



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

DECEMBER 1, 2016

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

REGULAR SESSION – 7:00 P.M. - 'B' ROOM

ROLL CALL: CHAIR O'NEILL, VICE CHAIR KANZLER  
COMMISSIONERS BARKER, MARGOLIN, NUYGEN, PAREDES,  
ZAMORA

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 B Room 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 3, 2016
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
  - C.1. SITE PLAN NO. SP-031-2016  
DEVELOPMENT AGREEMENT NO. DA-004-2016

APPLICANT: BRYSON NGUYEN  
LOCATION: NORTH SIDE OF BIXBY AVENUE, EAST OF GILBERT  
STREET AT 9691 BIXBY AVENUE

REQUEST: Site Plan Approval to construct a 10-unit, two-story apartment complex with a 20% affordable housing density bonus for "low-income" families. Pursuant to State Density Bonus Law, the applicant requests two (2) waivers from the R-3 Zone development standards – (1) residential units within ten (10) feet of a drive aisle; and (2) residential units within fifteen (15) feet of guest parking areas. A Development Agreement and a Density bonus Housing Agreement are also proposed. The site is in the R-2 (Limited Multiple-Family Residential) zone. This project is exempt pursuant to CEQA Section 15332 – In-Fill Development Projects.

STAFF RECOMMENDATION: Recommend approval of Development Agreement No. DA-004-2016 to City Council and approve Site Plan No. SP-031-2016.

- D. MATTERS FROM COMMISSIONERS
- E. MATTERS FROM STAFF
- F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION  
B Room, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes  
Thursday, November 3, 2016

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair O'Neill  
Vice Chair Kanzler  
Commissioner Barker  
Commissioner Margolin  
Commissioner Nuygen  
Commissioner Paredes  
Commissioner Zamora

Absent: Margolin, Nuygen, Paredes

PLEDGE OF ALLEGIANCE: Led by Chair O'Neill.

ORAL COMMUNICATIONS – PUBLIC – None.

September 15, 2016 MINUTES:

Action: Received and filed.  
Motion: Barker Second: Zamora  
Ayes: (4) Barker, Kanzler, O'Neill, Zamora  
Noes: (0) None  
Absent: (3) Margolin, Nuygen, Paredes

PUBLIC HEARING – TENTATIVE PARCEL MAP NO. PM-2016-164. FOR PROPERTY LOCATED AT 7180 LAMPSON AVENUE AND 12570 INDUSTRY STREET, NORTHEAST CORNER OF LAMPSON AVENUE AND INDUSTRY STREET.

Applicant: Russell Fenton  
Date: November 3, 2016

Request: Tentative Parcel Map approval to subdivide an approximately 3.3-acre property into two separate parcels of approximately 1.8-acres (7180 Lampson Avenue) and 1.5-acres (12570 Industry Street). The property is improved with two freestanding industrial buildings, with each to be on its own separate parcel. The site is in the M-P (Industrial Park) zone. The project is exempt pursuant to CEQA Section 15315 – Minor Land

Divisions.

Action: Public Hearing held. Speaker(s): Russell Fenton

Action: Resolution No. 5868-16 was approved.

Motion: Barker Second: Zamora

Ayes: (4) Barker, Kanzler, O'Neill, Zamora

Noes: (0) None

Absent: (3) Margolin, Nuygen, Paredes

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-086-2016 AND SITE PLAN NO. SP-029-2016. FOR PROPERTY LOCATED AT 10150 TRASK AVENUE.

Applicant: Simpson Holdings Garden Grove, LLC – David Simpson

Date: November 3, 2016

Request: Conditional Use Permit and Site Plan approval to construct a 51'-0" high auto dealership electronic freeway-oriented sign, along with a Site Plan review request to deviate from the required sign design standard requirements, pursuant to PUD-110-96 (Rev. 12), for an existing automobile dealership (Simpson Chevrolet). The site is in the PUD-110-96 (Rev. 12) (Planned Unit Development) zone. This project is exempt pursuant to CEQA Section 15311 – Accessory Structures.

Action: Public Hearing held. Speaker(s): David Simpson

Action: Resolution No. 5869-16 was approved.

Motion: Zamora Second: Kanzler

Ayes: (3) Kanzler, O'Neill, Zamora

Noes: (1) Barker

Absent: (3) Margolin, Nuygen, Paredes

PUBLIC HEARING – RECOMMENDATION OF AMENDMENT NO. A-016-2016. CITY OF GARDEN GROVE, CITYWIDE.

Applicant: City of Garden Grove

Date: November 3, 2016

Request: The Commission will consider for recommendation to the City Council of an Ordinance amending the Zoning and Subdivision Code enacting regulations for the payment of drainage facilities fees and citywide park fees for new development projects. The park fees are only applicable to new residential projects. The Ordinance further codifies more specific requirements for the dedication of parkland and/or the payment of an

in-lieu fee applicable to new residential subdivisions and adds a provision to the traffic impact mitigation fee regulations allowing the fee to be adjusted pursuant to development impact fee studies. The ordinance does not set the amount of each fee. The regulations being codified by the Ordinance require that the City Council set the amount of the fees by resolution.

Action: Public Hearing held. Speaker(s): None.

Action: Resolution No. 5870-16 was approved.

Motion: Zamora Second: Barker

Ayes: (4) Barker, Kanzler, O'Neill, Zamora

Noes: (0) None

Absent: (3) Margolin, Nuygen, Paredes

PUBLIC HEARING - STREET NAME CHANGE NO. SNC-001-2016. 9762 to 9972 CATHERINE AVENUE. PROPERTIES AFFECTED ON CATHERINE AVENUE (APN) ARE: 9762 (133-121-08), 9772(133-121-09), 9792 (133-121-10), 9821 (133-122-07), 9822 (133-122-27), 9832 (133-122-26), 9842 (133-122-25), 9852 (133-122-24), 9862 (133-122-23), 9872 (133-122-22), 9891 (133-122-08), 9892 (133-122-21), 9901 (133-122-09), 9902 (133-122-20), 9911 (133-122-10), 9912 (133-122-19), 9931 (133-122-11), 9932 (133-122-18), 9941 (133-122-12), 9942 (133-122-17), 9951 (133-122-13), 9952 (133-122-16), 9971 (133-122-14), AND 9972 (133-122-15)

Applicant: City of Garden Grove

Date: November 3, 2016

Request: To change the street name on Catherine Avenue to Dalton's Way from 9762 Catherine Avenue to 9972 Catherine Avenue. The City of Garden Grove has determined that an environmental review is not applicable to the subject name change.

Action: Public Hearing held. Speaker(s): Robert Dalton, Laura Baldwin, Ann Phan, Kim Pham

Action: Resolution No. 5871-16 was approved. One letter of support was submitted by Clay Bock. Two letters of concern regarding impacts to the neighborhood were submitted by Scott Scherer, and the Daniel and Marlene McMillan and Family. In lieu of the name change to Dalton's Way, an amendment to the request revised the street name to William Dalton Way.

Motion: Kanzler Second: Barker

Ayes: (4) Barker, Kanzler, O'Neill, Zamora  
Noes: (0) None  
Absent: (3) Margolin, Nuygen, Paredes

MATTERS FROM COMMISSIONERS: Commissioner Barker asked if the City had residential design guidelines as the City was built-out and guidelines could help to enhance and increase property values. Staff responded that the General Plan had some guidelines; that processing new guidelines would have a budget cost; and that the recommendation should be to City Council.

Vice Chair Kanzler asked if there was an ordinance to stop 'mansionization.' Staff responded that the City was not supportive of a prior request and that residents do not need to go through the Planning Commission process for 'mansionization' if they meet code.

Chair O'Neill mentioned that second units were not a problem if they meet code, however, the locations of the units could change the look and dynamic of a neighborhood, not necessarily for the better. Staff mentioned that Senate Bill 1069 limited the City's authority on accessory dwelling units, though the City had some discretion.

Chair O'Neill also noted that parking in apartment complexes was out of control, such as corner parking and accidents, that crime was increasing, property values were lower, and the Police Department was overwhelmed.

Vice Chair Kanzler noted that bicycle lanes on Garden Grove Boulevard would help.

Commissioner Zamora mentioned the need for more reliable public transportation and asked how the City was addressing high density living with the population growth. Staff responded that mixed-use zoning increased the density in commercial areas of the City; that SCAG (Southern California Association of Governments) gives numbers for the City to meet the Housing Element; and that Density Bonus Laws were used for the Brandywine projects on Flower Street and Dale Street.

Commissioner Zamora then asked for the number of hotels in the City with the most calls for police service. Staff was aware of three.

Chair O'Neill wished everyone a happy and safe Thanksgiving holiday.

MATTERS FROM STAFF: Staff stated that the November 17<sup>th</sup> meeting would be cancelled and gave a brief description of the December 1<sup>st</sup> meeting items. Staff also asked Commissioners to save the date for the Planning Commission Holiday Dinner on December 15<sup>th</sup> and reminded Commissioners that they were to remain seated on the Commission until noted otherwise. Staff also wished everyone a Happy Thanksgiving.

ADJOURNMENT: At 8:32 p.m., the meeting was adjourned to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, November 17, 2016, at 7:00 p.m. in the B Room of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Judith Moore  
Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.1.	<b>SITE LOCATION:</b> North side of Bixby Avenue, east of Gilbert Street, at 9691 Bixby Avenue
<b>HEARING DATE:</b> December 1, 2016	<b>GENERAL PLAN:</b> Low Medium Density Residential
<b>CASE NOS.:</b> Site Plan No. SP-031-2016 and Development Agreement No. DA-004-2016	<b>ZONE:</b> R-2 (Limited Multiple-Family Residential)
<b>APPLICANT:</b> Bryson Nguyen	<b>CEQA DETERMINATION:</b> Exempt - CEQA Guidelines § 15332
<b>PROPERTY OWNER:</b> Tony Le & Dung Nguyen	<b>APN NO.:</b> 133-102-24

**REQUEST:**

The applicant is requesting Site Plan approval to construct a 10-unit, two-story apartment complex, located at 9691 Bixby Avenue, with a 25% affordable housing density bonus for "low-income" families. Pursuant to State Density Bonus Law, the applicant is requesting three (3) concessions from the R-3 zone development standards - (1) separation between residential units and vehicular accessways; (2) separation between residential units and open guest parking areas; and (3) separation between main buildings. A Development Agreement is also proposed.

**BACKGROUND:**

The subject site is a 36,121 square foot lot and is located on the north side of Bixby Avenue, east of Gilbert Street. The site is currently improved with two (2) existing buildings, which are currently occupied by Precious Years Children's Center, operating as a preschool/daycare for children ages 2-12. Precious Years Children's Center anticipates moving its operation to another location by January 2017. The subject site has a General Plan Land Use Designation of Low Medium Density Residential and is zoned R-2 (Limited Multiple-Family Residential). The properties to the north, west, and to the south, across Bixby Avenue, are zoned R-1 (Single-Family Residential) and are primarily developed with single-family homes, along with a K-12 school. The property to the east is zoned R-2 and is developed with multiple-family housing.

The applicant is proposing to demolish the two (2) existing buildings and construct ten (10) new, detached, two-story apartment units, recreation areas, and



associated parking and landscaping improvements. The project will use the State Density Bonus Law allowances for density, concessions and incentives, along with State-wide parking standards. The project will provide 25% of the base density units as low-income, which will be reserved through a Density Bonus Housing Agreement with the City of Garden Grove. A Development Agreement is also included in the proposal.

**PROJECT STATISTICS:**

PROJECT CRITERIA	ACTUAL	CODE REQUIREMENT	MEETS CODE	CONCESSION REQUIRED
<b>LOT SIZE</b>	36,121.2 sq. ft.	7,200 sq. ft.	X	
<b>DENSITY</b>	36,121.2 sq. ft. with Density Bonus = 10 units	36,121.2 sq. ft. = 8 units max (4,356 sq. ft. per unit) With Density Bonus an addtl 35% is permitted for a total of 11 units max	X	
<b>SETBACKS</b>				
South (Front)	20'-0"	20'-0"	X	
West (Side)	10'-0" 1st Flr. & 12'-6" 2nd Flr.	10'-0" 1st Flr. & 12'-6" 2nd Flr.	X	
East (Side)	10'-0" 1st Flr. & 12'-6" 2nd Flr.	10'-0" 1st Flr. & 12'-6" 2nd Flr.	X	
North (Rear)	35'-0"	10'-0"	X	
<b>PARKING</b>	3 spaces per unit = 30	2.5 spaces for 4 or more bedroom units (10) per State Density Bonus Law = 25	X	
<b>BUILDING SEPARATION</b>				
Distance btwn accessways & unit	0'-0"	10'-0"		X
Distance btwn guest parking & unit	0'-0"	15'-0"		X
Distance btwn main buildings (2 to 2 Story)	28'-0" (Rear to Rear) 10'-0" (Side to Side)	30'-0" (Rear to Rear) 15'-0" (Side to Side)		X
<b>BUILDING HEIGHT</b>	26'-6"	35'-0"	X	

**DISCUSSION:**

State Density Bonus Law

The applicant and property owner have developed their proposal based on the allowances of the State Density Bonus Law. The State Density Bonus Law became effective on January 1, 2005. In Response, the City Council of Garden Grove approved an ordinance (Ordinance No. 2668) that amended Title 9 to be in conformance with State Law. The ordinance states that "the California Legislature has determined that the provision of affordable housing for moderate, lower and very low-income individuals ... [is] of primary importance in the state and must be encouraged at the local level." The proposal for ten (10) units meets the requirements of the State Density Bonus Law and Ordinance No. 2668 of Title 9, City of Garden Grove Municipal Code.

Based on the lot size, the maximum allowable density for the subject site, under the Municipal Code, is eight (8) dwelling units. However, the proposed design is for ten (10) units. The proposal for the ten units is a 25% density bonus increase over the allowable number of units in the R-2 (Limited Multiple-Family Residential) zone.

The proposal must provide a minimum of 10% of the units (1 target unit) reserved for low-income households to increase the density by 20%. The applicant, however, exceeds the minimum by providing 37.5% of the units (3 target units) reserved for low-income households. State law provides an additional 1.5% bonus for each 1% increase over the minimum percentage required for target units. Therefore, the applicant would be eligible for the maximum 35% density bonus.

The maximum number of units allowed, under State Law, based on the proposed percentage of target units (37.5%), and with the maximum 35% density bonus applied, is eleven (11) units. However, the applicant is only proposing ten (10) total units for the project.

The applicant is also applying for three (3) concessions or incentives as provided by State law. Since the applicant is applying for three concessions, State law requires that a minimum of 20% of the units (a minimum of two target units) must be reserved for low-income households. The project meets the minimum requirement by providing three target units (37.5%) reserved for low-income households.

The project exceeds the parking requirements of the State Density Bonus Law, which allows for 2.5 parking spaces for units that have four (4) or more bedrooms in size, by providing a total of thirty (30) parking spaces (20 enclosed garage parking spaces, and 10 open guest parking spaces).

#### SITE PLAN:

##### Site Design and Circulation

The proposed development is designed to provide efficient circulation, for both vehicular and pedestrian access, for the ten (10) proposed detached dwelling units. Five (5) units run along the westerly property line, the other five units along the easterly property line, and a private 28'-0" wide drive aisle runs down the center of the development.

The project is accessed by a 28'-0" wide driveway from Bixby Avenue, which provides access to the 28'-0" wide private drive aisle, open guest parking spaces, enclosed garage parking spaces, walkways to the units, and the rear recreation areas. No vehicular access gate is proposed.

Units 1 and 2, which front along Bixby Avenue, have respective walkways providing direct pedestrian access from the public right-of-way (sidewalk). Two (2) additional walkways, with direct access from the public right-of-way, provide access to the internal walkway system allowing for pedestrian circulation throughout the development.

Approximately 150'-0" feet into the subject lot, a hammerhead turnaround area will be provided for fire truck emergency access. A new fire hydrant will be installed near the hammerhead turnaround area. The hammerhead turnaround area will be painted with cross hatched markings to be designated as a "No Parking" zone, and exclusive for fire truck access only.

Units 1 and 2 are set back 20'-0" from the southerly property line. The dwelling units provide a 10'-0" setback at the first floor, and a 12'-6" setback at the second floor, along both the westerly and easterly property lines. The internal walkway system runs within the 10'-0" side setbacks on each side, providing access to unit entries, the trash enclosure, and the recreation areas at the rear of the lot. Unit 6 and Unit 10 provide a 40'-0" and a 35'-0" setback to the rear property line, respectively.

Based on the Municipal Code, for open space development standards, a minimum of 3,000 square feet of open space is required for the entire development – a minimum of 1,225 square feet of active recreation area and the remainder dispersed among any private and passive recreation areas. A total 4,212 square feet of both common and private recreation space has been provided (a surplus of 1,212 square feet). Common open space will total 2,432 square feet – 1,610 square feet as active recreation area and 822 square feet as passive recreation area. It should be noted that the passive recreation area will, in fact, total 1,644 square feet. However, the Municipal Code allows a maximum of 50% of any proposed passive recreation area to count toward the recreation/open space square footage requirements. Private recreation areas, provided within private patios, will total 1,780 square feet. Private patios will range in size from 160 to 180 square feet in area. An open trellis patio cover is provided within the active recreation area, located at the northwest corner of the site, with built-in BBQ areas and seating. Additional amenities are provided within the passive recreation area. Sufficient landscaping is also provided around the perimeters of the recreation areas to create a buffer to adjacent properties, as well as to mitigate any 2<sup>nd</sup> floor privacy intrusions.

### Parking

The 28'-0" wide drive aisle provides access to each two-car enclosed garage, the open guest parking spaces, as well as access to the fire truck hammerhead turnaround. Parking for the project is determined by the State Density Bonus Law at two and one-half parking spaces for each unit with four (4) or more bedrooms. Therefore, based on the proposed ten (10) units, each with four (4) bedrooms, a minimum of 25 parking spaces are required. Each detached dwelling unit has an attached two-car enclosed garage (a total of 20 enclosed garage spaces). Additionally, ten (10) open guest parking spaces are provided – one of which is ADA (Americans with Disabilities Act) accessible. A total of 30 parking spaces are provided, which is a surplus of five (5) parking spaces over the State required minimum.

### Unit Design

The proposed units range in size from 1,887 square feet to 2,005 square feet. All units are two-story and have four (4) bedrooms and three (3) bathrooms. Additionally, each unit has an attached two-car garage. Units 1 and 2 have direct access to the public right-of-way, off Bixby Avenue, while Units 3-10 maintain access from the internal walkway system. Finally, each unit has their own private patio area that will range in size from 160 to 180 square feet.

### Building Design

The applicant has proposed a contemporary architectural style for the apartment dwelling units that exhibit stucco exteriors, decorative window trim, decorative faux balcony treatment with decorative white wrought iron railings, and an effective use of articulation on the building façade and design. The applicant has submitted a materials and colors board noting the use of three (3) alternating color palettes for stucco and roof shingle colors.

### 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 easterly 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.

### Concessions/Incentives

The applicant is proposing three (3) concessions/incentives in the project. The first concession/incentive is the reduced separation requirement between the residential units and drive aisles. The Municipal Code requires a minimum ten-foot separation. The applicant has proposed to reduce the drive aisle separation in certain areas of the project to zero feet.

The second concession/incentive is the reduced separation requirement between residential units and guest parking areas. The Municipal Code requires a minimum fifteen-foot separation. The applicant has proposed to reduce the guest parking separation in certain areas of the project to zero feet.

The third concession/incentive is the reduced separation requirement between main buildings. The Municipal Code requires minimum building separations depending on building orientation. Between two 2-story buildings, a front-to-front orientation requires a minimum building separation of 35'-0", and a side-to-side orientation requires a minimum building separation of 15'-0". The applicant has proposed to reduce front-to-front separation to 28'-0" and side-to-side separation to 10'-0", in certain areas of the project.

The incorporation of the three (3) concession/incentives allow the project to accommodate the increased density as well as provide for a design that improves the functionality and usability of the development for its residents and guests. Additionally, the project complies with all other development standards of the R-2 zone. The proposed development is unique in that the units are detached, provide individual/private 2-car garages, and have individual characteristics of single-family residences.

#### Development Agreement

The applicant is entering into a Development Agreement with the City. The applicant will be guaranteed four (4) years in which to construct the project and the City will receive from the developer a Development Agreement fee not to exceed \$19,160.00. Development Agreement payments are designed to reduce the economic costs of new projects to the public and mitigate development-related concerns on the community. The Planning Commission recommendation on the Development Agreement will be forwarded to the City Council for final action.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

- Recommend the City Council approve the Development Agreement; and,
- Approve Site Plan No. SP-031-2016, subject to the conditions of approval, and subject to approval, execution, and effectiveness of the Development Agreement.



