durant from Data provide workshop allows and she budge and Salary Durant from Data process The emprise of the of such and the budge and Salary Durant from Data process The emprise of the of such and the budge and Salary Durant from Data process The emprise of such and such as the following:		Hanapement Plans (A "HP), Charley Are Manapement Plans (DATE)	<ol> <li>During communities, if patientiating call in writhwarenge tail resources, and found, of primetas with the match to proceed on the pace of these in an undefluided space in comparing with separation law.</li> </ol>	Converse, Dewelspherel, Hubic Works, Desertments, ed DCFA prior te asserce of building pureity.	
44. One unait determiner if excepting water service(s) subare usable and makes numeer One Schodurch. Any estimate maker and summer located within new defounder(s) shall be indexected at overher services.	Development Gepartners, Renning Services Dunner for motion and approved any to subsecting plans into the Budley and Salary Dunner Mar. Deck	b. The start water provides an instruct of a property of the property (1914) of the start water provides an instruction of the property of the property of the start of the property of the start water of the start of the start water property (property of the times of the start of the start of the start water property (property) of the times of the start of the start of the start property of the times of the start of the start of the start of the the start of the start, where one property one start construct for general ends, back of the start, where one property one start construct for general ends, back of the start is an end.		in compliance with apparable law.	62. All each block surgit, and or instantion within in makaning reacting there, such to the many, which lips shows non-integrating patients, lips the such save the developed is 0.0% Standards to execute the the Anglement Stephene and shall be masked from server for lengt grand. The subgrand the for foreign.	
Ormanity of the second of the second of the forces share anyment of	private. The appropriate and a data of a Calification that it is an explored and a set of the calification of the california	offware percent (15%) at the trees at the units time, and write before (40%) of the trees at LS-period, the remaining free percent (5%) they be of our costs. These them shall be interpreted and the technical test of our costs. These them are interpreted and the technical test of our costs. These them shall be interpreted and the technical test of our costs. These them are interpreted and the test of our test of our costs. These tests are interpreted and the test of our test of our costs. These tests are interpreted and test of our test test of our costs.	<ol> <li>Al the time of instation instation, me interior swhere shall consume with all explosite provisions of the Derg water Conservation December, the Dry's Neuropal Code landmater provisions, and all adoptative state instruction.</li> </ol>	<ol> <li>The approximation shall complet with all provisions of the Content-inty and Economy Development Department including, but not twiced to, the foruming.</li> </ol>	to City Standards on designed by a flag spend Cripteer and shall be measured from general frequed grade. The appriant shall provide the following.	
4). Water meters and turnes sould be initialed to: Gas forces abon anyment of approximates for any other new water vestern timbuling water sension. J peak of bacterining call and pressure 1995.	regel of uses to the center line of the clearty adjacent to the surged property), which the perspects of the site and to the centering of the	the stages of all speeds. Where cheging using are considered for (covering and ball the covering and ball the staff.)	Contrarge, the Cry's Myroright Color landscape providents, and ad applicable state regulations.	a. The focule of the units shall be designed with second attenuities numbers including the use of over percent sections, a minimum 4-http:// 	a. Decarative permutar starts were shall be required, and visit br	
46. Interpretation was not be furned on until an exception with up.	adjuctions advantation which have represented on indecating undergotioned, while on white and orthogotion underlaws performing to the improvements programmed under the	5. The appricate shall be responded for instance and memoranes the lansproper with lack same as the project mere provide set-and and the homewhere associations or a lot former takes approximated.	<ol> <li>All above-ground utilities (e.g., many batches devers, excitos) transforms, impation requirements shall be shave an in the indexessing all in order to ensume togets (rest-case struteming all as provided)</li> </ol>	4. The forging of the units share we designed with sparse attenuation for the state induced and send and send and send and send attenuation of the state induced and send and send and send attenuation at a constant, the sub-send sends the state send attenuation of the constance of duced sends considering duced sends the the constance of duced sends.	proprieting to a measured have highest point of the on-she thesited grade. The	
at the permanent devolution, these or comparisons of ones the proceed near spear them of united man.	Ste Fail and Tardow Flet Had, the life Hadres to Hadres	landschang und auch sine as the project nears scholars set out and the homesenet's Association of a lot owner takes over maintenetie	allet in proof to ensure proper landscape screening will be provided	Constructs and Economic Development Construction prior to the recursion of building permits.	deparative case, authorit to the Community and Commits Development Department y approval, he was a proper than 35-inches in he get shad	
New Arts & Barrison	<ol> <li>All above ground utits equipment (e.g. exectracil, part teleprine, cable To) what not be localed in the street scalack, when the common error.</li> </ol>	respondenty.	<ol> <li>Onhanced carceris treamont was be provided along the noisy to the private street subject to the Community and Community Development Departments</li> </ol>	n more to the finalization of warsing drawings for Flanning Services Division, Engineering Division, and Building and Safety Division than	• Despired approvement water werk water that is integrated, and that is a proving the set of the	
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### RESOLUTION NO. 6062-23

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING A ONE-YEAR TIME EXTENSION FOR SITE PLAN NO. SP-081-2020 AND TENTATIVE TRACT MAP NO. TT-18181 (REFERRED TO AS SP-081-2020TE2 AND TT-18181TE2).

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 6, 2023, does hereby approve a one (1) year time extension for the entitlements approved under Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181, for a property located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street, at 11712 Lampson Avenue, Assessor's Parcel No. 090-302-40.

BE IT FURTHER RESOLVED in the matter of the time extension for Site Plan No. SP-081-2020TE2 and Tentative Tract Map No. TT-18181TE2, the Planning Commission of the City of Garden Grove does hereby report as follows:

- 1. The subject case was initiated by Nhan Vuong.
- 2. The applicant is requesting approval of a one-year time extension for the approved entitlements under Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 to subdivide an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as a cul de-sac (Lot 5). The approval allowed each parcel to be developed with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3, and 4 will each be developed with a new two-story, single-family home. Also, a minor land deviation was approved to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.
- 3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove previously determined that the proposed project was categorically exempt from the CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303). As set forth in the Class 32 exemption, the proposed project is: (1) consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (2) the proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; (3) the project site has no value as habitat for endangered, rare or threatened species; (4) approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality; and (5) the site can be adequately served by all required utilities and public services.

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- 4. The property has a General Plan Land Use designation of Low Density Residential and is zoned R-1 (Single-Family Residential). The site is currently improved with a single-family home and a detached guest home. The existing single-family home will remain, and will be reconfigured, to fit within the developable lot area of Lot 1 of the proposed subdivision. The existing guest home will be demolished, and will be replaced on Lot 1 as a new Accessory Dwelling Unit (ADU) as permitted by State Law.
- 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 July 6, 2023, 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 July 6, 2023; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030.D.9, are as follows:

### FACTS:

The project site is a 47,284 square foot lot located on the south side of Lampson Avenue, between 9<sup>th</sup> Street and West Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site is located in a residential area improved with single-family residences. The project site abuts R-1 zoned properties developed with single-family homes to the north, across Lampson Avenue, to the east, south, and to the west. The properties that directly abut the project site to the west are part of a single-family residential subdivision.

On April 7, 2020, the Planning Commission approved Site Plan No. SP-081-2020, and Tentative Tract Map No. TT-18181 with seven (7) yes votes. The approval allowed the subdivision of an existing 47,284 square foot lot, improved with a single-family home, into four (4) residential lots that will be served by a private street designed as cul-de-sac (Lot 5). Each lot was approved with a lot size of 10,031 square feet (Lot 1), 8,312 square feet (Lot 2), 10,520 square feet (Lot 3), and 7,783 square feet (Lot 4). The existing single-family home will be reconfigured to fit within the developable lot area of Lot 1, and Lots 2, 3, and 4 will each be developed with a new, two-story, single-family home. Also, the approval included a

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minor land deviation to allow the front yard fence for Lot 1, located along Lampson Avenue, to be constructed at a height of 6 feet.

Under the State Subdivision Map Act, tentative maps expire two-years from the date the land use approval becomes effective. Condition of Approval No. 69 of SP-081-2020 and TT-18181 allowed the Site Plan to expire two years from the date the approval became effective to be consistent with the two-year expiration date of the Tentative Tract Map. For this approval, the land use entitlements became effective on May 8, 2020 with a two-year expiration date of May 8, 2022.

On July 22, 2022, the Planning Commission approved a one-year time extention to Site Plan No. SP-081-2020 and Tentative Tact Map No. TT-18181 (Time Extension #1) with a seven (7) yes votes. This approval extended the subject entitlement expiration date to May 8, 2023.

On April 17, 2023, the City approved a Minor Modification to modify Conditional of Approval No. 62.b. to permit the construction of a new retaining/perimeter block wall within the subject site without replacing the existing perimeter walls between the subject property and nine (9) of the adjacent properties or constructing a decorative cap between the new and existing perimeter walls. Nevertheless, the applicant is required to continue to work with the City to ensure proper site drainage between the perimeter walls.

On May 4, 2023, prior to the expiration of the subject entitlements, the applicant filed a land use application with the City requesting a second one-year time extension of Site Plan No. SP-081-2020 and Tentative Tact Map No. TT-18181 (Time Extension #2).

In accordance with the Municipal Code, and because the approved entitlements were not yet exercised, the applicant is now requesting a one-year time extension for the previously approved entitlements. No changes are proposed to the previously approved project.

### FINDINGS AND REASONS:

### Time Extension:

1. A request for a time extension, including the reasons therefore, has been submitted prior to the permit expiration date, or the hearing body finds that due to special circumstances demonstrated by the property owner or the applicant, a late-filed request should be considered. Delays to the project has occurred due to the applicant's on-going attempt to comply with Condition of Approval No. 62 (a-b) as it relates to constructing a perimeter block wall and working with adjacent property owners in constructing the perimeter block wall. Nevertheless, the applicant made significant progress

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toward obtaining the required permits to commence construction of the project, and is working with the City to finalize the grading plan review, the plan check review, and final tract map. The applicant is requesting the time extension to finalize the grading plans, building plans, and final tract map to commence construction of the project.

2. There has been no change in the General Plan designation or Zoning of the site that would render the development or use nonconforming.

The subject site's General Plan Land Use Designation of Low Density Residential, and the zoning of R-1 (Single-Family Residential) have not changed since the original approval on April 16, 2020. Therefore, the development will not be rendered nonconforming.

3. There are no land use actions or studies currently underway that would have the potential to render the development or use nonconforming.

There are no known studies or actions that would affect the site or proposed development that would possibly render the development nonconforming.

### 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 Time Extensions for the approved Site Plan and Tentative Tract Map do possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030.D.9 (Time Extension).
- 2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the originally approved conditions of approval for Site Plan No. SP-081-2020 and Tentative Tract Map No. TT-18181 shall remain in effect.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2.	SITE LOCATION: Southwest corner of
	Garden Grove Boulevard, and Harbor
	Boulevard, at 13091 Harbor Boulevard
HEARING DATE: July 6, 2023	GENERAL PLAN: IW (International
	West Mixed Use)
<b>CASE NO.:</b> Site Plan No. SP-125-2023, &	<b>ZONE:</b> HCSP-DC (Harbor Corridor
Conditional Use Permit No. CUP-241-2023	Specific Plan – District Commercial)
APPLICANT: Sabroso! Mexican Grill	CEQA DETERMINATION: Exempt
	Section 15303 – New Construction or
	Conversion of Small Structures
<b>PROPERTY OWNER(S):</b> Harbor Plaza	<b>APN:</b> 100-501-27 & 100-501-28
Center, LLC	

### **REQUEST**:

The applicant is requesting Site Plan approval to remodel an existing 2,780 squarefoot tenant space, and add a 927 square-foot patio to accommodate the relocation of Sabroso! Mexican Grill, located at 13091 Harbor Boulevard. Also a request to operate the restaurant under a new original State Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General, Public Eating Place) License.

### **BACKGROUND**:

The property is an approximately 5.59-acre site improved with a multiple-tenant shopping center, Harbor Plaza, located on the southwest corner of Garden Grove Boulevard and Harbor Boulevard. The subject tenant space is an approximately 2,780 square-foot unit at 13091 Harbor Boulevard, within an existing multiple-tenant pad building, fronting toward Harbor Boulevard. The property has a General Plan Land Use Designation of IW (International West Mixed Use) and is zoned HCSP-DC (Harbor Corridor Specific Plan – District Commercial).

The property is located in a mixed-use area. To the north, across Garden Grove Boulevard, the subject site is adjacent to commercial uses in the HCSP-DC, C-1 (Neighborhood Commercial), and GGMU-3 (Garden Grove Boulevard Mixed Use 3) zones. To the east across Harbor Boulevard, the subject site is adjacent to commercial uses also in the HCSP-DC zone. To the south, the property is adjacent to commercial properties zoned HCSP-TS (Harbor Corridor Specific Plan – Transition Zone South). Lastly, to the west, the property is adjacent to a residential development zoned PUD-113-96 (Planned Unit Development).

### STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-125-2023, CUP-241-2023

The existing pad building containing the subject tenant space was originally approved on January 12, 1988, along with the rest of the shopping center, under Site Plan No. SP-146-88. Subsequent revisions to the original Site Plan approval were approved by the Planning Commission in 1991, and 1992. These revisions allowed for, in part, modifications to the approved signage allowances, building paint colors, landscaping requirements, and driveway locations and designs.

The pad building was designed with multiple storefronts, but the interior space has been consolidated to only provide for two (2) tenants. Upon completion of construction in 1993, the pad building was occupied by a Radio Shack retail store in the southern tenant spaces, and a bookstore in the subject northern tenant space. In 1998, permits were issued for tenant improvements to convert the subject space into a joint Togo's sandwich restaurant and Baskin Robbins ice cream shop. Later, an auto title company, TitleMax, occupied the tenant space from 2014 to 2020, according to Business License records. In the years since, the subject tenant space has remained vacant. The southern tenant space in the building is currently occupied by a Verizon Wireless retailer. No changes are proposed to the southern tenant space as a part of the subject request.

The proposed restaurant, Sabroso! Mexican Grill, will be leasing the subject location. They currently operate within the same shopping center, in an approximately 1,390 square-foot tenant space at 13129 Harbor Boulevard. In 2012, the restaurant received approval of Conditional Use Permit No. CUP-360-12 to operate with an Alcoholic Beverage Control "Type 41" (On-Sale Beer and Wine, Eating Place) License. The subject request will allow the restaurant to operate in a larger space, with outdoor dining, and to include a larger menu, including the sales and service of alcohol. Upon opening of the new restaurant location, the existing Sabroso! Mexican Grill location will close. No replacement tenant for the original restaurant has been identified at this time.

The Harbor Corridor Specific Plan requires a site plan review for any rehabilitation, renovation, redevelopment, expansion, or intensification of existing use or structure. The subject request, as a conversion of use with exterior façade improvements would be considered a renovation and rehabilitation, thus requiring a site plan review. Additionally, none of the previous uses in the subject tenant space have applied for, or received, a CUP for the sale and service of alcohol. Garden Grove Municipal Code Section 9.18.060.030 requires a Conditional Use Permit for the issuance of a new ABC License to a new restaurant.

# **PROJECT STATISTICS**:

	Provided	Code Requirement						
Min. Lot Size	243,500 S.F. (5.59 Acres)	50,000 S.F. (1.15 Acres)						
Min. Lot Frontage	+/- 617'-0"	-0″ 300-0″						
Min. Building Setbacks Front (North) Rear (South) Side (West) Street Side (East)	+/- 300'-0" +/- 200'-0" +/- 300'-0" 7'-6"	5'-0" for 50% of street frontage, 45'-0" for remainder 0'-0" 0'-0" 5'-0" for 50% of street frontage, 45'-0" for remainder						
Min. Parking	*281 spaces	288 spaces						
Max. Building Height	17'-0" Parapet 15'-0" Roof 10'-0" Patio Roof	45′-0″						

\*See Circulation, Parking, and Site Design discussion below.

# **DISCUSSION**:

# SITE PLAN

The project will consist of converting the existing 2,780 square-foot tenant space into a restaurant. Changes to the building include the conversion of the interior to a restaurant use, the addition of an outdoor patio dining area, and minor exterior façade improvements. The interior of the building will now feature a 1,377 square-foot dining room, a bar seating area, an approximately 800 square-foot kitchen and a food prep area, and two (2) restrooms. The patio area, on the north of the building, is approximately 927 square feet, and features both bar seating and dining tables.

# Circulation, Parking, and Site Design

When the subject commercial center was approved in 1988, the minimum parking requirement was calculated at a rate of one (1) parking space per three-hundred (300) square feet of gross floor area. The parking ratio made no differentiation based upon the use; all uses were parked under the same ratio. Based on this ratio, the site is required to provide a minimum of 288 parking spaces. Currently, the site provides 281 spaces, a deficiency of seven (7) spaces. The Harbor Corridor Specific Plan allows for parking reductions of up to 20%. The current deficiency on-site constitutes only a 2% reduction in parking.

A parking analysis was prepared by Fehr & Peers, a qualified traffic engineering firm, to determine the current parking demand for the shopping center. The analysis surveyed the existing parking supply on a typical weekday and weekend day. The peak observed demand for the center was 209 parking spaces in use. A 10% contingency was added to the peak observed parking demand to account for future changes in the types of uses, as required by the Municipal Code. Including the 10% contingency, the peak demand parking calculation for the site requires a minimum of 230 parking spaces.

# STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-125-2023, CUP-241-2023

To accommodate the new patio dining area, five (5) existing parking spaces will be removed from the north side of the subject pad building. This reduces the available parking to 276 parking spaces. According to the Municipal Code requirements, the new patio requires an additional three (3) parking spaces. The peak parking demand, plus the additional parking required for the new patio, is 233 parking spaces.

With the removal of the five (5) parking spaces to accommodate the new patio, the three (3) additional spaces required by the patio, and including the 10% contingency, there is a forty-three (43) space surplus provided on-site. With the surplus in parking, the site is able to accommodate the expanded restaurant use, according to the parking requirements of the Harbor Corridor Specific Plan and the Municipal Code.

Parking Calculations								
Parking Spaces Required	288							
Existing Parking Spaces Provided	281							
Existing Parking Deficiency	7							
Observed Parking Demand								
Peak Parking Demand	209							
Peak Parking Demand + 10% Contingency	230							
Parking Spaces Removed for Patio	5							
Additional Parking Required for Patio	3							
Parking Surplus	43							

The removal of the parking spaces withstanding, there are no additional changes to the parking lot of the commercial center. The site will still feature two (2) driveway approaches along Garden Grove Boulevard, and two (2) driveway approaches along Harbor Boulevard. The existing trash enclosure nearest the subject tenant space, to the southwest of the pad building, will be rebuilt according to City standards. The new trash enclosure will not encroach or impede on any of the adjacent parking spaces or drive aisles. Vehicular traffic will still circulate throughout the center as originally approved.

The design and location of the new outdoor patio dining area necessitates the replacement of the existing pedestrian path-of-travel to and from Harbor Boulevard. There is currently a ramp, and a short staircase that lead from the building entrance to Harbor Boulevard. A revised accessible path-of-travel will connect the accessible parking space on the west of the building to Harbor Boulevard. The path-of-travel will wrap around the patio to the north of the building, before accessing Harbor Boulevard to the east via a new two-switchback ramp to street grade.

# <u>Building Design</u>

The proposed façade improvements are minimal, with all improvements designed in a manner compatible to the existing building. The most noticeable exterior change will be the addition of the patio dining area to the north of the building. The patio roof is a simple flat-roof design, made of steel, and painted black. Delineating the patio on three sides are planters constructed of horizontal wood siding. The

# STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-125-2023, CUP-241-2023

planters will be vegetated with a variety of plants to help create a more welcoming, softer atmosphere in the patio area. The horizontal wood siding will also continue onto the restaurant itself, helping create cohesion between the patio and the building. A counter-height opening will be built into the exterior wall facing the patio area. The opening will connect the bar within the dining room and the patio space, creating an indoor-outdoor bar seating area.

Other changes to the exterior of the space include new doors and windows, new paint, and decorative lighting. New exterior signage, with external illumination will also be provided will be reviewed and approved under a separate permit. The external improvements will consist of shades of black, beige, and browns, consistent with the existing building to remain.

The interior of the converted restaurant will be designed in a rustic Mexican style. The new design features an eclectic mixture of dark wood features, stone features, painted tiles, and colorful textile and ceramic décor. The new color scheme has similarities to the restaurant's original location, including dark earth tones, like brown, gray, and black steel. The building design meets all applicable Municipal Code requirements.

# Landscaping

To accommodate the patio, a new accessible path-of-travel to Harbor Boulevard is required. As a result, the overall landscaping on-site will be reduced by approximately 275 square feet. The loss of landscape area can be considered a "reasonable accommodation," as it is necessitated by ADA (Americans with Disabilities Act) path-of-travel requirements. Any impacted landscaping adjacent to the new ramp will be replanted to be compatible with the landscaping to remain. Additionally, two (2) trees will be removed to accommodate the new path of travel. The two (2) trees will be replaced by new ones along the Harbor Boulevard frontage, to maintain the same number of trees provided on-site.

The applicant is required to comply with the landscaping requirements of Title 9 of the Municipal Code, including the Landscape Water Efficiency Guidelines. Should the rehabilitated landscaping area exceed 2,500 square feet, a separate landscape application shall be submitted, and a building permit will be obtained for the proposed on-site landscaping. All landscaping shall be watered by means of an automatic irrigation system meeting the City's Landscape Water Efficiency Guideline requirements for water conservation.

# CONDITIONAL USE PERMIT

As mentioned above, the restaurant tenant space has a total floor area of approximately 2,780 square feet. Within the tenant space, the restaurant provides: a host stand, a kitchen and food preparation area, two (2) restrooms, a bar with seating for approximately sixteen (16) patrons, a main dining area with seating for approximately forty-four (44) patrons, a private dining room with seating for

# STAFF REPORT FOR PUBLIC HEARING CASE NO. SP-125-2023, CUP-241-2023

approximately (10) patrons, and the 927 square-foot outdoor dining area providing seating for an additional forty-four (44) patrons and ten (10) patrons at the bar.

Sabroso! Mexican Grill operates as a full-service, sit-down restaurant, specializing in Mexican cuisine. Included on the menu are a variety of meals and dishes, as well as beer, wine, and mixed drinks. The restaurant would thus qualify as a "bona fide eating place," per ABC guidelines. Therefore, the restaurant, as proposed, qualifies for an ABC Type "47" License.

Alcohol sales will be permitted only for on-site consumption. The service of alcohol is intended to complement meals, and enhance the experience of dine-in customers. Sales of alcohol will be incidental to the service of food. At no time shall the quarterly sales of alcohol exceed 35% of the quarterly sales of food. Entertainment is not a part of the subject request, and is not permitted as a part of this Conditional Use Permit. Non-live ambient music, not audible outside of the restaurant, is permissible.

Sabroso! Mexican Grill's hours of operation will be 11:00 a.m. to 9:00 p.m., Monday through Friday, and 9:00 a.m. to 9:00 p.m., Saturday and Sunday. These hours are consistent with the City's standard operating hours of 8:00 a.m. to 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to 12:30 a.m., Friday and Saturday. The restaurant has been conditioned to allow for operating hours consistent with the City's standard hours. In the event problems arise concerning the operation of this business, the hours of operation may be reduced by order of the Police Department.

The restaurant is located in a high-crime district, and in an area with an under-concentration of Alcoholic Beverage Control "on-sale" licenses. In order to approve the request, a Finding of Public Convenience or Necessity is required. A summary of the district and the Findings of Public Convenience or Necessity can be found in Resolution No. 6063-23 for Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023.

The Community and Economic Development Department and the Police Department have reviewed the request and are supporting the proposal. All standard conditions of approval for an ABC Type "47" License will apply.

# <u>CEQA</u>

CEQA's Class 3 exemption applies to conversions of small structures from one use to another where only minor modifications are made in the exterior of the structure (CEQA Guidelines §15303.). The Class 3 exemption allows additions to commercial uses, including restaurants, not exceeding 2,500 square feet in floor area (CEQA Guidelines §15303.(c)).

The subject request converts an existing retail space to a restaurant use with the service of alcohol. With the conversion of the tenant space, some cosmetic tenant improvements are proposed to the interior and exterior. The subject request expands the subject tenant space with a 927 square-foot patio dining area. The

added square footage of the patio is well within the 2,500 square-foot threshold. Therefore, collectively, the proposed project is exempt from CEQA.

# **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

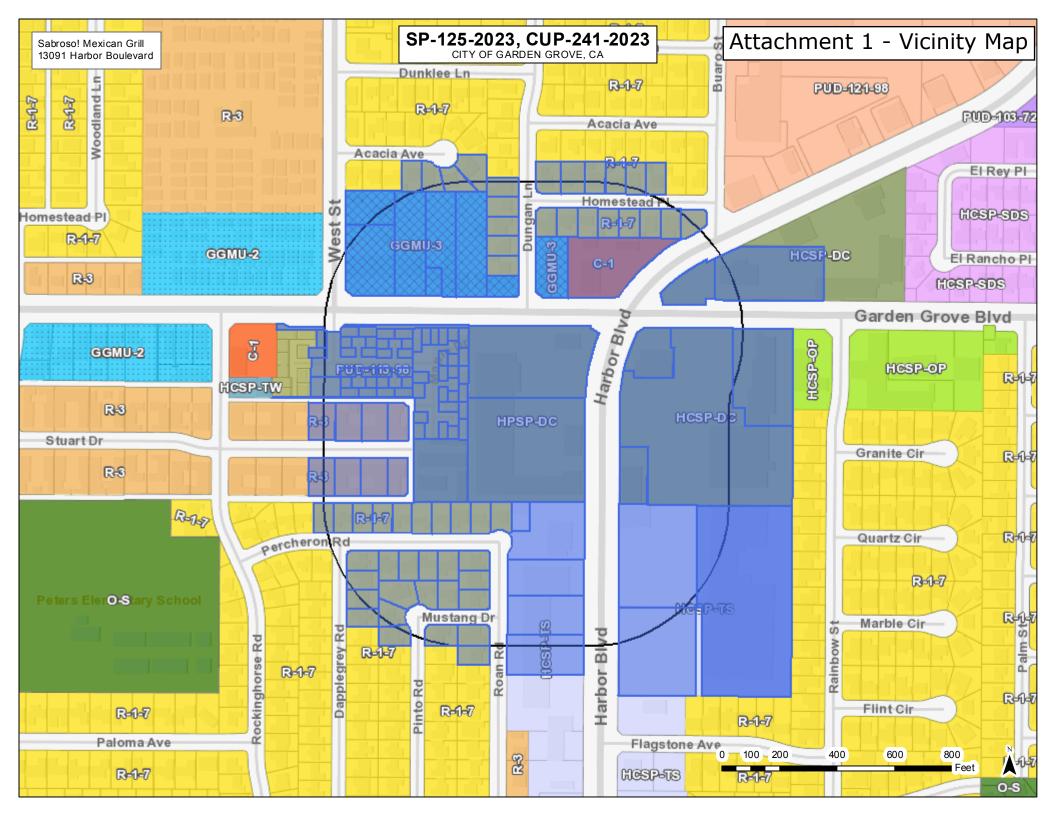
1. Adopt Resolution No. 6063-23, approving Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023, subject to the recommended Conditions of Approval.

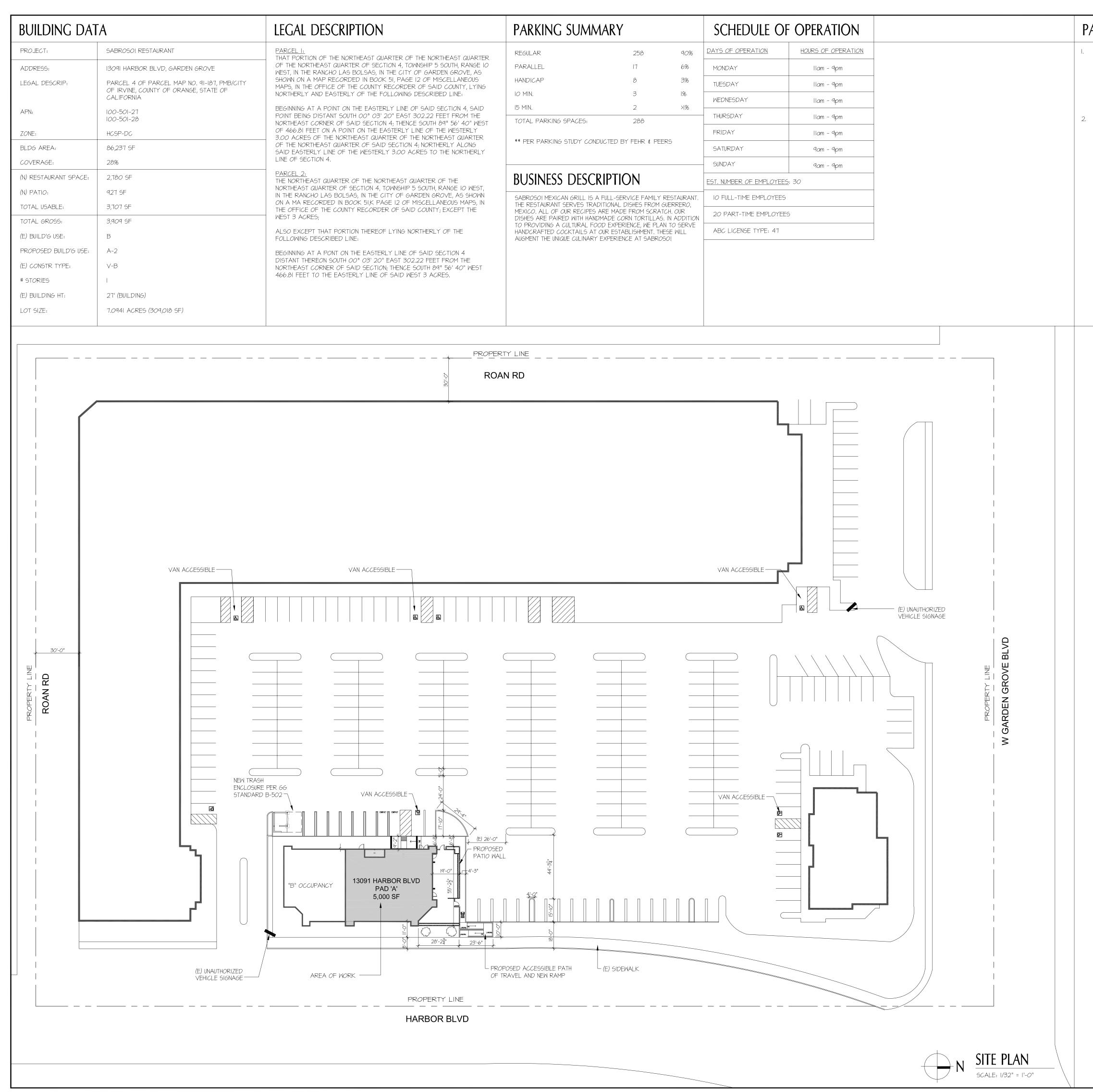
1100

Maria Parra Planning Services Manager

By: Priit Kaskla, AICP Associate Planner

Attachment 1:	Vicinity Map
Attachment 2:	Plans
Attachment 3:	Parking Analysis



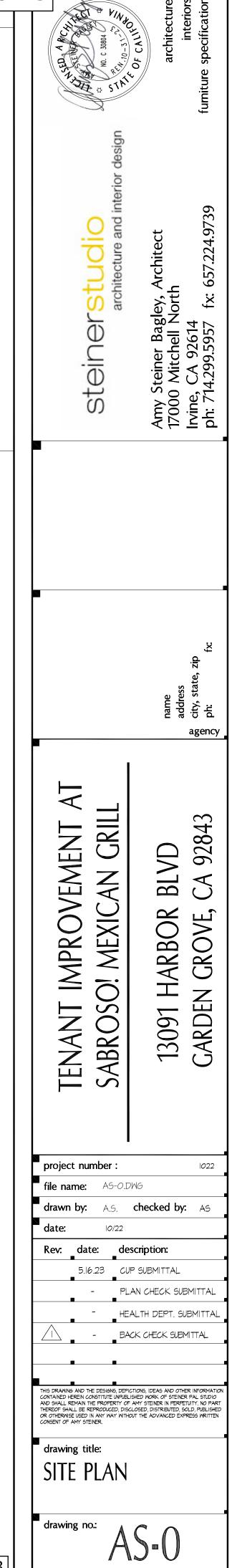


Attachment 2 - Plans PATH OF TRAVEL (P.O.T.) AS INDICATED IS A BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT VERTICAL CHANGES IN ELEVATION EXCEEDING 1/2" BEVELED AT 1:2 MAXIMUM SLOPE, EXCEPT THAT LEVEL CHANGES DO NOT EXCEED 1/4" VERTICAL AND IS AT LEAST 48" WIDE ALONG THE PATH OF TRAVEL SHOW. SURFACE IS SLIP RESISTANT, STABLE, FIRM AND SMOOTH. THE CROSS-SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL SHALL NOT EXCEED. INSPECTOR TO VERIFY. (POT) SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM AND PROTRIDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL AND ABOVE 21" AND LESS THAN 80" (IIB-204 & IIB-301.2). CONTRACTOR TO VERIFY THAT ALL BARRIERS IN THE PATH OF TRAVEL HAVE BEEN REMOVED OR WILL BE REMOVED UNDER THIS PROJECT, AND PATH OF TRAVEL COMPLIES WITH CBC 2013 IIB-402, IIB-403.5, IIB

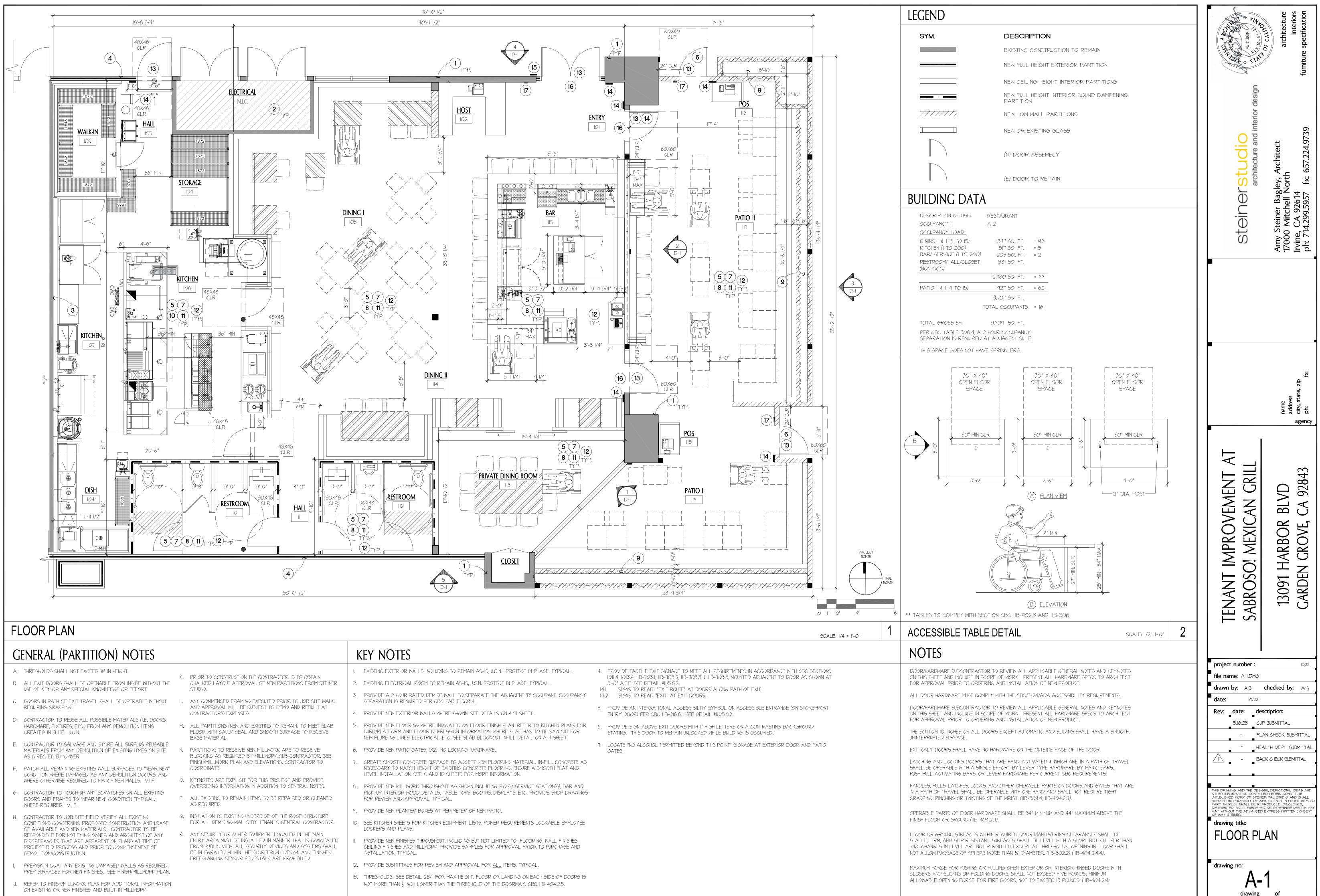
ALL EXTERIOR ENTRANCES & EXITS (IDENTIFIED WITH A TRIANGLE SYMBOL, SEE LEGEND) ON THIS PLAN ARE TO BE ACCESSIBLE AND COMPLY WITH CBC IIB-404.2.3, INCLUDING: 32" CLR. OPENING; REQ. STRIKE EDGE CLEARANCE AT PULL SIDE OF DOOR (24" FOR FRONT & LATCH, 36" FOR HINGE APPROACH); LEVEL LANDINGS (2% SLOPE MAX ON EXT. SIDE, O% ON INT. SIDE); ACCESSIBLE THRESHOLD, HARDWARE, CLOSER & KICK PLATE; ISA SIGN ON EXT. SIDE OF ENTRANCE; EXIT SIGN ON INT. SIDE OF EXIT DOOR. CBC 2013 IIB-404 AND IIB-404.2.4.1.

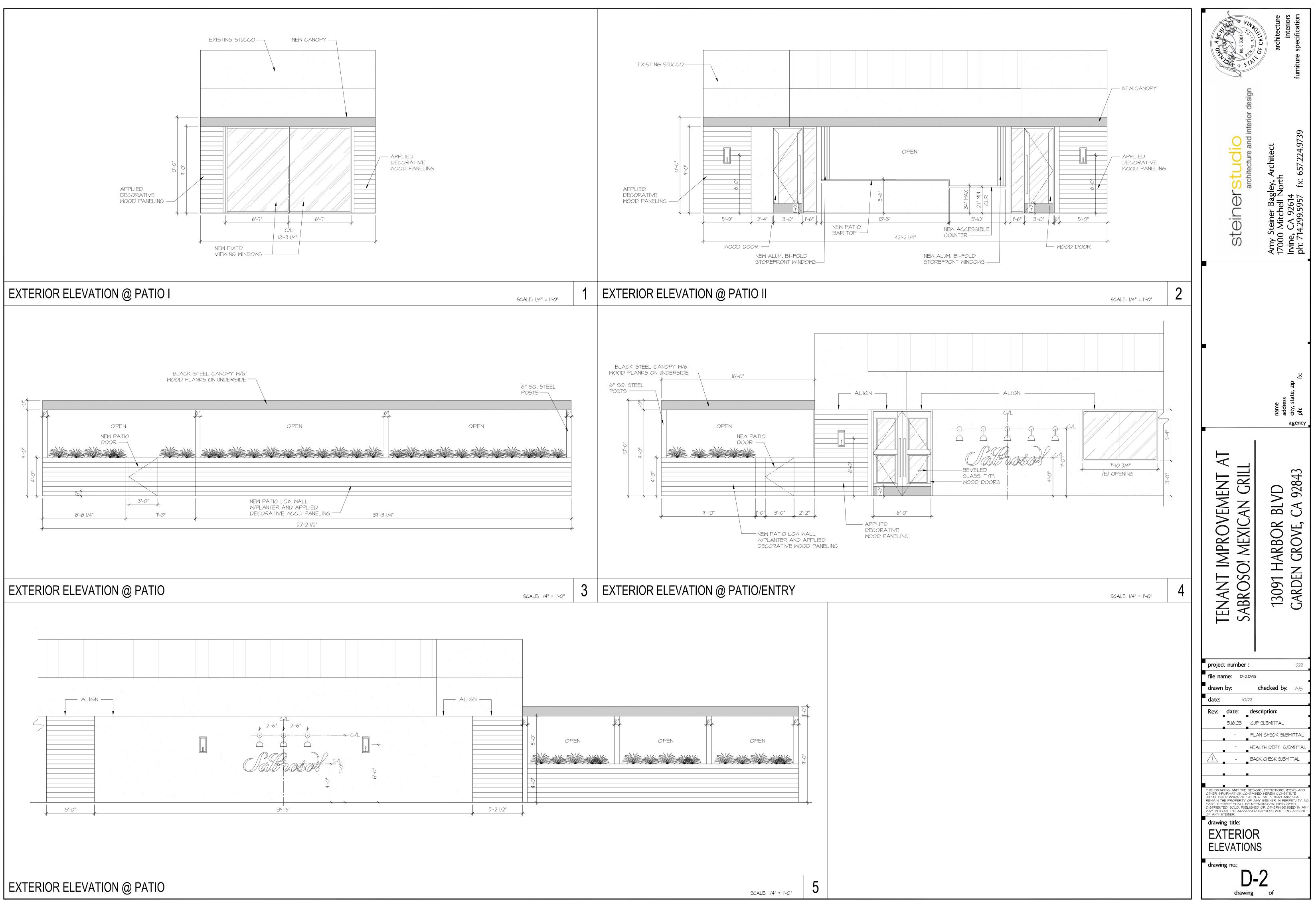
ACCESSIBLE PATH OF TRAVEL (SEE NOTE I)

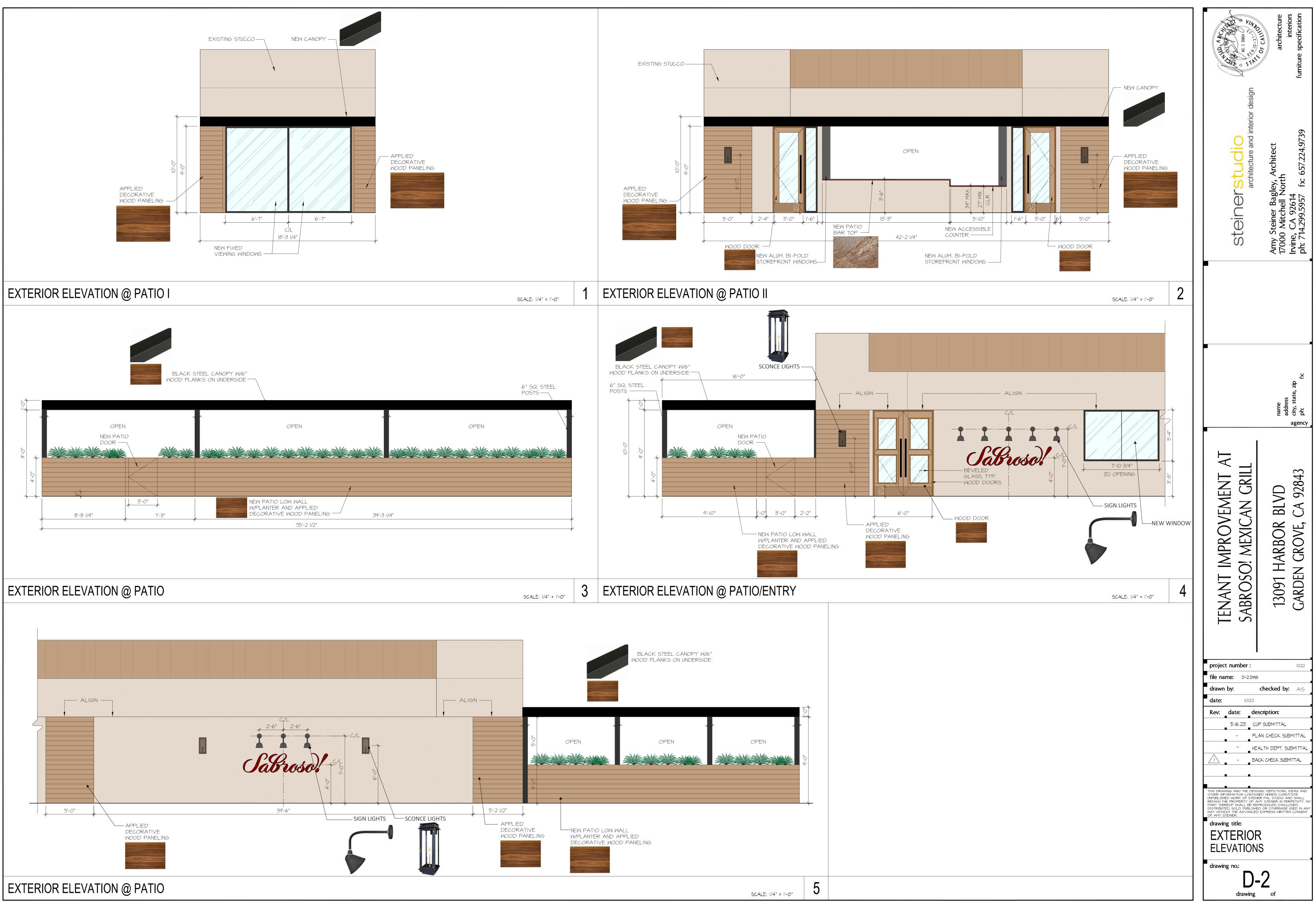
ACCESSIBLE ENTRY/EXIT (SEE CONST. NOTE 2)



drawing









# Attachment 3 - Parking Analysis

# Fehr / Peers

# Memorandum

Subject:	Harbor Plaza Parking Assessment
From:	Spencer Reed, PE
То:	Jon David, Hunt Enterprises, Inc.
Date:	November 8, 2022

OC22-0903

Fehr & Peers conducted a parking assessment for the Harbor Plaza shopping center in Garden Grove, California. This assessment was undertaken to document the parking supply and hourly parking demand of the shopping center parking lot to determine if additional parking is available during peak periods that could be utilized to meet the parking requirements for the planned construction of a 1,000 square foot (sf) outdoor dining patio addition to one of the units in the shopping center. The remainder of this memorandum summarizes the scope of the study, data collection, parking assessment, and findings.

# Study Scope

As part of a planned tenant improvement, a 1,000 sf outdoor dining patio is proposed for a unit in one of the standalone pads in the shopping center. Construction of the patio would require the removal of five parking spaces with no plan to replace the five lost spaces or add additional spaces for the patio use. Therefore, this study has been undertaken to document the current parking demand of the Harbor Plaza shopping center to determine if existing parking supply is available to accommodate the removed parking spaces and patio construction.

In preparing for this study, Fehr & Peers contacted Priit Kaskla from the City of Garden Grove to confirm the parking requirements of the Harbor Plaza site. Based on original approvals of the site, SP-115-88, the shopping center has a parking requirement of 1 space per 300 square feet of building area.

Based on the parking requirements of the site, this study identified the number of parking spaces available at peak demand and if enough parking spaces were available to accommodate the 1,000 sf outdoor dining patio utilizing the 1 space per 300 square feet of building area for a total of 3 parking spaces.

Jon David November 8, 2022 Page 2 of 6



# Data Collection

# **Parking Counts**

Parking data collection was conducted at the Harbor Plaza shopping center on Thursday, July 7, 2022, and Saturday, July 9, 2022. The data collection occurred from 8:00 AM to 8:00 PM. Figure 1 identifies the extent of the data collection location. The data collection sheets are included in Attachment A.



Figure 1 – Study Area

Due to project timing, data collection could not be conducted when schools were in session, but were conducted to avoid summer holidays. As part of this assessment, the July parking demand was adjusted to reflect higher parking demand conditions expected in a typical December based on factors from the Urban Land Institute *Shared Parking, Third Edition* (2020). This adjustment is documented in the parking assessment section.

# **Tenant Information**

To ensure that the existing parking demand is reflective of the shopping center operating under typical conditions, Fehr & Peers requested current tenant occupancy data from Hines Group, Inc. for the Harbor Plaza shopping center. This data was reviewed to determine the tenant occupancy rate of the shopping center at the time of the parking data collection.

Jon David November 8, 2022 Page 3 of 6



# **Parking Assessment**

# **Existing Parking Assessment**

# Parking Supply

As presented in Table 1, the Harbor Plaza shopping center parking lot has a parking supply of 271 spaces. The original approvals for the site required 1 space per 300 square feet of building area. With a building area of 86,237 sf, the site requires 288 parking spaces per the original approvals. It is possible that the 288 spaces were reduced to 271 with restriping or application of slurry mix improvements to the parking lot at some point in time. City of Garden Grove staff determined that the study should be based on the 288 approved parking spaces, a deficiency of 17 spaces.

The site has a back alley which is approximately 28 feet wide and has an overall length of approximately 820 feet. As the alley accommodates back entry and loading for the tenants of the shopping center a number of doorways, bollards, utility poles, and other equipment is located in the alley which makes the usable space limited. In coordination with City of Garden Grove staff, it was determined that approximately 10 parallel parking spaces could be added to the back alley using a parallel parking dimension of 8' x 22'.<sup>1</sup>

As the back alley is not able accommodate the additional 17 required parking spaces, this study will assume a supply of 10 back alley parking spaces for a total parking supply of 281 spaces. This will result in the site starting with an existing parking deficiency of 7 spaces from the 288 approved parking spaces.

In an effort to minimize the existing parking supply deficiency, the site will be required to install as many parallel parking spaces as possible to the back alley. Hunt Enterprises, Inc. will have to coordinate with the City of Garden Grove to determine the timing for the installation of the parallel parking spaces.

# Parking Demand

Over the two data collection days, the parking demand peaked at 1:00 PM on Thursday with 135 spaces demanded (48% occupancy) and at 1:00 PM on Saturday with 146 spaces demanded (52% occupancy). The parking demand trend throughout both days was similar with parking demand increasing from 8:00 AM to 1:00 PM and generally maintaining 40% - 50% occupancy until approximately 7:00 PM when demand started to decline.

<sup>&</sup>lt;sup>1</sup> Garden Grove City-standard space is 9' x 22', The Engineering Division is allowing the space to be reduced to 8' wide to accommodate the drive-aisle circulating around the building.



			hursday y 7, 2022	Saturday July 9, 2022			
Time	Supply	Parking Demand	Utilization	Parking Demand	Utilization		
8:00 AM		15	5%	18	6%		
9:00 AM		53	19%	47	17%		
10:00 AM		73	73 26%		33%		
11:00 AM		108	38%	119	42%		
12:00 PM		119	119 42%		44%		
1:00 PM		135	48%	146	52%		
2:00 PM	288	111	40%	122	43%		
3:00 PM		115	41%	142	51%		
4:00 PM		117	42%	127	45%		
5:00 PM		99	35%	126	45%		
6:00 PM		114	41%	115	41%		
7:00 PM		103	37%	112	40%		
8:00 PM		81	29%	94	33%		

### Table 1 – Harbor Plaza Parking Demand

Tenant information at the time of the parking count was reviewed as part of the parking assessment. The Harbor Plaza shopping center has a total of 21 units with 86,257 sf of building area. This review showed a tenant occupancy of 91% of the building area. The 91% tenant occupancy is considered within the acceptable range of being considered fully utilized as many commercial properties have some vacancy due to tenant turnover or improvements. Therefore, the parking demand data collected is reflective a fully utilized shopping center under typical conditions in July.

# **December Parking Estimate Assessment**

The Urban Land Institute sponsored a national study that established a basic methodology for analyzing parking demand in mixed-use developments. This methodology was published in *Shared Parking, Third Edition* (2020) and identifies base parking rate, parking demand reductions, and hourly/monthly parking demand patterns for various land uses.

*Shared Parking, Third Edition* typically identifies that parking demand for most land uses as being highest in the month of December. As the parking data collection was conducted in July, the parking demand was adjusted to reflect an estimate of parking demand in December.



The *Shared Parking, Third Edition* monthly parking demand patterns for retail land use customers was utilized to develop a factor between the July and December. Other land uses that are present in the Harbor Plaza shopping center, such as restaurants, are provided in *Shared Parking, Third Edition*; but the retail land use has the greatest change in parking demand between July and December so the retail information was used to generate a conservative estimate of December parking demand.

As presented in Table 2, July has a parking adjustment of 70% of peak parking demand and December has a parking adjustment of 100% of peak parking demand. This change in parking demand results in a parking adjustment factor of 1.43. Applying the 1.43 parking adjustment factor results in a Thursday in December parking estimate of 193 spaces (71% occupancy) and a Saturday in December parking estimate of 209 spaces (77% occupancy).

	July	December
<i>Shared Parking, Third Edition</i> Retail Customer Monthly Parking Adjustment Factor	70%	100%
Parking Adjustment Factor (December/July)	1.	43
Thursday Parking Demand	135	193 (Estimate)
Thursday Parking Utilization	48%	69%
Saturday Parking Demand	146	209 (Estimate)
Saturday Parking Utilization	52%	74%

# Table 2 – Parking Adjustments

# **Usable Parking Supply Assessment**

To provide a suitable margin of available spaces to account for turnover and inefficiencies, a 10% buffer was removed from the parking supply. As documented in *Shared Parking, Third Edition*, "A parking facility will be perceived as full at somewhat less than its actual capacity, generally in the rate of 85 to 95 percent occupancy" (p. 15). The parking spaces associated with this factor provide a cushion of parking supply to account for mis-parked vehicles, vehicle maneuvers, and vacancies associated with reserved spaces for specific users (e. g. time limited spaces for carry out restaurants). The use of a 10% buffer results in a parking supply of 253 parking spaces (281 x 90% = 253).

Additionally, construction of the 1,000 sf outdoor dining patio would require the removal of five parking spaces with no plan to replace the five removed spaces. Therefore, the buffered supply was reduced by 5 parking spaces to account for the removed spaces before determining how much patio space could be built utilizing the remaining available parking spaces. This results in a usable parking supply of 248 spaces (253 - 5 = 248)

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Utilizing the December parking estimates and the usable parking supply, the site is projected to have an available parking supply of 55 parking spaces (248 - 193 = 55) on a Thursday and 39 parking spaces (248 - 209 = 39) on a Saturday as presented in Table 3. Based on the original parking requirement of 1 space per 300 square feet of building area, the 1,000 sf outdoor dining patio would require 3 parking spaces. The projected usable parking supply of the site can accommodate the 3 parking spaces of the 1,000 sf patio.

	Thursday	Saturday	
Usable Parking Supply	24	48	
Estimated Peak Parking Demand	193	209	
Available Parking Supply	55	39	
Parking Supply for Outdoor Dining Patio	3	3	
Remaining Parking Supply	52	36	

Table 3 – Parking Assessment

# **Parking Reduction Assessment**

The Garden Grove Municipal Code Section 9.16.040.180 states that parking space reduction should not exceed 25% of the total required spaces. With inclusion of the 1,000 sf outdoor dining patio, the total building square footage would be 87,237 sf requiring 291 parking spaces. With the existing parking supply deficiency of 7 parking spaces, the reduction of 5 parking spaces association with construction of the patio, and the decision to not build the 3 parking spaces for patio; the site has a total reduction of 15 parking spaces. This results in a parking reduction of 5% ((291 - 15)/291 = 95%) which is within the reduction identified in Garden Grove Municipal Code.

# **Findings**

The Harbor Plaza shopping center has a current parking supply of 271 spaces. In coordination with City of Garden Grove staff, it was assumed that 10 parallel parking spaces could be accommodated in the back alley of the site for a total parking supply of 281 spaces. In an effort to minimize the existing parking supply deficiency, the site will be required to install as many parallel parking spaces as possible to the back alley. Hunt Enterprises, Inc. will have to coordinate with the City of Garden Grove to determine the timing for the installation of the parallel parking spaces.

With a parking supply of 281 spaces and a peak parking demand of 146 spaces demanded (52% occupancy) at 1:00 PM on Saturday the site provides sufficient parking supply to meet existing July demand. As the parking counts were conducted in July, the peak December parking demand (usually to be the highest throughout the year) was estimated to be 209 parking spaces (74% occupancy). Based on a usable parking supply of 248 spaces, the proposed 1,000 sf outdoor dining patio can be added to the site with approximately 36 remaining spaces available and does not exceed the parking reduction allowance from the Garden Grove Municipal Code.

Attachment A Parking Counts

#### Garden Grove Parking

Harbor Plaza Harbor Boulevard and Garden Grove Boulevard, Garden Grove Thursday, July 7th, 2022

	Inventory	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM
Regular	258	14	50	71	100	115	132	109	114	115	97	111	100	76
Handicap	8	0	2	1	6	4	1	2	0	2	2	1	1	4
10 Min.	3	1	1	1	2	0	2	0	1	0	0	2	2	1
15 Min.	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal	271	15	53	73	108	119	135	111	115	117	99	114	103	81
	-													
Total Occupancy	281	15	53	73	108	119	135	111	115	117	99	114	103	81
Total Percent		5%	19%	26%	38%	42%	48%	40%	41%	42%	35%	41%	37%	29%

Counts Unlimited, Inc. PO Box 1178 Corona, CA 92878 951-268-6268

#### Garden Grove Parking

Harbor Plaza Harbor Boulevard and Garden Grove Boulevard, Garden Grove Saturday, July 9th, 2022

	Inventory	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM
Regular	258	18	45	88	113	122	140	114	136	121	119	111	109	91
Handicap	8	0	1	2	6	3	5	5	2	3	2	3	0	2
10 Min.	3	0	1	2	0	0	1	2	3	1	3	0	2	0
15 Min.	2	0	0	0	0	0	0	1	1	2	2	1	1	1
Subtotal	271	18	47	92	119	125	146	122	142	127	126	115	112	94
Total Occupancy	281	18	47	92	119	125	146	122	142	127	126	115	112	94
Total Percent		6%	17%	33%	42%	44%	52%	43%	51%	45%	45%	41%	40%	33%

Counts Unlimited, Inc. PO Box 1178 Corona, CA 92878 951-268-6268

# RESOLUTION NO. 6063-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-125-2023, AND CONDITIONAL USE PERMIT NO. CUP-241-2023, FOR A PROPERTY LOCATED ON THE SOUTHWEST CORNER OF HARBOR BOULEVARD AND GARDEN GROVE BOULEVARD, AT 13091 HARBOR BOULEVARD, ASSESSOR'S PARCEL NOS. 100-501-27 AND 100-501-28.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on July 6, 2023, hereby approves Site Plan No. SP-125-2023, and Conditional Use Permit No. CUP-241-2023, for the remodel of an existing 2,780 square-foot tenant space, an addition of a 927 square-foot patio to accommodate the relocation of Sabroso! Mexican Grill, and to operate the restaurant under a new original State Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General, Eating Place) License (the "Project") for the property located on the southwest corner of Harbor Boulevard and Garden Grove Boulevard, at 13091 Harbor Boulevard, Assessor's Parcel Nos. 100-501-27 and 100-501-28, and hereby determines that public convenience or necessity would be served by issuance of an Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General, Eating Place) License at this location.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-125-2023, and Conditional Use Permit No. CUP-241-2023, the Planning Commission of the City of Garden Grove does hereby report as follows:

- 1. The subject case was initiated by Sabroso! Mexican Grill, with the authorization of the property owner, Harbor Plaza Center, LLC.
- 2. The applicant is requesting Site Plan approval to remodel an existing 2,780 square-foot tenant space, and add a 927 square-foot patio to accommodate the relocation of Sabroso! Mexican Grill, located at 13091 Harbor Boulevard. Also a request to operate the restaurant under a new original State Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General, Eating Place) License.
- 3. Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Commission hereby determines that the proposed project is categorically exempt from the CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303).
- 4. The property has a General Plan Land Use Designation of IW (International West Mixed Use) and is zoned HCSP-DC (Harbor Corridor Specific Plan District Commercial). The subject tenant space is an approximately 2,780 square-foot unit within an existing multiple-tenant pad building, fronting toward Harbor Boulevard, within an existing shopping center located on the southwest corner of Garden Grove Boulevard and Harbor Boulevard.

- 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 July 6, 2023, 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 July 6, 2023, and

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

# FACTS:

The property is an approximately 5.59-acre site improved with a multiple-tenant shopping center, located on the southwest corner of Garden Grove Boulevard and Harbor Boulevard. The subject tenant space is an approximately 2,780 square-foot unit within an existing multiple-tenant pad building, at 13091 Harbor Boulevard.

The property has a General Plan Land Use Designation of IW (International West Mixed Use), and is zoned HCSP-DC (Harbor Corridor Specific Plan – District Commercial). To the north, across Garden Grove Boulevard, the subject site is adjacent to commercial uses in the HCSP-DC, C-1 (Neighborhood Commercial), and GGMU-3 (Garden Grove Boulevard Mixed Use 3) zones. To the east across Harbor Boulevard, the subject site is adjacent to commercial uses also in the HCSP-DC zone. To the south, the property is adjacent to commercial properties zoned HCSP-TS (Harbor Corridor Specific Plan – Transition Zone South). Lastly, to the west, the property is adjacent to a residential development zoned PUD-113-96 (Planned Unit Development).

The existing pad building containing the subject tenant space was originally approved in 1988, under Site Plan No. SP-146-88. Subsequent revisions to the Site Plan approval were approved by the Planning Commission in 1991 and 1992. Upon completion of construction in 1993, the subject 2,780 square-foot tenant space was occupied by a bookstore. Most recently, an auto title office occupied the tenant space from 2014 to 2020. In the years since, the subject tenant space has remained vacant.

The project will consist of converting the existing tenant space into a restaurant. Changes to the building include the conversion of the interior to a restaurant use, the addition of an outdoor patio dining area, and minor exterior façade improvements. The interior of the building will feature a dining room, a bar seating

area, a kitchen and food prep area, and two (2) restrooms. The patio area, on the north side of the building, is approximately 927 square feet.

The shopping center site is required to provide a minimum of 288 parking spaces. Currently, the site provides 281 spaces, a deficiency of seven (7) spaces. The Harbor Corridor Specific Plan allows for parking reductions of up to 20%. The current deficiency on-site constitutes a 2% reduction in parking.

Based on a parking analysis prepared by a traffic engineering firm, the site's peak observed parking demand was 209 parking spaces. With the removal of the five (5) parking spaces to accommodate the patio, the three (3) space increase in parking required by the patio, and including a 10% contingency, there is a forty-three (43) space surplus provided on-site.

There are no changes to the parking lot of the commercial center. The existing trash enclosure nearest the subject tenant space will be rebuilt according to City standards. The new trash enclosure will not encroach or impede on any of the adjacent parking spaces or drive aisles.

The design and location of the new outdoor patio dining area necessitates the replacement of existing pedestrian path-of-travel to and from Harbor Boulevard. A revised accessible path-of-travel will connect the accessible parking space on the west of the building to Harbor Boulevard. The path-of-travel will wrap around the patio to the north of the building, before accessing Harbor Boulevard to the east via a new ramp.

The proposed façade improvements are designed in a manner to be compatible with the existing building. The most noticeable exterior change will be the addition of the patio dining area to the north of the building. The patio roof is a simple flat-roof design, made of steel, and painted black. Delineating the patio on three sides are planters constructed of horizontal wood siding. Some of the horizontal wood siding will also continue onto the restaurant itself, helping create cohesion between the patio and the building. Other changes to the exterior of the space include new doors and windows, new paint, and decorative lighting. The exterior improvements will consist of shades of black, beige, and browns, consistent with the existing building to remain.

The interior of the converted restaurant will be designed in a rustic Mexican style. The new design features an eclectic mixture of dark wood features, stone features, painted tiles, and colorful textile and ceramic décor. The new color scheme has similarities to the restaurant's original location, including dark earth tones, like brown, gray, and black steel.

To accommodate the new accessible path-of-travel, the overall landscaping on-site will be reduced. The loss of landscape area can be considered a "reasonable

accommodation," as it is necessitated by ADA (Americans with Disabilities Act) path-of-travel requirements. Any impacted landscaping adjacent to the new ramp will be replanted to be compatible with the remaining landscaping. Additionally, two (2) trees will be removed and replanted to accommodate the new path-of-travel.

Sabroso! Mexican Grill operates as a full-service, sit-down restaurant, specializing in Mexican cuisine. The restaurant qualifies as a "bona fide eating place," per ABC guidelines. Therefore, the restaurant, as proposed, qualifies for an ABC Type "47" License.

Alcohol sales will be permitted only for on-site consumption. Sales of alcohol will be incidental to the service of food. Entertainment is not a part of the subject request, and is not permitted as a part of this Conditional Use Permit.

Sabroso! Mexican Grill's hours of operation will be 11:00 a.m. to 9:00 p.m., Monday through Friday, and 9:00 a.m. to 9:00 p.m., Saturday and Sunday. These hours are consistent with the City's standard operating hours of 8:00 a.m. to 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to 12:30 a.m., Friday and Saturday.

The subject convenience store is located in a high-crime district, and is located in an area with an under-concentration of Alcoholic Beverage Control Licenses. A summary of the district is as follows:

- The subject site is located in Crime Reporting District No. 135.
- The crime count for the District is 146.
- Average crime count per district in the City is 70.
- A District is considered high when it exceeds the Citywide average by 20%.
- The subject District has a crime count of 52.0% above the citywide average; therefore, it is considered a high-crime area.
- The subject site is located in Alcoholic Beverage Control (ABC) Census Report District No. 885.01.
- ABC Census Reporting District No. 885.01 allows for eight (8) on-sale licenses within the District. Currently, there are seven (7) on-sale licenses in the District. The approval of this CUP will not increase the number of on-sale ABC Licenses in the District, because the relocated restaurant has an on-sale license that is being replaced. The total number of on-sale licenses will remain at seven (7).

# PUBLIC CONVENIENCE OR NECESSITY:

A finding for public convenience or necessity would have to be made in order to approve an establishment that is requesting a new original Alcoholic Beverage Control license that is located within a district with a high crime rate and/or in an area with an over-concentration of ABC licenses. California Business and Professions Code Section 23817.5 prohibits the ABC from issuing new alcoholic licenses in areas of over-concentration. Business and Professions Code Section 23958 states:

The department further shall deny an application for a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4.

Business and Professions Code Section 23958.4 provides the following exception:

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within ninety (90) days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

Although the subject site is located in an area considered to be in a high-crime district and in an area with an over-concentration of on-sale ABC licenses, a finding for public convenience or necessity is warranted given the potential community benefit through the operation of the restaurant with an ABC Type "47" (On-Sale, General, Eating Place) License. The addition of the new ABC Type "47" License would provide and maintain an amenity that enhances the customer dining experience and maintains the intent of being a business serving the local community. The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. Provided the Conditions of Approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

Furthermore, the establishment shall provide an assortment of foods normally offered in restaurants, and the kitchen shall be open and preparing food during all hours that the establishment is open. At all times the establishment is open, the sale of alcohol shall be incidental to the sale of food; and the quarterly gross sales of alcoholic beverages shall not exceed 35% of the total gross sale of food during the same period. Lastly, no live entertainment, (karaoke, one-man band, solo performer, live music, etc.) including amplified music, shall be permitted on the premises. Therefore, the City of Garden Grove hereby determines and approves a

Finding of Public Convenience or Necessity for Conditional Use Permit No. CUP-241-2023.

# FINDINGS AND REASONS:

# <u>SITE PLAN</u>:

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

The General Plan Land Use Designation of the subject site is IW (International West Mixed Use), which is intended for a mix of uses, including resort, entertainment, retail, hotel, and some higher density residential that are appropriate for a major entertainment and tourism destination. The HCSP-DC (Harbor Corridor Specific Plan – District Commercial) zone is intended as an area of Citywide significance for the retail commercial sales of a selected variety of products and provision of consumer services. The design and improvement of the proposed project is consistent with the spirit and intent of the General Plan, through its goals, policies, and implementation programs, including specifically:

Policy LU-1.4: Encourage a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations. The subject proposal will allow for exterior façade improvements, necessitated by the development of a 2,780 square-foot restaurant. Restaurants are an allowable use under the HCSP-DC zone. The proposed restaurant use will be compatible with the existing shopping center, the adjacent commercial uses along Harbor Boulevard, and nearby residential uses along Garden Grove Boulevard.

Policy LU-1.5: Encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas. The addition of the outdoor patio will add a level of activity along Harbor Boulevard. This more active space, as compared to the existing parking lot, helps create a more exciting streetscape, which can help encourage pedestrian activity. The proposed restaurant space can help draw attention to the shopping center, and the variety of businesses that are located there.

Policy LU-2.3: Prohibit uses that lead to deterioration of residential neighborhoods, or adversely impact the safety or the residential character of a residential neighborhood. The development meets all of the development standards of the HCSP, and the Garden Grove Municipal Code, as applicable. This includes the maximum building height, the minimum setbacks, and the minimum parking requirements. Adherence to these development standards

will help ensure that the project has limited impacts on the residential neighborhood to the west of the project.

Policy LU-2.4: Assure that the type and intensity of land use are consistent with those of the immediate neighborhood. The subject site is in an urbanized area with multiple commercial developments. The HCSP-DC zone allows for restaurant uses. The remodel of the tenant space to accommodate the restaurant use will be consistent with the allowable uses of the zone. The proposed restaurant use is consistent with the hotels, entertainment, and retail uses along Harbor Boulevard, and adjacent residential uses along Garden Grove Boulevard.

*Goal LU-4: Uses compatible with one another.* The proposed restaurant will share the subject pad building with a wireless service provider store. The rest of the shopping center includes retail, medical, restaurant, personal service, and arcade uses. All of these uses are permitted in the HCSP-DC zone. Provided that the subject restaurant adheres to the proposed Conditions of Approval, the use can be compatible with the other uses currently in the shopping center, and with those uses found along Harbor Boulevard.

Goal LU-5: Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community. The subject tenant space has been vacant since 2020. By allowing Sabroso! Mexican Grill to relocate to the subject tenant space, it can help create a more economically successful shopping center. Providing a wide variety of activity within a shopping center can serve the growing and changing needs of the community.

Policy LU-5.1: Work with property owners of vacant commercially zoned property to develop their sites into appropriate, economically viable projects. The subject tenant space has been vacant since 2020. The proposed project would introduce a new use to an otherwise vacant tenant space. Filling a vacant tenant space can help with the long-term economic viability of the commercial center. Furthermore, the new restaurant would be a larger space than the current Sabroso! Mexican Grill location. Expanding to a new, larger space can help secure the restaurant's financial future.

Policy LU-6.2: Encourage a mix of retail and commercial services along major corridors and in centers to meet the community's needs. The subject commercial center is located on the southwest corner of Garden Grove Boulevard and Harbor Boulevard. This is an intersection of two primary arterial streets. The center currently provides a variety of commercial business, including retail, medical, restaurant, personal service, and arcade

uses. The subject restaurant is compatible with these existing uses, and can help meet the needs of the community into the future.

Policy LU-6.3: Encourage properties along corridors and in centers to be improved through maintenance or rehabilitation to prevent decline or encourage redevelopment. The exterior and interior remodeling of the subject tenant space is intended to rehabilitate the building. This shows a continuing investment into the appearance and function of the shopping center. A continued effort to invest in the property can help prevent any decline in appearance or functionality of the center

LU-IMP-6C: Encourage façade renovation, enhanced parking area landscaping, improved lighting, development of pad buildings, and the use of pedestrian amenities, such as fountains, plazas, promenades, seating, and like features. In addition to the conversion of the subject space to a restaurant use, the applicant is proposing a 927 square-foot outdoor dining area along Harbor Boulevard. This can be considered a pedestrian-friendly amenity, and can help enhance the streetscape along Harbor Boulevard. The patio and related façade enhancements help renovate the building.

*Goal LU-9: Creation of a tourism- and entertainment-related destination area that will benefit all residents, businesses, and visitors.* The site is designed for both vehicle and pedestrian access. This allows for patrons in the nearby resort area, residents in the adjacent neighborhoods, and visitors to the area to access the restaurant. Restaurant uses are frequented by locals and visitors alike. Furthermore, the design of the site, building, and dining area is oriented toward Harbor Boulevard, contributing a sense of place to enliven the streetscape. The restaurant was designed to contribute to the overall sense of place in the Grove District resort area.

Policy LU-9.1: Capture the benefits of the tourist trade generated by the Disneyland Resort and the Anaheim Convention Center. The subject location of the proposed restaurant is located on Harbor Boulevard, approximately two (2) miles from the Disneyland Resort and the Anaheim Convention Center. The proposed location is an expansion compared to Sabroso! Mexican Grill's current location. By occupying a larger space, the restaurant can accommodate a larger number of patrons. This may help the restaurant capitalize on the benefits of its close proximity to the Anaheim and Garden Grove resort area.

