

**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: Haster Street Apartments (Site Plan No. SP-146-2024 and Tentative Parcel Map No. PM-2023-191)

Project Location - 12681 Haster Street

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

Description of Project: A request for Site Plan approval to construct a seventy-six (76) unit, four-story multiple-family residential building and associated site improvements on an approximately 1.58-acre lot. The proposal includes eight (8) affordable housing unit for "very low-income" households. Inclusion of the eight (8) "very low-income" units qualifies the project for a density bonus, concessions, waivers, and reduced parking pursuant to the State Density Bonus Law. Also, a Tentative Parcel Map to split the existing 3.8-acre property into two (2) separate lots of approximately 2.2 acres, and approximately 1.6 acres to facilitate the development of the residential apartment complex. The site is in the R-3 (Multiple-Family 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: LPA, Inc.  
Address: 5301 California Ave., Suite 100, Irvine, CA 92617  
Phone: (619) 323-2931

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 Project is within the R-3 (Multiple-Family Residential) zone, and located within the MDR (Medium Density Residential) Land Use designation in the City's General Plan. The regulations of the R-3 zone are intended to provide for a variety of types and densities of multiple-family residential dwellings. Aside from the proposed waiver and/or incentives provided for under State Density Bonus law, the Project has been designed to be consistent with applicable General Plan, and Municipal Code policies and regulations. Therefore, the Project meets this criterion.

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 occurs entirely within Garden Grove city limits. As it comprises +/-3.78 acres, the Project site is less than 5 acres, and it is completely surrounded by urbanized land uses. Therefore, the Project meets this criterion.

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

The Project is located in an area of the City currently developed and disturbed with urban development and ornamental landscaping. The Project site does not contain suitable habitat for any special-status plants or wildlife species. Therefore there is no potential for an endangered, rare or threatened species to occur at the site. Additionally, a standard Condition of Approval is included to ensure compliance with the Migratory Bird Treaty Act. Therefore, the Project meets this criterion.

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

**Traffic<sup>1</sup>:**

In accordance with the City of Garden Grove TIA Guidelines, the Project has been evaluated as to whether the proposed development warrants a level of service or VMT analysis. The proposed residential project is not expected to exceed 50 peak-hour trips. In addition, the project will screen out from a detailed VMT analysis due to its location within a TPA, and low VMT-generating area. As a result, the project would have a less than significant impact on transportation. Therefore, the Project meets this criterion.

**Noise<sup>2</sup>:**

Noise impacts associated with construction activities are regulated by the City's Noise Ordinance. Project construction activities shall comply with Municipal Code Section 8.47.060(d), which states that it shall be unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria established in Section 8.47.050(B), is caused discomfort or annoyance unless such operations are of an emergency nature.

The closest structure to the project site is the skilled nursing facility to the south of the site, less than 25 feet from the project construction area limits. Heavy equipment would not be used within 15 feet of the structure to the south, and jackhammers would not be used within 10 feet of the structure to the south. It is expected that potential vibration levels generated by large equipment that would be as close as 15 feet from the property line would generate ground-borne vibration levels of up to 0.192 PPV (in/sec) at the closest structure to the project site. Potential vibration levels generated by jackhammers as close as 10 feet from the property line would generate ground-borne vibration levels of up to 0.138 PPV (in/sec) at the closest structure to the project site. These vibration level would not exceed the 0.2 PPV (in/sec) threshold that is considered safe for non-engineered timber and masonry buildings. The potential impact would be considered less than significant, and no construction vibration impacts would occur.

The existing skilled nursing facility, which is located approximately 180 feet to the south from the center of the project site, is the nearest sensitive receptor and would experience vibration levels approaching 61 VdB. This level of ground-borne vibration is not perceptible, which is approximately 72 VdB for frequent events at uses where people sleep, and would not exceed the FTA vibration threshold for human annoyance at the nearest sensitive use. The impact would be considered less than significant, and no construction vibration impacts would occur.

The proposed project is estimated to generate an ADT volume of 512. The existing ADT volume on Haster Street is 30,264. It takes a doubling of traffic to increase traffic noise levels by 3 dBA. The project-related traffic would increase traffic noise along Haster Street by up to 0.1 dBA. This noise level increase would not be perceptible to the human ear in an outdoor environment. Therefore, traffic noise impacts from project-related traffic on off-site sensitive receptors would be less than significant.

The Project would have HVAC units operating 24 hours per day. The HVAC equipment would generate noise levels of 66.6 dBA Leq at 5 feet per HVAC unit. The closest off-site sensitive use during operation of the proposed project would be the existing skilled nursing facility to the south of project site, approximately 125 feet away from the proposed rooftop HVAC equipment. With HVAC equipment 35 feet or more from the proposed buildings, the City's exterior noise level standard would be met. After distance attenuation, noise generated from on-site HVAC equipment 35 feet from the proposed buildings would potentially reach up to 49.7 dBA Leq, which would not exceed the City's exterior daytime or nighttime noise standards of 55

---

<sup>1</sup> Transportation Memorandum prepared by LSA dated December 21, 2023

<sup>2</sup> Noise and Vibration Impact Analysis prepared by LSA dated December 8, 2023

dBA Leq and 50 dBA Leq, respectively, for residential uses. Since the closest sensitive use is located over 35 feet away from the proposed property lines, noise associated with the on-site HVAC equipment would not exceed the City's noise standard and would be less than significant.

Vibration levels generated from project-related traffic on the adjacent roadways are unusual for on-road vehicles because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. Based on a reference vibration level of 0.076 in/sec PPV, structures greater than 20 feet from the roadways that contain project trips would experience vibration levels below the most conservative standard of 0.12 in/sec PPV. Therefore, vibration levels generated from project-related traffic on the adjacent roadways would be less than significant, and no mitigation measures are required.

Air Quality<sup>3</sup>

The construction and operation of the proposed project would not result in the generation of criteria air pollutants that would exceed SCAQMD thresholds of significance. Compliance with SCAQMD Rule 403: Fugitive Dust would further reduce construction dust impacts. A standard Condition of Approval is included to ensure compliance with said SCAQMD Rule 403. The proposed project is not expected to produce significant emissions that would affect nearby sensitive receptors. The project would also be consistent with the 2022 AQMP and would also not result in objectionable odors affecting a substantial number of people. Therefore, the Project meets this criterion.

Water Quality<sup>4</sup>:

Hydrology and water quality measures will be implemented as temporary erosion control during the construction phase, and as permanent BMPs after the project is completed, to be maintained for the life of the Project. With the aforementioned design measures in place, the hydrology and water quality impacts of the project are anticipated to be less than significant.

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

The development site can be adequately served by all required utilities and public services. The Project site is located in an existing urban area served by existing public utilities and services. A considerable increase in demand for services or utilities would not be anticipated due to the Project's location within an existing urban infill location currently developed with primarily residential uses.

Southern California Edison provides electricity and the City's Department of Public Works provides water and sewer services. Solid waste collection would be served by Republic Services. Telephone, data services, and internet would also be provided by existing infrastructure. Therefore, the Projects meets the criterion.

**Lead Agency**

Contact Person: Priit Kaskla, AICP 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: Maura Pave Date: 10/21/24 Title: Planning Manager

Signed by Lead Agency Date received for filing at OPR:  
 Signed by Applicant

<sup>3</sup> Air Quality Technical Memorandum prepared by LSA dated December 6, 2023

<sup>4</sup> Hydrology and Water Quality Study Technical Memorandum prepared by LPA dated December 13, 2024