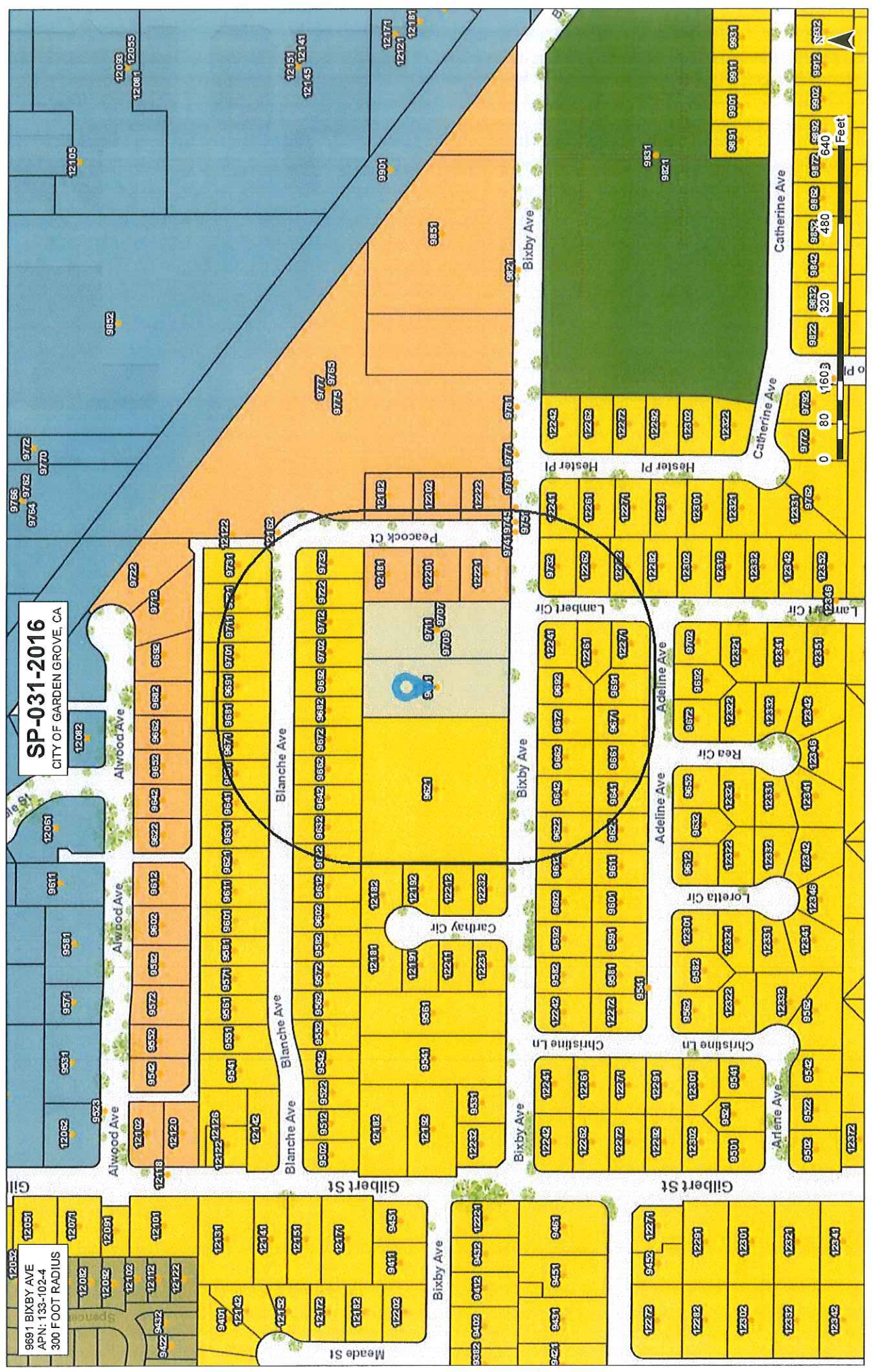
Karl Hill  
Planning Services Manager




By: Chris Chung  
Associate Planner

**SP-031-2016**  
CITY OF GARDEN GROVE, CA

9691 BIXBY AVE  
APN: 133-102-4  
300 FOOT RADIUS



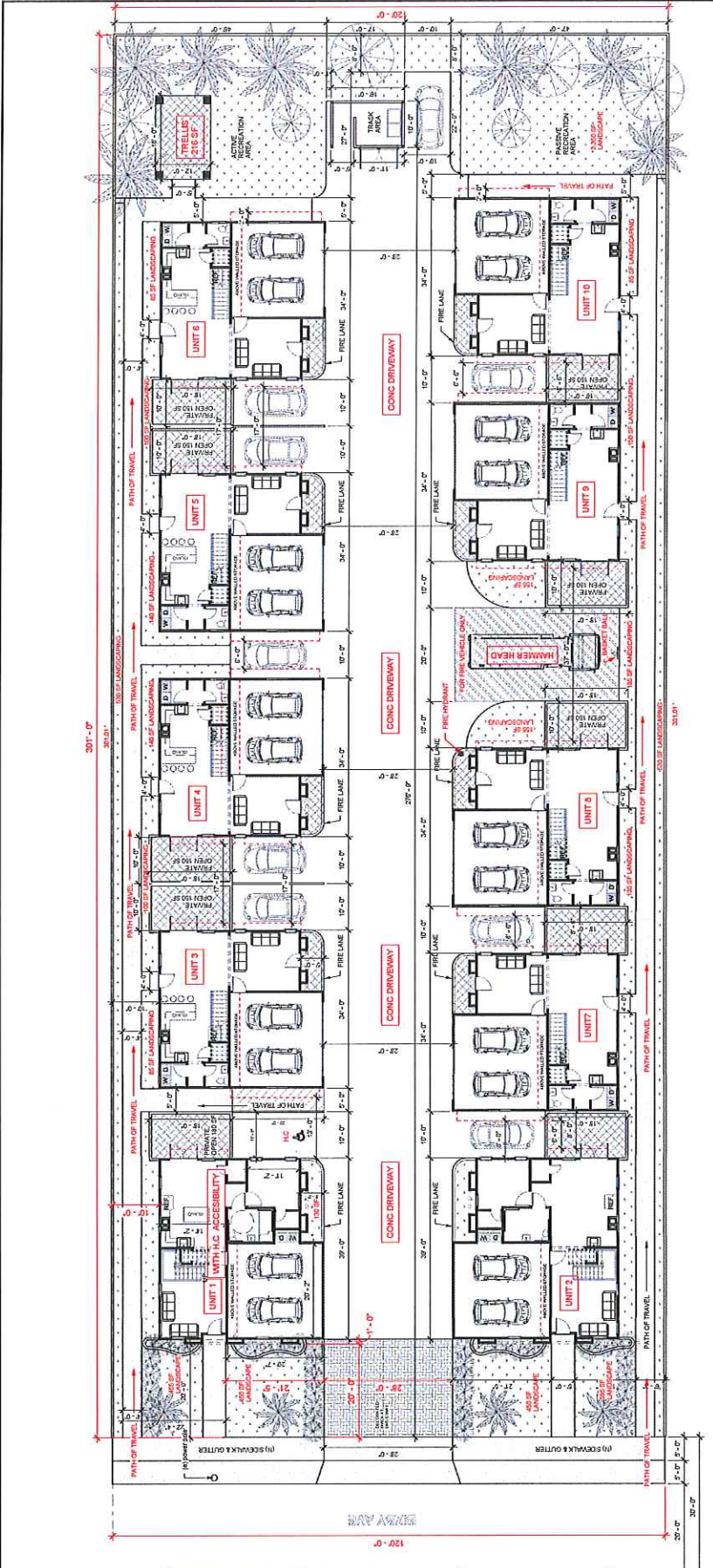
Feet


**FL DESIGN GROUP**  
 Residential & Commercial Design  
 14211 ROSA ST. WESTLAKE, CA 92083  
 Tel: 714-414-5535 Fax: 888-591-2208

BIXBY APARTMENTS  
 10 Units of Apartments  
 5091 BIXBY AVE, GARDEN GROVE, CA 92641

**GENERAL CONTRACTOR**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, AND FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS PLAN.

Project No: 25-10  
 Date: 4-15-2016  
 SITE PLAN  
 A1



LOT SIZE: 301'-0" X 102'-0" = 30,702 SF.  
 - UNIT 1:2  
 1ST FLOOR AREA: 430 SF  
 2ND FLOOR AREA: 448 SF  
 3RD FLOOR AREA: 448 SF  
 TOTAL GARAGE SPACE: 1,326 SF  
 PORCH: 10 SF  
 TOTAL AREA: 1,382 SF  
 BUILDING FOOTPRINT: 1,152 SF  
 - UNIT 2:6,67,7,8,9,10  
 1ST FLOOR AREA: 1,152 SF  
 2ND FLOOR AREA: 1,152 SF  
 3RD FLOOR AREA: 1,152 SF  
 TOTAL GARAGE SPACE: 3,456 SF  
 PORCH: 10 SF  
 TOTAL AREA: 4,770 SF  
 BUILDING FOOTPRINT: 3,456 SF  
 9 OPEN PARKING SPACES: 3,456 SF  
 PUBLIC GARAGE: 3,456 SF  
 DRIVEWAY AREA: 3,456 SF  
 DRIVEWAY AREA: 3,456 SF  
 LOT COVERAGE (INCLUDED DRIVEWAY): 11,728 SF (1,024.8 X 11.5) = 12,082.4 SF  
 12.99% COVERAGE

**LOCAL DESCRIPTION: CITY OF GARDEN GROVE, COUNTY OF ORANGE**  
 ASSESOR'S NUMBER: 25-10  
 EXISTING ZONE: RESIDENTIAL, R3U  
 TYPE: VAL 2 STORY BUILDING, SPINNAKERS  
 SCOPE OF WORK: -CONSTRUCT NEW UNITS OF APARTMENTS AND ATTACHED 2 CAR GARAGE  
 -THE CONTRACTOR TO BE IDENTIFIED AS SHOWN PERFORM THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS PLAN AND TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS PLAN.  
 -TRACT CALCULATION TO BE SUBMITTED AS SEPERATED SHEET. TRACT # 2 AND TRACT # 3 SHALL BE SUBMITTED AS SEPERATED SHEETS.  
 -CALCULATIONS SIGNED & STAMPED BY A LICENSED ENGINEER SHALL BE SUBMITTED TO THE CITY OF GARDEN GROVE, COUNTY OF ORANGE.  
 -REVIEWER FOR SUBMITTAL TO BUILDING DIVISION, THE ENGINEER OF RECORD SHALL BE RESPONSIBLE FOR VERIFYING THE TRACT PAINT CALCULATIONS.  
 -TRACT CALCULATIONS STARTING FROM THE TRACT PAINT CALCULATIONS SHALL BE SUBMITTED WITH THE DESIGN OF THE BUILDING.  
 -TRACT ENCLASURE & BOUNDARY SHALL UNDER SEPERATE PERMIT  
 APPLICABLE REGULATIONS:  
 -LOCALLY ADOPTED BUILDING CODE AND APPLICABLE  
 2012 IRC, CBC, CEC, CEFC, CFC, CFI  
 2015 CALIFORNIA ENERGY EFFICIENCY CODE  
 2012 CALIFORNIA ENERGY CODE  
 CITY OF GARDEN GROVE ORDINANCE



**FL DESIGN GROUP**  
 Residential & Commercial Design  
 14211 Road 52, Woodstock, CA 92693  
 Tel: 714-414-5535, Fax: 888-501-2285  
 DESIGN GROUP, LLC

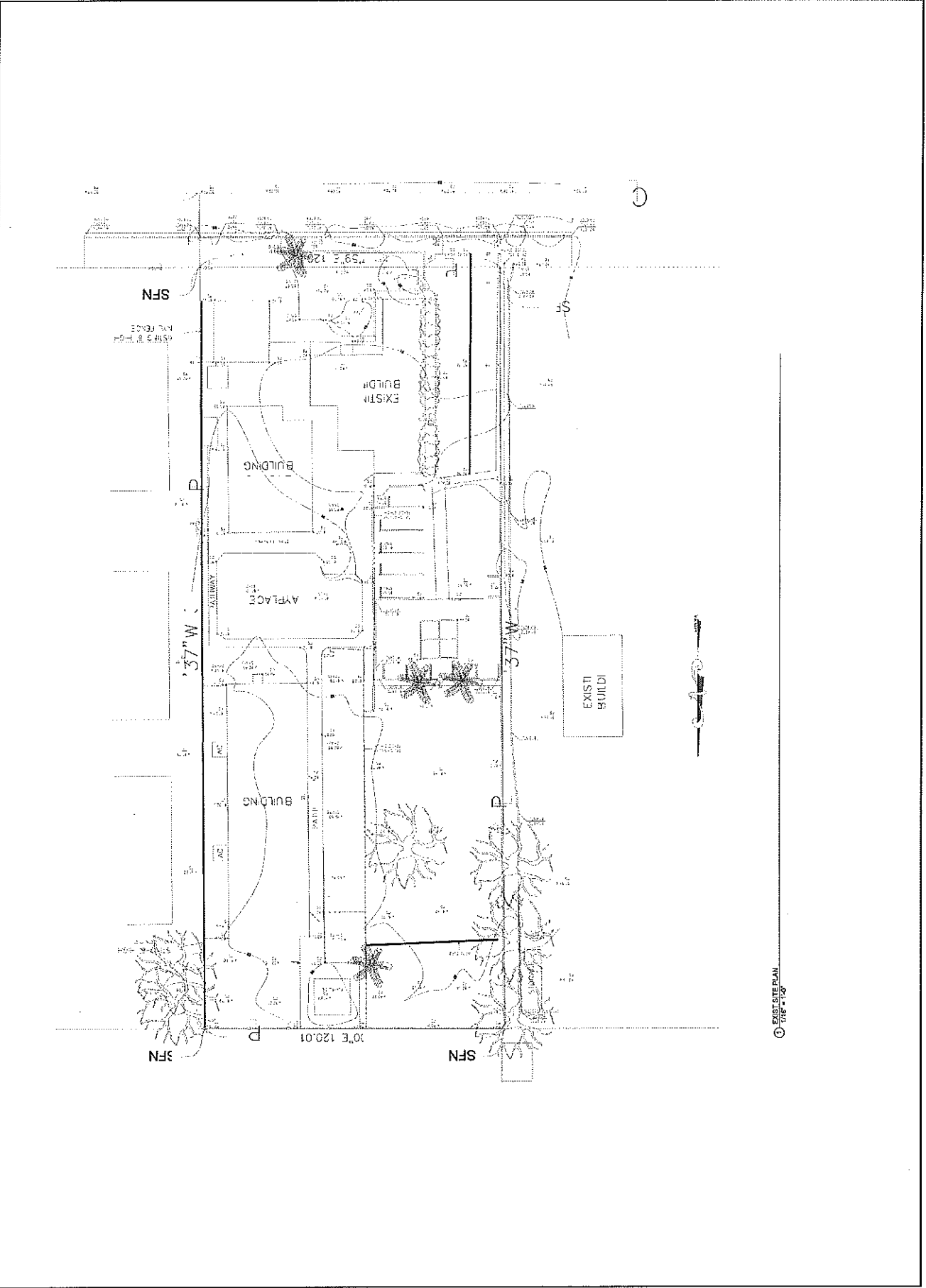
**BIXBY APARTMENTS**  
 10 Units of Apartments  
 9091 BIXBY AVE, GARDEN GROVE, CA 92641

REGISTRATION NO. 2010  
 ARCHITECTURE  
 STATE OF CALIFORNIA  
 ARCHITECTS BOARD  
 ARCHITECT  
 JOHN J. BIXBY

Project No: 22010  
 Date: 4-12-2010

EXISTING SITE PLAN

A1.1



① EXISTING SITE PLAN  
 1/16" = 1'-0"



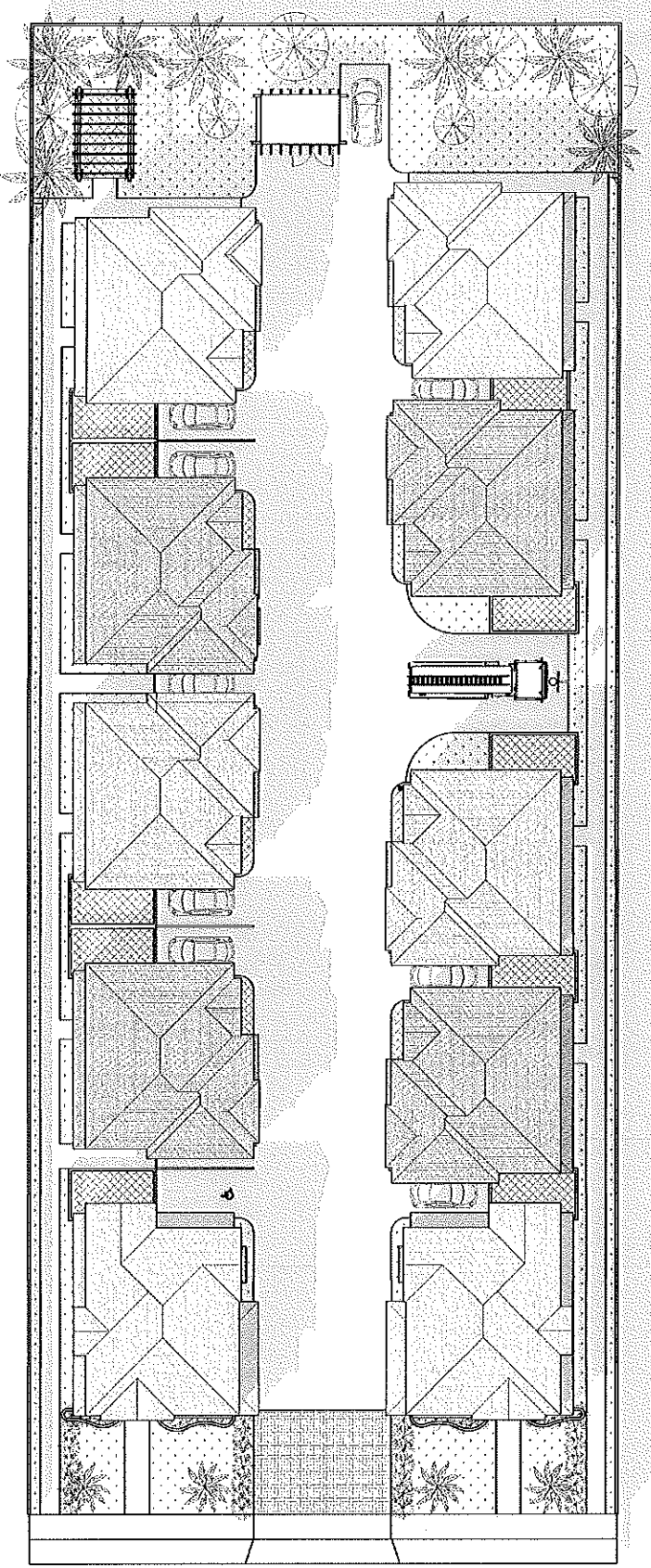
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 14211 RIVER ST. WASHINGTON, CA 92083  
 Tel: 714-414-5535, Fax: 888-501-2208

**BIXBY APARTMENTS**  
 10 Units of Apartments  
 991 BIXBY AVE. GARDEN GROVE, CA 92841

**REGISTERED ARCHITECT**  
 ARCHITECTURE  
 14211 RIVER ST. WASHINGTON, CA 92083  
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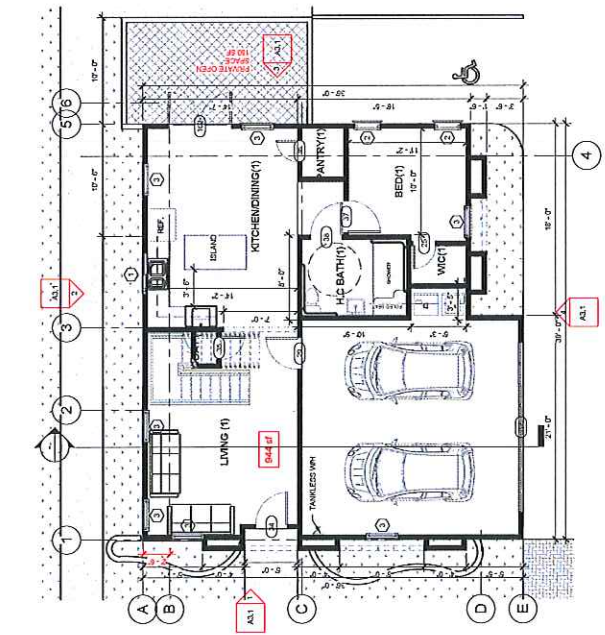
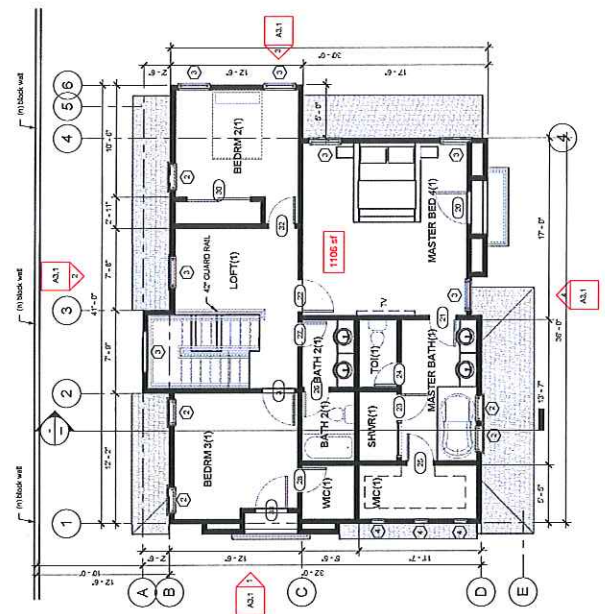
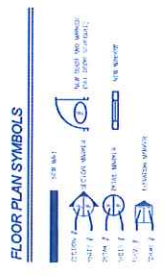
DATE: 05/10  
 SCALE: 1/8" = 1'-0"

OVERALL ROOF PLAN  
 A1.2



① SITE ROOF PLAN  
 30'0" = 1'-0"

DATE: 05/10  
 SCALE: 1/8" = 1'-0"



2nd FLOOR 1.2  
31'6" x 13'0"

1st FLOOR 1.2  
31'6" x 13'0"

**Window Schedule FOR UNIT 1.2**

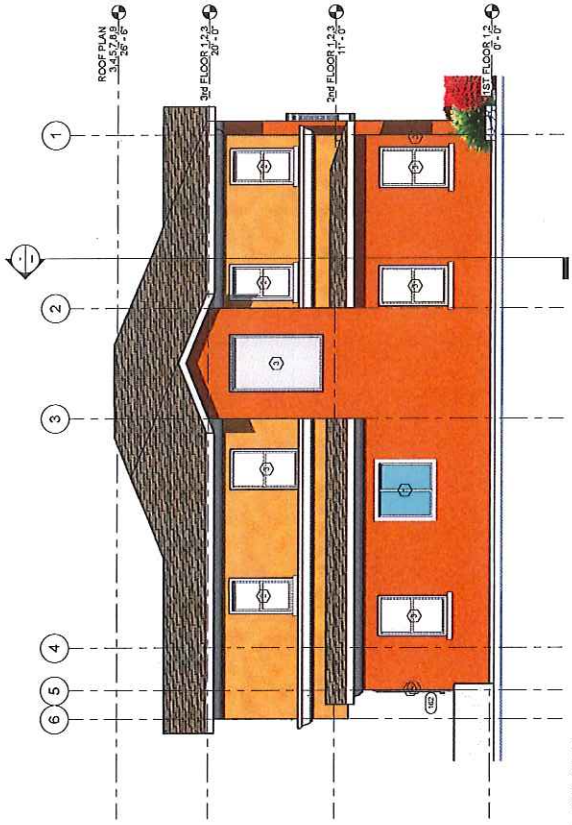
Type	Mark	R.O.	Mark	Height	at	Family	From Room	Comments
1	101	101	101	101	101	101	101	101
2	102	102	102	102	102	102	102	102
3	103	103	103	103	103	103	103	103
4	104	104	104	104	104	104	104	104
5	105	105	105	105	105	105	105	105
6	106	106	106	106	106	106	106	106
7	107	107	107	107	107	107	107	107
8	108	108	108	108	108	108	108	108
9	109	109	109	109	109	109	109	109
10	110	110	110	110	110	110	110	110
11	111	111	111	111	111	111	111	111
12	112	112	112	112	112	112	112	112
13	113	113	113	113	113	113	113	113
14	114	114	114	114	114	114	114	114
15	115	115	115	115	115	115	115	115
16	116	116	116	116	116	116	116	116
17	117	117	117	117	117	117	117	117
18	118	118	118	118	118	118	118	118
19	119	119	119	119	119	119	119	119
20	120	120	120	120	120	120	120	120
21	121	121	121	121	121	121	121	121
22	122	122	122	122	122	122	122	122
23	123	123	123	123	123	123	123	123
24	124	124	124	124	124	124	124	124
25	125	125	125	125	125	125	125	125
26	126	126	126	126	126	126	126	126
27	127	127	127	127	127	127	127	127
28	128	128	128	128	128	128	128	128
29	129	129	129	129	129	129	129	129
30	130	130	130	130	130	130	130	130
31	131	131	131	131	131	131	131	131
32	132	132	132	132	132	132	132	132
33	133	133	133	133	133	133	133	133
34	134	134	134	134	134	134	134	134
35	135	135	135	135	135	135	135	135
36	136	136	136	136	136	136	136	136
37	137	137	137	137	137	137	137	137
38	138	138	138	138	138	138	138	138
39	139	139	139	139	139	139	139	139
40	140	140	140	140	140	140	140	140
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42	142	142	142	142	142	142	142	142
43	143	143	143	143	143	143	143	143
44	144	144	144	144	144	144	144	144
45	145	145	145	145	145	145	145	145
46	146	146	146	146	146	146	146	146
47	147	147	147	147	147	147	147	147
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52	152	152	152	152	152	152	152	152
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55	155	155	155	155	155	155	155	155
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64	164	164	164	164	164	164	164	164
65	165	165	165	165	165	165	165	165
66	166	166	166	166	166	166	166	166
67	167	167	167	167	167	167	167	167
68	168	168	168	168	168	168	168	168
69	169	169	169	169	169	169	169	169
70	170	170	170	170	170	170	170	170
71	171	171	171	171	171	171	171	171
72	172	172	172	172	172	172	172	172
73	173	173	173	173	173	173	173	173
74	174	174	174	174	174	174	174	174
75	175	175	175	175	175	175	175	175
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92	192	192	192	192	192	192	192	192
93	193	193	193	193	193	193	193	193
94	194	194	194	194	194	194	194	194
95	195	195	195	195	195	195	195	195
96	196	196	196	196	196	196	196	196
97	197	197	197	197	197	197	197	197
98	198	198	198	198	198	198	198	198
99	199	199	199	199	199	199	199	199
100	200	200	200	200	200	200	200	200

**Door Schedule of Unit 1.2**

Door	Mark	Width	Height	To Room	Name	Family	Comments
1	101	36"	80"	101	101	101	101
2	102	36"	80"	102	102	102	102
3	103	36"	80"	103	103	103	103
4	104	36"	80"	104	104	104	104
5	105	36"	80"	105	105	105	105
6	106	36"	80"	106	106	106	106
7	107	36"	80"	107	107	107	107
8	108	36"	80"	108	108	108	108
9	109	36"	80"	109	109	109	109
10	110	36"	80"	110	110	110	110
11	111	36"	80"	111	111	111	111
12	112	36"	80"	112	112	112	112
13	113	36"	80"	113	113	113	113
14	114	36"	80"	114	114	114	114
15	115	36"	80"	115	115	115	115
16	116	36"	80"	116	116	116	116
17	117	36"	80"	117	117	117	117
18	118	36"	80"	118	118	118	118
19	119	36"	80"	119	119	119	119
20	120	36"	80"	120	120	120	120
21	121	36"	80"	121	121	121	121
22	122	36"	80"	122	122	122	122
23	123	36"	80"	123	123	123	123
24	124	36"	80"	124	124	124	124
25	125	36"	80"	125	125	125	125
26	126	36"	80"	126	126	126	126
27	127	36"	80"	127	127	127	127
28	128	36"	80"	128	128	128	128
29	129	36"	80"	129	129	129	129
30	130	36"	80"	130	130	130	130
31	131	36"	80"	131	131	131	131
32	132	36"	80"	132	132	132	132
33	133	36"	80"	133	133	133	133
34	134	36"	80"	134	134	134	134
35	135	36"	80"	135	135	135	135
36	136	36"	80"	136	136	136	136
37	137	36"	80"	137	137	137	137
38	138	36"	80"	138	138	138	138
39	139	36"	80"	139	139	139	139
40	140	36"	80"	140	140	140	140
41	141	36"	80"	141	141		



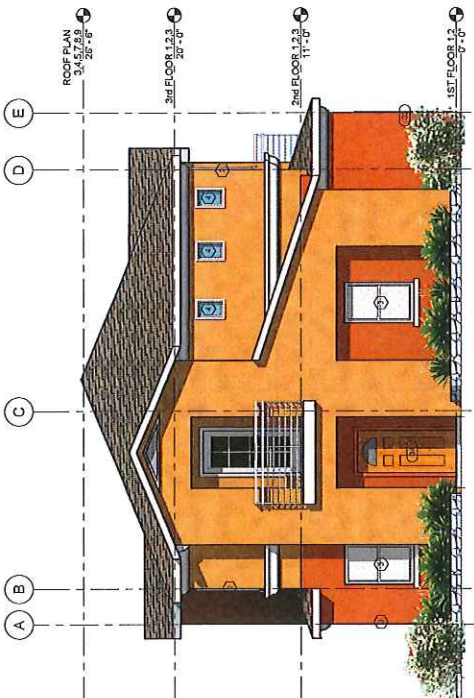




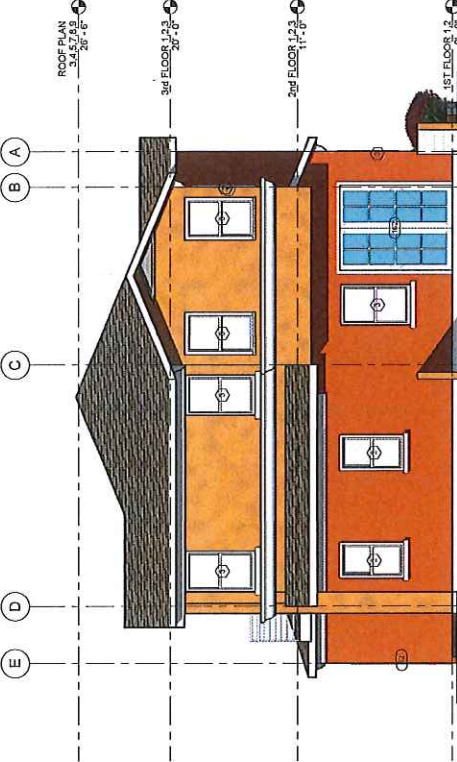
2 Side Elevation (Unit 1)  
 1/4" = 1'-0"



3 Right's Elevation (Unit 1)  
 1/4" = 1'-0"

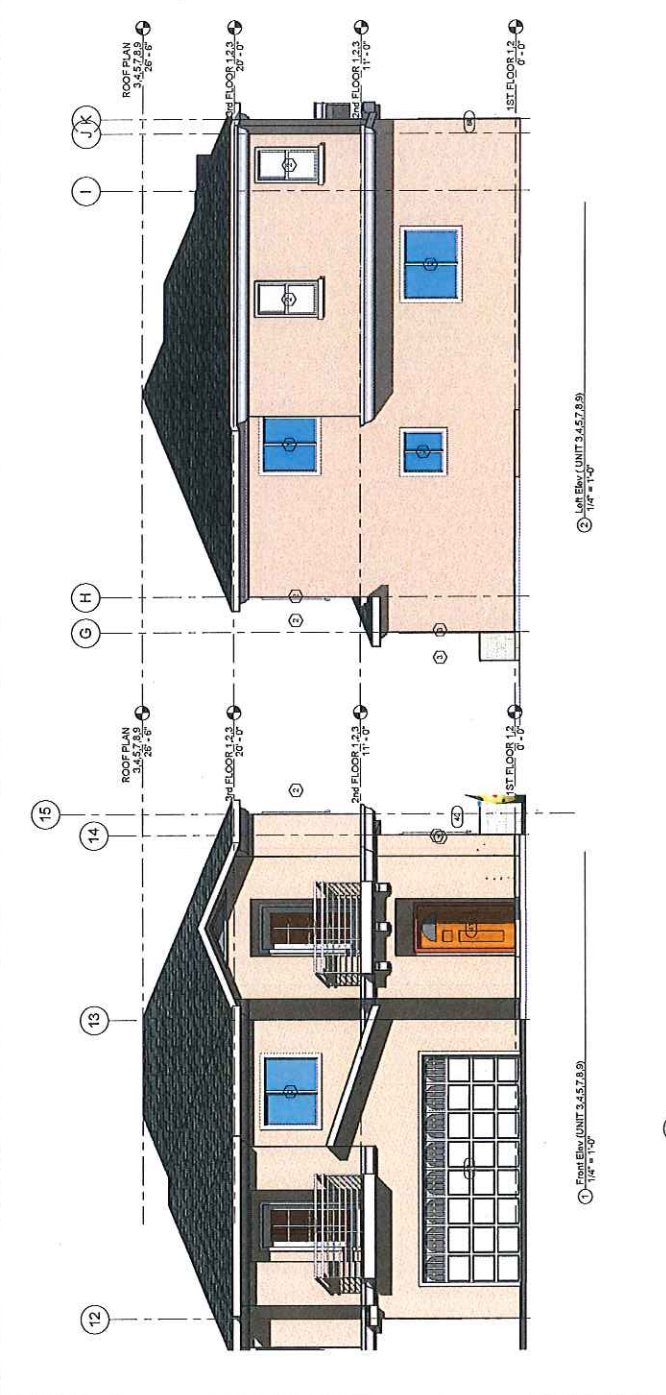


1 Front Elevation (Unit 1)  
 1/4" = 1'-0"

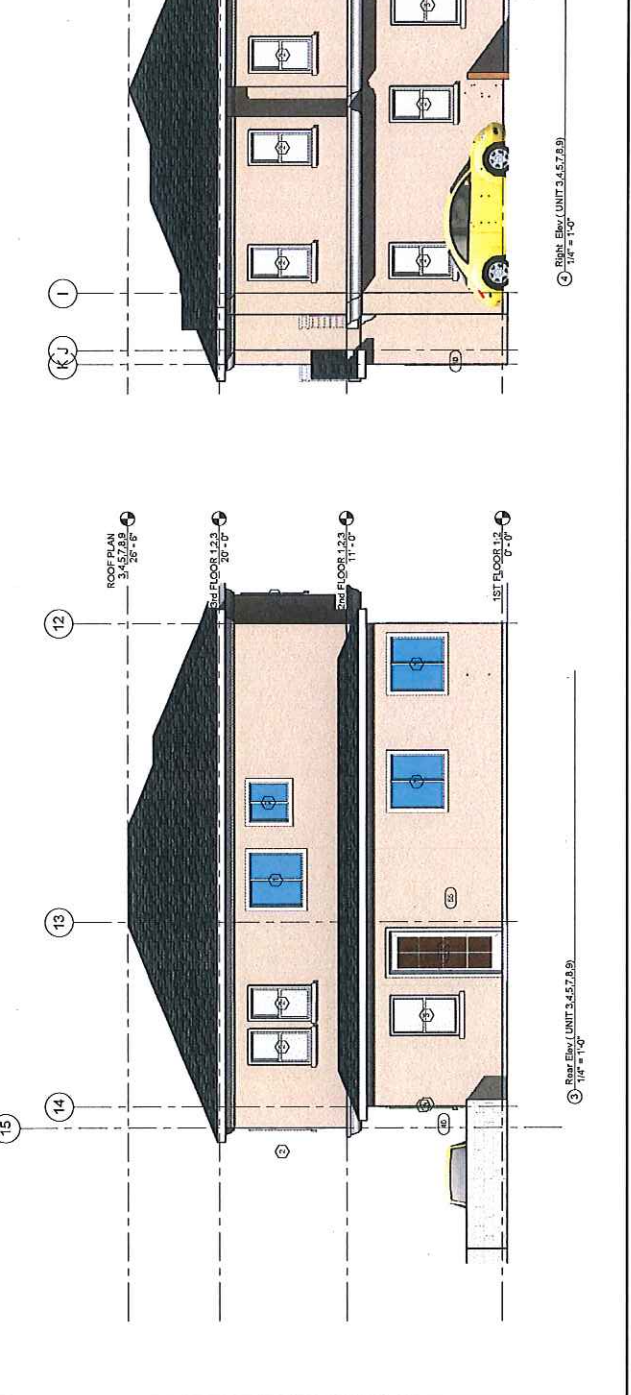


3 Rear Elevation (Unit 1)  
 1/4" = 1'-0"

Window Schedule OF UNIT 3, 4, 5, 7, 8, 9								
Typical Mark	R.O.	Width	Height	Material	Family	From Room	Name	Comments
1	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
1	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
1	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
1	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
1	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
1	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
2	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
2	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
2	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
2	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
2	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
2	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
3	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
3	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
3	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
3	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
3	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
3	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
4	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
4	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
4	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
4	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
4	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
4	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
5	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
5	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
5	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
5	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
5	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
5	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
6	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
6	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
6	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
6	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
6	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
6	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
7	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
7	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
7	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
7	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
7	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
7	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
8	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
8	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
8	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
8	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
8	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
8	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
9	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
9	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
9	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
9	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
9	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
9	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
10	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
10	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
10	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
10	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
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10	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
11	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
11	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
11	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
11	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
11	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
11	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
12	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
12	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
12	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
12	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
12	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
12	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
13	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
13	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
13	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
13	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
13	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
13	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
14	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
14	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
14	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
14	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
14	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
14	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	
15	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 3	GLASS WINDOW	
15	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 4	GLASS WINDOW	
15	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 5	GLASS WINDOW	
15	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 7	GLASS WINDOW	
15	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 8	GLASS WINDOW	
15	12'-0"	4'-0"	4'-0"	GLASS WINDOW	GLASS WINDOW	UNIT 9	GLASS WINDOW	



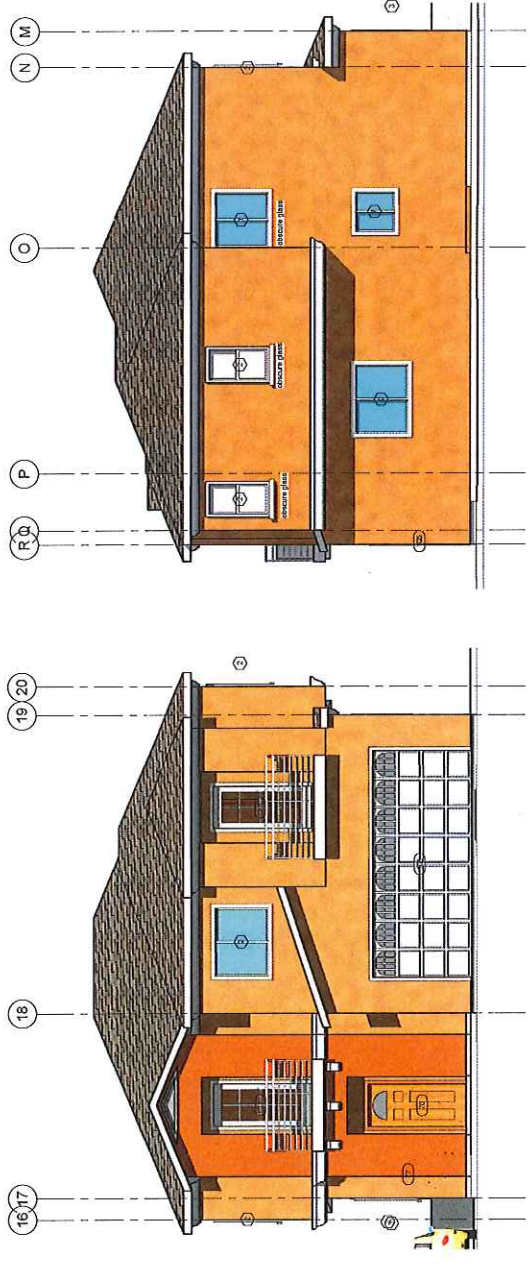
Door Schedule OF UNIT 3, 4, 5, 7, 8, 9						
Mark	Width	Height	Material	To Room	Family	Comments
1	36"	80"	GLASS	UNIT 3	GLASS	
1	36"	80"	GLASS	UNIT 4	GLASS	
1	36"	80"	GLASS	UNIT 5	GLASS	
1	36"	80"	GLASS	UNIT 7	GLASS	
1	36"	80"	GLASS	UNIT 8	GLASS	
1	36"	80"	GLASS	UNIT 9	GLASS	
2	36"	80"	GLASS	UNIT 3	GLASS	
2	36"	80"	GLASS	UNIT 4	GLASS	
2	36"	80"	GLASS	UNIT 5	GLASS	
2	36"	80"	GLASS	UNIT 7	GLASS	
2	36"	80"	GLASS	UNIT 8	GLASS	
2	36"	80"	GLASS	UNIT 9	GLASS	
3	36"	80"	GLASS	UNIT 3	GLASS	
3	36"	80"	GLASS	UNIT 4	GLASS	
3	36"	80"	GLASS	UNIT 5	GLASS	
3	36"	80"	GLASS	UNIT 7	GLASS	
3	36"	80"	GLASS	UNIT 8	GLASS	
3	36"	80"	GLASS	UNIT 9	GLASS	
4	36"	80"	GLASS	UNIT 3	GLASS	
4	36"	80"	GLASS	UNIT 4	GLASS	
4	36"	80"	GLASS	UNIT 5	GLASS	
4	36"	80"	GLASS	UNIT 7	GLASS	
4	36"	80"	GLASS	UNIT 8	GLASS	
4	36"	80"	GLASS	UNIT 9	GLASS	
5	36"	80"	GLASS	UNIT 3	GLASS	
5	36"	80"	GLASS	UNIT 4	GLASS	
5	36"	80"	GLASS	UNIT 5	GLASS	
5	36"	80"	GLASS	UNIT 7	GLASS	
5	36"	80"	GLASS	UNIT 8	GLASS	
5	36"	80"	GLASS	UNIT 9	GLASS	
6	36"	80"	GLASS	UNIT 3	GLASS	
6	36"	80"	GLASS	UNIT 4	GLASS	
6	36"	80"	GLASS	UNIT 5	GLASS	
6	36"	80"	GLASS	UNIT 7	GLASS	
6	36"	80"	GLASS	UNIT 8	GLASS	
6	36"	80"	GLASS	UNIT 9	GLASS	
7	36"	80"	GLASS	UNIT 3	GLASS	
7	36"	80"	GLASS	UNIT 4	GLASS	
7	36"	80"	GLASS	UNIT 5	GLASS	
7	36"	80"	GLASS	UNIT 7	GLASS	
7	36"	80"	GLASS	UNIT 8	GLASS	
7	36"	80"	GLASS	UNIT 9	GLASS	
8	36"	80"	GLASS	UNIT 3	GLASS	
8	36"	80"	GLASS	UNIT 4	GLASS	
8	36"	80"	GLASS	UNIT 5	GLASS	
8	36"	80"	GLASS	UNIT 7	GLASS	
8	36"	80"	GLASS	UNIT 8	GLASS	
8	36"	80"	GLASS	UNIT 9	GLASS	
9	36"	80"	GLASS	UNIT 3	GLASS	
9	36"	80"	GLASS	UNIT 4	GLASS	
9	36"	80"	GLASS	UNIT 5	GLASS	
9	36"	80"	GLASS	UNIT 7	GLASS	
9	36"	80"	GLASS	UNIT 8	GLASS	
9	36"	80"	GLASS	UNIT 9	GLASS	
10	36"	80"	GLASS	UNIT 3	GLASS	
10	36"	80"	GLASS	UNIT 4	GLASS	
10	36"	80"	GLASS	UNIT 5	GLASS	
10	36"	80"	GLASS	UNIT 7	GLASS	
10	36"	80"	GLASS	UNIT 8	GLASS	
10	36"	80"	GLASS	UNIT 9	GLASS	
11	36"	80"	GLASS	UNIT 3	GLASS	
11	36"	80"	GLASS	UNIT 4	GLASS	
11	36"	80"	GLASS	UNIT 5	GLASS	
11	36"	80"	GLASS	UNIT 7	GLASS	
11	36"	80"	GLASS	UNIT 8	GLASS	
11	36"	80"	GLASS	UNIT 9	GLASS	
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12	36"	80"	GLASS	UNIT 4	GLASS	
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12	36"	80"	GLASS	UNIT 7	GLASS	
12	36"	80"	GLASS	UNIT 8	GLASS	
12	36"	80"	GLASS	UNIT 9	GLASS	
13	36"	80"	GLASS	UNIT 3	GLASS	
13	36"	80"	GLASS	UNIT 4	GLASS	
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13	36"	80"	GLASS	UNIT 7	GLASS	
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14	36"	80"	GLASS	UNIT 9	GLASS	
15	36"	80"	GLASS	UNIT 3	GLASS	
15	36"	80"	GLASS	UNIT 4	GLASS	
15	36"	80"	GLASS	UNIT 5	GLASS	
15	36"	80"	GLASS	UNIT 7	GLASS	
15	36"	80"	GLASS	UNIT 8	GLASS	
15	36"	80"	GLASS	UNIT 9	GLASS	



① Front Elevation (UNIT 3, 4, 5, 7, 8, 9)  
1/4" = 1'-0"

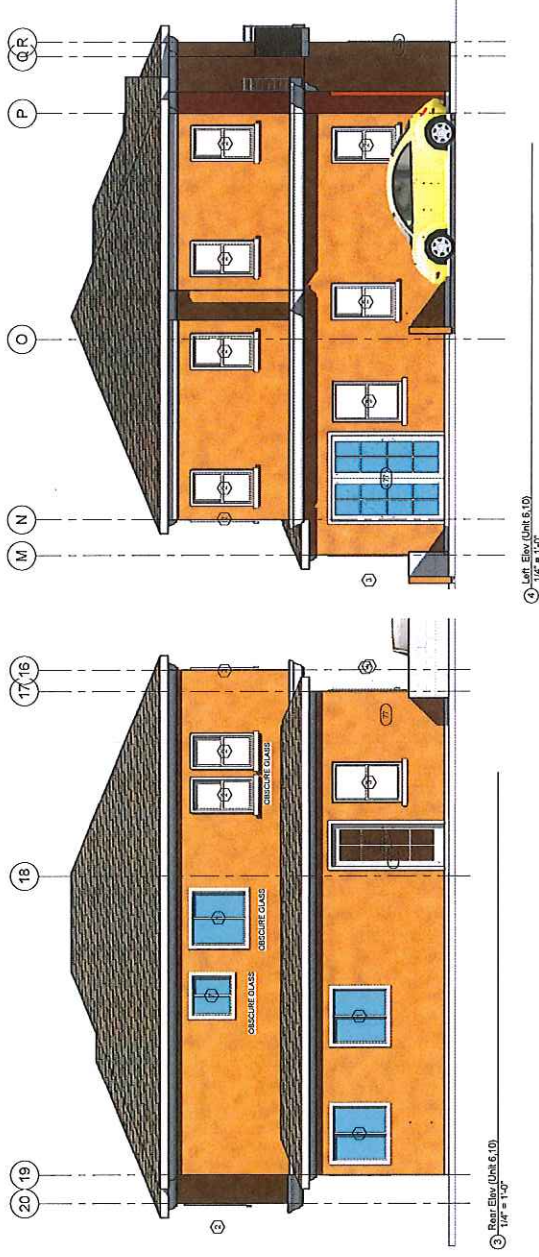
② Left Elevation (UNIT 3, 4, 5, 7, 8, 9)  
1/4" = 1'-0"

③ Right Elevation



① Front Elev. (Unit 6,10)  
1/4" = 1'-0"

② Right Elev. (Unit 6,10)  
1/4" = 1'-0"



③ Rear Elev. (Unit 6,10)  
1/4" = 1'-0"

④ Left Elev. (Unit 6,10)  
1/4" = 1'-0"

Window Schedule OF UNIT 6,10


Type	R.O.	Width	Height	Material	Family	From Room:	To Room:	Name	Comments
1	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
2	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
3	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
4	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
5	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
6	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
7	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
8	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
9	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
10	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
11	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
12	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
13	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
14	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW
15	4'-0"	4'-0"	4'-0"	GLASS WINDOW	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	NON-ADJACENT	GLASS WINDOW

Door Schedule OF UNIT 6,10

Door	Mark	Width	Height	Material	To Room:	From Room:	Family	Comments
1	1	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
2	2	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
3	3	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
4	4	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
5	5	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
6	6	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
7	7	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
8	8	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
9	9	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
10	10	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
11	11	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
12	12	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
13	13	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
14	14	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
15	15	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
16	16	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
17	17	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
18	18	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
19	19	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS
20	20	3'-0"	7'-0"	GLASS	NON-ADJACENT 2	NON-ADJACENT 2	NON-ADJACENT 2	GLASS






**FL DESIGN GROUP**  
 Residential & Commercial Design  
 14211 Rialta St, Westminster, CA 92683  
 Tel: 714-414-2538, Fax: 888-501-2208  
 DESIGN GROUP, LLC

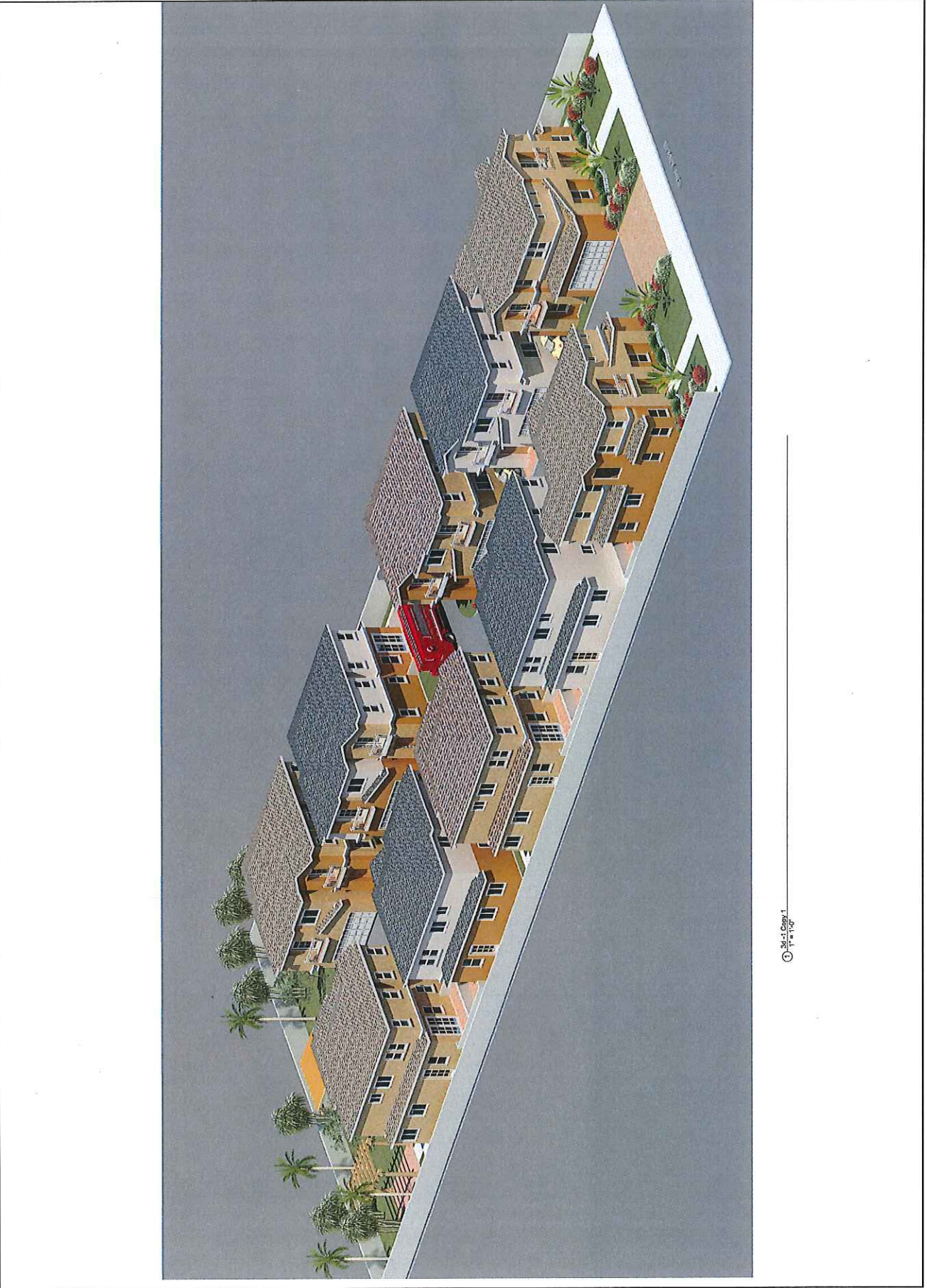
**BIXBY APARTMENTS**  
 10 Units of Apartments  
 991 BIXBY AVE, GARDEN GROVE, CA 92841

**REALIZING VISIONS**  
 Architectural, Planning, Interior Design, and  
 Construction Services  
 10000 Wilshire Blvd, Suite 1000, Beverly Hills, CA 90210  
 Tel: 310-276-1000, Fax: 310-276-1001  
 WWW.REALIZINGVISIONS.COM


Project No: 25-010  
 Date: 4-12-2018

3D Views

A4.2



① 3d - 4 Copy 1  
 1 x 1 ft

**FL DESIGN GROUP**  
 Residential & Commercial Design  
 14211 Roala St, Westminster, CA 92683  
 Tel: 714-414-5636, Fax: 888-501-2206  


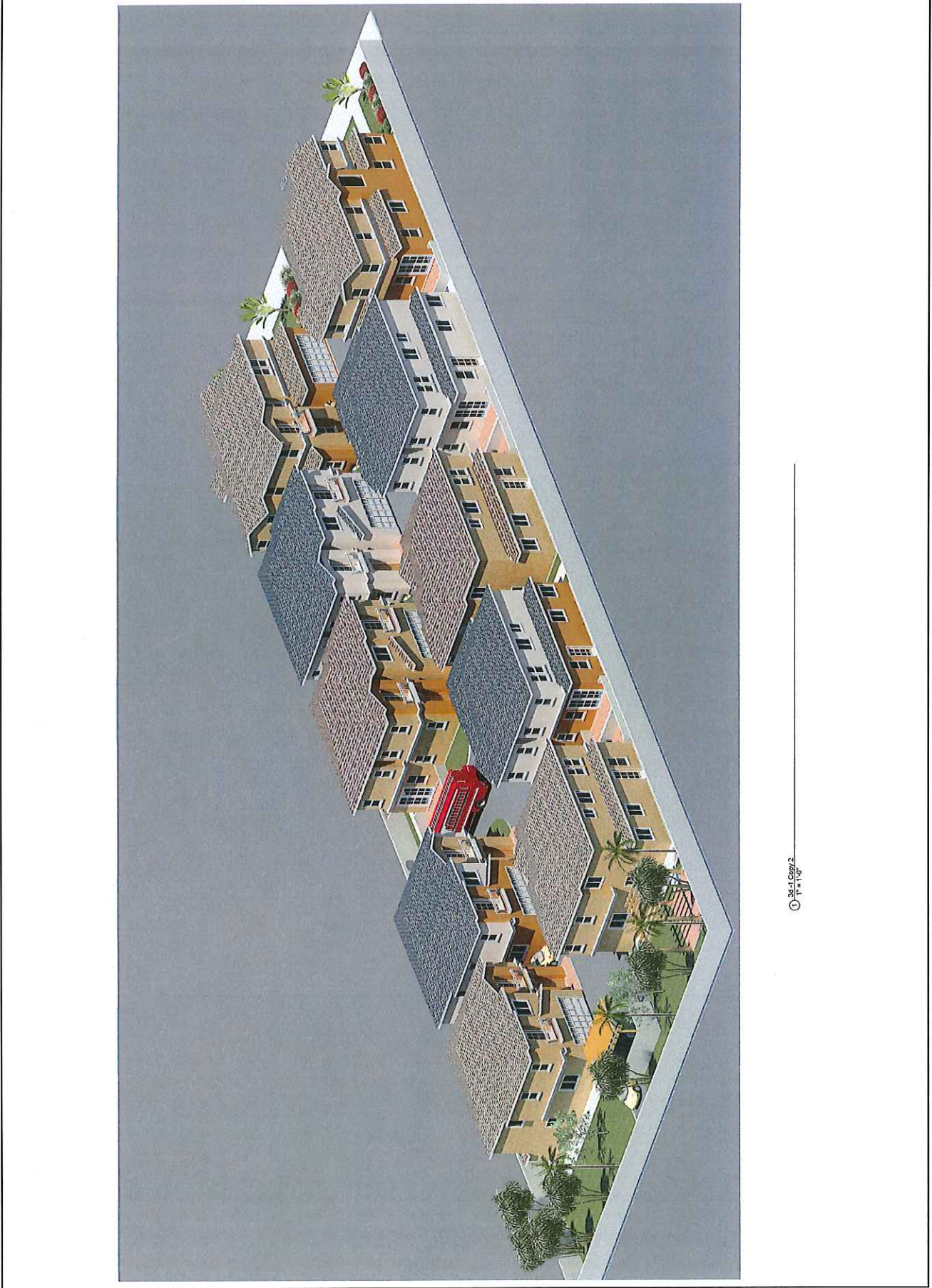
9691 BIXBY AVE, GARDEN GROVE, CA 92841  
**10 Units of Apartments**  
**BIXBY APARTMENTS**

**ARCHITECTURAL FIRM**  
 14211 Roala St, Westminster, CA 92683  
 Tel: 714-414-5636, Fax: 888-501-2206  
 www.fl-design.com  
 © 2016 FL Design Group


Project No: 05-10  
 Date: 4-15-2016

3D Views

A4.3



① 3/4-1 Comp.2  
 P=1/4"


**FL DESIGN GROUP**  
 Residential & Commercial Design  
 14211 Route 52 Westminister, CA 92683  
 Tel: 714-414-5636, Fax: 668-501-2205  
 DESIGN GROUP, LLC

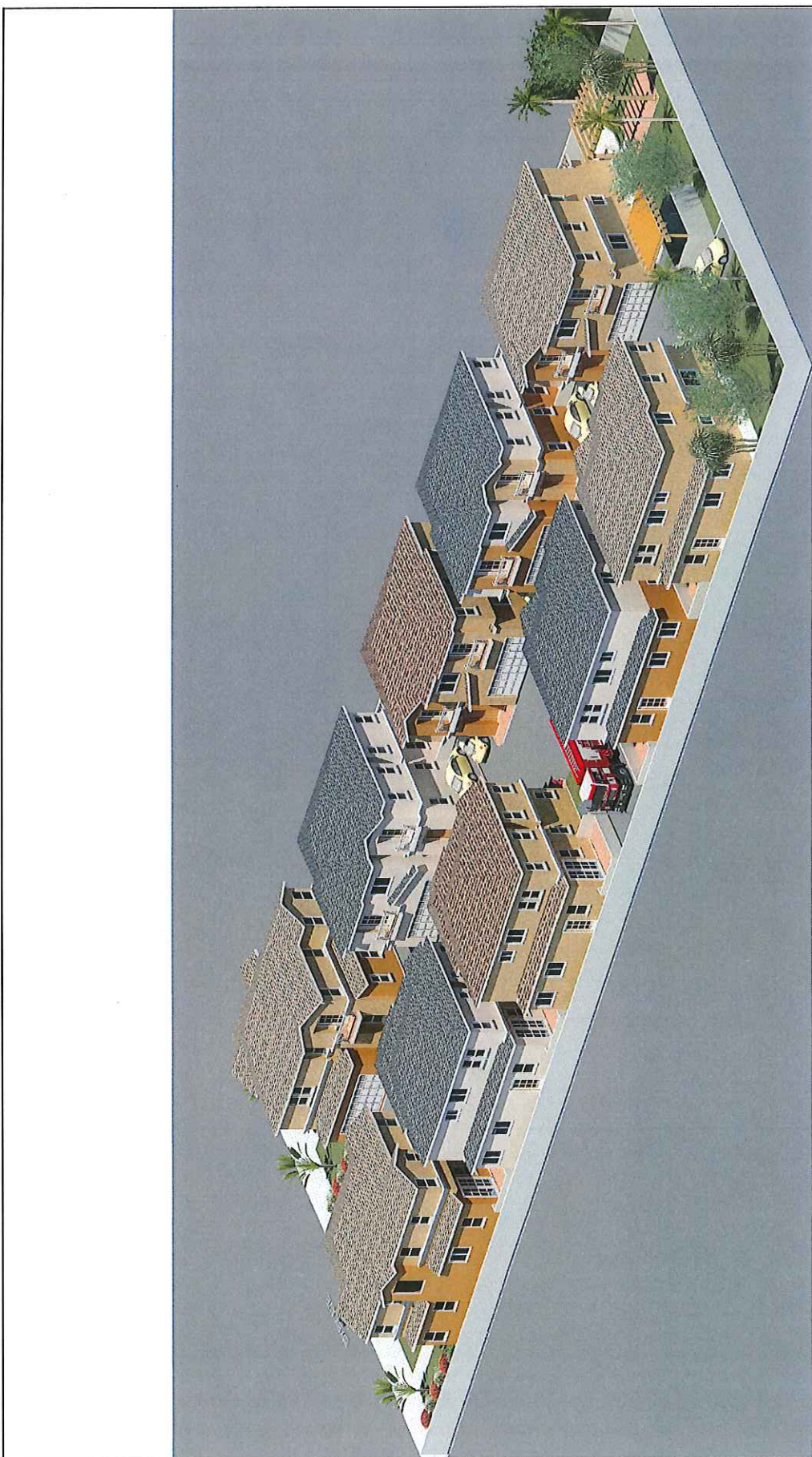
5691 BIXBY AVE, GARDEN GROVE, CA 92841  
**10 Units of Apartments**  
**BIXBY APARTMENTS**

**DISCLAIMER NOTICE**  
 Project Approval: This rendering is a conceptual illustration of the proposed project. It is not intended to represent the final design or construction. The design is subject to change without notice.

PROJECT: 52-110  
 DATE: 4-15-2019

3D Views

A4.4



3D-1 Copy 3  
 1" = 1'-0"

RESOLUTION NO. 5872-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-031-2016 FOR PROPERTY LOCATED ON THE NORTH SIDE OF BIXBY AVENUE, EAST OF GILBERT STREET, AT 9691 BIXBY AVENUE, ASSESSOR'S PARCEL NO. 133-102-24.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 1, 2016, does hereby approve Site Plan No. SP-031-2016, for land located on the north side of Bixby Avenue, east of Gilbert Street, at 9691 Bixby Avenue, Assessor's Parcel No. 133-102-24, subject to the Conditions of Approval attached hereto as "Exhibit A", and subject to the approval of Development Agreement No. DA-004-2016 by the Garden Grove City Council.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-031-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Bryson Nguyen.
2. The applicant is requesting Site Plan approval to construct a 10-unit, two-story apartment complex, located at 9691 Bixby Avenue, with a 25% affordable housing density bonus for "low-income" families. Pursuant to State Density Bonus Law, the applicant is requesting three (3) concessions from the R-3 zone development standards - (1) separation between residential units and vehicular accessways; (2) separation between residential units and open guest parking areas; and (3) separation between main buildings. A Development Agreement incorporating these proposed land use entitlements is also proposed.
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 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15332). The proposed project consists of an in-fill development on a site of less than five acres substantially surrounded by urban uses and which can be adequately served by all required utilities, and the project is consistent with the applicable General Plan land use designation, all applicable General Plan policies, and the applicable zoning designation and regulations. The project site has no value as habitat for endangered, rare or threatened species. Further, approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
4. The property has a General Plan Land Use designation of Low Medium Density Residential and is currently zoned R-2 (Limited Multiple-Family Residential). The subject site is a 36,121 square foot lot and is currently improved with two (2) existing buildings, which are currently occupied by Precious Years Children's Center, operating as a preschool/daycare.

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 December 1, 2016, 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 December 1, 2016, 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 a 36,121 square foot lot and is located on the north side of Bixby Avenue, east of Gilbert Street. The site is currently improved with two (2) existing buildings, which are currently occupied by Precious Years Children's Center, operating as a preschool/daycare for children ages 2-12.

The subject site has a General Plan Land Use Designation of Low Medium Density Residential and is zoned R-2 (Limited Multiple-Family Residential). The properties to the north, west, and to the south, across Bixby Avenue, are zoned R-1 (Single-Family Residential) and are primarily developed with single-family homes, along with a K-12 school. The property to the east is zoned R-2 and is developed with multiple-family housing.

The applicant is proposing to demolish the two (2) existing buildings and construct ten (10) new, detached, two-story apartment units, recreation areas, and associated parking and landscaping improvements.

The application for Site Plan No. SP-031-2016 is being processed in conjunction with Development Agreement No. DA-004-2016.

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. The requested concessions to development standards are reasonable and required to be granted by the State Density Bonus Law, and the project otherwise meets the standards of the R-2 (Limited Multiple-Family Residential) zoning of the property, as they pertain to the access, building setbacks, number of parking spaces, 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 drive aisle and maneuvering areas are adequate for vehicle access. The project meets the State's Density Bonus Housing Law provisions as implemented through the City's Code for minimum parking requirements. Additionally, 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 Bixby Avenue. The street improvements include constructing curb and gutter, paving additional area on the street, constructing a sidewalk, reconstructing the drive approach, and planting street trees behind the new sidewalk. 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 existing and 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, driveways, 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 site design provides a greatly improved circulation pattern and point of access. 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.

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. Based on the Municipal Code, for open space development standards, a minimum of 3,000 square feet of open space is required for the entire development – a minimum of 1,225 square feet of active recreation area and the remainder dispersed among any private and passive recreation areas. A total 4,212 square feet of both common and private recreation space has been provided (a surplus of 1,212 square feet). All areas of the site, excluding where walkways, drive aisles, and parking areas have been required, will be landscaped. The proposed units range in size from 1,887 square feet to 2,005 square feet. All units are two-story and have four (4) bedrooms and three (3) bathrooms. Additionally, each unit has an attached two-car garage. Units 1 and 2 have direct access to the public right-of-way, off Bixby Avenue, while Units 3-10 maintain access from the internal walkway system. Each unit has their own private patio area that will range in size from 160 to 180 square feet. The applicant has proposed a contemporary architectural style for the apartment dwelling units that exhibits a stucco exterior, decorative window trim, decorative faux balcony treatment with decorative white wrought iron railings, and an effective use of articulation on the building façade and design.

#### 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 possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Site Plan)
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 Site Plan No. SP-031-2016.
3. Approval of this Site Plan shall be contingent upon the approval effectiveness of Development Agreement No. DA-004-2016 by the Garden Grove City Council.

RESOLUTION NO. 5873-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT NO. DA-004-2016 FOR A RESIDENTIAL APARTMENT DEVELOPMENT ON PROPERTY LOCATED ON THE NORTH SIDE OF BIXBY AVENUE, EAST OF GILBERT STREET, AT 9691 BIXBY AVENUE, ASSESSOR'S PARCEL NO. 133-102-24.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 1, 2016, does hereby recommend City Council approval of Development Agreement No. DA-004-2016 for a 10-unit, two-story apartment development (the "Project") on land located on the north side of Bixby Avenue, east of Gilbert Street, at 9691 Bixby Avenue, Assessor's Parcel No. 133-102-24 (the "Property").

