

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
County Administration South Building
601 N. Ross Street
Santa Ana, CA 92701

Project Title: Site Plan No. SP-145-2024 and Lot Line Adjustment No. LLA-033-2024

Project Location - Specific: North side of Garden Grove Blvd., between Galway St. and Brookhurst Way, at 9891, 9897, AND 9901 Garden Grove Blvd.

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

Description of Project: A request for Site Plan approval to construct a seven-story, 79'-0" in height, 98-unit multiple-family residential apartment complex with associated site improvements on a 1.35-acre (Gross) project site, and a Lot Line Adjustment to remove an existing lot line for the purpose of consolidating two (2) adjoining parcels into one (1) parcel to accommodate the proposed residential development. The proposal includes ten (10) affordable housing units for "very low-income" households. Inclusion of the ten (10) "very low-income" units qualifies the project for a density bonus, concessions, waivers, and reduced parking pursuant to the State Density Bonus Law. The site is in the GGMU-3 (Garden Grove Boulevard Mixed Use 3) zone.

Name of Public Agency Approving Project: City of Garden Grove

Address: 11222 Acacia Parkway, Garden Grove, CA 92842

Name of Applicant or Agency Carrying Out Project: William D. Jager (Applicant) and Lowden Real Estate Investments, LLC (Property Owner)

Address: 872 Wendt Ter, Laguna Beach, CA 92651

Phone: (949) 280-0758 Email: JagerCo@gmail.com

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 No. 15332 –In-Fill Development Projects

 Statutory Exemptions. State code number:

Reasons why project is exempt:

CEQA Guidelines Section 15332 defines the Class 32 Infill Exemption as a project that meets the following five requirements:

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 subject site has a General Plan Land Use designation of Residential/Commercial Mixed Use 3 (RC3) and is zoned GGMU-3 (Garden Grove Boulevard Mixed Use 3). The RC3 General Plan Land Use is intended to provide for a mix of residential and commercial uses with building heights up to seven (7) stories, or seventy-five-feet (75'-0"), along Garden Grove Boulevard. The RC3 Land Use designation is implemented by the GGMU-3 zone, which allows residential developments with densities up to forty-eight (48) units per acre. The proposed project includes construction of a seven-story, ninety-eight (98) unit residential apartment development that includes ten (10) affordable housing units for "very low-income" households, along with associated site improvements. With the inclusion of ten (10) affordable housing units for "very low-income" households, pursuant to the Density Bonus Law, the project qualifies for a density bonus of up to fifty percent (50%) over the base density. The proposed Project will meet all of the proposed development standards, including lot size, setbacks, building height, and parking requirements, with the exception of concessions and waivers granted pursuant to State Density Bonus Law. (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1349.) Therefore, the Project is consistent with the applicable general plan designation and zoning designation. The Project thus meets the requirements of CEQA Guidelines Section 15332 (a).

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 is within the city limits of the City of Garden Grove, on an approximately 1.35-gross-acre site. Urban uses surround the property. An automotive service and repair business abuts the Project site along its easterly property line and a truck accessory and camper shell business abuts the westerly property line. A multi-family apartment project abuts the Project site along its northerly (rear) property line. A variety of retail and commercial businesses are located to the south across Garden Grove Boulevard in a strip mall configuration. Used vehicle sales are located further east and west of the Project site on the north side of Garden Grove Boulevard. As the Project site is less than five acres and substantially surrounded by urban uses, it meets the criteria of CEQA Guidelines Section 15332 (b).

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

The Project site is within a highly developed, densely populated urban area. The Project site contains existing buildings that will be demolished and apparent remnants of previously demolished structures. The substantially urbanized and previously disturbed Project site and vicinity is not a habitat area for endangered, rare, or threatened species. Development of the Project site will not have an adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, and no impacts would occur. The Project thus meets the requirements of CEQA Guidelines Section 15332 (c).

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

Approval of the Project would not result in any significant effects related to traffic, noise, air quality or water quality. Traffic, noise, air quality, and water quality studies have been prepared by licensed firms to study the impact of the proposed development, and no significant impacts have been identified. The traffic, noise, air quality, and water quality studies are appended to the Staff Report in the Project's administrative record. The Project thus meets the requirements of CEQA Guidelines Section 15332 (c).

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

The Project site is located in an urbanized and developed area. The utilities necessary to construct and operate the proposed Project (electric, natural gas, trash, water, and sewage) would be adequately provided by existing utility service systems. The proposed Project would connect to existing utility service lines surrounding the Project site. All service confirmations would be addressed prior to occupancy. The project's potential impacts to fire protection, police protection, schools, parks, and libraries were projected and evaluated. It was determined that the Project could adequately be served by, and would not result in any significant impacts to, all required utilities and public services. Therefore, the proposed Project meets the criteria of CEQA Guidelines Section 15332 (e).

The Project was approved by the Project's Planning Commission on October 3, 2024. The Planning Commission's CEQA determination was appealed to the City Council. On December 10, 2024, the City Council continued the public hearing and consideration of the appeal to January 14, 2025. On January 14, 2025, the City Council held a public hearing and denied the appeal.

Lead Agency

Contact Person: Mary Martinez 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: Marie C Pave Date: 1/15/25 Title: Planning Manager

Signed by Lead Agency
 Signed by Applicant

Date received for filing at OPR: