



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

MARCH 1, 2018

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

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

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

SELECTION OF CHAIR AND VICE CHAIR

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

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

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

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

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

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: November 16, 2017
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
 - C.1. SITE PLAN NO. SP-046-2018
LOT LINE ADJUSTMENT NO. LLA-013-2018
VARIANCE NO. V-018-2018

APPLICANT: ANH PHAN

LOCATION: WEST SIDE OF 9TH STREET, BETWEEN COLLEGE AVENUE AND STANFORD AVENUE, AT 12671 9TH STREET

REQUEST: Site Plan approval to demolish all existing on-site improvements, which include three (3) existing one-story apartment units, and to construct four (4) new three-story apartment units on a 12,564 square foot site. Also, a request for Lot Line Adjustment approval to eliminate an existing property line to consolidate the two (2) existing parcels into one (1) lot, along with a request for Variance approval to deviate from the minimum lot size requirement of the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone, to develop the site with a multiple-family residential development. The site is in the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone. This project is exempt pursuant to CEQA Section 15303 – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018, subject to the recommended Conditions of Approval.

C.2. CONDITIONAL USE PERMIT NO. CUP-126-2018

APPLICANT: QUAN NGUYEN

LOCATION: EAST OF KNOTT STREET, SOUTH OF CHAPMAN AVENUE AT 12072 KNOTT STREET #A

REQUEST: Conditional Use Permit approval to modify the approved floor plan and approved hours of operation, as well as increase the number of occupants from 45 to 79 for an existing 2,400 square foot tutoring tenant space, in conjunction with the revocation of Conditional Use Permit No. CUP-333-11 and Minor Modification No. MM1. The site is in the PUD-105-71 Rev. 90 (Planned Unit Development) zone. This project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-126-2018, subject to the recommended Conditions of Approval.

C.3. SITE PLAN NO. SP-033-2017TE1 (TIME EXTENSION)

APPLICANT: ROIC CALIFORNIA, LLC

LOCATION: EAST SIDE OF HARBOR BOULEVARD, SOUTH OF
GARDEN GROVE BOULEVARD AT 13200-13220
HARBOR BOULEVARD

REQUEST: One-year time extension for approved entitlement under Site Plan No. SP-033-2017 for construction of an approximately 4,954 square foot commercial pad building within the parking lot of an existing multi-tenant shopping center, Harbor Place Center. The site is in the HCSP-TS (Harbor Corridor Specific Plan-Transition Zone South) zone. This project is exempt pursuant to CEQA Section 15303 – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approve Time Extension.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

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

Meeting Minutes
Thursday, November 16, 2017

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

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

Absent: Lehman, Salazar

PLEDGE OF ALLEGIANCE: Led by Commissioner Lazenby.

ORAL COMMUNICATIONS – PUBLIC – None.

Commissioner Salazar joined the meeting at 7:02 p.m.

November 2, 2017 MINUTES:

Action: Received and filed.

Motion: Brietigam Second: Truong

Ayes: (5) Brietigam, Kanzler, Lazenby, Nguyen, Truong

Noes: (0) None

Absent: (1) Lehman

Abstain: (1) Salazar

PUBLIC HEARING – SITE PLAN NO. SP-044-2017, CONDITIONAL USE PERMIT NO. CUP-116-2017, AND VARIANCE NO. V-017-2017. FOR PROPERTY LOCATED AT 12900 EUCLID STREET, EAST SIDE OF EUCLID STREET, SOUTH OF ACACIA PARKWAY.

Applicant: STEELCRAFT LONG BEACH, L.P.

Date: November 16, 2017

Request: Site Plan approval to develop a food-focused multi-tenant project, known as SteelCraft, which includes a proposal to construct a new 9,532 square foot two-story building, consisting primarily of recycled and re-

purposed metal shipping containers, along with other associated site improvements. Additionally, a request for Variance approval to deviate from the maximum setback requirement along the Euclid Street frontage and from the minimum ground floor height requirement for commercial ground floor spaces. SteelCraft will be an outdoor urban eatery providing space for various local artisan food vendors, and will also include outdoor communal dining areas, entertainment, incubator office space, and micro-retail space. Also included, is a request for Conditional Use Permit approval to allow entertainment and/or alcohol sales or consumption within the communal dining areas of the SteelCraft Development. The site is in the CC-3 (Civic Center Core) zone. This project is exempt pursuant to CEQA Section 15303(c) - New Construction or Conversion of Small Structures.

Action: Public Hearing held. Speaker(s): Kim Gros, Martin Howard

Action: Resolution No. 5905-17 was approved with a modification to Condition No. 10 clarifying that the City, as the property owner, would be responsible to remediate any soil contamination.

Motion: Brietigam Second: Salazar

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

Noes: (0) None

Absent: (1) Lehman

MATTERS FROM COMMISSIONERS: Vice Chair Brietigam challenged the City of Garden Grove City Council to increase the number of police officers to 200 by the year 2020.

MATTERS FROM STAFF: Staff stated that the December 7th Planning Commission meeting would be cancelled, and asked Commissioners to save the date of Thursday, December 21st for the Planning Commission Holiday Dinner. Staff and Commissioners wished all a Happy Thanksgiving.

ADJOURNMENT: At 7:33 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, December 7, 2017, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Brietigam Second: Lazenby

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

Noes: (0) None

Absent: (1) Lehman

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: West side of 9 th Street, between College Avenue and Stanford Avenue, at 12671 9 th Street
HEARING DATE: March 1, 2018	GENERAL PLAN: Low Medium Density Residential
CASE NOS.: Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018	ZONE: CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61)
APPLICANT: Anh Phan	CEQA DETERMINATION: Exempt – CEQA Guidelines § 15303 and 15305
PROPERTY OWNER: AC Investment Group	APN NO.: 090-132-17

REQUEST:

The applicant is requesting Site Plan approval to demolish all existing on-site improvements, which include three (3) existing one-story apartment units, and to construct four (4) new three-story apartment units on a 12,564 square foot site. In conjunction with this request, the applicant is also requesting approval of a Lot Line Adjustment to eliminate an existing property line to consolidate the two (2) existing parcels into one (1) lot, and Variance approval to deviate from the minimum lot size requirement of the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone, to develop the site with a multiple-family residential development.

PROJECT STATISTICS:

	Provided	Code Requirement	Meets Code
Lot Size	12,564 S.F. (after LLA & dedication)	20,000 S.F. (minimum)	No*
Density	4 units	23 units per acre (max of 6 units)	Yes
Parking	14	14 spaces (3.5 spaces per unit)	Yes
Recreation Area	1,826 S.F.	1,200 S.F. (minimum)	Yes
Building Height	33'-10"	35'-0" (maximum)	Yes
Building Setbacks			
Front	15'-0"	15'-0"	Yes
Rear	5'-0"	5'-0"	Yes
Interior Side	5'-0"	5'-0"	Yes

*The combined lot size is currently 13,564 square feet in area. After the lot line adjustment and required public right-of-way dedication, the lot size will be 12,564 square feet in area. A Variance is required to deviate from the minimum lot size requirement of the CCSP-PR61 zone.

BACKGROUND:

The subject site is currently 13,564 (135.64' x 100') square feet in area and located on the west side of 9th Street, between College Avenue and Stanford Avenue. The site is currently improved with three (3) one-story detached apartment units. The site has a General Plan Land Use Designation of Low Medium Density Residential and is zoned CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61). The site abuts CCSP-PR61 zoned properties to the north, west, and south, and R-1 (Single-Family Residential) zoned properties, across 9th Street, to the east, all of which are developed with residential uses.

The applicant is proposing to demolish all existing on-site improvements, which include the three (3) existing one-story apartment units, and to construct four (4) new three-story apartment units. The Municipal Code requires Site Plan land use entitlement approval to develop the property with the proposed multiple-family residential project.

Based on title report of the subject properties, the site is comprised of two (2) separate lots (Lots 14 and 15 of Tract No. 559), under a single Assessor's Parcel Number (APN: 090-132-17). Each property has a lot depth of 135.64' and a lot width of 50'. Combined, the properties have a current lot size of 13,564 square feet (135.64' x 100'). In order for the proposed project to move forward, the Municipal Code requires Lot Line Adjustment approval to consolidate the two (2) lots into one.

Based on the City's Master Plan of Streets and Highways, 9th Street is considered a secondary 4-lane undivided roadway (secondary arterial), which has a planned ultimate right-of-way of 80 feet. Currently, the measurement from the centerline of 9th Street to the property lines of the subject properties is 30 feet. As part of the project (SP-046-2018), a 10-foot public right-of-way dedication, along the 100' frontage of the subject site (the easterly property line), will be required to bring the properties into conformance with the Master Plan of Streets and Highways. Therefore, after the Lot Line Adjustment and 10-foot right-of-way dedication, the resulting lot size of the consolidated property will be 12,564 square feet.

DISCUSSION:

SITE PLAN:

Site Design and Circulation

The proposed development is designed to provide efficient circulation, for both vehicular and pedestrian access, for the four (4) proposed detached dwelling units.

A new 30'-0" driveway approach, along the easterly property line, will be constructed per City standards, providing access off 9th Street. The 30'-0" wide driveway approach will taper down to the 28'-0" wide private drive aisle, which provides access to the four (4) two-car enclosed garages, and the six (6) covered guest parking stalls. No vehicular access gate is proposed.

Two (2) units are to be located on each side, north and south, of the property, with a private 28'-0" wide drive aisle, which runs down the center of the development. Units 1 and 2, along the southerly property line, are connected by a carport structure, comprised of a single structure. Units 3 and 4, along the northerly property line, are also connected by a carport structure, comprised of a single structure. Each carport covers three (3) guest parking stalls, for a total of six (6) covered guest parking stalls.

Units 1 and 3 are set back 15'-0" from the easterly property line, as measured from the ultimate right-of-way (the assumed property line after the 10 foot right-of-way dedication). As measured from the current face of curb on 9th Street, Units 1 and 3 will be set back 35'-0". All four units provide a 5'-0" setback to the interior side property lines (northerly and southerly). Units 2 and 4 provide a 5'-0" rear setback to the westerly property line. The project meets all minimum setback requirements of the Municipal Code.

Landscaping and Recreation Area

The Municipal Code requires a minimum amount of total landscaping for the site and a minimum amount of total open space (recreation area).

Based on zoning (CCSP-PR61) requirements, the project is required to provide a minimum of 12% of landscaping based on the net developable area (excluding the building footprint and required setbacks), which equals a minimum of 499 square feet of landscaping. In addition to all landscaped setbacks, the project provides 854 square feet of landscaping. Therefore, the project exceeds the minimum landscaping required.

Based the Municipal Code, for open space development standards, a minimum of 1,200 square feet (300 square feet per unit) of open space (recreation area) is required for the entire development. Each unit provides a 246.5 square foot open patio on the 1st floor, as well as a 210 square foot open balcony on the second floor. Additionally, the project provides a communal recreation area at the rear, along the westerly property line. In total, the project provides a total of approximately 2,141 square feet of open space, which is a surplus of 941 square feet.

Parking

The 28'-0" wide drive aisle provides access to each two-car enclosed garage and the covered guest parking spaces. Based on the Municipal Code, for minimum parking requirements, the project is required to provide a minimum of fourteen (14) parking spaces. The project provides four (4) enclosed two-car garages and six (6) covered guest parking spaces, for a total of fourteen (14) parking spaces, which meets the minimum required by Code.

Unit Design

Each unit will be a three-story dwelling providing a total living area of 1,938 square feet, excluding the two-car garage. The first floor will provide 615 square feet of living area, 812 square feet on the second floor, and 511 square feet on the third

floor). Each unit will provide a total of four (4) bedrooms and four (4) bathrooms (2 publicly accessible bathrooms and 2 private bathrooms). Each unit will be provided with a private patio on the first floor and a private balcony on the second floor.

The total building footprint will equate to 5,402 square feet of structures. Based on the lot size of 12,564 square feet, the proposed lot coverage will be 43%, which is below the maximum 50% lot coverage requirement by Code.

Building Design

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

Perimeter Walls and Landscaping

The development will maintain a six-foot (6'-0") high, decorative masonry block wall along the perimeter of the site, located along the westerly, northerly, and southerly property lines. Furthermore, a six-foot high wood fence will be constructed for each private patio area to provide privacy for each of the units.

All areas of the site, excluding where walkways, drive aisles, and parking areas have been required, will be landscaped. 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 for all common and private areas. All landscaped areas will be fitted with automatic irrigation systems.

LOT LINE ADJUSTMENT:

In order for the project to move forward and in accordance with the State Subdivision Map Act, the applicant is requesting approval of a Lot Line Adjustment to consolidate the two (2) properties (Lots 14 and 15 of Tract No. 559) into one. Each property has a lot depth of 135.64' and a lot width of 50'. Combined, the properties have a current lot size of 13,564 square feet (135.64' x 100'). Provided the proposed Variance to the minimum lot size requirement of the CCSP-PR61 zone is approved, the consolidation of the lots is consistent with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the State Subdivision Map act. After consolidation, and after the required public right-of-way dedication of 10 feet along the easterly property lines, the site will maintain a lot area of 12,564 square feet.

VARIANCE:

In order to encourage lot consolidation, the Community Center Specific Plan establishes a 20,000 square foot minimum lot size requirement for properties within the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone. After the proposed Lot Line Adjustment to consolidate the two (2) properties (Lots 14 and 15 of Tract No. 559) into one, the resulting lot size, will be 12,564

square feet, which is less than the minimum 20,000 square feet lot size requirement of the CCSP-PR61 zone. The Municipal Code generally allows property owners to develop or redevelop lots that are legal nonconforming only as to lot area without a variance; however, because the subject property is located within a Specific Plan area, a variance from the minimum lot area standard set forth in the Specific Plan is necessary for the proposed project to move forward. Accordingly, the applicant is requesting Variance approval to deviate from the minimum lot size requirement of the CCSP-PR61 zone in order to facilitate the development of the site.

Staff is supportive of the Variance. Proposed reasons supporting the five (5) variance findings required pursuant to State law and Garden Grove Municipal Code Section 9.32.030.D.6 are as follows:

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

The project involves two (2) legal nonconforming sized lots, which the applicant proposes to consolidate into one larger parcel to facilitate redevelopment and improvement of the properties. Based on title report of the subject properties, the site is comprised of two (2) separate lots (Lots 14 and 15 of Tract No. 559), under a single Assessor's Parcel Number (APN: 090-132-17). Each property has a lot depth of 135.64' and a lot width of 50'. Combined, the properties have a current lot size of 13,564 square feet (135.64' x 100'). Based on the City's Master Plan of Streets and Highways, 9th Street is considered a secondary 4-lane undivided roadway (secondary arterial), which has a planned ultimate right-of-way of 80 feet. Currently, the measurement from the centerline of 9th Street to the property lines of the subject properties is 30 feet. As part of the project (SP-046-2018), a 10-foot public right-of-way dedication, along the 100' frontage of the subject site (the easterly property line), will be required to bring the properties into conformance with the Master Plan of Streets and Highways. Therefore, after the Lot Line Adjustment and required 10-foot right-of-way dedication, the resulting lot size of the consolidated property will be 12,564 square feet, thereby reducing the net developable area of the site. Other properties on streets in the same zone or neighborhood of the subject site are not subject to the same public right-of-way dedications that reduce their developable area, as it does to the subject site involved in the proposed project.

The subject site is located in an area of similarly sized residentially developed properties that are zoned CCSP-PR60 and CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Areas 60 and 61). The CCSP-PR60 and CCSP-PR61 zones have identical minimum lot size requirements of 20,000 square feet, and minimum lot frontage requirements of 100-foot width. Most properties in the vicinity of the subject property are approximately 6,750 to 6,782 square feet in area with lot frontages of 50-foot width, which do not meet the minimum lot size and frontage requirements of the CCSP-PR60 and CCSP-PR61 zones. When the Community Center Specific Plan was adopted by the City of Garden Grove in 1985, most of the properties in this area were

rendered nonconforming. The base district/zone of the properties zoned CCSP-PR60 and CCSP-PR61 is R-3 (Multiple-Family Residential). Based on the Municipal Code, the minimum lot size requirement for similar multiple-family residential zones, such as the R-3 zone, is 7,200 square feet, which is significantly less than the 20,000 square foot minimum lot size requirement of the CCSP-PR61 zone. Additionally, the single-family residential neighborhood immediately to the east of the subject site is zoned R-1-7 (Single-Family Residential), which has a minimum lot size requirement of 7,200 square feet. The majority of properties in the same zone or neighborhood of the subject site have lot sizes that are significantly less than 20,000 square feet.

In order to meet the 20,000 square foot minimum lot size, additional land would need to be acquired. The lots abutting the site are all developed with residential uses and are owned by others. Thus, further consolidation of abutting properties to meet the 20,000 square foot lot size minimum is not feasible. Although the resulting lot size will be less than the 20,000 square foot lot size minimum requirement, the project meets the intent of the Community Center Specific Plan zone, which, in part, is to achieve improvements of residential buildings within the CCSP zones through redevelopment, consolidation of lots, landscaping, and design improvements. Furthermore, the proposed project brings the combined property closer into conformance to the minimum lot size standard of the CCSP-PR61 zone. With the exception of the minimum lot size requirement, the proposed project meets all development standards of the CCSP-PR61 zone, such as, but not limited to: setbacks, lot frontage width, parking, recreation area, landscaping, and building height.

The foregoing, including the prevalence in the surrounding area of residentially developed lots less than 20,000 square feet, the required right-of-way dedication, that further lot consolidation at this site is impractical, and that the proposed project is otherwise consistent with the standards and intent of the Community Center Specific Plan constitute exceptional circumstances and conditions applicable to the subject property and its intended development that do not apply generally to other property in the same zone and neighborhood.

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

The granting of the Variance will not give the property owner a special privilege over other property owners in the area. The subject site is located in an area of similarly sized residentially developed properties that are zoned CCSP-PR60 and CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Areas 60 and 61). The CCSP-PR60 and CCSP-PR61 zones have identical minimum lot size requirements of 20,000 square feet, and minimum lot frontage requirements of 100-foot width. Most properties in the vicinity of the subject property are approximately 6,750 to 6,782 square feet in area with lot frontages of 50-foot width, which do not meet the minimum lot size and frontage requirements of the CCSP-PR60 and CCSP-PR61 zones. When the Community Center Specific Plan was adopted by the City of Garden Grove in

1985, most of the properties in this area were rendered nonconforming. Additionally, there are other properties in the same vicinity and zone, or other similar zoned properties throughout the City, that have similar residential developments on properties that do not meet the minimum lot size, per their respective zones. Approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the immediate vicinity, within the same zone, and other similarly zoned properties throughout the City. With the exception of the minimum lot size requirement, the proposed project meets all development standards of the CCSP-PR61 zone, such as setbacks, lot frontage width, recreation area, landscaping, and building height.

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

The Variance request will allow the newly consolidated parcel to deviate from the minimum lot size requirement of the CCSP-PR61 zone, in order to facilitate the development of the site. Many lots in the surrounding area are developed with residential uses on lots less than 20,000 square feet in area. Provided the project complies with the Conditions of Approval, the granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located. With the exception of the minimum lot size requirement, the project has been designed to meet all development standards of the CCSP-PR61 zone, such as, but not limited to: setbacks, lot frontage width, parking, recreation area, landscaping, and building height.

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

The proposed project, a multiple-family residential apartment complex, is a use that is consistent with the intent of the General Plan and the zoning classification as multiple-family residential developments are permitted in the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone. The proposed Variance request will not cause an adverse effect on the City's General Plan since the Municipal Code, in conjunction with the requirements of the Community Center Specific Plan zone, are tools used to implement the goals of the General Plan. Approval of the Variance is consistent with several goals set forth in the General Plan. For example, Goal LU-1 of the General Plan encourages the development of residential lots to help meet the needs of the anticipated growth of the community and the regional housing needs. Goal LU-3 of the General Plan encourages the addition of higher density residential development adjacent to major thoroughfares. Finally, Goal LU-4 of the General Plan encourages the development of uses that are compatible with neighboring uses. The proposed multi-family residential project is consistent with all of these goals, and the proposed Variance is needed to facilitate the project. Therefore, granting of this Variance is in keeping with the spirit and intent of the General Plan.

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

The subject site is located in an area of similarly sized residentially developed properties that are zoned CCSP-PR60 and CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Areas 60 and 61). The CCSP-PR60 and CCSP-PR61 zones have identical minimum lot size requirements of 20,000 square feet, and minimum lot frontage requirements of 100-foot width. Most properties in the vicinity of the subject property are approximately 6,750 to 6,782 square feet in area with lot frontages of 50-foot width, which do not meet the minimum lot size and frontage requirements of the CCSP-PR60 and CCSP-PR61 zones. When the Community Center Specific Plan was adopted by the City of Garden Grove in 1985, most of the properties in this area were rendered nonconforming. Additionally, there are other properties in the same vicinity and zone, or other similar zoned properties throughout the City, that have similar residential developments on properties that do not meet the minimum lot size, per their respective zones. Approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the immediate vicinity, within the same zone, and other similarly zoned properties throughout the City. With the exception of the minimum lot size requirement, the proposed project meets all development standards of the CCSP-PR61 zone, such as setbacks, lot frontage width, recreation area, landscaping, and building height. Pursuant to Condition of Approval No. 2, the rights granted pursuant to the Variance shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-046-2018 and Lot Line Adjustment No. LLA-013-2018 (as they may be amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-046-2018 and Lot Line Adjustment No. LLA-013-2018 are not constructed or are demolished and not re-established, the Variance shall cease to be effective or grant the property owner any rights to construct other improvements inconsistent with the then-currently applicable development standards. Therefore, the granting of the Variance will not give the property owner a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

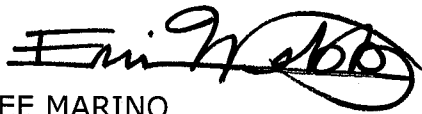
California Environmental Quality Act:

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

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 5911-18 approving Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018, subject to the conditions of approval.