*Policy LU-9.2: Support and enhance the commercial centers at the intersection of Harbor Boulevard and Garden Grove Boulevard.* The subject commercial center is located on the southwest corner of Harbor Boulevard and Harbor Boulevard. The relocation of Sabroso! Mexican Grill, and the proposed patio dining area can help enhance the center. The patio, and the

associated façade improvements help update the appearance of the existing pad building. The larger space also reflects on the success of the restaurant, and their need for an expansion to accommodate customer demand.

LU-IMP-9C Monitor and ensure pedestrian safety for shoppers moving between the centers at the intersection of Harbor Boulevard and Garden Grove Boulevard. As a part of the project, an existing ramp and stair leading from Harbor Boulevard into the shopping center will be removed. New pedestrian access, in the form of an accessible, two-legged switchback ramp will connect the subject building to Harbor Boulevard. A new ramp can help create a safer environment for pedestrians traveling through the intersection of Garden Grove Boulevard and Harbor Boulevard.

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.

When the subject commercial center was approved in 1988, the minimum parking requirement was calculated at a rate of one (1) parking space per three-hundred (300) square feet of gross floor area. The parking ratio made no differentiation based upon the use; all uses were parked under the same ratio. Based on this ratio, the site is required to provide a minimum of 288 parking spaces. Currently, the site provides 281 spaces, a deficiency of seven (7) spaces. The Harbor Corridor Specific Plan allows for parking reductions of up to 20%. The current deficiency on-site constitutes only a 2% reduction in parking.

To accommodate the new patio dining area, five (5) existing parking spaces will be removed from the north side of the subject building. A parking analysis was prepared by a qualified traffic engineering firm to determine the observed parking demand for the shopping center. In their analysis, the site's observed peak parking demand was 209 parking spaces. Including a 10% contingency, as required by the Municipal Code, the peak demand was 230 spaces. With the removal of the five (5) parking spaces to accommodate the patio, the three (3) space increase in parking demand required by the patio, and including the contingency, there is a forty-three (43) space surplus provided on-site. With the surplus in parking, the site is able to accommodate the expanded restaurant use, according to the parking requirements of the Harbor Corridor Specific Plan and the Municipal Code.

The removal of the parking spaces withstanding, there are no additional changes to the parking lot of the commercial center. The site will still feature two (2) driveway approaches along Garden Grove Boulevard, and two (2) driveway approaches along Harbor Boulevard. The existing trash enclosure nearest the subject use will be rebuilt according to City standards. The new

trash enclosure will not encroach or impede on any of the adjacent parking spaces or drive aisles. Vehicular traffic will still circulate throughout the center as originally approved.

The design and location of the new outdoor patio dining area necessitates the creation of a new accessible path-of-travel to and from Harbor Boulevard. The new accessible path of travel will connect the accessible parking space on the west of the building to Harbor Boulevard. The path-of-travel will wrap around the patio to the north side of the building, before accessing Harbor Boulevard to the east via a new ramp to street grade.

The Engineering Division has reviewed the plans and all appropriate conditions of approval have been incorporated to minimize any adverse impacts on surrounding streets. The design of the project will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and vehicular and pedestrian access.

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

Streets in the area are adequate to accommodate the existing development. Existing utilities and drainage channels in the area are adequate to accommodate the proposed restaurant. The Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval to minimize any adverse impacts.

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

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

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

The subject 5.59-acre commercial center is located in an area that is adjacent to commercial uses in the HCSP-DC, C-1 (Neighborhood Commercial), and GGMU-3 (Garden Grove Boulevard Mixed Use 3) zones to the north, across Garden Grove Boulevard. To the east across Harbor Boulevard, the subject site is adjacent to commercial uses also in the HCSP-DC zone. To the south, the property is adjacent to commercial properties zoned HCSP-TS (Harbor Corridor Specific Plan – Transition Zone

South). Lastly, to the west, the property is adjacent to a residential development zoned PUD-113-96 (Planned Unit Development)

The proposed development would improve an otherwise vacant tenant space, making it more compatible with the commercial center. Architecturally, the restaurant has been designed with facades to be aesthetically complimentary with the rest of the center, and the Harbor Boulevard resort district. A variety of colors, materials, and massing help create visual intrigue.

The proposed pad restaurant will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new rehabilitated. The architecture and design of the project will be of sufficiently high quality, consistent with the developments elsewhere along Harbor Boulevard in the resort area.

The project has been designed in accordance with the Harbor Corridor Specific Plan, and Municipal Code development standards. In particular, the project complies with the: minimum lot size, setbacks, parking (based on a parking demand analysis), and maximum building height requirements. The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the project's surroundings.

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

The proposed pad restaurant will maintain adequate parking, vehicular and pedestrian circulation for access to and from the site, and rehabilitated landscaping. The architecture and design of the building will be of sufficiently high quality, consistent with the developments elsewhere along Harbor Boulevard in the resort area.

The building is situated along Harbor Boulevard, with setbacks of 7-6" to the easterly property line along Harbor Boulevard, over 300' to the northerly property line, over 200' to the westerly property line, and over 300' to the southerly property line. Landscape planters will be maintained along the perimeter of the site to ensure adequate buffering of any potential noise and light/glare impacts. Existing landscaping to the east of the tenant space will need to be slightly reconfigured to accommodate a new ADA path-of-travel. The City's Community and Economic Development Department has reviewed

The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure the attractiveness of the on-site landscaping and other amenities.

# **CONDITIONAL USE PERMIT**:

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

The General Plan Land Use Designation of the subject site is IW (International West Mixed Use), which is intended for a mix of uses, including resort, entertainment, retail, hotel, and some higher density residential that are appropriate for a major entertainment and tourism destination. The HCSP-DC (Harbor Corridor Specific Plan – District Commercial) zone is intended as an area of Citywide significance for the retail commercial sales of a selected variety of products and provision of consumer services. The design and improvement of the proposed project is consistent with the spirit and intent of the General Plan, through its goals, policies, and implementation programs, including specifically:

Policy LU-1.4 Encourage a wide variety of retail and commercial services, such as restaurants and cultural arts / entertainment, in appropriate locations. The subject restaurant is located at the intersection of Garden Grove Boulevard and Harbor Boulevard, in an area already developed with a variety of commercial businesses. The subject restaurant, with the proposed service of alcohol, can further enhance the commercial district at the subject intersection, and along Harbor Boulevard in the City's resort district. Particularly, the restaurant can serve the local clientele in the nearby residential neighborhoods, as well as visitors from further destinations.

Goal LU-4 Uses compatible with one another. The subject request would allow for the sale and service of alcohol within a new restaurant. The subject tenant space has been vacant since 2020, in a previously developed commercial center with a variety of uses. Various commercial businesses, including restaurants, have previously occupied the subject tenant space. Directly adjacent to the proposed restaurant is a wireless service provider. Elsewhere in the shopping center are retail, restaurant, personal service, medical office, and arcade uses. Restaurant uses with alcohol sales are compatible with these uses, and other lighter, commercial uses. Furthermore, provided the conditions of approval are adhered to for the life of the project, the use will be compatible with other commercial uses.

Goal LU-5 Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community. Restaurant uses, with alcohol sales, can enhance the vitality of the City's commercial centers. The proposed Conditional Use Permit would allow for the service of alcohol at an expanded and relocated restaurant, Sabroso! Mexican Grill. The service of alcohol is intended to enhance the dine-in experience at the restaurant. This can enrich the community by providing another unique dining opportunity, with an expanded menu.

Policy LU-6.2 Encourage a mix of retail and commercial services along the major corridors and in centers to meet the community's needs. The subject tenant space is located in a shopping center on the southwest corner of Garden Grove Boulevard and Harbor Corridor, a major intersection. The subject request for a Conditional Use Permit allowing the service of alcohol at Sabroso! Mexican Grill would expand the use of the restaurant by allowing sales of alcohol incidental to the sale of food. With the subject request, the proposed use will further enhance the variety of commercial uses already in the area. By approving the subject request, the shopping center, and the commercial district centered along the subject intersection would provide an even greater variety of commercial services to meet the community's needs.

Goal ED-2 The City must attract new businesses, while supporting and assisting those already located within Garden Grove. The proposed Conditional Use Permit is intended to enhance the dining experience at Sabroso! Mexican Grill. The sale and service of alcohol is to be incidental to the service of food at the restaurant. Should the Conditional Use Permit be approved, the City is providing a relocated, and expanded business all the resources they need to be successful.

SAF-IMP-2C Involve law enforcement agencies in the design and planning phases of ABC licensed establishments to reduce design elements that conceal or encourage criminal activity. The Garden Grove Police Department has reviewed all relevant data pertaining to the proposed Conditional Use Permit. The intent of their review is to reduce the number of alcohol-related crimes, and promote the safe operation of the restaurant. No concerns were raised by the Police Department regarding the addition of an ABC License to the restaurant. As a result, they are supportive of the Conditional Use Permit request, and recommend approval, subject to the recommended 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 use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The conditions of approval can minimize potential impacts to the adjoining area. Proposed hours of operation for the restaurant will be between 11:00 a.m. to 9:00

p.m., Monday through Friday, and 9:00 a.m. to 9:00 p.m., Saturday and Sunday. The restaurant has been conditioned to allow for operating hours between the City standard hours. Limitations on the hours of operation, and alcohol sales can limit any impacts on the surrounding area.

The use will not unreasonably interfere with the use, enjoyment, or valuation of other property located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project. By operating as a full-service restaurant, with ancillary alcohol sales for on-site consumption only, the use will be compatible with the surrounding uses.

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 subject shopping center site, with the existing site improvements and modifications, is of adequate size to accommodate the proposed use within the surrounding area. With exception to the installation of a new accessible path-of-travel connecting the site to the public right-of-way along Harbor Boulevard, no modifications are required to any of the existing site development features on site. This includes any buildings, yards, walls, fences, and parking and loading facilities. The subject tenant space has been occupied by a handful of commercial uses, including restaurant uses, since being constructed in 1993. The space will be of adequate size to accommodate the use within the surrounding area.

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

The subject site is located on the southwest corner of Garden Grove Boulevard and Harbor Boulevard. The commercial center is adequately accessed by two (2) driveway approaches along Garden Grove Boulevard, and two (2) driveway approaches along Harbor Boulevard. On-site circulation is adequate to serve all the uses in the commercial center. The site is also sufficiently served by the public service facilities required, such as public utilities: gas, electric, water, and sewer facilities. The existing trash enclosure nearest the subject use will be rebuilt according to City standards. The new trash enclosure will not encroach or impede on any of the adjacent parking spaces or drive aisles. Vehicular traffic will still circulate throughout the center as originally approved. The design and location of the new outdoor patio dining area necessitates the creating of a new accessible path-of-travel to and from Harbor Boulevard. The new accessible path of travel will connect the accessible parking space to the west of the building to Harbor Boulevard. The path-of-travel will wrap around the patio to the north of the building, before accessing Harbor Boulevard to the east via a new ramp to street grade. Therefore, with these improvements, the site will continue to be adequately served by all existing highways, streets, and other public and private service facilities.

# INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The Site Plan, and Conditional Use Permit possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
- 2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following conditions of approval, attached as "Exhibit A," shall apply to Site Plan No. SP-125-2023, and Conditional Use Permit No. CUP-241-2023.

# EXHIBIT "A"

# Site Plan No. SP-125-2023 & Conditional Use Permit No. CUP-241-2023

# 13091 Harbor Boulevard

# **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 each of the following: the project applicant, Sabroso! Mexican Grill, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. 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 applicable City hearing body, except as otherwise provided herein.
- 3. 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.
- 4. This Conditional Use Permit only authorizes the operation of an approximately 2,780 square-foot restaurant with an Alcoholic Beverage Control Type "47" (On-Sale, General, Eating Place) License as identified on the floor plan attached to these Conditions of Approval. 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 Department Director.
- 5. Minor modifications to the approved site plan, floor plan, and/or these Conditions of Approval may be approved by the Department Director, in his or her discretion. Proposed modifications to the approved floor plan, site plan, or Conditions of Approval that would result in the intensification of the

project or create impacts that have not been previously addressed, and which are determined by the Department 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.

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

### Police Department

- 7. There shall be no gaming tables or gaming machines, as outlined in City Code Sections 8.20.010 and 8.20.050, on the premises at any time.
- 8. Hours of operation shall be permitted only between the hours of 8:00 a.m. to 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to 12:30 a.m., Friday and Saturday. The hours of operation shall be applicable to the entire premises. The City of Garden Grove reserves the right to reduce hours of operation by order of the Chief of the Police Department, in the event problems arise due to noise, disturbances or other problems that may be resolved by modifying the hours of operation.
- 9. There shall be no customers or patrons in or about the premises when the establishment is closed.
- 10. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.
- 11. The sale of alcoholic beverages for consumption off the premises is prohibited. Consumption of alcoholic beverages shall not occur anywhere outside of the establishment at any time.
- 12. The sale or service of alcohol shall cease thirty (30) minutes prior to the required closing time.
- 13. There shall be no enclosed booths on the premises at any time. Walls and/or partitions exceeding thirty-six (36) inches in height, which partially enclose or separate booths, shall be of a clear and transparent material. No item shall be placed in the area of the booths that would limit or decrease the visibility of the interior of the business from any location within the business.

- 14. The applicant shall maintain a level of lighting in the establishment sufficient to ensure that individuals inside the restaurant can be clearly seen and identified by an observer at all times. Low-level lighting that does not enable an observer to clearly see and identify individuals inside the restaurant is prohibited.
- 15. No payment (entrance fee/cover charge) shall be charged to gain access to the business at any time.
- 16. No "B-girl" or "hostess" activity (as defined in Penal Code Section 303) shall occur within the establishment at any time.
- 17. No employee or agent shall, be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the establishment, nor shall the business provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
- 18. No employee or agent shall solicit or accept any alcoholic or nonalcoholic beverage from any customer while in the business.
- 19. The business shall show proof to the Police Department that all members of the business staff have completed the LEAD training (Licensee Education on Alcohol and Drugs) through Alcoholic Beverage Control (ABC) or an ABC approved "Responsible Beverage Service (RBS) Training" program.
- 20. In the event that the Alcoholic Beverage Control (ABC) License is suspended for any period of time and/or fined for any ABC violation as a result of disciplinary action, the Conditional Use Permit shall be presented to the Planning Commission for review or further consideration.
- 21. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation of up to \$1,000 pursuant to GGMC 1.22.010 (a).

# Engineering Division

22. All reconstructed trash container areas shall meet the following requirements of City of Garden Grove Standard B-502, State-mandated commercial organic recycling law, AB 1826, and any other applicable State recycling laws related to refuse, recyclables, and/or organics:

- a. Paved with an impervious surface, designed not to allow run-on mixing of drainage from adjoining areas, designed to divert drainage from adjoining roofs and pavements to be directed around the area for trash roll out, and screened or walled to prevent off-site transport of trash by water or wind.
- b. Provide solid roof or awning to prevent direct precipitation into the enclosure.
- c. Connection of trash area drains to the municipal storm drain system is prohibited. Drainage from the enclosure may be directed to a conforming grease or contaminant interceptor.
- d. Potential conflicts with fire code access requirements and garbage pickup routing for access activities shall be considered in implementation of design and source control. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD 32 for additional information.
- e. The trash enclosure and containers shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and concrete aprons for roll-out areas.
- f. Pursuant to State-mandated commercial organic recycling law, AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
- g. Pursuant to applicable State-mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.
- h. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste.
- i. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces,

> pedestrian pathways, or areas in the front of the property, including the public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.

j. The requirements for the trash enclosure and design criteria are bound and coordinated with the Water Quality Management Plan (WQMP), when required, as depicted on the project grading plan, which shall be incorporated into the WQMP by narrative description, exhibits and an Operation and Maintenance Plan (O&M).

# **Orange County Fire Authority**

23. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to, the Fire Master Plan.

#### **Building and Safety Division**

- 24. All proposed tenant improvement works shall comply with the latest California Building Standards Code at the time of submittal of a tenant improvement building plan check application.
- 25. A tenant improvement building permit is required.
- 26. All changes in occupancy, additions, and/or alterations shall comply with the path-of-travel requirements, as required by CBC Chapter 11B, Section 11B-202.4.
- 27. An occupancy separation between Groups A-2 and B is required per CBC Table 508.4.

#### Water Services Division

- 28. New water service installations two inches (0'-2") and smaller may be installed by the City of Garden Grove at the owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services three inches (0'-3") and larger shall be installed by developer/owner's contractor per City Standards.
- 29. Water meters shall be located within the City right-of-way. Fire services and large water services three inches (0'-3'') and larger, shall be installed by a

contractor with Class A or C-34 license per City water standards, and inspected by approved Public Works inspection.

- 30. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have a RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards, and shall be tested by a certified backflow device tester immediately after installation. Crossconnection inspector shall be notified for inspection after the installation is completed. Owner shall have the RPPD device tested once a year thereafter by a certified backflow device tester, and the test results to be submitted to the Public Works Department, Water Services Division. The property owner must open a water account upon installation of RPPD device.
- 31. It shall be the responsibility of the 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.
- 32. New utilities shall have a minimum five-foot (5'-0'') horizontal, and a minimum one-foot (1'-0'') vertical clearance from the water main and appurtenances.
- 33. If required, fire service and private fire hydrant laterals shall have an aboveground backflow device with a double-check valve assembly. The 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 the Public Works Department, Water Services Division. The device shall be on private property, and is the responsibility of the property owner.
- 34. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license. Plumbing plan for grease interceptor shall be routed to the City's Environmental Services Division for review and approval.
- 35. A properly-sized grease interceptor shall be installed on the sewer lateral, and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. The grease interceptor shall be located outside of the building, and accessible for routine maintenance. The owner shall maintain comprehensive grease interceptor maintenance records, and shall make them available to the City of Garden Grove upon demand.

- 36. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing units are to be removed.
- 37. If needed, the owner shall install new sewer lateral with clean out at public right-of-way line. Lateral in public right-of-way shall be a minimum six-inch (0'-6") diameter, extra strength VCP with wedgelock joints.
- 38. The contractor shall abandon any existing unused sewer lateral(s) at the 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. Only one sewer connection per lot is allowed.
- 39. If needed, the owner shall install a new sewer lateral with clean out connecting to existing private sewer system on-site. It is the responsibility of the owner to install an appropriately sized sewer lateral.
- 40. The contractor shall abandon any existing unused sewer lateral(s) on the property owner's side, in accordance with California Plumbing Code.
- 41. If proposing to reuse the existing sewer lateral connected to Harbor Blvd, and the lateral is a minimum of six inches (0'-6") in size, a request with the Sanitary District may be placed to review the reuse of the lateral for the proposed restaurant. The owner shall submit a CCTV video of the lateral, along with design engineer's calculations, and a statement that the existing lateral is of sufficient capacity and in good enough condition to be reused for the proposed development. Approval by the Sanitary District is required.
- 42. All perpendicular crossings of the sewer, including laterals, shall maintain a vertical separation of minimum twelve inches (1'-0") below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board.
- 43. If a water main is exposed during installation of sewer lateral, a twenty-foot (20'-0") section of the water main shall be replaced with twenty feet (20'-0) PVC C-900 DR-14 Class 305 water pipe, size in kind and centered at the crossing.

#### **Community and Economic Development Department**

44. The establishment shall be operated as a "Bona Fide Public Eating Place" as defined by Alcoholic Beverage Control (ABC) License. The restaurant shall contain sufficient space and equipment to accommodate a full restaurant

kitchen, and the kitchen shall be open and preparing food during all hours the establishment is open. The establishment shall provide an assortment of foods normally offered in restaurants. The service of only appetizers, sandwiches and/or salads shall not be deemed in compliance with this requirement.

- 45. At all times when the establishment is open for business, the sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall not exceed 35% of the quarterly gross sales of food.
- 46. Food service shall be provided during all hours the restaurant is open, and shall also be available at all times when alcoholic beverages are being served.
- 47. The applicant shall, upon request, provide the City of Garden Grove with an audited report of sales ratio of food to alcoholic beverages.
- 48. No outdoor storage or display shall be permitted outside of the building, including, but not limited to, storage and display of merchandise, cardboard, pallets, or boxes.
- 49. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.
- 50. There shall be no live entertainment, dancing, karaoke, or disc jockey (DJ) entertainment permitted on the premises at any time. Amplified background music emitted from a jukebox or other amplified stereo system may be permitted to enhance the dining experience. Any ambient music in the patio dining area shall not be audible outside of the establishment.
- 51. There shall be no raised platform, stage or dance floor allowed on the premises at any time.
- 52. There shall be no amusement devices permitted on the premises at any time.
- 53. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.08.070.
- 54. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.

- 55. 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.
- 56. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least three (3) times a week.
- 57. The applicant/property owner shall maintain all existing landscaped areas in a neat and healthy condition. Landscaping maintenance shall include pruning or removal of overgrown weeds and vegetation.
- 58. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
- 59. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
- 60. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Services Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
- 61. The applicant 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.
- 62. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.

- 63. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
- 64. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
- 65. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows. Any opaque material applied to the store front, such as window tint, shall count toward the maximum window coverage area.
- 66. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
- 67. Exterior advertisements displays or exterior wall advertisements shall not be allowed.
- 68. In the event the development cannot accommodate the parking demand, due to impacts generated by the development, at any given time, which causes a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, as determined by the Department Director in his/her reasonable discretion, the applicant shall devise and implement a plan approved by the City to relieve the situation. Upon written request by the City, the applicant shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or others actions that may be deemed applicable to the situation. If the Department Director deems such action is necessary to address parking and circulation problems, such action shall be implemented within 30 days of written notice. Failure to take appropriate action shall be deemed a violation of these Conditions of Approval and may result in the City restricting the overall use of the establishment.
- 69. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits.
- 70. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the

Planning Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.

- 71. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
  - a. There shall be no business activities, or storage permitted outside of the building. All business-related equipment and material shall be kept inside the building, except for loading or unloading purposes.
  - b. Property owners, employees, and business operators shall not permanently store vehicles anywhere on the site.
  - c. All drive aisles on the site are considered to be fire lanes, and shall remain clear and free of any materials, and/or vehicles.
  - d. The property owner shall comply with the adopted City Noise Ordinance.
- 72. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
- 73. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
  - a. Monday through Saturday not before 7:00 a.m. and not after 8:00 p.m. (of the same day).
  - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.
- 74. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment. Where feasible, the project shall use solar or low-emission water heaters, and low-sodium parking lot lights, to ensure compliance with Title 24.

- 75. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed In the event that fossil specimens or cultural resources are state. encountered on the site during construction and cannot be preserved in place, the applicant shall contact and retain, at applicant's expense, a qualified paleontologist or archaeologist, as applicable, acceptable to the City to evaluate and determine appropriate treatment for the specimen or resource, and work in the vicinity of the discovery shall halt until appropriate assessment and treatment of the specimen or resource is determined by the paleontologist or archeologist (work can continue elsewhere on the project Any mitigation, monitoring, collection, and specimen/resource site). treatment measures recommended by the paleontologist/archaeologist shall be implemented by the applicant at its own cost.
- 76. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3502.5, and 3513 of the California Fish and Game regulations, which require the protection of active nests of all bird species, prior to the removal of any on-site landscaping, including the removal of existing trees.
- 77. A copy of the decision and the conditions of approval for Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023 shall be kept on the premises at all times.
- 78. The permittee shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023 and his/her agreement with all conditions of the approval.
- 79. The Conditional Use Permit may be called for review by City staff, the City Council, or Planning Commission, if noise or other complaints are filed and verified as valid by the Code Enforcement office or other City department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law.
- 80. If deemed necessary by the Department Director, the Conditional Use Permit may be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
- 81. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council,

Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

- 82. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Site Plan No. SP-125-2023 and Conditional Use Permit No. CUP-241-2023 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
- 83. The applicant is advised that if the use of the establishment ceases to operate for more than 90 days, then the existing Conditional Use Permit will become null and void and the new applicant shall be required to apply for a new Conditional Use Permit subject to the approval by the Community and Economic Development Department, Planning Services Division. In the event the use(s) authorized by the CUP cease and the property owner no longer desires to continue such use(s) on the property, property owner may voluntarily terminate the CUP and all rights and obligations thereunder by executing and recording a request for voluntary revocation and termination of the CUP in a form acceptable to the City.
- 84. No alcoholic beverages shall be sold until all conditions of approval have been met, as determined by the Planning Services Division, and the State Alcoholic Beverage Control Board (ABC) has approved the release of the ABC License.