BE IT FURTHER RESOLVED in the matter of Development Agreement No. DA-004-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Bryson Nguyen.
2. The applicant has requested Planning Commission approval of Site Plan No. SP-031-2016 to construct a 10-unit, two-story apartment complex, located at 9691 Bixby Avenue, with a 25% affordable housing density bonus for "low-income" families and three (3) concessions from the R-3 zone development standards pursuant to the State Density Bonus Law - (1) separation between residential units and vehicular accessways; (2) separation between residential units and open guest parking areas; and (3) separation between main buildings. The applicant is also requesting the Planning Commission recommend approval to City Council of Development Agreement No. DA-004-2016 between the City of Garden Grove and Tony Le and Dung Nguyen for the Project on the Property.
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 15332 (In-Fill Development Projects) of the CEQA Guidelines (14 Cal. Code Regs., Section 15332). The proposed Project consists of an in-fill development on a site of less than five acres substantially surrounded by urban uses and which can be adequately served by all required utilities, and the project is consistent with the applicable General Plan land use designation, all applicable General Plan policies, and the applicable zoning designation and regulations. The project site has no value as habitat for endangered, rare or threatened species. Further, approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
4. The property has a General Plan Land Use designation of Low Medium Density Residential and is currently zoned R-2 (Limited Multiple-Family Residential). The subject site is a 36,121 square foot lot and is currently improved with two (2) existing buildings, which are currently occupied by Precious Years Children's Center, operating as a preschool/daycare.



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 December 1, 2016, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on December 1, 2016, the Planning Commission adopted Resolution No. 5872-16 approving Site Plan No. SP-031-2016, subject to specified Conditions of Approval, and subject to the approval of Development Agreement No. DA-004-2016 by the Garden Grove City Council. The facts and findings set forth in Planning Commission Resolution No. 5872-16 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting on December 1, 2016, and considered all oral and written testimony presented regarding the project; and

FACTS:

The subject site is a 36,121 square foot lot and is located on the north side of Bixby Avenue, east of Gilbert Street. The site is currently improved with two (2) existing buildings, which are currently occupied by Precious Years Children's Center, operating as a preschool/daycare for children ages 2-12.

The subject site has a General Plan Land Use Designation of Low Medium Density Residential and is zoned R-2 (Limited Multiple-Family Residential). The properties to the north, west, and to the south, across Bixby Avenue, are zoned R-1 (Single-Family Residential) and are primarily developed with single-family homes, along with a K-12 school. The property to the east is zoned R-2 and is developed with multiple-family housing.

The applicant desires to demolish the two (2) existing buildings and construct ten (10) new, detached, two-story apartment units, recreation areas, and associated parking and landscaping improvements pursuant to Site Plan No. SP-031-2016.

Pursuant to the proposed Development Agreement with the City, the applicant will be guaranteed four years to construct the Project in accordance with Site Plan No. SP-031-2016, and the City will receive a development agreement payment in an amount not to exceed \$19,160 to reimburse the City for the cost of certain City services required by the Project that are not otherwise being reimbursed to the City.

FINDINGS AND REASONS:

1. The Development Agreement is consistent with the General Plan.

The proposed 10-unit apartment Project authorized to be constructed under the Development Agreement is consistent with the Property's General Plan Land Use Designation of Low Medium Density Residential. The Project will provide additional housing for the community that will be available for larger family sizes, a high quality project design that will preserve residential property values, and both common and private open space areas that are available to serve the residents.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Development Agreement possesses characteristics that would indicate justification of the request in accordance with Government Code Section 65864 et. seq, provisions for Development Agreements.

## **EXHIBIT "A"**

### **Site Plan No. SP-031-2016**

9691 Bixby Avenue

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. Each owner of the property shall execute, and the applicant shall record, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on the property within 30 days of 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 Bryson Nguyen, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns.
2. Approval of this Site Plan 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. The approved site plan, floor plan, and building design with colors are an integral part of the decision approving this Site Plan. There shall be no change in the site plan, floor plan, building design and/or colors as revised without the approval of the Community and Economic Development Department. Any change in the site plan, and/or floor plan, which has the effect of expanding or intensifying the use, shall require approval from the Planning Commission.
4. Minor modifications to the Site 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 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.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Public Work's Engineering Division**

The following provisions of the Public Work's Engineering Division shall be complied with:

6. The applicant shall be subject to Traffic Mitigation Fees, Park Fees, Drainage Fees, and other mitigation fees for development projects identified in Chapter 9.44 and/or other provisions of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City.
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 of interior drive aisles and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including soil compaction, saturation, permeability and groundwater levels.
8. A separate street permit is required for work performed within the public right-of-way.
9. Separate grading and 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 feet 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.
10. 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 (WQMP) 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 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.
11. 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
  - Demonstrate that the applicant has agreed to and recorded an agreement or another legal instrument approved by the City Attorney that shall require the property owner, successors, tenants (if applicable), and assigns to fund, operate and maintain in perpetuity the post-construction BMPs described in the Project WQMP and O&M Plan.
12. Prior to 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.
13. 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.

14. Provide a 3-foot public utility easement across lot frontage behind the property line.
15. Prior to issuance of the street improvements and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit in a manner satisfactory to the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely in the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management).
16. 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.
17. 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.
18. 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 street.
19. 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.
20. All trash container areas shall meet the following requirements:
  - Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash;
  - Provide solid roof or awning to prevent direct precipitation;
  - Connection of trash area drains to the municipal storm drain system is prohibited;
  - Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control;

- See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
  - The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of the enclosures.
21. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
22. The applicant shall remove the existing landscape within sidewalk area along Bixby Avenue and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant/property owner for the life of the project in a manner meeting the approval of the City Engineer.

Bixby Avenue

- Remove the existing substandard driveway approaches and existing landscaping on Bixby Avenue and construct new curb, gutter, landscape, and sidewalk.
- 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 with any deviation from the standard to be approved by the City Engineer and detailed on the plan showing all modifications.
- Construct 6" curb and gutter along the property frontage at 20 feet from centerline in accordance with City Standard Plan B-113 (Type D-6).
- Construct a 5-foot sidewalk adjacent to the right-of-way line and a 5-foot landscape parkway adjacent to the street curb in accordance with City Standard Plan B-105. The area between the sidewalk and curb shall be landscaped per the direction of the Planning Services Division.

**Garden Grove Fire Department**

The following provisions of the Garden Grove Fire Department and the California Fire Code shall be met:

23. 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).

24. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72. Life safety and fire sprinkler alarm system shall comply with NFPA 72 requirements.
25. Fire hydrant(s) shall be provided on-site, number of hydrants and locations are subject to Fire Department and Water Services Department approval. The fire hydrant(s) shall be on a loop system approved by the Fire Department. The fire hydrants and an all-weather road, compliant with the California Fire Code, shall be installed and fully operational prior to any combustible material being delivered to the site.
26. All Fire related aspects of the proposed project shall comply with applicable California Fire Codes and the California Building Codes.
27. There shall be a minimum of 20-foot clear access within the drive aisle and emergency vehicle turn-around area. In addition, pedestrian access shall be available along the west and east side of the development to facilitate secondary access requirements.

#### **Building Services Division**

28. The homes shall be designed to comply with applicable California Building Codes.

#### **Public Work's Water Services Division**

The following provisions of the Garden Grove Public Work's Water Services Division shall be met:

29. New water service installations 2" and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3" and larger, shall be installed by developer/owner's contractor per City Standards.
30. Water meters shall be located within the Bixby right-of-way. Fire services and large water services 3" and larger, shall be installed by contractor with class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
31. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Installation 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. Applicant/property 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.

32. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
33. Fire service shall have above ground backflow device with a double check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above ground assembly shall be screened from public view as required by the Planning Division.
34. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department. Private fire hydrant must be operational prior to foundation pour.
35. Applicant shall install new sewer manhole and 6" lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints. On-site private sewer installation shall be per California Plumbing Code.
36. Applicant 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**

37. 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. The number of street trees to be planted along Bixby Avenue shall be incorporated into the front landscape setback, no street trees will be planted in the sidewalk, unless required by the City's Public Work's 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.
38. The applicant/property owner shall prepare a Density Bonus Housing Agreement pursuant to Ordinance 2668 and Section 9.12.030.070 (Density bonuses and other incentives for affordable housing) (Subsection I - "Density Bonus Housing Agreement") of Title 9. The Density Bonus Housing Agreement shall be submitted for review and approval by the City Attorney's office and the Community and Economic Development Department prior to the issuance of building permits. The approved Density Bonus Housing Agreement shall be recorded prior to issuance of a building permit for any structure in the housing development. The Density Bonus Housing Agreement shall run with the land and bind on all future owners and successors in interest. The Density Bonus Housing Agreement shall include, but not limited to, the following:

- a. The total number of units approved for the Housing Development, the number, location, and level of affordability of target units, and the number of density bonus units.
- b. Standards for determining affordable rent or affordable ownership cost for the target units.
- c. The location, unit size in square feet, and number of bedrooms of target units.
- d. Provisions to ensure affordability for 55 years pursuant to Government Code section 65915 and otherwise in accordance with Subsection G of section 9.12.030.070.
- e. A schedule for completion and occupancy of target units in relation to construction of non-restricted units.
- f. A description of any concessions or incentives or waivers and modifications being provided by the City.
- g. A description of remedies for breach of the agreement by either party. The City may identify tenants or qualified purchasers as third party beneficiaries under the agreement.
- h. Procedures for qualifying tenants and prospective purchasers of target units.
- i. Any other provisions to ensure implementation and compliance with section 9.12.030.070.
- j. Procedures for establishing affordable rent, filling vacancies, and maintaining target units for eligible tenants.
- k. Provisions requiring verification of household incomes.
- l. Provisions requiring maintenance of records to demonstrate compliance with section 9.12.030.070.
- m. The property owner shall restrict tenancy occupancy to a "2 + 1" formula, 2 persons per bedroom plus one additional person (ex: a two bedroom unit can only house five persons).
- n. The property owner shall provide a professional caretaker, as defined and required by Title 25, Division 4, Article 5, Section 42 of the State Housing Law Regulations.

39. 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.
40. The approval and effectiveness of Site Plan No. SP-031-2016 shall be expressly contingent upon the adoption and effectiveness of a binding Development Agreement between the applicant and/or property owner and the City of Garden Grove.
41. 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 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.
42. 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 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. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks, within the common areas along Dale Street, or any parking areas, and shall be screened to the satisfaction of the Community and Economic Development Department.
  - 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.
43. Each Unit shall have phone-jacks and cable-TV in all rooms, except any laundry area, hallways, and bathrooms.
44. All units shall maintain the ability to park two 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.
45. 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 open guest parking spaces. Additionally, there shall be no long term parking of vehicles in the open guest parking spaces nor shall open guest parking spaces be reserved for any particular units.
46. 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.
47. 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.
48. 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.
49. 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.

50. Enhanced concrete treatment shall be provided at a 20-foot depth within the entry drive from Bixby Avenue. Concrete treatment and color shall be approved by the Community and Economic Development Department prior to issuance of building permits.
51. 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.
52. 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 Division, Engineering Division, and Building Division Plan Check, 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 the Conditions of Approval for Site Plan No. SP-031-2016. 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.
53. 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 east 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.
54. 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, the use of solar or low-emission water heaters, use low-sodium parking lot lights, and ensure compliance with Title 24.
  55. The common recreation area improvements, including the design of the play equipment, shall be reviewed and approved by the Community and Economic Development Department, Planning Division, prior to issuance of building permits. The improvements within the common open space areas shall include a turf area, benches, barbecue, child's play equipment, and related equipment and improvements.
  56. The emergency vehicle turn-around area shall be painted with cross hatched markings to be designated as a "No Parking" zone, and exclusive for fire truck access only.
  57. Building color and material samples shall be submitted to the Planning 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, stone veneer, decorative paneled front doors, shutters, decorative wrought iron railings, and varied rooflines with tile roofing material.

58. No security fencing/gate shall be permitted to be installed within the entry of the project, unless a vehicular turn-around area meeting Public Work's Engineering Division requirements can be accommodated.
59. 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.
60. 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-031-2016 and Development Agreement No. DA-004-2016 (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. Notwithstanding the foregoing, in the event any legal action or proceeding is filed against the City and/or applicant, seeking to attack, set aside, void or annul any of the Project entitlements, applicant shall have the right and obligation to either: (1) defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney; or (2) request that the City rescind the entitlement approvals, in which case the applicant would have no obligation to defend or indemnify the City; however, applicant shall reimburse the City for any costs incurred or assessed against the City as a result of the filing of such legal action or proceeding, provided the City acts promptly to rescind the entitlements.
61. 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-031-2016, has begun.
62. 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 CEQA.