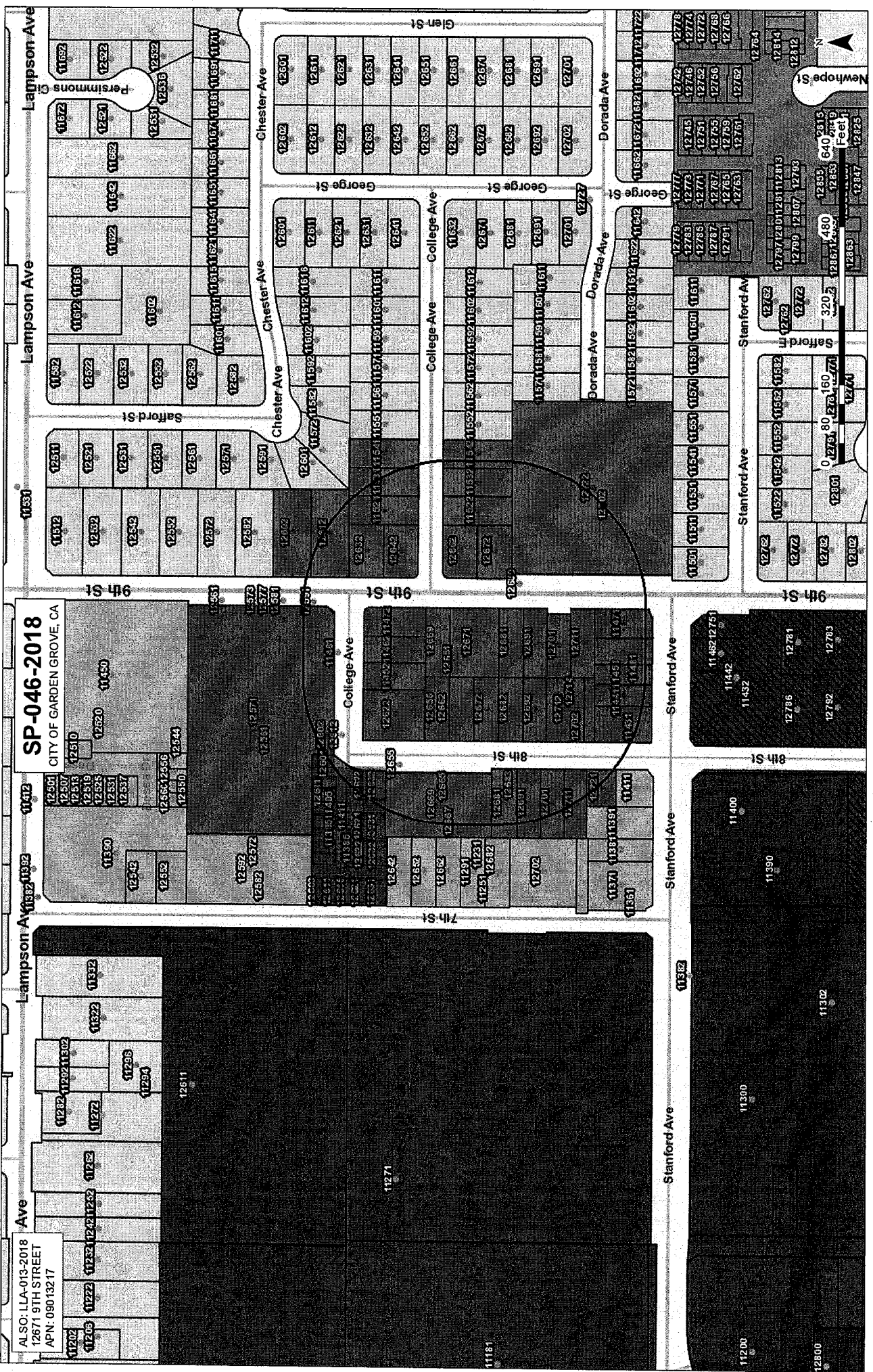
 for Lee Marino

LEE MARINO
Planning Services Manager


By: Chris Chung
Urban Planner

ALSO: LLA-013-2018
12671 9TH STREET
APN: 09013217

SP-046-2018
CITY OF GARDEN GROVE, CA



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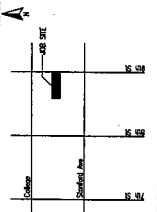
11379

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VICINITY MAP



PRELIMINARY DESIGN
PROPOSED MUL-TI DWELLING RESIDENTIAL
 12671 9 TH. STREET, CITY OF GARDEN GROVE, CA.

BUILDING DATA

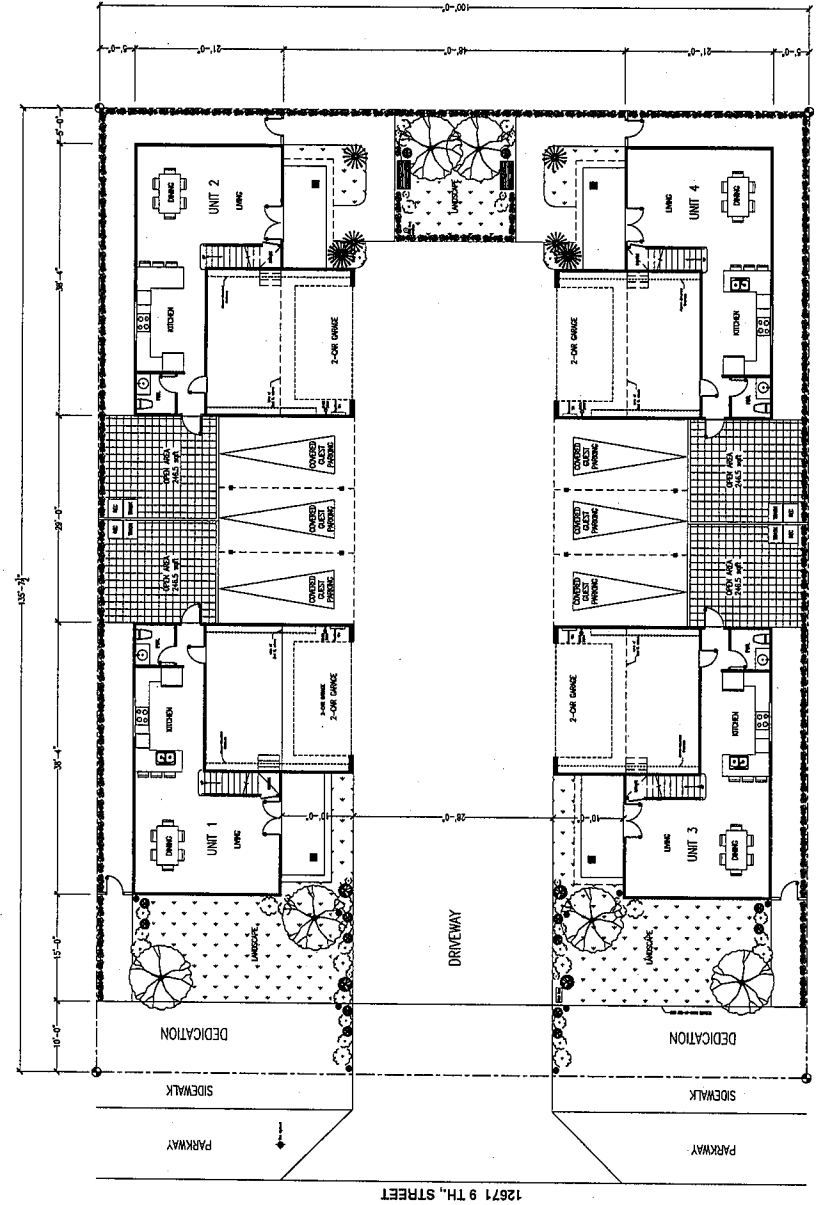
ADDRESS : 12671 9TH. ST., GARDEN GROVE
 APN # 090-132-17
 LOT SIZE = 100' x 135.64' = 13,564 SQ.FT.
 ZONING: CCSP-PR61 base R-3
 OCCUPANCY GROUP = R3/U1
 BUILDING TYPE : VB
 REQUIRED SETBACKS : 15' FRONT 5' SIDE 5' REAR 35'
 PARKING TABULATION
 PARKING REQUIRED : 3.00 PER UNIT
 (463.50 = 14 SPACES PARKING)
 PARKING PROVIDED : 8 INDOOR PARKING SPACES PLUS
 6 OUTDOOR PARKING SPACES
 BUILDING FULLY-SPRINKLERED
 LOT COVERAGE : 47.63%
 FOOT PRINT : 10584/10584/10584/10584 = 4380
 REQUIRED SQUARE FOOTAGE : 5880/12671 = 47.63%

JOB DESCRIPTION

PROPOSED BRAND NEW 4 UNITS SINGLE FAMILY DWELLING:
 UNIT_1= 615 SQ FT (1ST FLOOR)
 = 812 SQ FT (2ND FLOOR)
 = 511 SQ FT (3RD FLOOR)
 = 1,938 SQ FT LIVING AREA
 UNIT_2= 615 SQ FT (1ST FLOOR)
 = 812 SQ FT (2ND FLOOR)
 = 511 SQ FT (3RD FLOOR)
 = 1,938 SQ FT LIVING AREA
 UNIT_3= 615 SQ FT (1ST FLOOR)
 = 812 SQ FT (2ND FLOOR)
 = 511 SQ FT (3RD FLOOR)
 = 1,938 SQ FT LIVING AREA
 UNIT_4= 615 SQ FT (1ST FLOOR)
 = 812 SQ FT (2ND FLOOR)
 = 511 SQ FT (3RD FLOOR)
 = 1,938 SQ FT LIVING AREA

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF GARDEN GROVE SPECIFICATIONS AND THE CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF GARDEN GROVE.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
 5. THE CONTRACTOR SHALL MAINTAIN ALL NECESSARY RECORDS AND AS-BUILT DRAWINGS.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND PLANTS.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL STRUCTURES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND PLANTS.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL STRUCTURES.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND PLANTS.
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL STRUCTURES.
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND PLANTS.
 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.



SITE PLAN



DATE:	BY:
02/20/2017	ANH PHAN
02/20/2017	ANH PHAN

PROPOSED MUL-TI DWELLING RESIDENTIAL
 4 BUILDINGS, 3-STORY PROJECT
 JOB ADDRESS : 12671 9TH STREET, CITY OF GARDEN GROVE, CA
 OWNER : AC RESIDENT GROUP

TIME :
 FINAL DESIGN

SITE PLAN

DON J INMAN, PE.
 LIC : 11888

DRAWN BY :
 ANH PHAN (657)226-7312
 DATE : 02/03/2017

SHEET No.
A-0

DATE:	BY:
02/20/17	JAN PAN
02/20/17	JAN PAN

OWNER: AC INVESTMENT GROUP
 4 BUILDINGS, 3-STORY RESIDENTIAL
 1201 S. STREET, CITY OF GARDEN GROVE, CA

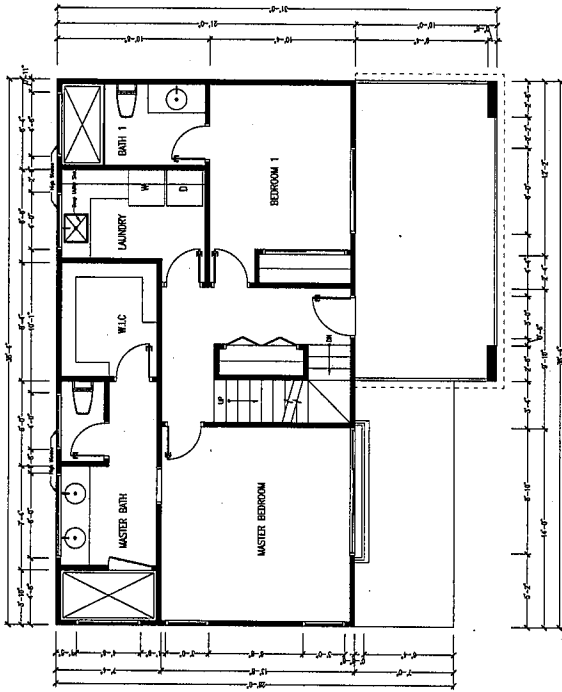
TITLE: FINAL DESIGN

FLOOR PLAN
 ROOF PLAN

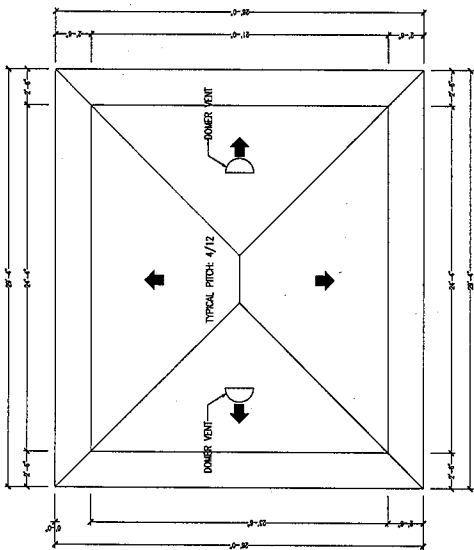
DRAWN BY: DON J. INMAN, PE.
 LIC: 11888

DATE: 09/03/2017
 (670)226-7312

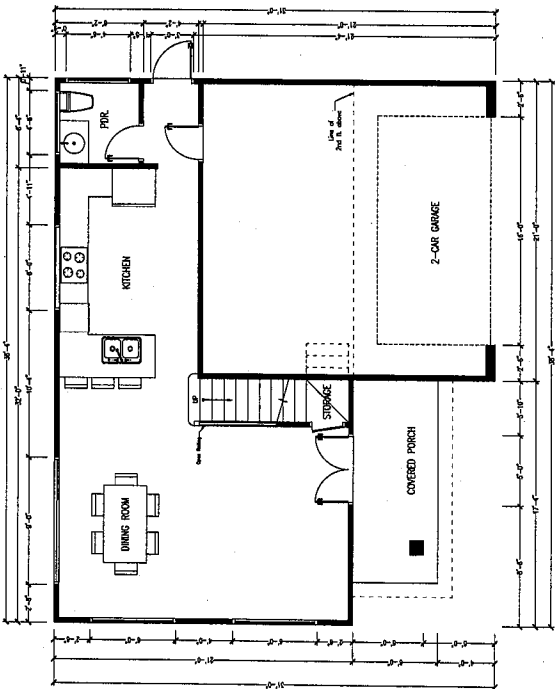
SHEET No. A-1



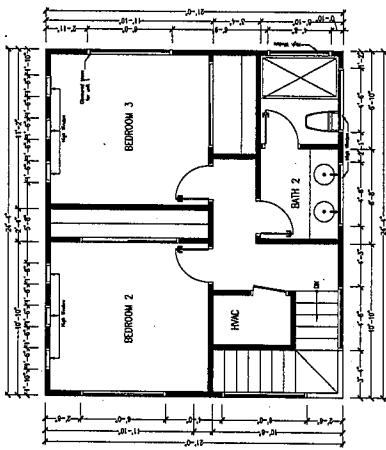
SECOND FLOOR UNIT 1 AND 3
 SCALE: 1/8" = 1'-0"



ROOF PLAN UNIT 1 AND 3
 SCALE: 3/16" = 1'-0"



FIRST FLOOR UNIT 1 AND 3
 SCALE: 1/8" = 1'-0"



THIRD FLOOR UNIT 1 AND 3
 SCALE: 1/8" = 1'-0"

DATE:	BY:
02/02/2017	ANH PHAN
02/02/2017	ANH PHAN

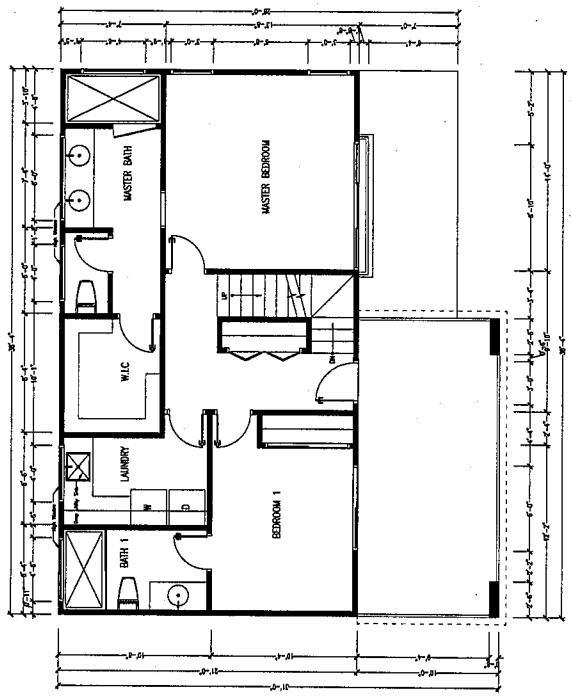
OWNER: JC RESIDENT GROUP
 JOB ADDRESS: 12811 S 19TH STREET, CITY OF GARDEN, CA
**PROPOSED MULTI-DWELLING RESIDENTIAL
 4 BUILDINGS, 3-STORY PROJECT**

TITLE: **FINAL DESIGN**

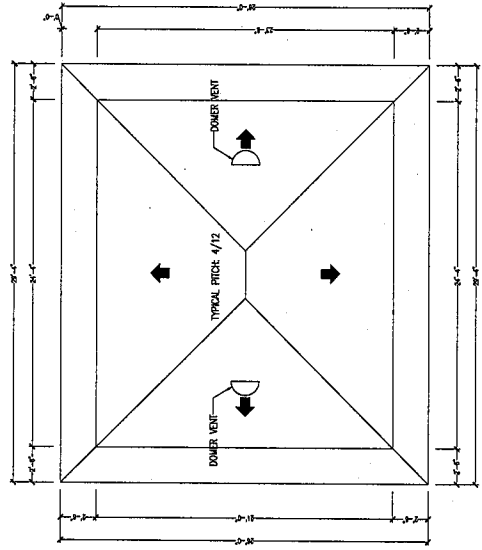
**FLOOR PLAN
 ROOF PLAN**
 DON J. JIMMAN, P.E.
 LIC: 11688

DRAWN BY: ANH PHAN (657)226-7312
 DATE: 09/03/2017

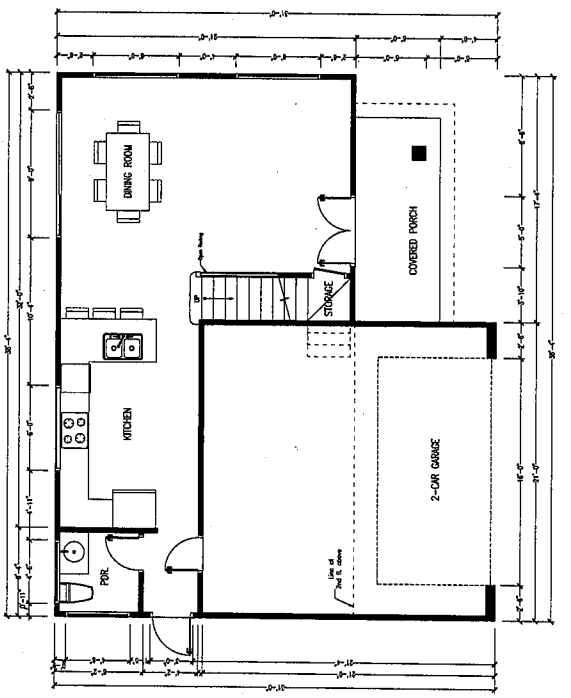
SHEET No. **A-2**



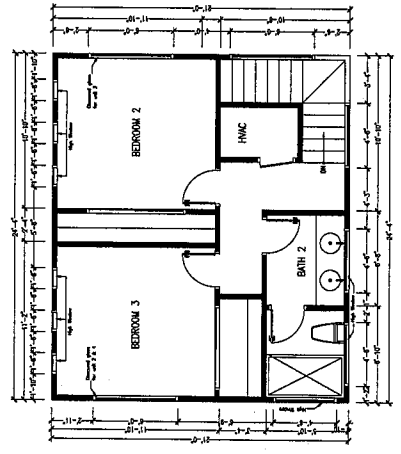
SECOND FLOOR UNIT 2 AND 4
 SCALE: 1/8" = 1'-0"



ROOF PLAN UNIT 2 AND 4
 SCALE: 1/8" = 1'-0"



FIRST FLOOR UNIT 2 AND 4
 SCALE: 1/8" = 1'-0"



THIRD FLOOR UNIT 2 AND 4
 SCALE: 1/8" = 1'-0"

DATE:	BY:
02/28/2017	ART PHAN
02/28/2017	ART PHAN

OWNER : AC RESIDENT GROUP
 JOB ADDRESS : 18711 9 TH STREET, CITY OF GARDEN GROVE, CA
**PROPOSED MUL-TI DWELLING RESIDENTIAL
 4 BUILDINGS, 3-STORY PROJECT**

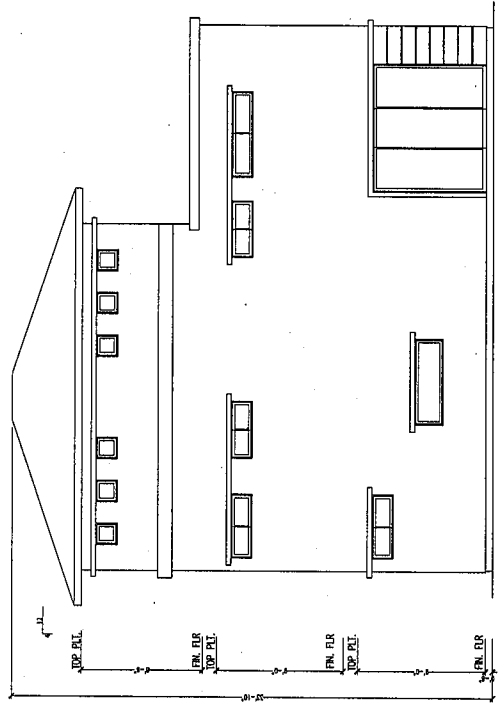
TABLE 1
 FINAL DESIGN

ELEVATION

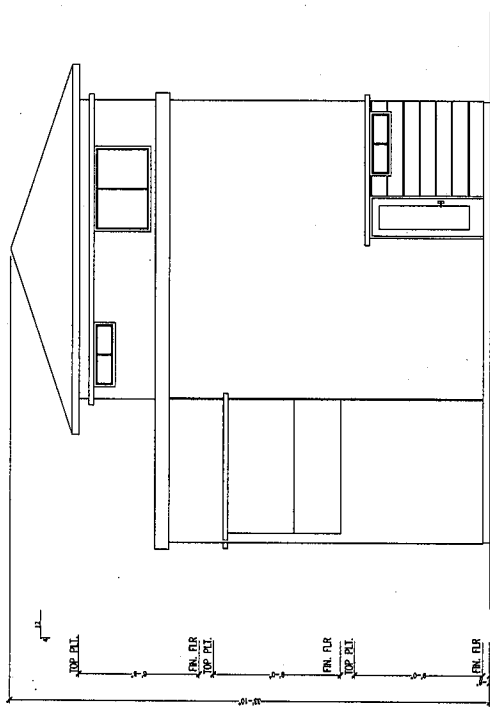
DON J INMAN, PE.
 LIC : 11888

DRAWN BY :
 ANH PHAN (657)236-7312
 DATE : 09/03/2017

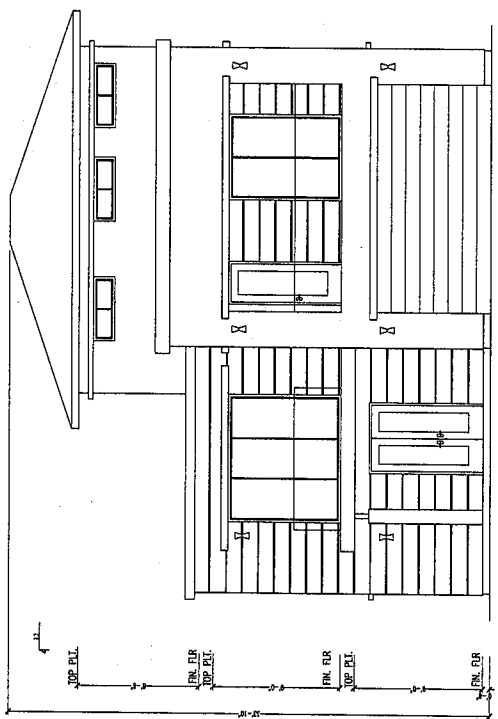
SHEET NO.
A-3



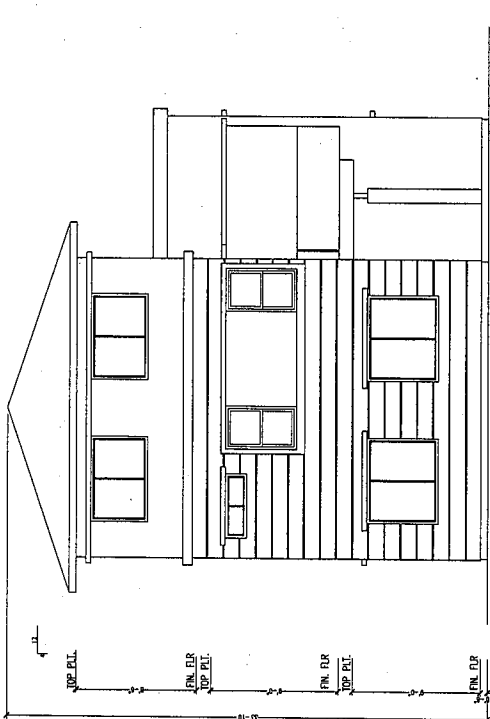
NORTH ELEVATION UNIT 1
 SCALE: 1/4" = 1'-0"



EAST ELEVATION UNIT 1
 SCALE: 1/4" = 1'-0"



SOUTH ELEVATION UNIT 1
 SCALE: 1/4" = 1'-0"



WEST ELEVATION UNIT 1
 SCALE: 1/4" = 1'-0"

DATE:	BY:
02/27/2017	ANH PHAN
02/27/2017	ANH PHAN

PROPOSED MUL-TI DWELLING RESIDENTIAL
4 BUILDINGS, 3-STORY PROJECT
OWNER: AC INVESTMENT GROUP
JOB ADDRESS: 12811 S. DC STREET, CITY OF GARDEN GROVE, CA

TITLE: FINAL DESIGN

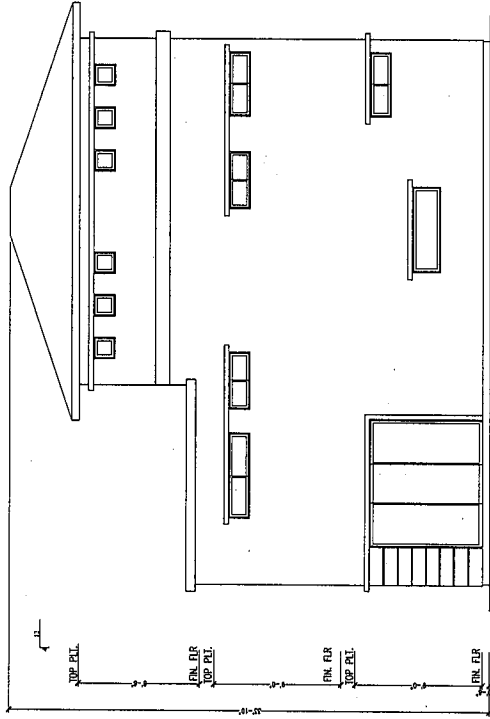
ELEVATION

DON J JINMAN, PE.
LIC: 11888

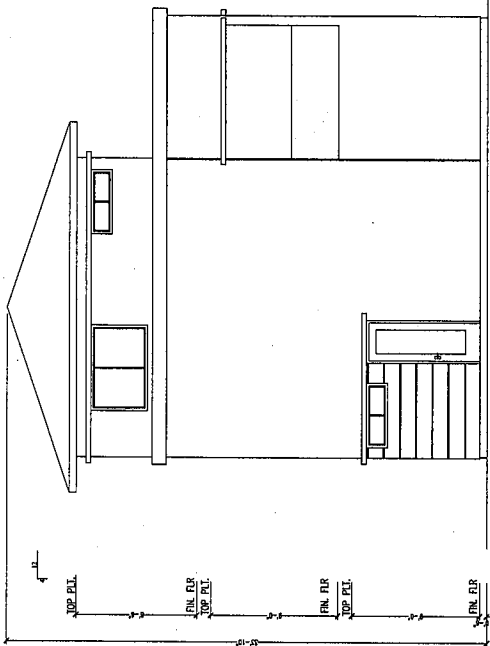
DRAWN BY: ANH PHAN (657)226-7312
DATE: 09/03/2017

SHEET No.

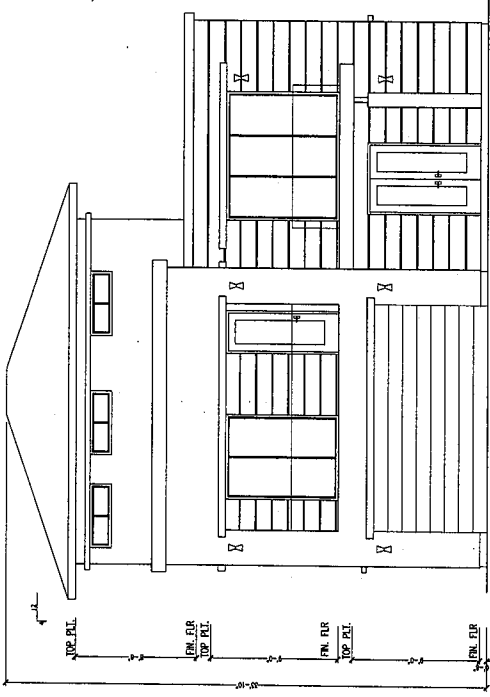
A-4



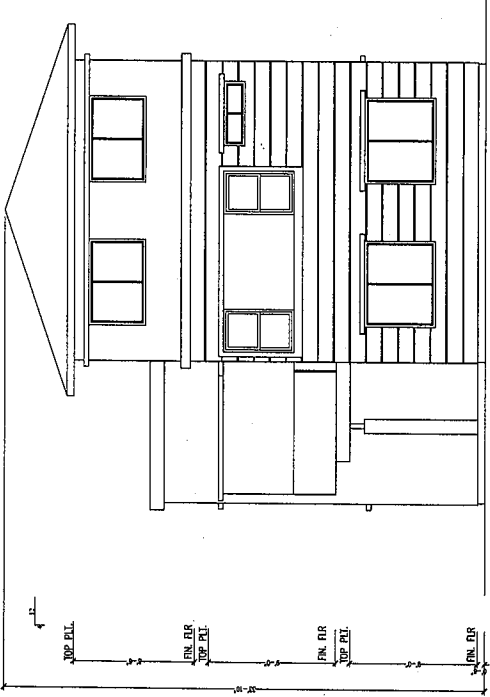
NORTH ELEVATION UNIT 2
SCALE: 1/8" = 1'-0"



EAST ELEVATION UNIT 2
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION UNIT 2
SCALE: 1/8" = 1'-0"



WEST ELEVATION UNIT 2
SCALE: 1/8" = 1'-0"

DATE:	BY:
02/08/2017	AMT PHAM
02/08/2017	AMT PHAM

ORDER : KC ARCHITECT GROUP
 JOB ADDRESS : 12811 9 TH STREET, CITY OF GARDEN GROVE, CA
 PROPOSED MUL-TI DWELLING RESIDENTIAL
 4 BUILDINGS, 3-STORY PROJECT

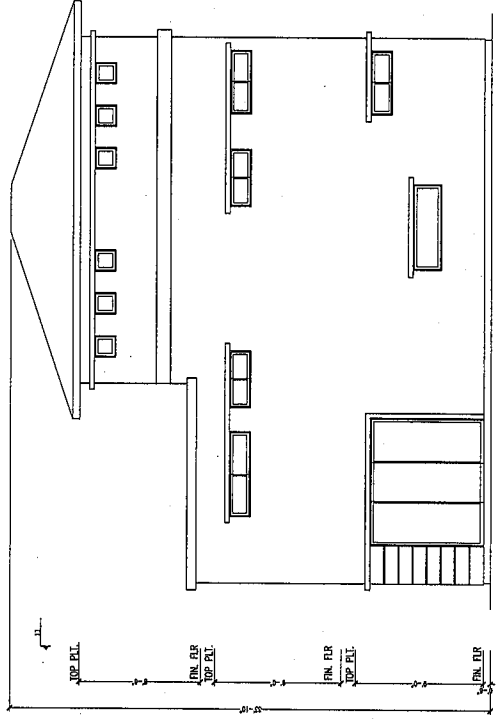
TITLE :
 FINAL DESIGN

ELEVATION

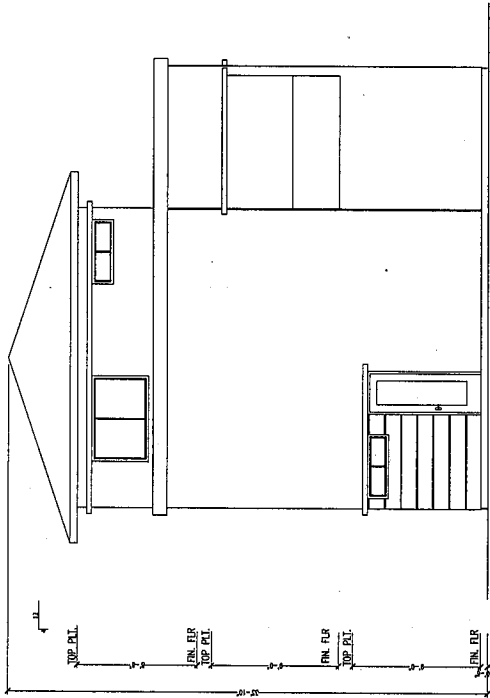
DON J INMAN, P.E.
 LIC : 118888

DRAWN BY :
 AMT PHAM (657)26-7312
 DATE : 09/03/2017

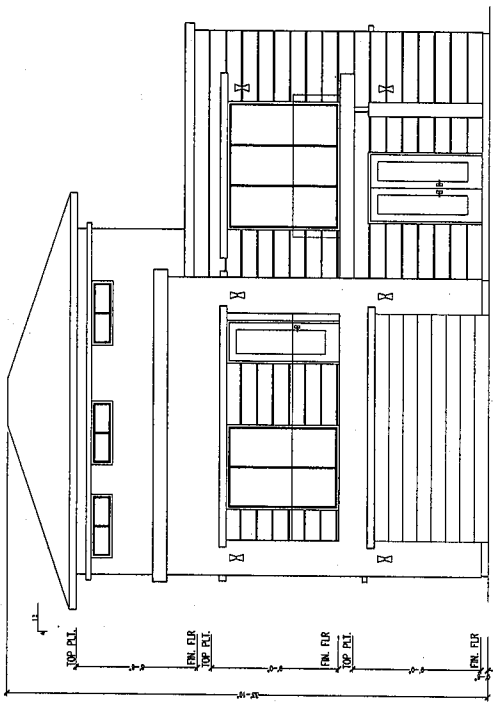
SHEET No.
 A-5



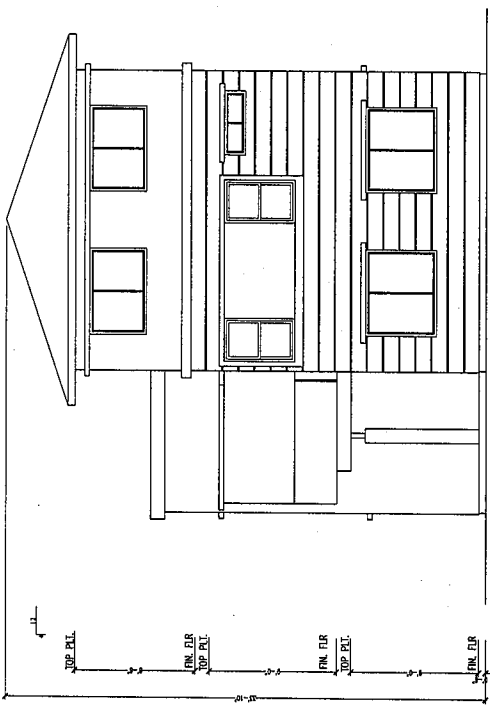
⊕ SOUTH ELEVATION UNIT 3
 SCALE: 1/8" = 1'-0"



⊕ WEST ELEVATION UNIT 3
 SCALE: 1/8" = 1'-0"



⊕ NORTH ELEVATION UNIT 3
 SCALE: 1/8" = 1'-0"



⊕ EAST ELEVATION UNIT 3
 SCALE: 1/8" = 1'-0"

DATE	BY
02/06/2017	AM PHAM
02/06/2017	AM PHAM

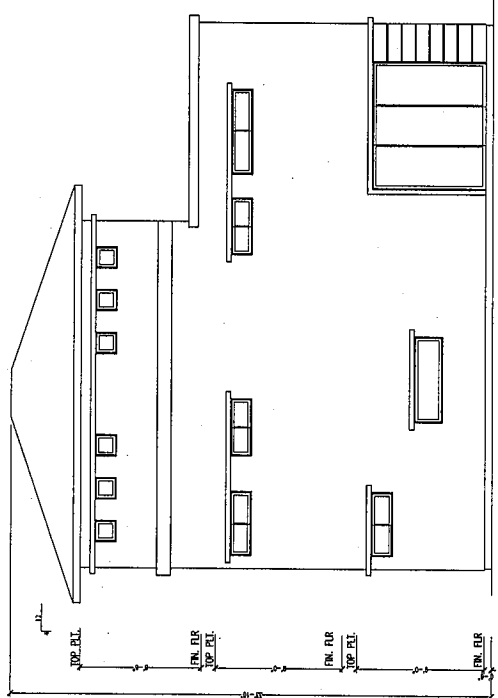
OWNER : MC PHEASANT GROUP
 JOB ADDRESS : 12411 S TH STREET, CITY OF OAKWOOD, CA
**PROPOSED MULTI-DWELLING RESIDENTIAL
 4 BUILDINGS, 3-STORY PROJECT**

TITLE :
FINAL DESIGN
ELEVATION

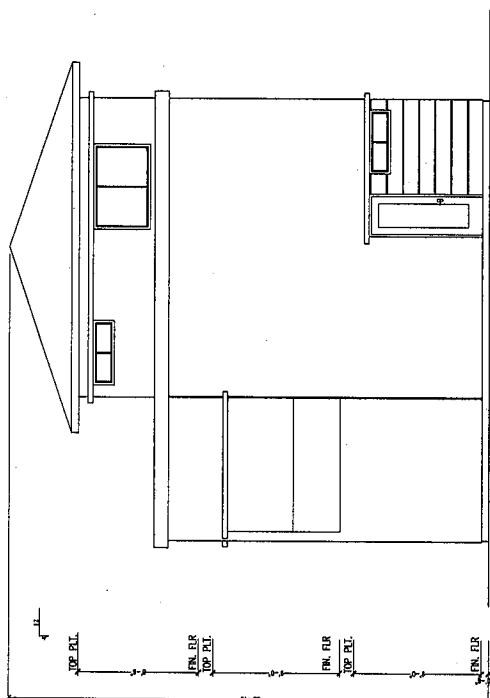
DON J INMAN, PE.
 LIC : 11888

DRAWN BY :
 AM PHAM (657)26-7312
 DATE : 05/03/2017

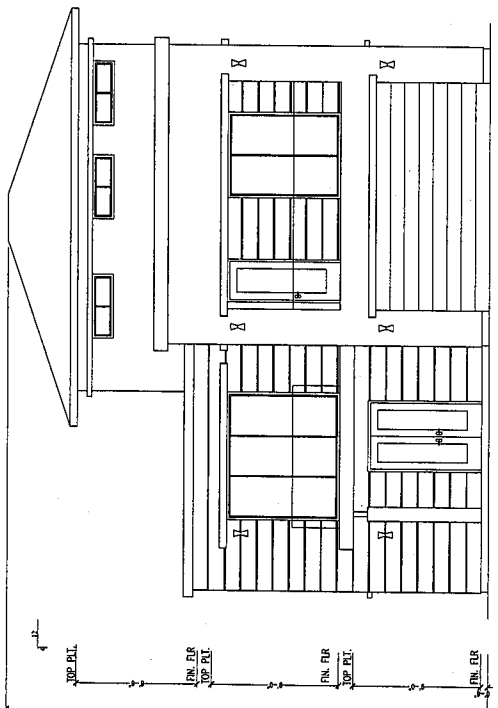
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A-6



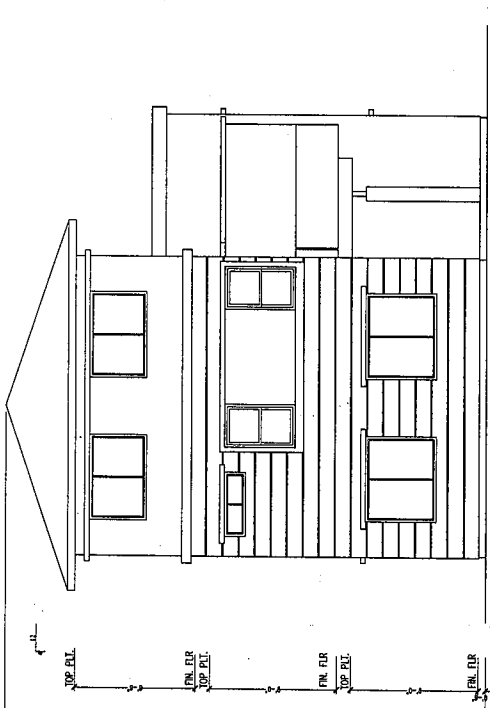
SOUTH ELEVATION UNIT 4
 SCALE: 1/8" = 1'-0"



WEST ELEVATION UNIT 4
 SCALE: 1/8" = 1'-0"



NORTH ELEVATION UNIT 4
 SCALE: 1/8" = 1'-0"



EAST ELEVATION UNIT 4
 SCALE: 1/8" = 1'-0"

DRAWN BY : ANH PHAN
 DATE : 09/03/2017
 CHECKED BY : ANH PHAN
 DATE : 09/03/2017

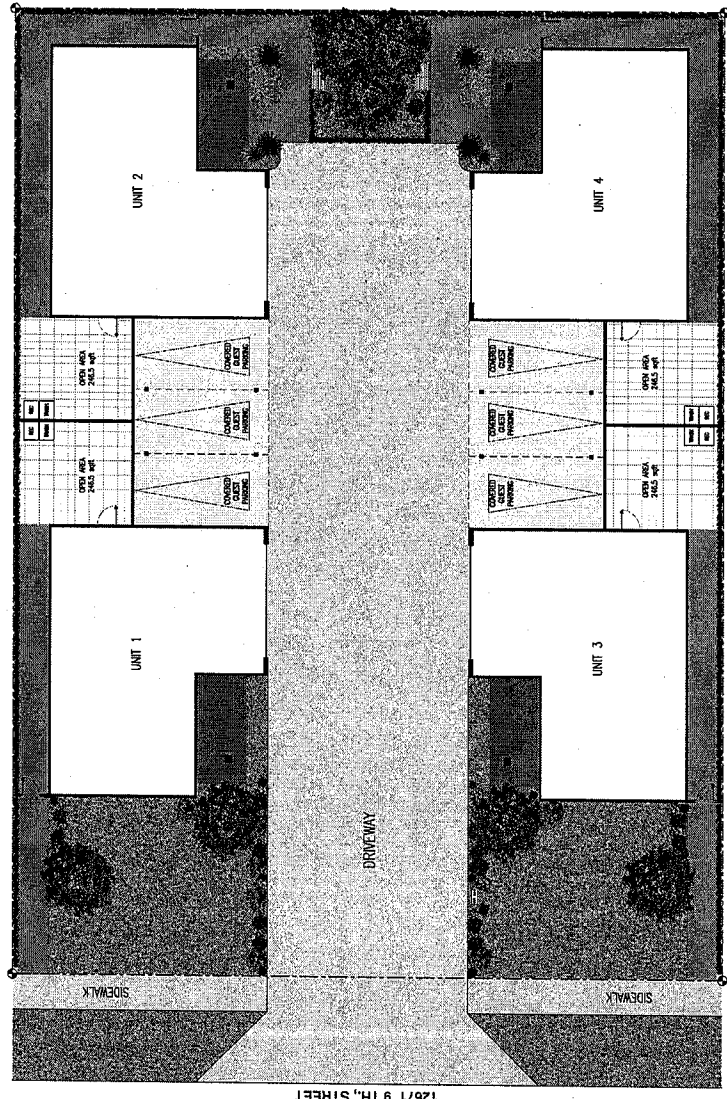
JOB ADDRESS : 12671 9TH STREET, CITY OF OAKTON, VA
 OWNER : AC MESSING GROUP
**PROPOSED MULTI-DWELLING RESIDENTIAL
 4 BUILDINGS, 3-STORY PROJECT**

TITLE :
FINAL DESIGN
**LANDSCAPE
 PLAN**

DON J INMAN, PE
 LIC : 11888

DRAWN BY : ANH PHAN (657)26-7312
 DATE : 09/03/2017

SHEET No.
A-7



SYMBOL	NAME	SIZE	QTY
	CAPE MYRTLE	UP TO 120IN TALL	07
	YUCCA	UP TO 36IN TALL	06
	DIANTHUS BELLFLOWER	UP TO 8IN TALL	44
	HYDRANGEA	UP TO 24IN TALL	26
	LAVASTATUS HEDGE	12IN TALL	370 FT LONG
	FESCUE GRASS		2000 SQFT

NOTES
 A PERMANENT, AUTOMATIC REMOTE CONTROL IRRIGATION SYSTEM WILL BE PROVIDED FOR ALL COMMON AREA LANDSCAPING.
 THE SPRINKLERS WILL CONSIST LOW FLOW/PRECIPITATION SPRINKLERS HEADS FOR WATER CONSERVATION.

LANDSCAPE PLAN
 SAC 3167-100

12671 9 TH, STREET

RECORDING REQUESTED TO:

WHEN RECORDED MAIL TO:

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

SPACE ABOVE THIS LINE FOR RECORDERS USE

LOT LINE ADJUSTMENT NO. LLA _____ - _____

RECORD OWNERS:

PARCEL NO.: LOT 14, TRACT 559, APNo.: 090-132-17

PARCEL NO.: LOT 15, TRACT 559, APNo.: 090-132-17

NAME: AC INVESTMENT GROUP
A CALIFORNIA CORPORATION

NAME: AC INVESTMENT GROUP
A CALIFORNIA CORPORATION

ADDRESS: 11052 CAMELLIA WAY
GARDEN GROVE, CA 92840

ADDRESS: 11052 CAMELLIA WAY
GARDEN GROVE, CA 92840

WE HEREBY CERTIFY THAT:

- 1- WE ARE THE RECORD OWNERS OF ALL PARCELS PROPOSED FOR ADJUSTMENT BY THIS APPLICATION.
- 2- WE HAVE KNOWLEDGE OF AND CONSENT TO THE FILING OF THIS APPLICATION, AND
- 3- THE INFORMATION SUBMITTED IN CONNECTION WITH THIS APPLICATION IS TRUE AND CORRECT

APPLICANT/OWNER

APPLICANT/OWNER

By: Anh Phan-AC Investment Group
Title: Property Owner
Date: May-25-2017
Contact Person: Anh Phan
Daytime Phone No.: (657)226-7312

By: Anh Phan-AC Investment Group
Title: Property Owner
Date: May-25-2017
Contact Person: Anh Phan
Daytime Phone No.: (657)226-7312

SPACE BELOW FOR OFFICIAL USE ONLY

Date Received	Land Use Designation	CEQA Status	Subdivision Committee Action APPROVED Date:	Land Use APPROVED By: Date:
Zoning	AP Numbers	Filing fee	Date Filed Receipt Number	Recording Date

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

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS

ON THIS _____, 2012, BEFORE ME, _____
A NOTARY PUBLIC PERSONALLY APPEARED: _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____
NOTARY PUBLIC IN AND FOR SAID STATE

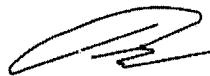
MY PRINCIPAL PLACE OF BUSINESS
IS IN _____ COUNTY
MY COMMISSION EXPIRES _____

(PRINT NAME)

LOT LINE ADJUSTMENT NO. LLA _____ - _____

CONTACT PERSON: CACH NGUYEN, P.E.
C.N. ENGINEERS
ADDRESS: 53 PRAIRIE FALCON
ALISO VIEJO, CA 92656
DAYTIME PHONE: (949) 303-2901

THIS DOCUMENT CONSISTING OF 6 PAGES WAS PREPARED
BY ME OR UNDER MY SUPERVISION.



LAN N. PHAM, RCE 29595
MY REGISTRATION EXPIRES 3/31/2019.



EXAMINED AND APPROVED AS TO SURVEY CONTENT ONLY

BY: _____

DATED THIS _____ DAY OF _____ 2017

DATE FILED	ZONING	SEE EXHIBITS A, B, C attached hereto
------------	--------	---

EXHIBIT "A"

LOT LINE ADJUSTMENT NO. LLA _____ (LEGAL DESCRIPTION)

Owners	Existing Parcels AP Number	Proposed Parcels Reference Number
AC Investment Group	Lot 14, Tract 559 (APNo. 090-132-17)	Parcel 1
AC Investment Group	Lot 15, Tract 559 (APNo. 090-132-17)	

Sheet 1 of 3 sheets

THE PARCELS BEING MERGED INCLUDE LOT 14 AND LOT 15 OF TRACT 559, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGE 26 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY.

NEW PARCEL 1

BEGINNING AT THE NORTHEAST CORNER OF LOT 14 OF TRACT 559, RECORDED IN BOOK 18, PAGE 28 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF ORANGE, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS.

THENCE SOUTH 00°12'00" WEST, 100.00 FEET ALONG EASTERLY LINE OF SAID LOT 14 AND LOT 15, TRACT 559 TO THE SOUTHEAST CORNER OF SAID LOT 15, TRACT 559;
 THENCE SOUTH 89°56'30" WEST, 135.64 FEET ALONG SOUTHERLY LINE OF SAID LOT 15, TRACT 559 TO THE SOUTHWEST CORNER OF SAID LOT 15, TRACT 559;
 THENCE NORTH 00°12'00" EAST, 100.00 FEET ALONG WESTERLY LINE OF SAID LOT 15 AND LOT 14, TRACT 559 TO THE NORTHWEST CORNER OF SAID LOT 14, TRACT 559;
 THENCE NORTH 89°56'30" EAST, 135.64 FEET ALONG NORTHERLY LINE OF SAID LOT 14, TRACT 559 TO THE POINT OF BEGINNING.

AREA CONTAINING APPROXIMATELY 13,564 SQUARE FEET (0.31 A.C.).

NOTE: THERE ARE EASEMENTS OF RECORD DELINEATED AND REFERENCED ON THE UNDERLYING MAPS OR THERE MAY BE OTHER RECORDED EASEMENTS WITHIN THE AREA BEING ADJUSTED THAT ARE NOT SHOWN ON THIS DOCUMENT THAT COULD ENCUMBER SAID PARCELS HEREON.



Prepared by: Lan N. Pham RCE 29595, Expires: 03/31/2019 Address: 13139 Harbor Boulevard Garden Grove, CA 92843 Telephone: (714) 414-9215	_____ Date
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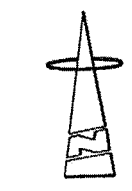
EXHIBIT "B"

LOT LINE ADJUSTMENT NO. LLA _____

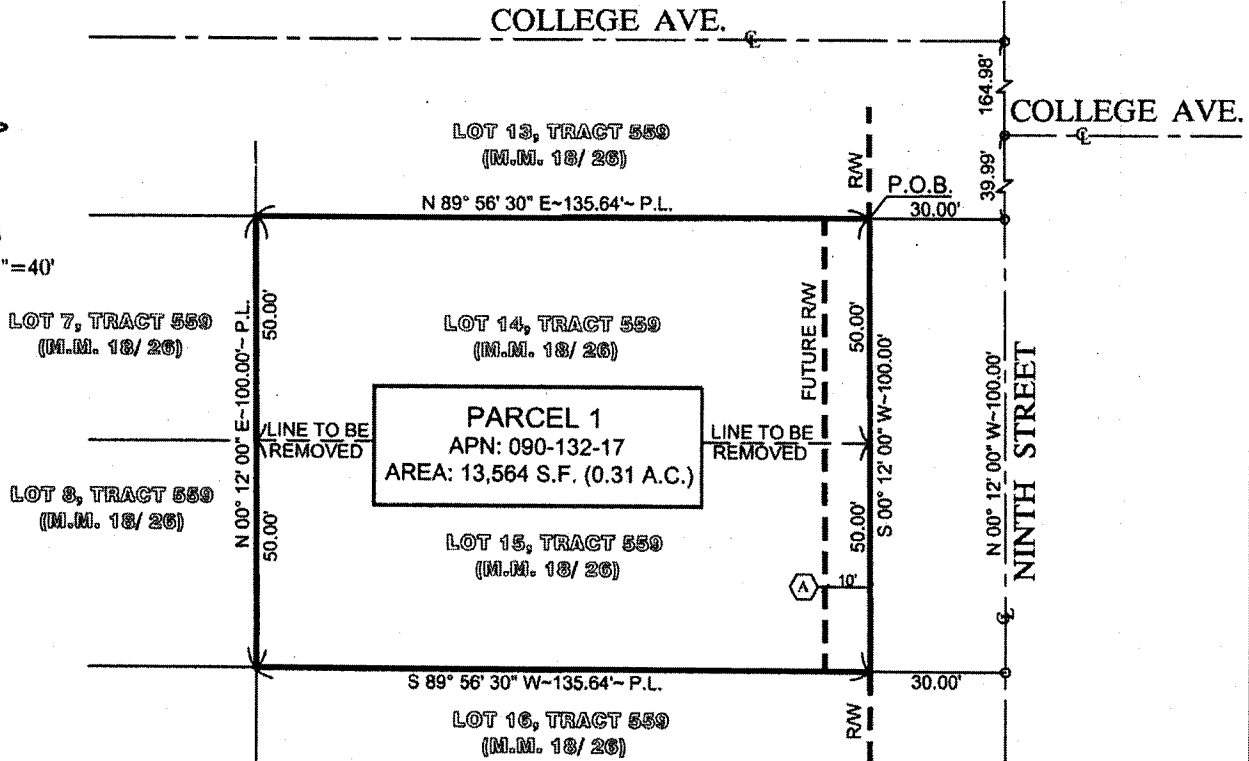
(MAP)

Owners	Existing Parcels AP Number	Proposed Parcels Reference Number
AC Investment Group	Lot 14, Tract 559 (APNo. 090-132-17)	Parcel 1
AC Investment Group	Lot 15, Tract 559 (APNo. 090-132-17)	

Sheet 2 of 3 sheets



SCALE: 1"=40'



LEGEND:

- R/W LINE
- - - - - LINE TO BE REMOVED
- — — — — DISTINCTIVE BOUNDARY LINE
- — — — — EXISTING LOT LINE

EASEMENTS:

- (A) 10 FEET WIDE EASEMENT TO BE DEDICATED TO THE CITY OF GARDEN GROVE FOR PUBLIC STREET.

RECORD DATA NOTES:

THIS EXHIBIT WAS PREPARED FROM RECORD DATA AS SHOWN IN TRACT 559 RECORDED IN BOOK 18, PAGE 26 OF MISCELLANEOUS MAPS IN THE OFFICE OF ORANGE COUNTY RECORDER, CALIFORNIA.

BASIS OF BEARINGS:

THE CENTERLINE OF NINTH STREET BEING N00°12'00"W AS SHOWN IN THE TRACT 559 (M.M. 18/26).

Prepared by: Lan N. Pham
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Date _____



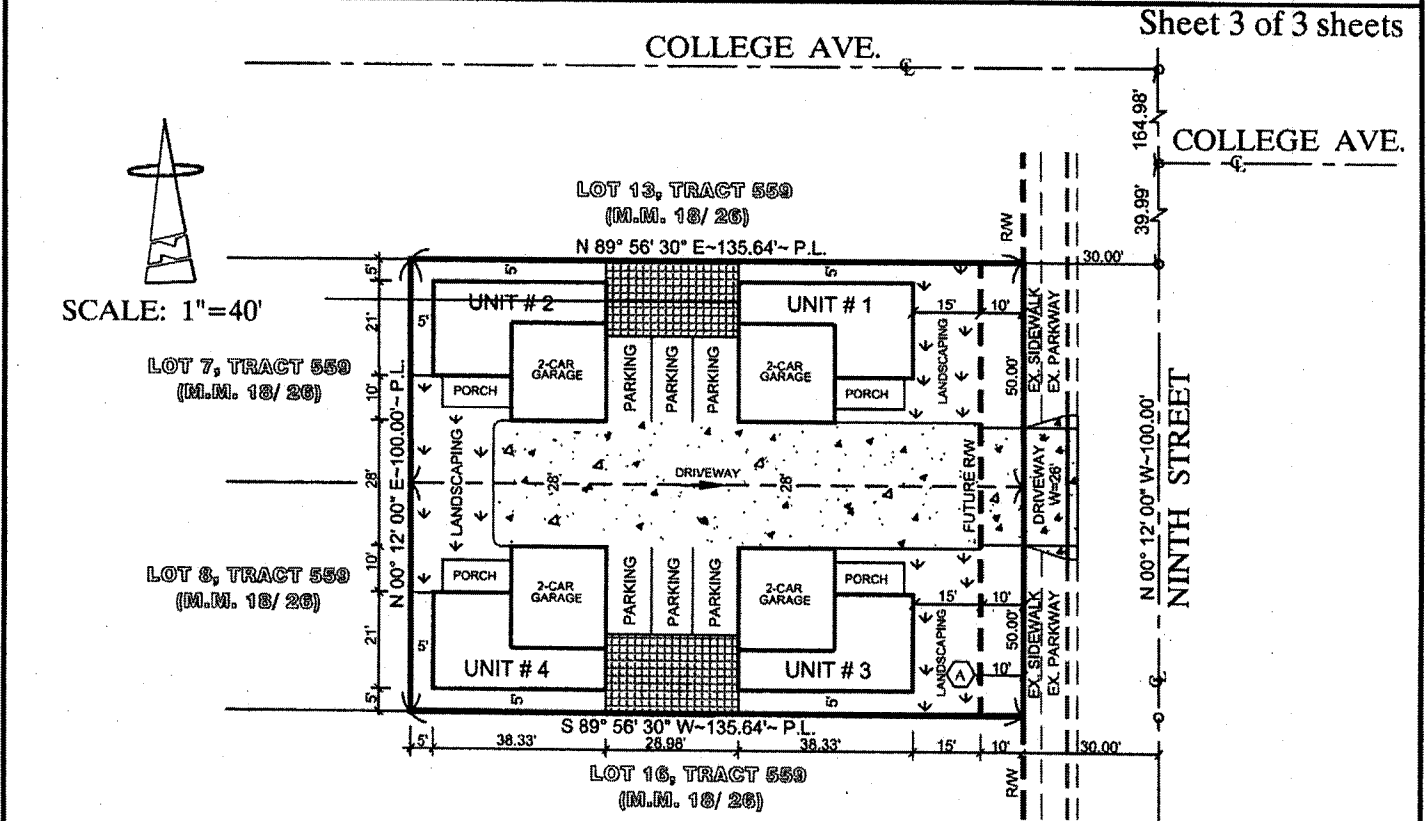
EXHIBIT "C"

LOT LINE ADJUSTMENT NO. LLA _____

(SITE PLAN)

Owners	Existing Parcels AP Number	Proposed Parcels Reference Number
AC Investment Group	Lot 14, Tract 559 (APNo. 090-132-17)	Parcel 1
AC Investment Group	Lot 15, Tract 559 (APNo. 090-132-17)	

Sheet 3 of 3 sheets



SCALE: 1"=40'

LEGEND:

- R/W LINE
- - - - - LINE TO BE REMOVED
- ==== DISTINCTIVE BOUNDARY LINE
- _____ EXISTING LOT LINE

EASEMENTS:

(A) 10 FEET WIDE EASEMENT TO BE DEDICATED TO THE CITY OF GARDEN GROVE FOR PUBLIC STREET.

RECORD DATA NOTES:

THIS EXHIBIT WAS PREPARED FROM RECORD DATA AS SHOWN IN TRACT 559 RECORDED IN BOOK 18, PAGE 26 OF MISCELLANEOUS MAPS IN THE OFFICE OF ORANGE COUNTY RECORDER, CALIFORNIA.

BASIS OF BEARINGS:

THE CENTERLINE OF NINTH STREET BEING N00°12'00"W AS SHOWN IN THE TRACT 559 (M.M. 18/26).

Prepared by: Lan N. Pham
 RCE 29595, Expires: 03/31/2019
 Address: 13139 Harbor Boulevard
 Garden Grove, CA 92843
 Telephone: (714) 414-9215

Date _____



RESOLUTION NO. 5911-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-046-2018, LOT LINE ADJUSTMENT NO. LLA-013-2018, AND VARIANCE NO. V-018-2018, FOR PROPERTIES LOCATED ON THE WEST SIDE OF 9th STREET, BETWEEN COLLEGE AVENUE AND STANFORD AVENUE, AT 12671 9th STREET, ASSESSOR'S PARCEL NO. 090-132-17.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on March 1, 2018, does hereby approve Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018, for land located on the west side of 9th Street, between College Avenue and Stanford Avenue, Assessor's Parcel No. 090-132-17, subject to the Conditions of Approval attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Anh Phan.
2. The applicant is requesting (1) Site Plan approval to demolish all existing on-site improvements, which include three (3) existing one-story apartment units, and to construct four (4) new three-story apartment units on a 12,564 square foot site; (2) Lot Line Adjustment approval to eliminate an existing property line to consolidate the two (2) existing parcels into one (1) lot; and (3) Variance approval to deviate from the minimum lot size requirement of the CCSP-PR61 (Community Center Specific Plan - Peripheral Residential, Area 61) zone.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that the proposed project is categorically exempt from the CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures) and Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303 and 15305).
4. The property has a General Plan Land Use designation of Low Medium Density Residential and is currently zoned CCSP-PR61 (Community Center Specific Plan - Peripheral Residential, Area 61). The site is currently improved with three (3) one-story detached apartment units.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on March 1, 2018, 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 March 1, 2018, and considered all oral and written testimony presented regarding the project; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030 and Government Code Section 66412, are as follows:

FACTS:

The subject site is currently 13,564 (135.64' x 100') square feet in area and located on the west side of 9th Street, between College Avenue and Stanford Avenue. The site is currently improved with three (3) one-story detached apartment units. The site has a General Plan Land Use Designation of Low Medium Density Residential and is zoned CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61). The site abuts CCSP-PR61 zoned properties to the north, west, and south, and R-1 (Single-Family Residential) zoned properties, across 9th Street, to the east, all of which are developed with residential uses.

The applicant is proposing to demolish all existing on-site improvements, which include the three (3) existing one-story apartment units, and to construct four (4) new three-story apartment units. The Municipal Code requires Site Plan land use entitlement approval to develop the property with the proposed multiple-family residential project.

Based on title report of the subject properties, the site is comprised of two (2) separate lots (Lots 14 and 15 of Tract No. 559), under a single Assessor's Parcel Number (APN: 090-132-17). Each property has a lot depth of 135.64' and a lot width of 50'. Combined, the properties have a current lot size of 13,564 square feet (135.64' x 100'). In order for the proposed project to move forward, the Municipal Code requires Lot Line Adjustment approval to consolidate the two (2) lots into one.

Based on the City's Master Plan of Streets and Highways, 9th Street is considered a secondary 4-lane undivided roadway (secondary arterial), which has a planned ultimate right-of-way of 80 feet. Currently, the measurement from the centerline of 9th Street to the property lines of the subject properties is 30 feet. As part of the project (SP-046-2018), a 10-foot public right-of-way dedication, along the 100' frontage of the subject site (the easterly property line), will be required to bring the properties into conformance with the Master Plan of Streets and Highways. Therefore, after the Lot Line Adjustment and 10-foot right-of-way dedication, the resulting lot size of the consolidated property will be 12,564 square feet.

In order to encourage lot consolidation, the Community Center Specific Plan establishes a 20,000 square foot minimum lot size requirement for properties within the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone. After the proposed Lot Line Adjustment to consolidate the two (2) properties (Lots 14 and 15 of Tract No. 559) into one, the resulting lot size, will be 12,564 square feet, which is less than the minimum 20,000 square feet lot size requirement

of the CCSP-PR61 zone. The Municipal Code generally allows property owners to develop or redevelop lots that are legal nonconforming only as to lot area without a variance; however, because the subject property is located within a Specific Plan area, a variance from the minimum lot area standard set forth in the Specific Plan is necessary for the proposed project to move forward. Accordingly, the applicant is requesting Variance approval to deviate from the minimum lot size requirement of the CCSP-PR61 zone in order to facilitate the development of the site.

FINDINGS AND REASONS:

Site Plan:

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

The project complies with the goals of the Low Medium Density Residential Land Use Designation for the property by providing additional housing for the community that will be available for larger family sizes, providing a high quality project design that will preserve residential property values, and providing both common and private open space areas that are available to serve the residents of the subject project. With the exception of the minimum lot size requirement, the project meets the standards of the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zoning of the property, as they pertain to the building setbacks, number of parking spaces, open space, and landscaping. Therefore, the proposed project will improve the site and fulfill the goals and policies of the General Plan and Land Use Code by creating a well-maintained and attractive development that enhances the existing residential neighborhood.

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

The proposed drive aisle, which runs down the center of the development, including maneuvering areas, are adequate for vehicle access. Additionally, the project meets the minimum parking requirements of the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone. Finally, adequate pedestrian access is provided within the project.

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

The developer is required to make street improvements along 9th Street. The street improvements include constructing curb and gutter, constructing a sidewalk, constructing the drive approach, and providing parkway landscaping behind the new sidewalk, which matches the adjacent street improvements. Additionally, existing utilities and drainage facilities within the area are adequate

to accommodate the project. The on-site circulation and parking are sufficient for the proposed development.

