

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-129-2023

Project Location - Specific: North of Bixby Ave., between Carthay Circle and Peacock Court, at 9691 Bixby Ave.

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

Description of Project: A request for Site Plan approval to construct a three-story, 33'-4" tall, 27-unit residential apartment complex and associated site improvements on a 0.83-acre lot. The proposal includes three (3) affordable housing units for "very-low income" households which qualifies the project for a density bonus, concessions, waivers, and reduced parking pursuant to the State Density Bonus Law. The project has been designed to incorporate certain concessions and waivers of development standards pursuant to the State Density Bonus Law. All existing on-site improvements will be demolished to accommodate the proposed development. The site is in the R-2 (Limited Multiple Residential) zone.

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: The Jager Co., Ltd., (William D. Jager)
Address: 872 Wendt Terrace, Laguna Beach, CA 92651
Phone: (949) 280-0758

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 Project site has a City of Garden Grove General Plan Land Use designation of Low Medium Density Residential (LMR) and a zoning designation of Limited Multiple Residential Zone (R-2), which allows for the development of residential units at a density of 21 dwelling units per acre. The Project would provide three affordable units for very – low-income households, which entitles the Project to a 50 percent density bonus from the base density of 21 dwelling units per acre or 18 dwelling units onsite. The density bonus allows for a maximum of 27 units onsite. The proposed Project would develop 27 multi-family residential units and meet all of the proposed development

standards, including lot size, setbacks, dwelling unit size, and parking requirements. Therefore, the Project is consistent with the applicable general plan designation and zoning designation.

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 0.83-gross-acre site. The site is surrounded by multi-family residential uses to the east, single-family residences to the north, a school to the west, and Bixby Avenue followed by single-family residences to the south. 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 0.83-acre Project site is currently developed with an existing daycare facility and associated improvements. As such, the whole Project site has been disturbed by previous development and does not contain any endangered, rare, or threatened species. However, the Project contains non-native trees scattered onsite. As a standard condition of approval, the Applicant is required to comply with Sections 3503, 3503.5, and 3513 of the California Fish and Game Code and the Migratory Bird Treaty Act (MBTA). Compliance with the California Fish and Game Code and MBTA would ensure that impacts to nesting birds and raptors, which may use vegetation, including existing scattered non-native trees, on or near the Project site for nesting, during construction would not occur. For the reasons described above, the proposed Project site has no value as habitat for endangered, rare or threatened species and meets the criteria 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. A Project specific trip generation and screening analysis was prepared, and no significant impacts were identified. Additionally, the Project is located in a Transit Priority Area and generates a net decrease of 66 trips compared to existing conditions, which is fewer than the 110 daily vehicle trips requirement to prepare a full vehicle miles traveled (VMT) analysis. As such, the Project would screen out of conducting a full VMT analysis. Therefore, the Project would result in a less than significant impact related to VMT. The Project vicinity receives transit services from the Orange County Transportation Authority and implementation of the Project would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur. There is no existing bicycle infrastructure such as bicycle trails/lanes on the surrounding streets. Therefore, the Project would not alter or conflict with any bicycle facilities. Sidewalks do not currently exist along Bixby Avenue. The proposed Project would provide onside pedestrian walkways that would circulate the site and connect to a new sidewalk along Bixby Avenue. This would facilitate pedestrian use and walking to nearby locations.

The proposed Project would not result in a generation of substantial noise levels and would not result in significant noise impacts. Modeling of the construction noise to the location of the existing sensitive receptors indicates that construction noise at the closest sensitive receptors is anticipated to range from 57 dBA Leq to 81 dBA Leq, which is less than the Federal Transit Administration's 90 dBA construction threshold. Therefore, noise impacts would be less than significant. In addition, the construction noise over the 6-month period would be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. Development of the proposed Project would result in a net decrease of 66 daily trips compared to existing daycare conditions. As such, development of the proposed Project would result in a decrease in traffic volumes and associated roadway noise in the vicinity of the Project site. Therefore, the Project would result in a less than significant impact related to vehicular noise.

Emissions generated by construction and operation of the proposed Project would not exceed thresholds and the Project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

The proposed Project would maintain existing drainage patterns and onsite stormwater would drain to a StormTech system located in the driveway along the westerly property line. In addition, the Project would include approximately 4,877 square feet of landscaped areas and 1,271 square feet of common landscaped areas which would infiltrate stormwater. The Project complies with City storm water requirements and includes "Low Impact Development" measures, and thus, will not result in significant water quality impacts.

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. Trash collection services would be arranged prior to the issuance of building permits. All service confirmations would be addressed prior to occupancy. Given the Project size and its location within an area that is currently served by utilities, the site can be adequately served by all required utilities and public services. Therefore, the proposed Project meets the criteria of CEQA Guidelines Section 15332(e).

Lead Agency

Contact Person: Huong Ly 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:  Date: 1/2/24 Title: Acting Planning Services Manager

Signed by Lead Agency
 Signed by Applicant

Date received for filing at OPR: