

NOTICE OF EXEMPTION

To: _____
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From:
City of Garden Grove
P. O. Box 3070
11222 Acacia Parkway
Garden Grove, CA 92842



X

Orange County Clerk
Recorder Department
Hall of Finance and Records
12 Civic Center Plaza, Room 106
Santa Ana, CA 92701

Project Title: Site Plan No. SP-120-2023 and Vesting Tentative Parcel Map No. PM-2021-206

Project Location - West side of Choisser Road and north of Twintree Lane at 12233, 12235, 12237, and 12239 Choisser Road

Project Location - City: Garden Grove Project Location - County: Orange

Description of Project: A request for Site Plan approval to construct a six-story, 53 unit-residential apartment complex on four (4) vacant lots with a combined lot area of 28,793 square feet (0.66 acres). The proposal includes six (6) affordable housing units, five (5) units designated for "Very Low-Income" Households, and one (1) unit designated for "Low-Income" households. Pursuant to the State Density Bonus Law, the applicant is requesting the following concessions and waivers from applicable development standards: (1) concession to allow the first habitable floor on the second floor; (2) a concession to allow fewer parking spaces than the maximum number of parking spaces the City is otherwise permitted to require pursuant to the State Density Bonus Law; (3) a waiver to allow the building to be constructed within the 45-degree encroachment plane required for Mixed-Use zoned properties abutting Residentially-Zoned lots along the side yard setback; (4) a waiver to deviate from the requirement to provide a separate storage space for each unit; (5) a waiver to deviate from the requirement to provide at least 300 square feet of open space, recreation, and leisure are per unit, and to allow an indoor fitness center and lounge and roof deck area to contribute 100 percent of the open space requirement; (6) a waiver to deviate from the requirement to provide at least 90 square feet of private open space per unit; (7) a waiver to deviate from the requirement to provide passive recreation areas with minimum dimensions of 10 feet in width and 30 feet in length, and to contribute 100 percent to the open space requirement; and (8) a waiver to deviate from the minimum parking space length, from 19 feet to 18 feet. Also, in accordance with the State Subdivision Map Act, a request for a Vesting Tentative Parcel Map approval to consolidate four existing parcels into a single lot to facilitate the development of the residential apartment complex.

Name of Public Agency Approving Project: Garden Grove Planning Commission
Address: 11222 Acacia Parkway, Garden Grove, CA 92842

Name of Applicant or Agency Carrying Out Project: Danny Wei
Address: 12966 Euclid Street, Suite 300, Garden Grove, CA 92840
Phone: (714) 696-0000

Exempt Status:

- _____ Ministerial (Sec. 21080(b)(1); 15268)
_____ Declared Emergency (Sec. 21080(b)(3); 15269(a))
_____ Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
XX _____ Categorical Exemption. State type and section number: Section 15332- In-Fill Development Project
_____ Statutory Exemptions. State code number:

Reasons why project is exempt: _____

a.) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The proposed project includes the construction of a six-story, 53-unit residential apartment complex on four (4) vacant lots with a combined lot area of 28,793 square feet (0.66 acres). The proposal includes six (6) affordable housing units, five (5) units designated for "Very Low-Income" Households, and one (1) unit designated for "Low-Income" households. In accordance with the State Subdivision Map Act, the project includes a Vesting Tentative Parcel Map to consolidate four existing parcels into a single lot to facilitate the development of the residential apartment complex.

The subject site has a General Plan land use designation of International West Mixed Use (IW) and is zoned Planned Development PUD-128-12. The project site is also part of the International West Mixed Use Overlay. The IW land use designation is intended to allow for mixed-use residential and commercial developments with higher residential densities up to 70 dwelling units per acre. The IW land use designation is implemented Planned Unit Development No. PUD-128-12 and by the International West Mixed Use Overlay zone. The project site is also identified in the General Plan Housing Element as a site suitable for the development of multiple-family lower-income housing.

The project has been designed to comply with the development standards of the Municipal Code for the International West Mixed Use Overlay zone, as implemented by the GGMU-1 zone, and is within the density permitted under the General Plan, with the exception of the increased density, concessions/incentives, waivers, and reduced parking ratios permitted pursuant to State Density Bonus Law. The proposed project is consistent with the goals and policies of the General Plan.

b.) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is located on four vacant parcels at 12233, 12235, 12237, and 12239 Choisser Road, in the City of Garden Grove, California. The project site encompasses a total area of 0.66 acres. The project site is located in an urbanized area surrounded by hotels, commercial, and residential uses. The project site abuts a commercial shopping center to the north improved with commercial buildings; to the south and east are single-family homes; and to the west is a property developed with a Raising Cane's drive-through restaurant and vacant land that is entitled for the development of a 769-room resort hotel and retail complex commonly referred to as the Site "C" Project.

c.) The project site has no value as habitat for endangered, rare or threatened species.

The project site is located in a highly urbanized area with commercial uses along Harbor Boulevard and residential uses along Choisser Road. The project site was previously occupied by residential structures. Several years ago, the structures were demolished creating vacant land with vegetation consisting of grass, trees, and shrubs typical of residential landscaping. The project site does not contain any standing surface water and does not contain any riparian habitats or other sensitive riparian natural communities. According to the City of Garden Grove 2008 General Plan Update Project EIR, due to the built-out nature of the City and surrounding area, biological resources in Garden Grove are almost non-existent. Therefore, the project site does not have any valuable or suitable habitat for endangered, rare or threatened species.

d.) Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality.

Traffic¹:

The project is located in a low Vehicle Miles Traveled (VMT) generating zone and meets the Transit Priority Area Screening Criteria. It is thus presumed that impacts to VMT would be less than significant.

Noise²:

Project construction noise levels are expected to be below the recommended 8-hour construction noise threshold provided by the Federal Transit Administration for adverse community reaction at the adjacent residential uses. Operational noise levels generated by the project are not expected to exceed the City's daytime standards of 55 dBA Leq and nighttime noise standards of 55 dBA Leq. In addition, the project site is expected to experience future noise levels of approximately 60 dBA CNEL and falls within normally acceptable zone for residential land use. Therefore, impacts would be less than significant.

Air Quality³

Daily air quality emissions (on-site and off-site) associated with construction of the project will be below the criteria pollutant thresholds of significance. The project will comply with the South Coast Air Quality Management District's (SCAQMD) rules and requirements regarding fugitive dust control. As a result, the project would not contribute substantially to an existing or

¹ RK Engineering Group, Inc. (2022). Letter to AECOM dated September 1, 2022.

² RK Engineering Group, Inc. (2022). Choisser Apartments Noise Impact Study: City of Garden Grove, California.

³ RK Engineering Group, Inc. (2022). Choisser Apartments Air Quality and Greenhouse Gas Impact Study: City of Garden Grove, California

projected air quality violation. Operation of the project is not expected to exceed any of the allowable daily emissions thresholds for criteria pollutants at the regional level. The project's daily operational emissions will be below the applicable SCAQMD air quality thresholds of significance and the project would not contribute substantially to an existing or projected air quality violation. Therefore, impacts would be less than significant.

Water Quality⁴:

The project will comply with applicable state and local water quality requirements. A preliminary Water Quality Management Plan and Hydrology Plan were created to ensure compliance. Therefore, impacts would be less than significant.

e.) The site can be adequately served by all required utilities and public services.

The project is an infill development where previous housing was located. The project site is situated in a fully developed city with the full range of well-established public service (police, fire, school, parks, and schools) and utility (wastewater, water, solid waste) providers that can serve the project. Correspondence with applicable utility companies has ensured service capacity for the project.

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: (714) 741-5312

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ yes ☐ no

Signature: Maria Parra Date: 2/16/2023 Title: Planning Manager
____ Signed by Lead Agency Date received for filing at OPR: _____
____ Signed by Applicant

⁴ AECOM (2022). Memo to Maria Parra at the City of Garden Grove dated September 26, 2022.