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

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

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

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

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

The project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that will be an enhancement to the neighborhood. The Municipal Code requires a minimum amount of total landscaping for the site and a minimum amount of total open space (recreation area). Based on the requirements of the CCSP-PR61 zone, the project is required to provide a minimum of 12% of landscaping based on the net developable area (excluding the building footprint and required setbacks), which equals a minimum of 499 square feet of landscaping. In addition to all landscaped setbacks, the project provides 854 square feet of landscaping. Therefore, the project exceeds the minimum landscaping required. Based the Municipal Code, for open space development standards, a minimum of 1,200 square feet (300 square feet per unit) of open space (recreation area) is required for the entire development. Each unit will be a three-story dwelling providing a total living area of 1,938 square feet, excluding the two-car garage. The first floor will provide 615 square feet of living area, 812 square feet on the second floor, and 511 square feet on the third floor). Each unit will provide a total of four (4) bedrooms and four (4) bathrooms (2 publicly accessible bathrooms and 2 private bathrooms). Each unit will be provided with a private patio on the first floor and a private balcony on the second floor. The total building footprint will equate to 5,402 square feet of structures. Based on the lot size of 12,564 square feet, the proposed lot

coverage will be 43%, which is below the maximum 50% lot coverage requirement by Code. The applicant has proposed a contemporary architectural style for the apartment dwelling units that exhibit stucco exteriors, decorative siding, contemporary glass balcony walls, varying window sizes, decorative light fixtures, a hip roof design, and an effective use of articulation on the building façade and design.

Lot Line Adjustment:

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

The subject parcels have a General Plan Land Use Designation of Medium Density Residential and are zoned CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61). The subject site is comprised of two (2) separate lots (Lots 14 and 15 of Tract No. 559), under a single Assessor's Parcel Number (APN: 090-132-17). Each property has a lot depth of 135.64' and a lot width of 50'. Combined, the properties have a current lot size of 13,564 square feet (135.64' x 100'). After consolidation, and after the required public right-of-way dedication of 10 feet along the easterly property lines, the site will maintain a lot area of 12,564 square feet. The consolidation of the two (2) properties into one will facilitate the development of the 4-unit multiple-family residential development proposed for the site. With the approval of the proposed Variance to the minimum lot size requirement of the CCSP-PR61 zone, all site improvements will conform to the City's General Plan and Zoning Ordinance.

Variance:

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

The project involves two (2) legal nonconforming sized lots, which the applicant proposes to consolidate into one larger parcel to facilitate redevelopment and improvement of the properties. Based on title report of the subject properties, the site is comprised of two (2) separate lots (Lots 14 and 15 of Tract No. 559), under a single Assessor's Parcel Number (APN: 090-132-17). Each property has a lot depth of 135.64' and a lot width of 50'. Combined, the properties have a current lot size of 13,564 square feet (135.64' x 100'). Based on the City's Master Plan of Streets and Highways, 9th Street is considered a secondary 4-lane undivided roadway (secondary arterial), which has a planned ultimate right-of-way of 80 feet. Currently, the measurement from the centerline of 9th Street to the property lines of the subject properties is 30 feet. As part of the project (SP-046-2018), a 10-foot public right-of-way dedication, along the 100' frontage of the subject site (the easterly property line), will be required to bring the properties into conformance with the Master Plan of Streets and Highways.

Therefore, after the Lot Line Adjustment and required 10-foot right-of-way dedication, the resulting lot size of the consolidated property will be 12,564 square feet, thereby reducing the net developable area of the site. Other properties on streets in the same zone or neighborhood of the subject site are not subject to the same public right-of-way dedications that reduce their developable area, as it does to the subject site involved in the proposed project.

The subject site is located in an area of similarly sized residentially developed properties that are zoned CCSP-PR60 and CCSP-PR61 (Community Center Specific Plan - Peripheral Residential, Areas 60 and 61). The CCSP-PR60 and CCSP-PR61 zones have identical minimum lot size requirements of 20,000 square feet, and minimum lot frontage requirements of 100-foot width. Most properties in the vicinity of the subject property are approximately 6,750 to 6,782 square feet in area with lot frontages of 50-foot width, which do not meet the minimum lot size and frontage requirements of the CCSP-PR60 and CCSP-PR61 zones. When the Community Center Specific Plan was adopted by the City of Garden Grove in 1985, most of the properties in this area were rendered nonconforming. The base district/zone of the properties zoned CCSP-PR60 and CCSP-PR61 is R-3 (Multiple-Family Residential). Based on the Municipal Code, the minimum lot size requirement for similar multiple-family residential zones, such as the R-3 zone, is 7,200 square feet, which is significantly less than the 20,000 square foot minimum lot size requirement of the CCSP-PR61 zone. Additionally, the single-family residential neighborhood immediately to the east of the subject site is zoned R-1-7 (Single-Family Residential), which has a minimum lot size requirement of 7,200 square feet. The majority of properties in the same zone or neighborhood of the subject site have lot sizes that are significantly less than 20,000 square feet.

In order to meet the 20,000 square foot minimum lot size, additional land would need to be acquired. The lots abutting the site are all developed with residential uses and are owned by others. Thus, further consolidation of abutting properties to meet the 20,000 square foot lot size minimum is not feasible. Although the resulting lot size will be less than the 20,000 square foot lot size minimum requirement, the project meets the intent of the Community Center Specific Plan zone, which, in part, is to achieve improvements of residential buildings within the CCSP zones through redevelopment, consolidation of lots, landscaping, and design improvements. Furthermore, the proposed project brings the combined property closer into conformance to the minimum lot size standard of the CCSP-PR61 zone. With the exception of the minimum lot size requirement, the proposed project meets all development standards of the CCSP-PR61 zone, such as, but not limited to: setbacks, lot frontage width, parking, recreation area, landscaping, and building height.

The foregoing, including the prevalence in the surrounding area of residentially developed lots less than 20,000 square feet, the required right-of-way dedication, that further lot consolidation at this site is impractical, and that the proposed project is otherwise consistent with the standards and intent of the Community Center Specific Plan constitute exceptional circumstances and

conditions applicable to the subject property and its intended development that do not apply generally to other property in the same zone and neighborhood.

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

The granting of the Variance will not give the property owner a special privilege over other property owners in the area. The subject site is located in an area of similarly sized residentially developed properties that are zoned CCSP-PR60 and CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Areas 60 and 61). The CCSP-PR60 and CCSP-PR61 zones have identical minimum lot size requirements of 20,000 square feet, and minimum lot frontage requirements of 100-foot width. Most properties in the vicinity of the subject property are approximately 6,750 to 6,782 square feet in area with lot frontages of 50-foot width, which do not meet the minimum lot size and frontage requirements of the CCSP-PR60 and CCSP-PR61 zones. When the Community Center Specific Plan was adopted by the City of Garden Grove in 1985, most of the properties in this area were rendered nonconforming. Additionally, there are other properties in the same vicinity and zone, or other similar zoned properties throughout the City, that have similar residential developments on properties that do not meet the minimum lot size, per their respective zones. Approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the immediate vicinity, within the same zone, and other similarly zoned properties throughout the City. With the exception of the minimum lot size requirement, the proposed project meets all development standards of the CCSP-PR61 zone, such as setbacks, lot frontage width, recreation area, landscaping, and building height.

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

The Variance request will allow the newly consolidated parcel to deviate from the minimum lot size requirement of the CCSP-PR61 zone, in order to facilitate the development of the site. Many lots in the surrounding area are developed with residential uses on lots less than 20,000 square feet in area. Provided the project complies with the Conditions of Approval, the granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located. With the exception of the minimum lot size requirement, the project has been designed to meet all development standards of the CCSP-PR61 zone, such as, but not limited to: setbacks, lot frontage width, parking, recreation area, landscaping, and building height.

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

The proposed project, a multiple-family residential apartment complex, is a use that is consistent with the intent of the General Plan and the zoning classification as multiple-family residential developments are permitted in the CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Area 61) zone. The proposed Variance request will not cause an adverse effect on the City's General Plan since the Municipal Code, in conjunction with the requirements of the Community Center Specific Plan zone, are tools used to implement the goals of the General Plan. Approval of the Variance is consistent with several goals set forth in the General Plan. For example, Goal LU-1 of the General Plan encourages the development of residential lots to help meet the needs of the anticipated growth of the community and the regional housing needs. Goal LU-3 of the General Plan encourages the addition of higher density residential development adjacent to major thoroughfares. Finally, Goal LU-4 of the General Plan encourages the development of uses that are compatible with neighboring uses. The proposed multi-family residential project is consistent with all of these goals, and the proposed Variance is needed to facilitate the project. Therefore, granting of this Variance is in keeping with the spirit and intent of the General Plan.

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

The subject site is located in an area of similarly sized residentially developed properties that are zoned CCSP-PR60 and CCSP-PR61 (Community Center Specific Plan – Peripheral Residential, Areas 60 and 61). The CCSP-PR60 and CCSP-PR61 zones have identical minimum lot size requirements of 20,000 square feet, and minimum lot frontage requirements of 100-foot width. Most properties in the vicinity of the subject property are approximately 6,750 to 6,782 square feet in area with lot frontages of 50-foot width, which do not meet the minimum lot size and frontage requirements of the CCSP-PR60 and CCSP-PR61 zones. When the Community Center Specific Plan was adopted by the City of Garden Grove in 1985, most of the properties in this area were rendered nonconforming. Additionally, there are other properties in the same vicinity and zone, or other similar zoned properties throughout the City, that have similar residential developments on properties that do not meet the minimum lot size, per their respective zones. Approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located in other similar properties in the immediate vicinity, within the same zone, and other similarly zoned properties throughout the City. With the exception of the minimum lot size requirement, the proposed project meets all development standards of the CCSP-PR61 zone, such as setbacks, lot frontage width, recreation area, landscaping, and building height. Pursuant to Condition of Approval No. 2, the rights granted pursuant to the Variance shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-046-2018 and Lot Line Adjustment No. LLA-013-2018 (as they may be

amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-046-2018 and Lot Line Adjustment No. LLA-013-2018 are not constructed or are demolished and not re-established, the Variance shall cease to be effective or grant the property owner any rights to construct other improvements inconsistent with the then-currently applicable development standards. Therefore, the granting of the Variance will not give the property owner a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan and Variance possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The Lot Line Adjustment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.40.190.
3. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following Conditions of Approval, attached as "Exhibit A", shall apply to Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018.

EXHIBIT "A"

**Site Plan No. SP-046-2018
Lot Line Adjustment No. LLA-013-2018
Variance No. V-018-2018**

12671 9th Street

CONDITIONS OF APPROVAL

General Conditions

1. The applicant and each owner of the property shall execute, and the applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required within 30 days of this approval. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Anh Phan, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission.
2. The rights granted the applicant pursuant to Variance No. V-018-2018 shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-046-2018, Lot Line Adjustment No. LLA-013-2018, and these Conditions of Approval (as they may be amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-046-2018 and Lot Line Adjustment No. LLA-013-2018 are not constructed within one year of approval (or the length of any extension approved by the City) or are demolished and not re-established within one year of demolition, Variance No. V-018-2018 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Approval of this Site Plan, Lot Line Adjustment, and Variance shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan, Lot Line Adjustment, and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

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

Public Works Engineering Division

6. The applicant shall be subject to Traffic Mitigation Fees, Citywide Park Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amounts of said fees shall be calculated based on the City's current fee schedule in effect at the time of permit issuance.
7. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
8. A separate street permit is required for work performed within the public right-of-way.
9. All parking spaces that abut to sidewalk that are not elevated with a curb face to the stall, if any, shall have wheel stops.
10. Grading/Street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall

conform to all format and design requirements of the City Standard Drawings & Specifications.

11. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
 - Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas;
 - Incorporates the applicable Routine Source Control BMPs as defined in the DAMP;
 - Incorporates structural and Treatment Control BMPs as defined in the DAMP;
 - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs;
 - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs;
 - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
12. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications;
 - Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP;
 - Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site;
 - Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural and/or other post-construction BMPs; and
13. Prior to the issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations

to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County Standard Plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

14. Prior to the issuance of a grading permit, the applicant shall coordinate trash pickup location with Republic Services and provide a copy of an exhibit to engineering division, demonstrating trash pickup location if locations are outside of development and within City's right of way.
15. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the grading plan.
16. Provide a 3-foot public utility easement across lot frontage behind the property line.
17. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-121 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
18. No parallel curb parking shall be permitted anywhere on the site.
19. The grading plan shall provide an accessibility route for the ADA pathway in conformance with the requirements of the department of justice standards, latest edition.
20. Orange County Storm Water Program manual requires all contractors to provide a dumpster on-site during construction, unless an Encroachment Permit is obtained for placement in the street.
21. 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.
22. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
23. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner)

and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.

24. The applicant shall identify a temporary parking site(s) for construction crew prior to issuance of a grading permit. No construction parking is allowed on local streets.
25. Prior to issuance of a grading permit, the applicant submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
26. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
27. Any required lane closures should occur outside of peak travel periods.
28. Construction vehicles should be parked off traveled roadways in a designated parking.
29. The applicant shall coordinate with Republic Services for all construction and demolition debris processing.
30. The applicant shall remove the existing landscape within sidewalk area along 9th Street and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Services Division.

9th Street

- a. Remove the existing substandard driveway approach and existing landscaping on 9th Street and construct new curb, gutter, landscape and sidewalk per approved site plan.
- b. The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-121. Standard Plan B-121 calls for a minimum width of 30-feet for commercial and multi residential projects,

- with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- c. Construct 6-inch curb and gutter along the property frontage at 20' from centerline in accordance with City Standard Plan B-114 (Type D-6).
 - d. Remove existing sidewalk and construct a 5-foot sidewalk adjacent to the street curb and a 5-foot landscape parkway between the new sidewalk and right of way line in accordance with City Standard Plan B-106. The area between back of sidewalk and the front property line shall be landscaped per the direction of Planning Services Division.
 - e. Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Garden Grove Boulevard with Planning Services Division and Water Services Division.
 - f. Any proposed new landscaping in public right-of-way shall be approved by Planning Services Division.

Garden Grove Fire Department

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

Public Works Water Services Division

33. For each unit, install a 1" water meter and service with a residential fire service connection per City Standard B-719 within the Ninth Street right-of-way.
34. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed on the landscape system. Installation of RPPD 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.

35. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
36. 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.
37. Location and number of fire hydrants shall be as required by Water Services Division and the Garden Grove Fire Department.
38. Property Owner shall install new private sewer main and clean out at right-of-way line per Standard S-111, bedding per Standard S-107, and a manhole per Standard S-100. The sewer main within the City right-of-way to include extra strength VCP with wedgelock joints. On-site sewer main, laterals, clean out, and trenching shall be per California Plumbing Code.
39. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

Planning Services Division

40. The applicant shall submit a detailed landscape and irrigation plan of all landscape areas, including the parkway area behind the new sidewalks. The plan shall be submitted to and be approved by the Community and Economic Development Department, Planning Services Division prior to the issuance of any permit for construction. Said plan shall include substantial plantings that create a natural setting and include type (both common and botanical names), size, location, and quantity of all plant material. The landscaping shall be planted prior to the finalization of the permit for construction. The landscape plan shall also include the following:
 - a. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines.
 - b. Trees planted within ten (10) feet 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. No street trees will be planted in the sidewalk, unless required by the City's Public Works Department. The landscape plan shall maximize the plantings along the perimeter wall where planters are possible. There shall be vine plantings along the length of the perimeter walls. The vines shall be mainly perennial and evergreen with some flowering, deciduous types interspersed.

- c. The front landscape area shall reflect the existing character of the site with abundant tropical plantings and shade trees.
 - d. A complete, permanent, and automatic remote control irrigation system shall be provided for all landscape areas shown on the plan. Subsurface irrigation systems are encouraged. The irrigation plan for any trees planted in the setback areas adjacent to the sidewalks and in the parking lot shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used in other areas, they shall be low flow/precipitation sprinkler heads for water conservation.
 - e. All above ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plan and shall be screened from view by appropriate plantings.
 - f. The applicant is responsible for the installation of all landscaping, irrigation, and other site improvements on the property. Said responsibility shall extend to all landscaped areas, the playground, the landscape setbacks, sidewalk, curb and pavement of the site.
41. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
 - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
 - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
 42. The approval and effectiveness of Site Plan No. SP-046-2018 shall be expressly contingent upon the effectiveness and recordation, by the County Surveyor's Office, of Lot Line Adjustment No. LLA-013-2018.
 43. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
 44. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic

Development Department for review and approval prior to Building and Safety Division plan check. The project shall also be subject to the following:

- a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
 - b. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division.
 - c. No roof-mounted mechanical equipment, including, but not limited to, dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
 - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
45. Each Unit shall have phone-jacks and cable-TV in all rooms, except any laundry area, hallways, and bathrooms.
 46. All units shall maintain the ability to park two (2) cars within the garages at all times. Garages shall not be converted to any other use. There shall be no business activities, day care, or garage sales conducted within or from the garages. Parking spaces in the garages shall be made available to the occupants of the unit at all times. The applicant/property owner shall ensure that this condition is complied with at all times by tenants of the units and shall include notice of this requirement in all lease agreements.
 47. The main drive aisle, which runs through the middle of the property, serves the entire development for vehicular circulation. The applicant shall utilize effective signage, and/or other acceptable means (i.e., a painted/marked red fire lane), to communicate to residents and guests that there shall be no parking in front of garages or anywhere within the drive aisle, except for within the designated covered guest parking spaces. Additionally, there shall be no long term parking of vehicles in the covered guest parking spaces nor shall covered guest parking spaces be reserved for any particular units.
 48. The applicant/property owner shall abate all graffiti vandalism within the premises. The property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use

- of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
49. Each unit shall be provided with an air conditioning condensing unit so that there are no wall-mounted, window mounted, or roof type air conditioning systems on the building.
 50. All units shall be equipped with trash compactors and shall provide a minimum of three cubic feet of space for the collection and storage of refuse and recyclable material. All exterior collection areas shall be located within a screened yard.
 51. Each unit shall have a separate area for storage having a minimum of three hundred (300) cubic feet of private and secure space. This storage may be located within the enclosed garages, provided that it does not interfere with automobile parking.
 52. Enhanced concrete treatment shall be provided at a 20-foot depth within the entry drive from 9th Street. Concrete treatment and color shall be approved by the Community and Economic Development Department prior to issuance of building permits.
 53. Storage of boats, recreational vehicles, or commercial vehicles on the property shall be prohibited. The applicant/property owner shall ensure that this condition is complied with at all times by tenants of the units and shall include notice of this requirement in all lease agreements.
 54. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:
 - a. The facades of the units shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
 - b. Prior to the finalization of working drawings for Planning Services Division, Engineering Division, and Building and Safety Division, the developer shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect these Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all rooms, except the laundry area, hallways, and bathrooms. Mechanical equipment, including air

conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5 feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit.

55. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
 - a. Decorative masonry walls are required along the west, north, and south property lines and shall be constructed to a minimum height of 6'-0", as measured from highest point of finished grade. These walls shall use decorative masonry or stucco block with decorative caps, subject to the Community and Economic Development Department's approval.
 - b. The applicant shall work in good faith with the existing property owners along the project perimeter in designing and constructing the required perimeter block walls. This requirement is to avoid having double walls and minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. Furthermore, the outward facing portion of the new wall shall be compatible in design and match the color of the existing wall it is abutting. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the Developer shall work with City Staff to address this situation. Additionally, the applicant shall work in good faith with the existing property owners along the project perimeter in designing and constructing any required perimeter blocks walls and/or retaining walls so as not to construct new walls that unreasonably cause shade and shadow issues to nearby homes or are unreasonably tall in height, as measured from grade on the side of the neighboring properties. The applicant shall work with the City to mitigate any such occurrences and issues relating to any walls, subject to final review and approval by the City.
56. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, use of solar, low-emission water heaters, and low-sodium parking lot lights, shall be required to ensure compliance with Title 24.

57. The common recreation area improvements shall be reviewed and approved by the Community and Economic Development Department, Planning Services Division, prior to issuance of building permits. The improvements within the common open space areas shall include a turf area, benches, and related equipment and improvements.
58. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits. The buildings shall include architectural enhancements such as multi-toned stuccoed exteriors with window and door trim, decorative siding, decorative lighting, decorative paneled front doors, shutters, and varied rooflines.
59. No security fencing/gate shall be permitted to be installed within the entry of the project, unless a vehicular turn-around area meeting Public Works Engineering Division requirements can be accommodated.
60. All recreation areas, landscaping along the interior project street and entryway, landscaped areas in all common areas, and any landscaping within the public right-of-ways shall be maintained for the life of the project.
61. 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-046-2018, Lot Line Adjustment No. LLA-013-2018, and/or Variance No. V-018-2018 (collectively, the "Project entitlements"). The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
62. 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-046-2018, Lot Line Adjustment No. LLA-013-2018, and Variance No. V-018-2018, has begun.
63. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable laws and regulations.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2.	SITE LOCATION: East of Knott Street, south of Chapman Avenue located at 12072 Knott Street, #A
HEARING DATE: March 1, 2018	GENERAL PLAN: Industrial
CASE NO.: Conditional Use Permit No. CUP-126-18	ZONE: PUD-105-71 Rev. 90 (Planned Unit Development)
APPLICANT: Mai Khuong	CEQA DETERMINATION: Exempt - Section 15301 - Existing Facilities
PROPERTY OWNER: John Priem	APN: 131-344-10

REQUEST:

The applicant is requesting approval of a new Conditional Use Permit for a Children's Learning Center tutoring business for up to 79 total occupants within an existing 2,400 square foot tenant space. A Children's Learning Center with a maximum occupancy of 45 occupants currently operates on the Site pursuant to Conditional Use Permit No. CUP-333-11(MM1). Upon approval of the proposed new Conditional Use Permit, Conditional Use Permit No. CUP-333-11 and Minor Modification (MM1) would be deemed void and of no further force and effect.

BACKGROUND:

The subject site is part of an approximately 171.53-acre Planned Unit Development (PUD) located on the east side of Knott Street, south of Chapman Avenue. The site has a General Plan Land Use designation of Industrial and is zoned PUD-105-71 Rev. 90 (Planned Unit Development). The PUD is divided into three (3) areas. Area I and Area III permitted uses are Industrial, and Area II permitted uses are Office-Commercial. The subject property is in Area II, which allows Office-Commercial uses. The tenant space is one (1) of the five (5) buildings located on Area II, which is an approximately 140,829 square foot lot. The tenant space is in Building 2, a one-story 4,440 square foot retail building.

On September 22, 2011, the Zoning Administrator approved Interpretation of Use No. IOU-107-11, which authorizes operation of a Children's Learning Center tutoring business use on the property, and Conditional Use Permit No. CUP-333-11 for a children's tutoring business limited to a maximum of 45 occupants. On September 8, 2016, the Zoning Administrator approved Minor Modification (MM1) to Conditional Use Permit No. CUP-333-11 to allow a modification of the approved floor plan from non-permanent walls to permanent walls to create tutoring rooms of different square footages, and to modify the approved hours of operation for the existing 2,400 square foot tenant space.

CASE NO. CUP-126-18

Based on growing interest in children tutoring, the applicant has made the business decision to expand and retain the tutoring business in the City of Garden Grove. The applicant is requesting approval of a new Conditional Use Permit that would allow it to modify the existing floor plan, implement expanded hours of operation, and increase the maximum number of occupants from 45 to 79 occupants.

DISCUSSION:

Floor Plan:

Currently, the interior space is divided into the following areas: eight (8) tutoring rooms (rooms 1-8) of different square footages; one (1) large room that serves as the reception, computer, and recreational area; one (1) breakroom, two (2) restrooms (one (1) men and one (1) women), and common hallways.

The applicant has evaluated the current floor plan and has determined that it would not be conducive for the increase in students. The proposed floor plan would take room numbers 1 through 4 and create two (2) large rooms versus the four (4) small rooms. Additionally, the one large room that was used for reception, computer, and recreation, will now serve as an open tutoring room with desks and chairs as well as the reception area.

The increase of occupants from 45 to 79 requires by Code, a second means of egress for emergency purposes. The distance separation from the first to the second means of egress must be at a minimum distance that equals half the diagonal of the tenant space. Thus, a second egress is required on the west wall connected to a path-of-travel that leads directly to the public right-of-way.

Hours of Operation:

In order to accommodate the increase in students, the applicant is requesting standard business hours from to 8:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 2:00 p.m. on Saturdays throughout the entire calendar year. The applicant will ensure that each student will not exceed the maximum stay of four (4) hours per day.

Parking:

The applicant has represented that there will seven (7) employees and up to seventy-two (72) students in the establishment at any one time.

Title 9 of the City's Municipal Code parks private school elementary to high school uses at a rate of one (1) parking space per each employee and one (1) parking space for every six (6) students. Based on Code requirements, a total of nineteen (19) parking spaces is required. Additionally, staff calculated the required parking for all the existing uses and has determined that the subject site has sufficient parking to accommodate all existing uses, as well as the proposed Children's Learning Center, with no negative impacts to existing parking conditions. The conditions of approval for the subject project state that in the event there are any

parking or traffic circulation issues caused by the proposed business, the applicant shall prepare a parking/ traffic mitigation plan to the satisfaction of the City.

Additionally, it should be noted that the maximum number of full and part-time employees/ instructors and students, within the establishment at any one time, is further subject to the maximum occupancy allowed by the California Building Code. A condition of approval will limit the establishment to seven (7) employees and up to a maximum of seventy-two (72) students, unless further limited by the maximum occupancy allowed by the California Building Code.

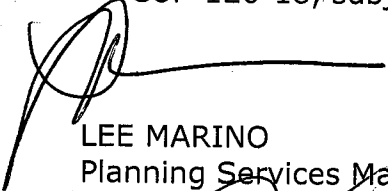
Operation:

As it pertains to the tutoring service's general operation, operating hours, signage, marketing (banners), and/or the use of parking, Staff's research discovered no complaints were received or filed with the City.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 5912-18 approving Conditional Use Permit No. CUP-126-18, subject to the recommended conditions of approval.

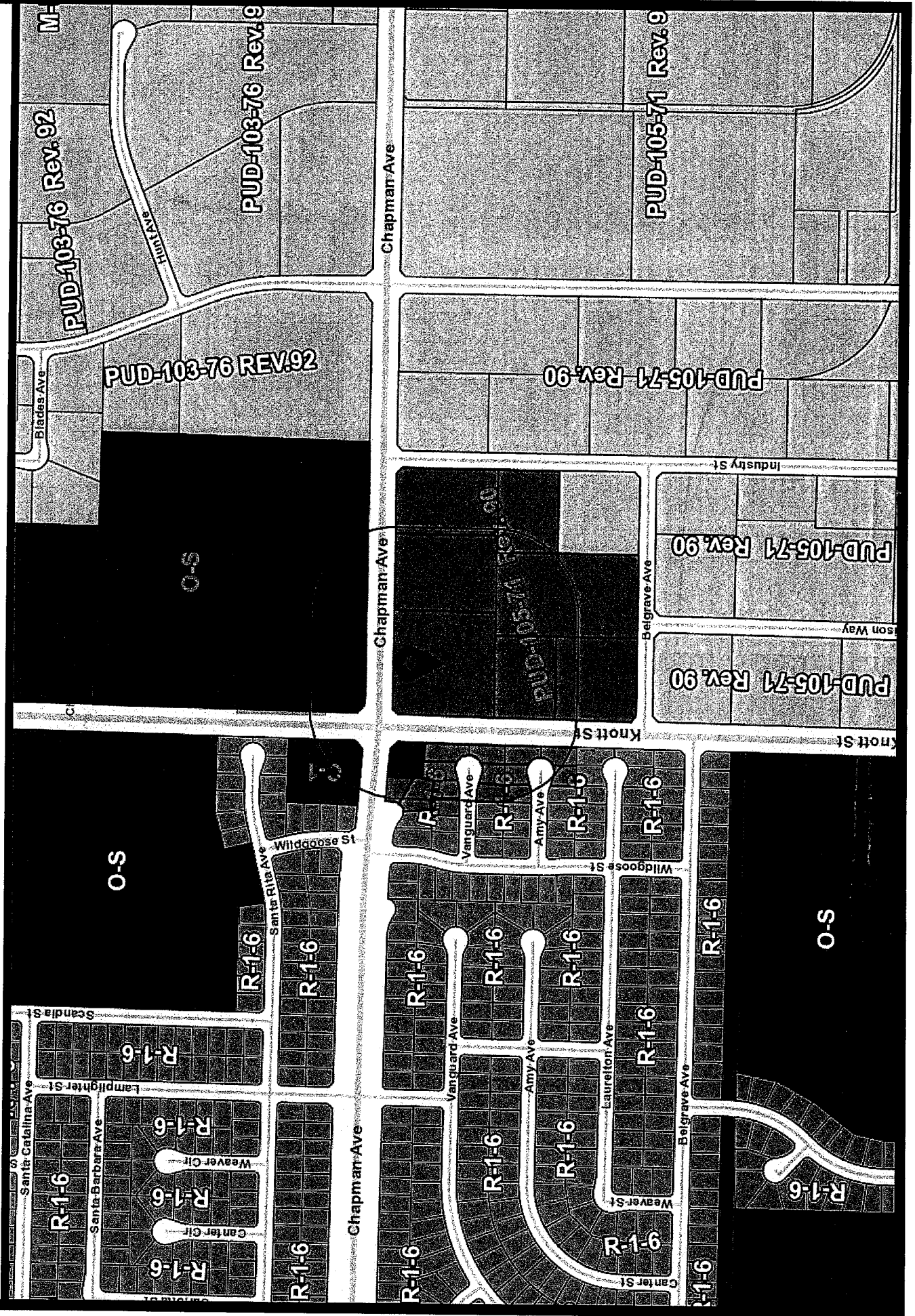


LEE MARINO
Planning Services Manager



By: Paul Guerrero
Senior Program Specialist

CUP-126-2018—300'-0" RADIUS MAP (City of Garden Grove, California)





COMMERCIAL & RESIDENTIAL
Kenny Nguyen
 12072 Knott Street, Unit A
 Garden Grove, CA 92841
 TEL: (714) 988-9506

REVISIONS
 1. REVISION : 09/23/2016
 2. REVISION : 10/20/2016
 3. REVISION : 08/08/2017
 4. REVISION : 10/10/2017

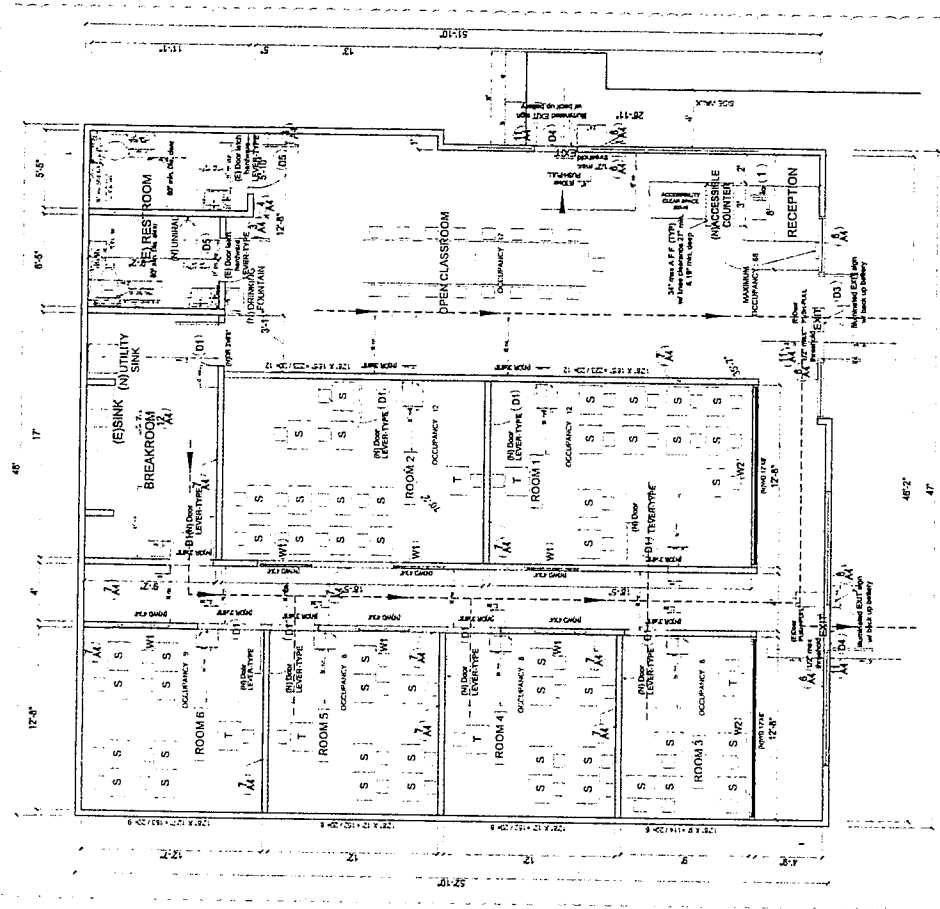
TENANT IMPROVEMENT
TUTORING CENTER
CONNECT LEARNING
CENTER
 12072 KNOTT STREET, UNIT A
 GARDEN GROVE, CA 92841

DRAWN BY: NL
 DATE: 10/09/2017
 CHECKED BY: KENNY NGUYEN
 DATE: 10/09/2017

FILE NAME:
 SHEET TITLE:
 SCOPE OF WORK
 VICINITY MAP
 CODE
 SITE PLAN
 FLOOR PLAN
 LEGEND

SHEET NO.: 1
 OF 3 SHEETS

A1



NOTES: MAXIMUM OCCUPANTS: 79

FLOOR PLAN
 SCALE: 1/4"=10"

EXISTING DOOR + WINDOW SCHEDULE				NEW DOOR + WINDOW SCHEDULE			
SYM.	QTY.	SIZE	TYPE	SYM.	QTY.	SIZE	TYPE
D1	1	3'0" x 7'0"	GLASS ENTRY DOOR	D1	1	3'0" x 7'0"	GLASS ENTRY DOOR
D2	1	3'0" x 7'0"	GLASS ENTRY DOOR	D2	1	3'0" x 7'0"	GLASS ENTRY DOOR
D3	1	3'0" x 7'0"	GLASS ENTRY DOOR	D3	1	3'0" x 7'0"	GLASS ENTRY DOOR
D4	1	3'0" x 7'0"	GLASS ENTRY DOOR	D4	1	3'0" x 7'0"	GLASS ENTRY DOOR
D5	1	3'0" x 7'0"	GLASS ENTRY DOOR	D5	1	3'0" x 7'0"	GLASS ENTRY DOOR
D6	1	3'0" x 7'0"	GLASS ENTRY DOOR	D6	1	3'0" x 7'0"	GLASS ENTRY DOOR
D7	1	3'0" x 7'0"	GLASS ENTRY DOOR	D7	1	3'0" x 7'0"	GLASS ENTRY DOOR
D8	1	3'0" x 7'0"	GLASS ENTRY DOOR	D8	1	3'0" x 7'0"	GLASS ENTRY DOOR
D9	1	3'0" x 7'0"	GLASS ENTRY DOOR	D9	1	3'0" x 7'0"	GLASS ENTRY DOOR
D10	1	3'0" x 7'0"	GLASS ENTRY DOOR	D10	1	3'0" x 7'0"	GLASS ENTRY DOOR
D11	1	3'0" x 7'0"	GLASS ENTRY DOOR	D11	1	3'0" x 7'0"	GLASS ENTRY DOOR
D12	1	3'0" x 7'0"	GLASS ENTRY DOOR	D12	1	3'0" x 7'0"	GLASS ENTRY DOOR
D13	1	3'0" x 7'0"	GLASS ENTRY DOOR	D13	1	3'0" x 7'0"	GLASS ENTRY DOOR
D14	1	3'0" x 7'0"	GLASS ENTRY DOOR	D14	1	3'0" x 7'0"	GLASS ENTRY DOOR
D15	1	3'0" x 7'0"	GLASS ENTRY DOOR	D15	1	3'0" x 7'0"	GLASS ENTRY DOOR
D16	1	3'0" x 7'0"	GLASS ENTRY DOOR	D16	1	3'0" x 7'0"	GLASS ENTRY DOOR
D17	1	3'0" x 7'0"	GLASS ENTRY DOOR	D17	1	3'0" x 7'0"	GLASS ENTRY DOOR
D18	1	3'0" x 7'0"	GLASS ENTRY DOOR	D18	1	3'0" x 7'0"	GLASS ENTRY DOOR
D19	1	3'0" x 7'0"	GLASS ENTRY DOOR	D19	1	3'0" x 7'0"	GLASS ENTRY DOOR
D20	1	3'0" x 7'0"	GLASS ENTRY DOOR	D20	1	3'0" x 7'0"	GLASS ENTRY DOOR
D21	1	3'0" x 7'0"	GLASS ENTRY DOOR	D21	1	3'0" x 7'0"	GLASS ENTRY DOOR
D22	1	3'0" x 7'0"	GLASS ENTRY DOOR	D22	1	3'0" x 7'0"	GLASS ENTRY DOOR
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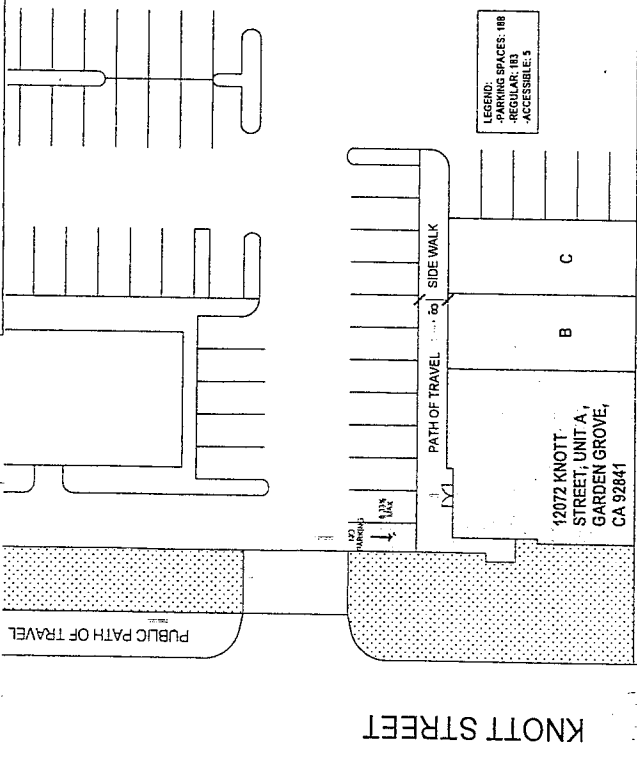
SECTION 1007
 EXIT AND EXIT ACCESS
 EGRESS ILLUMINATION
 General: Exits, exit access stairways, and exit
 stairways and ramps serving spaces, including individual
 exits, shall be illuminated in accordance with
 the provisions of this section.
 1007.1.1 Two sets of exit access stairways. Where two
 sets of exit access stairways are required from
 a space, the exit access, they shall be placed a
 minimum of 10 feet apart. The length of the
 maximum travel distance from the building or
 space to the exit access shall be a straight line between
 the exit access and the space.
 1007.1.2 Exit access stairways shall be counted as one
 exit access.

FUNCTION OF SPACE	OCCUPANT LOAD
EDUCATION	20 PER 100
CLASSROOM AREA	20 PER 100

NOTE:
 Per Section 301.1.1 CAL Green and Cal Code 1101.23(a), all
 new buildings shall be designed to be LEED Gold or better
 in accordance with the requirements of the Green Building
 Code of California Regulations (Title 24, Part 6)

SCOPE OF WORK:
 T.I. for: **CONNECT LEARNING CENTER**
 12072 KNOTT STREET, UNIT A,
 GARDEN GROVE, CA 92841
 Property Owner: **PREM PROPERTIES**
 12012 KNOTT STREET, SUITE A-2
 GARDEN GROVE, CA 92841
 TEL: (714) 988-9506
 Tenant: **CONNECT LEARNING CENTER**
 12072 KNOTT STREET, UNIT A
 GARDEN GROVE, CA 92841

PROPERTY DESCRIPTION
 Propose work floor area: 2400 sqft.
 Occupancy Type: B
 Occupancy Load: 45
STORY: 1
 Ceiling height 10' from finished floor
SPRINKLE SYSTEM: NO
EXISTING T-BAR CEILING
EXISTING A/C



APPLICABLE CODES:
 2016 FOR ALL BELOW
 - CALIFORNIA BUILDING CODE
 - CALIFORNIA MECHANICAL CODE
 - CALIFORNIA PLUMBING CODE
 - CALIFORNIA FIRE CODE
 - CALIFORNIA ELECTRICAL CODE
 (TITLE 24, PART 6)

LEGEND	DESCRIPTION
DJB	DENTAL JUNCTION BOX (RECESSED IN FLOOR)
COMP	AIR COMPRESSOR
CVAC	CENTRAL VACUUM UNIT
WHI	WATER HEATER
EST	EXIT SIGN ILLUMINATED
H/S	HAND SINK
T	TEACHER TABLE
S	STUDENT TABLE

RESOLUTION NO. 5912-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-126-2018 FOR PROPERTY LOCATED ON THE EAST SIDE OF KNOTT STREET AND SOUTH OF CHAPMAN AVENUE, AT 12072 KNOTT STREET #A, ASSESSOR'S PARCEL NO. 133-344-10.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-126-2018, for a parcel of land located on the east side of Knott Street and south of Chapman Avenue, at 12072 Knott Street #A, Assessor's Parcel No. 133-344-10.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-126-2018, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Connect Learning Center.
2. The applicant is requesting approval of a new Conditional Use Permit for a Children's Learning Center tutoring business for up to 79 total occupants within an existing 2,400 square foot tutoring tenant space.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that the proposed project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Reg., Section 15301).
4. The property has a General Plan Land Use designation of Industrial, and is zoned PUD-105-71 Rev. 90 (Planned Unit Development).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on March 1, 2018, 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 March 1, 2018; and

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

FACTS:

The subject site is part of an approximately 171.53-acre Planned Unit Development (PUD) located on the east side of Knott Street, south of Chapman Avenue. The site has a General Plan Land Use designation of Industrial and is zoned PUD-105-71 Rev. 90 (Planned Unit Development). The PUD is divided into three (3) areas. Area I and Area III permitted uses are Industrial, and Area II permitted uses are Office-Commercial. The subject property is in Area II, which allows Office-Commercial uses. The tenant space is one (1) of the five (5) buildings located on Area II, which is an approximately 140,829 square foot lot. The tenant space is in Building 2, a one-story 4,440 square foot retail building.

On September 22, 2011, the City approved Interpretation of Use No. IOU-107-11, which authorized operation of a Children's Learning Center tutoring business use on the property, and Conditional Use Permit No. CUP-333-11 for a children's tutoring business limited to a maximum of 45 occupants. On September 8, 2016, the City approved Minor Modification (MM1) to Conditional Use Permit No. CUP-333-11 to allow modification of the approved floor plan from non-permanent walls to permanent walls to create tutoring rooms of different square footages, and to modify the approved hours of operation for the existing 2,400 square foot tenant space.

The applicant is requesting approval of a new Conditional Use Permit that would allow it to modify the existing floor plan, implement expanded hours of operation, and increase the maximum number of occupants from 45 to 79 occupants.

Floor Plan:

The interior space is divided into the following areas: eight (8) tutoring rooms (rooms 1-8) of different square footages; one (1) large room that serves as the reception, computer, and recreational area; one (1) breakroom, two (2) restrooms (one (1) men and one (1) women), and common hallways.

The proposed floor plan would take room numbers 1 through 4 and create two (2) large rooms versus the four (4) small rooms. Additionally, the one large room that was used for reception, computer, and recreation, will now serve as an open tutoring room as well as the reception area.

The increase of occupants requires by code, a second means of egress for emergency purposes. The distance separation from the first to the second means of egress requires the second egress to be located on the west wall to be connected to a path-of-travel that leads directly to the public right-of-way.

Hours of Operation:

The Children's Learning Center will operate from 8:00 a.m. to 6:00 p.m., Monday through Friday, and from 8:00 a.m. to 2:00 p.m. on Saturdays. The applicant will ensure that each student will not exceed the maximum stay of four (4) hours per day.

Parking:

The applicant has represented that there will seven (7) employees and up to seventy-two (72) students in the establishment at any one time.

Title 9 of the City's Municipal Code parks private school elementary to high school uses at a rate of one (1) parking space per each employee and one (1) parking space for every six (6) students. Therefore, based on Code requirements, a total nineteen (19) parking spaces is required.

City staff evaluated the parking demand for both the existing uses on the site and the proposed expanded tutoring business and determined that there will be sufficient parking to accommodate all the uses.

FINDINGS AND REASONS:

All findings for approval of the proposed Conditional Use Permit required under Section 9.32.030.D.4 (Conditional Use Permit) of the Garden Grove Municipal Code can be made.

Conditional Use Permit:

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

The subject site has a General Plan Land Use designation of Industrial, and is zoned PUD-105-71 Rev. 90 (Planned Unit Development). Educational institutions, preschools, and trade schools are conditionally permitted in the commercial zone, and the City previously determined that a Children's Learning Center is similar to these uses and also conditionally permitted in this zone. Policy LU-6.2 of the General Plan Land Use Element encourages a mix of retail shops and services along the commercial corridors and in centers that better meet the needs of an area's present and potential clientele. The proposed Children's Learning Center is an office/commercial use that is consistent with other retail uses within the Planned Unit Development, Area II zone and is a use that will meet the needs of the area's clientele. Approval of the proposed Conditional Use Permit will also assist in the maintaining the viability of the office/commercial and industrial

buildings within the Planned Unit Development zone and enable an existing Garden Grove business to remain in the City.

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

The subject property is improved with a multi-tenant office/commercial building, which consists of various office/commercial and retail uses. A Children's Learning Center will be a compatible use with the existing uses. The property is located in an area surrounded by commercial and residential uses. The tutoring center will provide educational support and academic opportunities to the community. The proposed children's tutoring business will operate from 8:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 2:00 p.m. on Saturdays, and there is more than sufficient parking to accommodate the use at the proposed location. All standard conditions of approval for similar types of uses will apply and will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will 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.

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 proposed educational institution will be located in an approximately 2,400 square foot space. The proposed request will require the applicant to provide a second means of egress for emergency purposes connecting to a path-of-travel that leads directly to the public right-of-way.

The subject property for the existing tenant space is improved with an office building with 190 parking spaces. Title 9 of the City's Municipal Code parks private school elementary to high school uses at a rate of one (1) parking space per each employee and one (1) parking space for every six (6) students. Therefore, based on Code requirements, a total of nineteen (19) parking spaces are required for the 79 occupants, seven (7) employees and up to 72 students. Based on an analysis of the other uses at the site, more

than enough parking spaces are available to accommodate the proposed use.

Therefore, there is sufficient parking to accommodate the proposed educational institution, with no negative impacts to existing parking conditions. The conditions of approval for the subject project state that in the event there are any parking or traffic circulation issues caused by the subject proposed business, the applicant shall prepare a parking/ traffic mitigation plan to the satisfaction of the City.

Thus, the site, with the existing site improvements, is of adequate size and shape to accommodate the proposed use, and no additional modifications are necessary to integrate the proposed use with other uses within the surrounding area.

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

The site is adequately served by Chapman Avenue with two (2) accessible driveways providing both ingress and egress and by Knott Street with two (2) accessible driveways providing both ingress and egress. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit (CUP-126-2018) does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Conditional Use Permits).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following Conditions of Approval, attached as Exhibit "A", shall apply to Conditional Use Permit No. CUP-126-2018.
3. Conditional Use Permit No. CUP-333-11, as modified by Conditional Use Permit No. CUP-333-11(MM1), and any other Conditional Use Permit previously governing this subject tenant space, shall be null and void, and is superseded in its entirety by Conditional Use Permit No. CUP-126-2018.

EXHIBIT "A"

Conditional Use Permit No. CUP-126-2018

12072 Knott Street #A

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 thirty (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 (the "Applicant") shall mean and refer to the project applicant, Connect Learning Center, the current Owner(s) of the property, the future owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The Applicant, Owner(s) of the property, and subsequent property Owner(s) and operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of a 2,400 square foot Children's Learning Center tutoring business (pursuant to Interpretation of Use No. IOU-107-11) as identified on the site plan and 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.
4. Minor modifications to the approved site plan, floor 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 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 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.

Fire Department

6. The Applicant shall comply with all requirements of the Fire Department for all life safety issues. This includes, but is not limited to, ensuring that proper exiting is provided and maintained at all times.
7. Provide occupancy breakdown per room that will determine exiting requirements pursuant to the current California Fire Code Standards.
8. Provide emergency lighting throughout the building pursuant to the current California Fire Code Standards.

Engineering Department

9. The applicant shall be subject to Traffic Mitigation Fees.

Police Department

10. Hours of operation shall be permitted only between the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 2:00 p.m. on Saturdays throughout the entire calendar year. The City reserves the right to reduce the hours of operation, by order of the Chief of the Police Department, in the event problems arise concerning the operation of this business.
11. There shall be no uses or activities permitted of an adult-oriented nature as outlined in the City Code, Section 9.04.060.
12. There shall be no smoking permitted inside the business at any time.
13. There shall be no students in or about the premises when the establishment is closed.
14. 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 Chapter 1.22 of the Garden Grove Municipal Code, in addition to other penalties provided by law.

Building Department

15. A two (2) hour rated fire separation wall is required between the tenant Space A and the adjacent tenant Space B (between "E" occupancy and "B" or "M" occupancy).
16. The new business shall comply with the current California Building Standards Codes.
17. Restrooms and path of travel from accessible parking spaces to comply with accessible standards per the California Building Code.
18. The Property Owner and/or Applicant shall provide a second means of egress for emergency purposes on the west wall connecting to a path-of-travel that leads directly to the public right-of-way to satisfy the current California Building Code Standards.
19. Any building modifications shall comply with all provisions to the California Building Code Standards, City adopted amendments, and California Plumbing and Electrical Code.

Community and Economic Development Department

20. There shall be no additional changes in the design of the floor plan without the approval of the Community and Economic Development Department, Planning Division. Any additional changes in the approved floor plan, which has the effect of expanding or intensifying the present use, shall require approval of a new or amended Conditional Use Permit.
21. This approval shall allow the operation of a Children's Learning Center tutoring business only. There shall be no additional uses, activities, or changes in operation, or expansion of the use without first obtaining approval by the City through the appropriate process.
22. The use shall meet all requirements of the California Building Standards Code for "B" occupancy. Should there be a change of occupancy, the Applicant shall submit plans prepared by a licensed architect to the Building Division for review and approval.
23. All activities associated with the Children's Learning Center tutoring business shall be conducted within the fully enclosed building. No play yard or outside activities shall be permitted on site, and no full-day summer school operation will be allowed.

24. At no time shall the establishment operate as other than its intended use as a Children's Learning Center tutoring business as permitted by this Conditional Use Permit. Use of the establishment for other types of assembly uses is not permitted.
25. Based on the Applicant's representation that there will be a maximum of seven (7) employees and up to seventy-two (72) students, a total of nineteen (19) on-site parking spaces shall be available on the property for the operation of the private educational institution. The parking spaces shall be available at all times for employee(s) and client parking.
26. In the event the site cannot accommodate the parking demand for the proposed Children's Learning Center tutoring business, at any given time, and operation of the uses results in a demonstrable nuisance, hindrance, and/or problem with either on-site and/or off-site parking and circulation, as determined in the reasonable discretion of the Community and Economic Development Director, the Applicant and Property Owner shall devise and implement a plan approved by the City to relieve the situation. Upon request of the City, the Applicant and Property Owner shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation; staggering class times; instituting an off-site parking arrangement; having on-site parking control personnel; and/or other alternatives that may be deemed applicable to the situation. If the City deems such action is necessary to address parking and circulation problems, such action shall be required within thirty (30) days of written notice. Failure to take appropriate action may result in the City restricting the overall use of the facility or revoking Conditional Use Permit No. CUP-126-2018.
27. No outside storage or displays shall be permitted at any time.
28. 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 tutoring business. 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 of the establishment, and shall also be visible to the public.
29. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven (7) days a week.
30. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.

31. An enrolled student/child may stay at the establishment for no more than four (4) hours per day.
32. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
33. No area of the premises may be rented out, used for private parties, or for day care services, at any time.
34. All lighting structures shall be placed and maintained so as to confine direct rays to the subject property. Lighting levels shall be maintained at a minimum of two foot-candles during hours of operation and a minimum of one foot-candle all other hours of darkness.
35. 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.
36. 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 based on the existing schedule provided by the commercial center.
37. Graffiti shall be removed from the premises, and all parking lots under the control of the Applicant and/or the property owner, within 120 hours following notification.
38. 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.
39. 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 Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
40. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.

41. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
42. 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. Signing for the retail center shall be consistent with the "Signs" section in the Planned Unit Development No. PUD-105-71 Rev. 90 Resolution No. 4064, and as stated in the City of Garden Grove Municipal Code.
43. 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.
44. Conditional Use Permit No. CUP-333-11, as modified by Conditional Use Permit No. CUP-333-11(MM1), and any other Conditional Use Permit previously governing this tenant space, shall become null and void, and superseded in its entirety, by approval of Conditional Use Permit No. CUP-126-2018.
45. A copy of the Resolution No. 5912-18 approving Conditional Use Permit No. CUP-126-2018 shall be kept on the licensed premises at all times and be made available upon request by City Staff and/or Police Department.
46. The Applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-126-2018, and his/her agreement with all conditions of the approval.
47. The Conditional Use Permit shall be reviewed by the Community and Economic Development Department within one (1) year from the date of this approval. On a yearly basis, as determined by City Staff, the business operator shall meet with members of the Planning Division and Police Department to discuss operating conditions of the business and to determine if the business is operating in compliance with the Conditions of Approval.
48. The Applicant shall submit plans, to the Building Department for plan check for the new partition walls, new egress door, and path-of-travel.
49. The new Occupancy shall comply with the current California Building Code, including, but not limited to, the maximum number of persons, per occupancy codes, and number of restrooms required in the facility.

50. The number of toilet fixtures shall be as required by the California Plumbing Code.

51. The Applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Conditional Use Permit No. CUP-126-2018. 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 pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The Applicant shall defend the City with legal counsel mutually selected by the Applicant and the office of the City Attorney and shall further pay any adverse financial award, which may issue against the City, including but not limited to any award of attorney fees to a party challenging such project approval.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.3.	SITE LOCATION: East side of Harbor Boulevard, south of Garden Grove Boulevard at 13200-13220 Harbor Boulevard
HEARING DATE: March 1, 2018	APN: 101-621-19 and 101-621-20
CASE NO.: Site Plan No. SP-033-2017TE1	GENERAL PLAN: International West Mixed Use
APPLICANT: Doug Bergman	ZONE: HCSP-TS (Harbor Corridor Specific Plan – Transition Zone South)
PROPERTY OWNER: ROIC California, LLC	CEQA DETERMINATION: Exempt

REQUEST:

The applicant is requesting approval of a one-year time extension for the approved entitlement under Site Plan No. SP-033-2017 for the construction of a new approximately 4,954 square foot commercial pad building within the parking lot of an existing multi-tenant shopping center, Harbor Place Center, located at 13200-13220 Harbor Boulevard.

BACKGROUND:

On February 2, 2017, the Planning Commission approved Site Plan No. SP-033-2017 to construct a new approximately 4,954 square foot commercial pad building within the parking lot of an existing multi-tenant shopping center located on the east side of Harbor Boulevard, south of Garden Grove Boulevard. The project scope included site improvements to realign a drive aisle, add nine parking spaces, landscape the front setback area between the new building and the public right-of-way, provide new landscaping in the revised parking area, and construct a trash enclosure.

TIME EXTENSION:

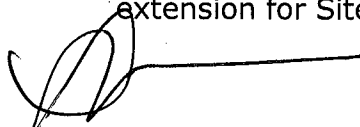
The applicant has indicated in the attached request that approximately fifty percent of the construction documents are complete, therefore, additional time is required to finalize construction documents to submit them for plan check to the City. Also, the applicant has expressed that he is currently in active negotiations with prospective tenants to move forward with the development of the project. The applicant expects to submit all the necessary plans to the City for review and approval within a year from the approval of this time extension.

Section 9.32.030 of the Municipal Code authorizes the Planning Commission to approve up to a one-year time extension for a previously approved Site Plan entitlement.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

- Adopt Resolution No. 5913-18 approving the request for a one-year time extension for Site Plan No. SP-033-2017TE1.



LEE MARINO
Planning Services Manager



By: Mary Medrano
Associate Planner



To: City of Garden Grove

From: Robert Doran
Director of Development & Construction

Date: January 12, 2018

Subject: Entitlement SP—033-2017
13200 & 13220 Harbor Blvd.
Garden Grove, CA

This letter will serve as our request to extend entitlements on the above referenced project out one year to 2/24/19 as we continue to work thru needed tenant consents in order to move forward with the development of this project.

Sincerely:

Robert Doran
ROIC
8905 Towne Centre Drive, Suite #108
San Diego, CA 92122

A handwritten signature in black ink, appearing to be "RD", is written over the typed name and address of Robert Doran.

February 5, 2018

Mary Medrano
Assistant Planner
Lee Marino
Senior Planner

City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840

Mary & Lee it was a pleasure meeting with you today and discussing the entitlement extension for 13190 – 13220 Harbor Blvd., Garden Grove, CA, also known as Harbor Place Center.

Pursuant to our conversation this afternoon we are 50% complete with design development documents, while ROIC California LLC, "Shopping Center Ownership" is in active negotiations with new tenants for the out parcel Pad Building.

It was pleasure to meet both of you today and sincerely appreciate the time well spent. Once again, thank you for the opportunity to meet with me, it was time definitely well spent.

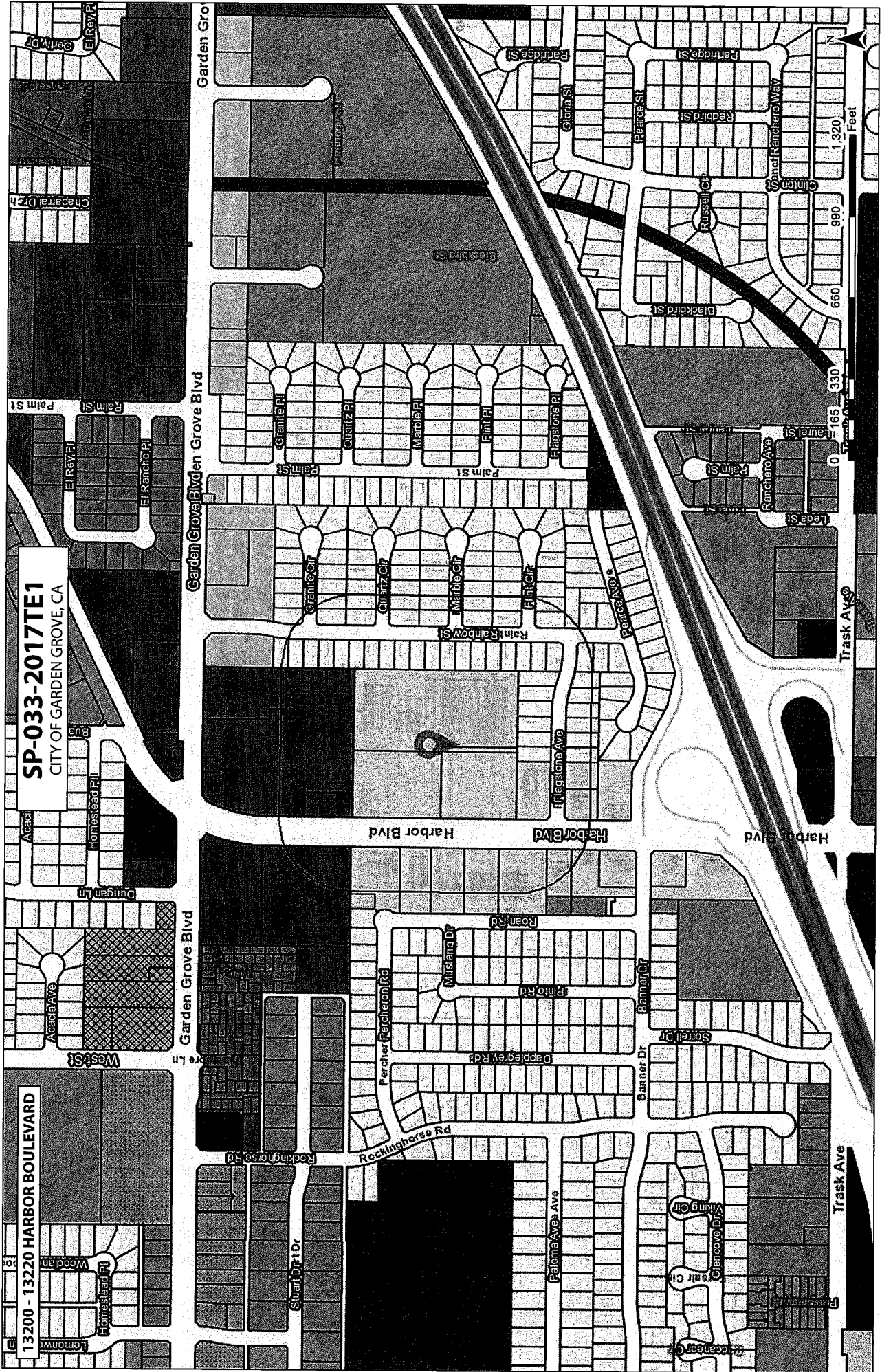
All the Best,



Doug Bergman
BergmanKPRS, LLC.
Bergman Development Services LLC.

SP-033-2017TE1
CITY OF GARDEN GROVE, CA

13200 - 13220 HARBOR BOULEVARD



NO.	DATE	ISSUE & REVISIONS	BY	APP'D
1		ISSUED SITE PLAN		
2		REVISED		
3		REVISED		
4		REVISED		
5		REVISED		
6		REVISED		
7		REVISED		
8		REVISED		
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20		REVISED		

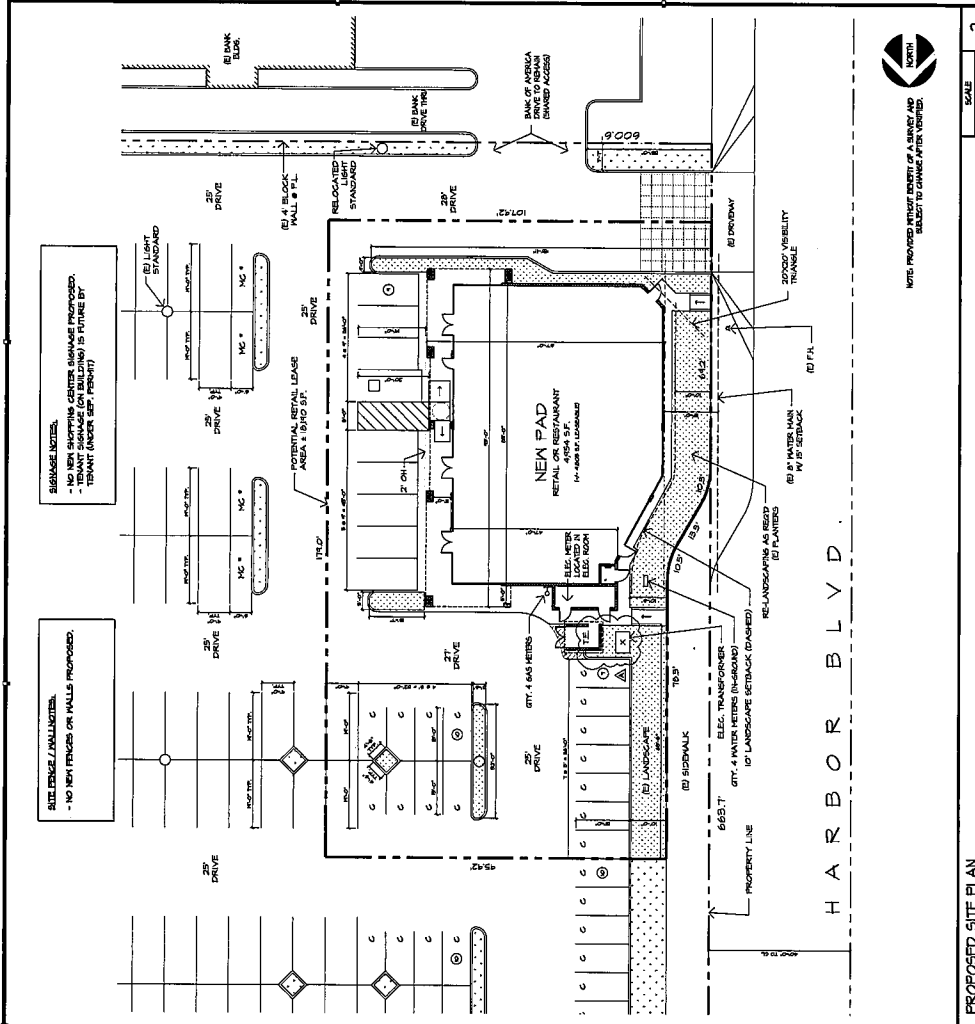
REVISIONS, SPECIFICATIONS AND OTHER VISUAL AIDS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE KEPT IN HIS OR HER OFFICE. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE FOR WHICH THEY ARE PREPARED, EXCEPT BY AGREEMENT IN WRITING. COPYRIGHT STUDIO ARCHITECTS 2016

OWNER:
ROIC CALIFORNIA, LLC.
ROIC
5905 TOWNE CENTER DR.
SAN DIEGO, CA 92122
(619) 617-0900

PROJECT:
PROPOSED PAD BUILDING
HARBOR PLACE CENTER

LOCATION:
HARBOR PLACE CENTER
18100-18220 HARBOR BLVD.
GARDEN GROVE, CA 92845

DATE: 02/02/16
SCALE: NOTED
SHEET # 1
NOTED ALO
1 OF 2



NO.	DATE	ISSUE & REVISIONS	BY	APP'D
1		ISSUED SITE PLAN		
2		REVISED		
3		REVISED		
4		REVISED		
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6		REVISED		
7		REVISED		
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20		REVISED		

EXISTING TOTAL AREA	18,423 SF.
PROPOSED NEW PAD SF.	+ 4,854 SF.
PROPOSED TOTAL AREA	23,277 SF.
EXISTING PARKING RATIO	4.60/1,000 (0.017)
PROPOSED PARKING RATIO	4.31/1,000 (0.023)

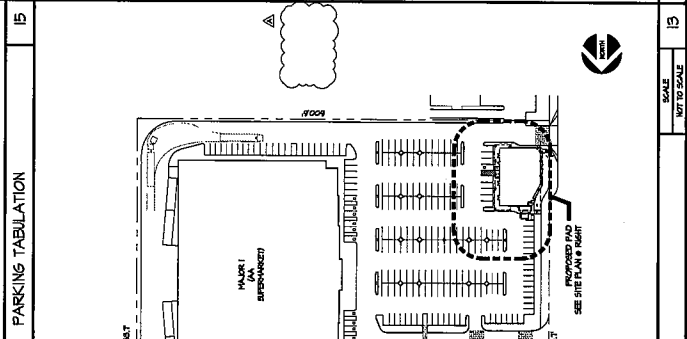
UNIT	NO.	AREA	USE	CODE	REQD
151	151	4,854	RETAIL	U250	25
BK2	5000	5000	RETAIL	U250	20
BK3	5000	5000	RETAIL	U250	6
BK4	5000	5000	RETAIL	U250	94
BK5	5000	5000	RETAIL	U250	6
BK6	5000	5000	RETAIL	U250	5
BK7	5000	5000	RETAIL	U250	5
BK8	5000	5000	RETAIL	U250	5
BK9	5000	5000	RETAIL	U250	5
BK10	5000	5000	RETAIL	U250	5
BK11	5000	5000	RETAIL	U250	5
BK12	5000	5000	RETAIL	U250	5
BK13	5000	5000	RETAIL	U250	5
BK14	5000	5000	RETAIL	U250	5
BK15	5000	5000	RETAIL	U250	5
BK16	5000	5000	RETAIL	U250	5
BK17	5000	5000	RETAIL	U250	5
BK18	5000	5000	RETAIL	U250	5
BK19	5000	5000	RETAIL	U250	5
BK20	5000	5000	RETAIL	U250	5

REMOVED BY CODE:
455 EXISTING STALLS
- 40 AT RETAILMENT
+ 25 NEW PAD
= 390 REQUIRED STALLS

PROPOSED:
591 EXISTING STALLS
- 40 AT RETAILMENT
+ 25 NEW PAD
= 576 REQUIRED STALLS

1,520 PROPOSED TOTAL

4.4 (B) PARKING STALLS TO BE CONVERTED TO MOTORCYCLE (C) ON PLAN

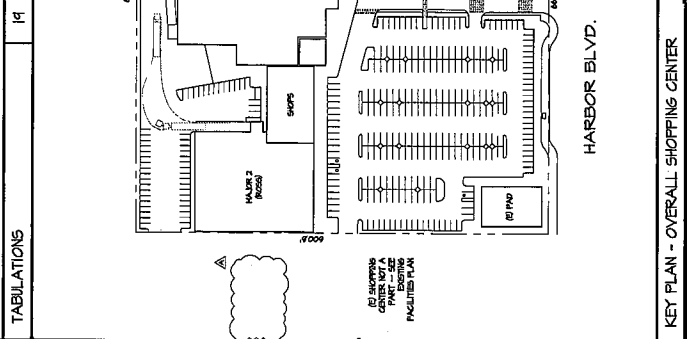


NET SIZE OF PARCEL	10,940 SF.
TOTAL SF. PARKING AREAS	4,854 SF.
TOTAL LANDSCAPING WITHIN PARKING	2,941 SF. (0.78)
BUILDING AREA	4,154 SF.
BUILDING COVERAGE	27.28%
BUILDING HEIGHT	30'-0"
TOTAL LANDSCAPING SPACES ON SITE	26 STALLS
COMPACT PARKING ON SITE	15 (0.78)
HANDICAP PARKING ON SITE	1 (0.04)
TOTAL LANDSCAPING EXCLUDING SETBACKS	502 SF.

DEMO PLAN

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

20



ISSUES & REVISIONS:

NO.	DATE	ISSUES & REVISIONS:	BY
1	02/01/16	ISSUES & REVISIONS:	APFD
2	02/01/16	ISSUES & REVISIONS:	APFD
3	02/01/16	ISSUES & REVISIONS:	APFD
4	02/01/16	ISSUES & REVISIONS:	APFD
5	02/01/16	ISSUES & REVISIONS:	APFD
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17	02/01/16	ISSUES & REVISIONS:	APFD
18	02/01/16	ISSUES & REVISIONS:	APFD
19	02/01/16	ISSUES & REVISIONS:	APFD
20	02/01/16	ISSUES & REVISIONS:	APFD

OWNER: ROIC CALIFORNIA, LLC.

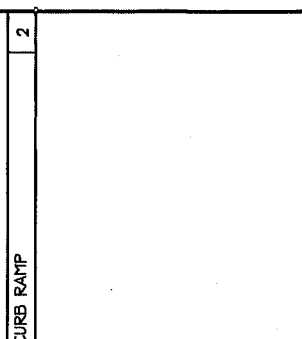
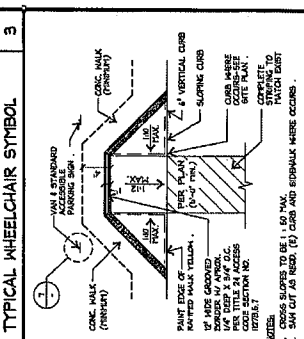
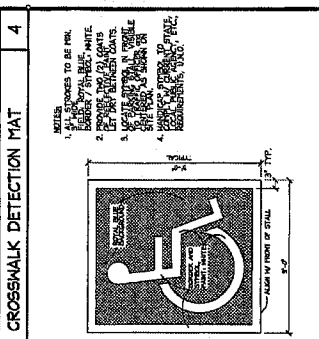
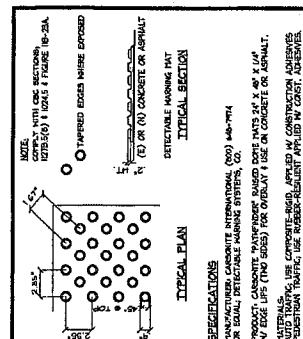
PROJECT: PROPOSED PAD BUILDING HARBOR PLACE CENTER

LOCATION: HARBOR PLACE CENTER DR. SAN DIEGO, CA 92122 (958) 611-0900

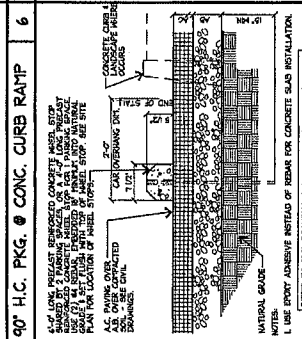
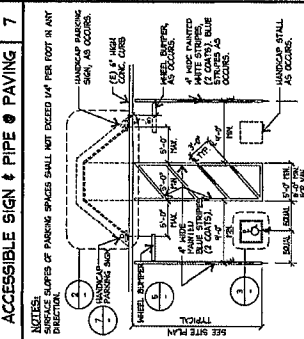
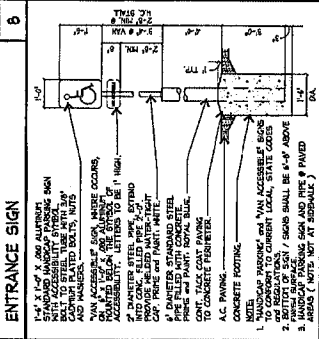
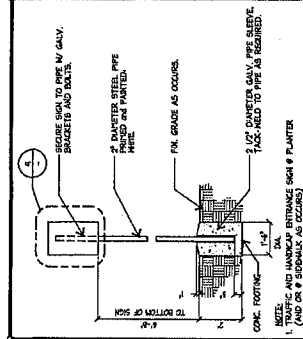
DATE: 02/01/16

SCALE: AS SHOWN

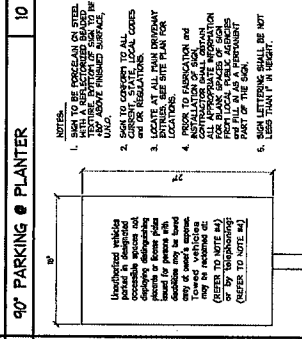
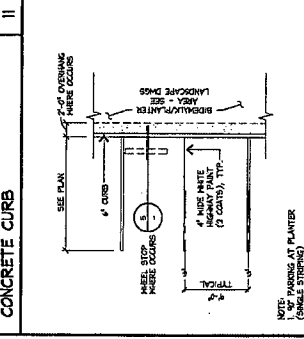
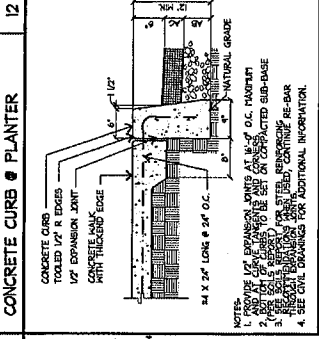
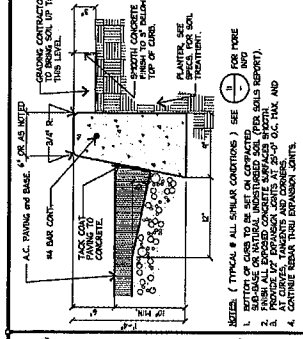
SHEET: A.1



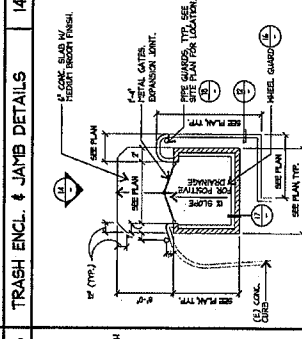
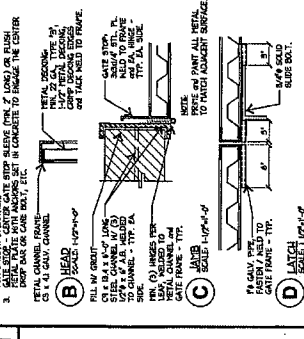
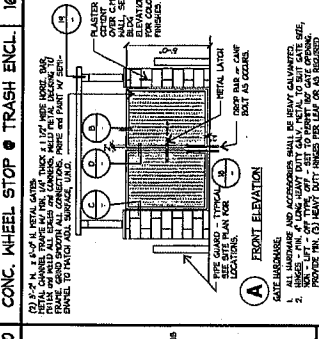
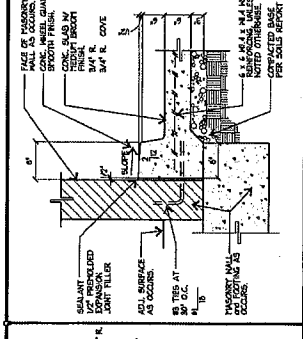
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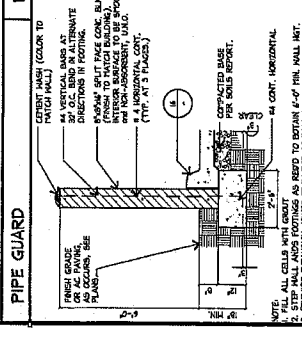
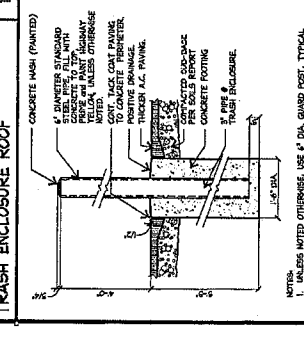
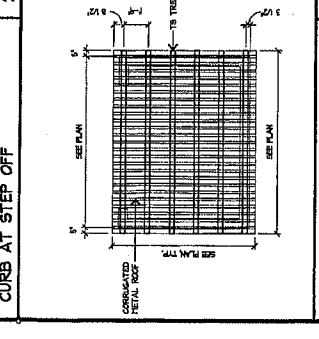
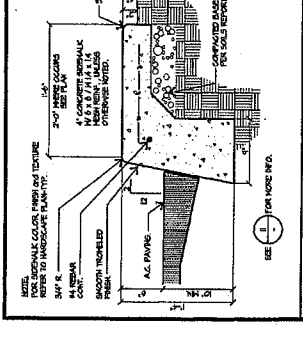
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9



13



17

FLOOR PLAN

SHEET TITLE

NO.	DATE	ISSUES & REVISIONS	BY	APP'D
1	02/20/08	REVISED SITE PLAN		
2	02/20/08	FIELD CITY REVIEW		
3	02/20/08	CITY - LAND USE DEPT		
4	02/20/08	CITY - LAND USE DEPT		
5	02/20/08	CITY - PLANNING		
6	02/20/08	CITY - PLANNING		
7	02/20/08	CITY - PLANNING		
8	02/20/08	CITY - PLANNING		
9	02/20/08	CITY - PLANNING		
10	02/20/08	CITY - PLANNING		

OWNER:
ROIC CALIFORNIA, LLC.
3905 TOWNE CENTER DR.
SAN DIEGO, CA 92122
(619) 611-0900

PROJECT:
**PROPOSED PAD BUILDING
HARBOR PLACE CENTER**

LOCATION:
**HARBOR PLACE CENTER
1510-1520 HARBOR BLVD.
GARDEN GROVE, CA 92843**

DATE: 02/20/08
SCALE: AS SHOWN
NOTED: A2.0
SHEET # 6 OF 8

OWNER:
ROIC CALIFORNIA, LLC.

PROJECT:
**PROPOSED PAD BUILDING
HARBOR PLACE CENTER**

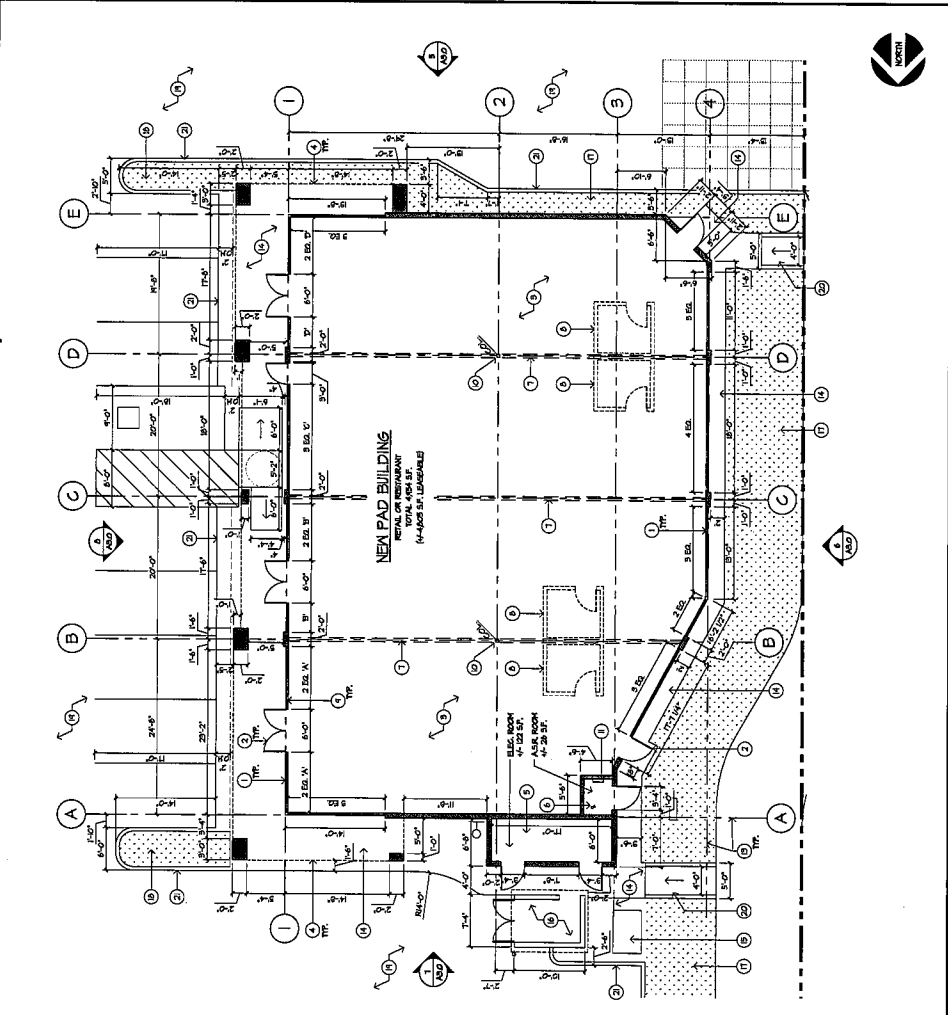
LOCATION:
**HARBOR PLACE CENTER
1510-1520 HARBOR BLVD.
GARDEN GROVE, CA 92843**

DATE: 02/20/08
SCALE: AS SHOWN
NOTED: A2.0
SHEET # 6 OF 8

- REVISIONS:**
- (1) 2X HOOD FRAMING
 - (2) 2X HOOD FRAMING
 - (3) 2X HOOD FRAMING
 - (4) 2X HOOD FRAMING
 - (5) 2X HOOD FRAMING
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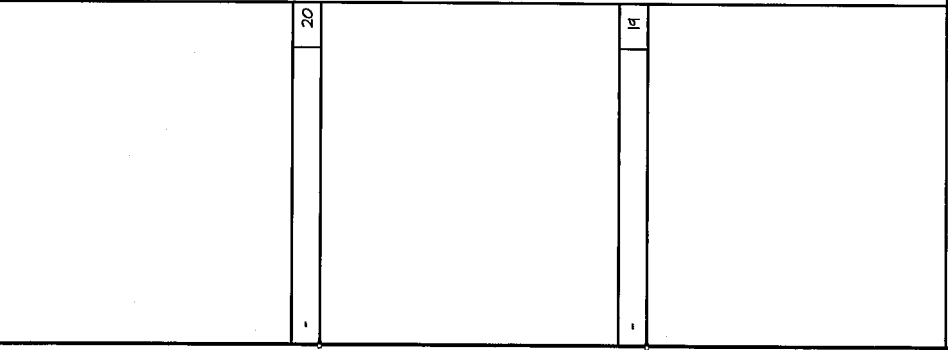
FLOOR PLAN SYMBOLS & LEGEND

- REFERENCED FLOOR PLAN KEY NOTES APPLY TO THIS SHEET ONLY. READ & VERIFY ALL NOTES, PRIOR TO PROCEEDING.
- 1 ON GLASS STOREFRONT SYSTEM, SEE ELEVATIONS & DETAILS
 - 2 7H GLASS STOREFRONT DOORS, SEE ELEVATIONS & DETAILS
 - 3 CONCRETE SLABS, SEE STRUCTURAL
 - 4 SLOTTED / GANTRY ABOVE, SEE ELEVATIONS & SECTIONS
 - 5 SWITCHGEAR, SEE ELECTRICAL. ELECT. ROOM EXIT DOORS TO BE EQUIPPED WITH PANIC HARDWARE PER CBC 009.11.0
 - 6 AUTOMATIC SPRINKLER RISER, SEE PLUMBING
 - 7 FUTURE / POTENTIAL DISHING WALL
 - 8 POTENTIAL REENTRY ROOMS WITH STUB OUTS ONLY. LOCATIONS TO BE DETERMINED.
 - 9 FUTURE / POTENTIAL DISHING WALL
 - 10 FUTURE / POTENTIAL DISHING WALL
 - 11 FUTURE / POTENTIAL DISHING WALL
 - 12 FUTURE / POTENTIAL DISHING WALL
 - 13 FUTURE / POTENTIAL DISHING WALL
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 - 16 FUTURE / POTENTIAL DISHING WALL
 - 17 FUTURE / POTENTIAL DISHING WALL
 - 18 FUTURE / POTENTIAL DISHING WALL
 - 19 FUTURE / POTENTIAL DISHING WALL
 - 20 FUTURE / POTENTIAL DISHING WALL



KEYNOTES

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FLOOR PLAN & HARDSCAPE PLAN

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RESOLUTION NO. 5913-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING A ONE-YEAR EXTENSION FOR SITE PLAN NO. SP-033-2017 FOR PROPERTY LOCATED AT 13200 - 13220 HARBOR BOULEVARD, ASSESSOR PARCEL NOS. 101-621-19 AND 101-621-20.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve a one-year time extension for the approved Site Plan No. SP-033-2017 entitlement, for a pad building site on the east side of Harbor Boulevard, south of Garden Grove Boulevard, at 13200 - 13220 Harbor Boulevard, Parcel Nos. 101-621-19 and 101-621-20.

BE IT FURTHER RESOLVED in the matter of the time extension for the Site Plan No. SP-033-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Doug Bergman.
2. The applicant is requesting approval of a one-year time extension for the approved entitlement under Site Plan No. SP-033-2017 for the construction of an approximately 4,954 square foot commercial pad building within the parking lot of an existing multi-tenant shopping center, Harbor Place Center, 13200-13220 Harbor Boulevard.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that the proposed project is categorically exempt from the CEQA pursuant to Section 15303(c) (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 International West Mixed Use and is zoned HCSP-TS (Harbor Corridor Specific Plan - Transition Zone South).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on March 1, 2018, 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 March 1, 2018; and

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

FACTS:

The subject shopping center, Harbor Place Center, consists of two lots comprising approximately nine acres on the southeast side of Garden Grove Boulevard and Harbor Boulevard. The existing multi-tenant shopping center is improved with a supermarket, AA Market, and other retail businesses, including Ross Dress for Less. A separate pad building on the northwest corner of the property fronting Harbor Boulevard, consists of an optometrist office and the automotive parts retailer, AutoZone. The property maintains a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-TS (Harbor Corridor Specific Plan - Transition Zone South).

On February 2, 2017, the Planning Commission approved Site Plan No. SP-033-2017 to construct a new approximately 4,954 square foot commercial pad building within the parking lot of an existing multi-tenant shopping center located on the east side of Harbor Boulevard, south of Garden Grove Boulevard. The project scope included site improvements to realign a drive aisle, add nine parking spaces, landscape the front setback area between the new building and the public right-of-way, provide new landscaping in the revised parking area, and construct a trash enclosure.

The subject site's General Plan Land Use Designation, International West Mixed Use, and the zone, HCSP-TS (Harbor Corridor Specific Plan - Transition Zone South), have not changed since the entitlement's original approval on February of 2017.

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 has submitted a timely request to extend the approval of the subject project for one year. The applicant has indicated that additional time will be necessary to finalize construction plans for submittal to the City. The applicant has been in active negotiations with

prospective tenants to move forward with the development 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 and Zoning designation have not been changed since the project's approval, and 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 REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Time Extension for the approved Site Plan does possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030.9 (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-033-2017 shall remain in effect.