



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

MAY 19, 2016

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

REGULAR SESSION - 7:00 P.M. COUNCIL CHAMBER

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 Council Chamber 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: April 21, 2016
- C. CONTINUED PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
 - C.1. MITIGATED NEGATIVE DECLARATION
SITE PLAN NO. SP-022-2016
CONDITIONAL USE PERMIT NO. CUP-065-2016
LOT LINE ADJUSTMENT NO. LLA-011-2016
DEVELOPMENT AGREEMENT NO. DA-002-2016

APPLICANT: TONY LAM

LOCATION: NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET. PEARL STREET PROPERTY IS CONTIGUOUS TO NORTH SIDE OF GARDEN GROVE PROPERTIES AND FRONTS SOUTH SIDE OF PEARL STREET, WEST OF NELSON STREET AT 10641 GARDEN GROVE BOULEVARD, 10661 GARDEN GROVE BOULEVARD, AND 10662 PEARL STREET.

REQUEST: Site Plan and Conditional Use approval to construct a four-story, 10-unit, work-live mixed-use development on three separate properties, in conjunction with a Lot Line Adjustment to consolidate three properties into one. A Development Agreement is also included.

STAFF RECOMMENDATION: Recommend adoption of the Mitigated Negative Declaration and approval of Development Agreement No. DA-002-2016 to City Council, and approve Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, subject to the recommended conditions of approval and City Council approval of Development Agreement No. DA-002-2016.

D. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

D.1. INTERPRETATION OF USE NO. IOU-109-2016
CONDITIONAL USE PERMIT NO. CUP-069-2016

APPLICANT: SHORELINE AMBULANCE

LOCATION: NORTH SIDE OF GARDEN GROVE FREEWAY (SR-22), EAST SIDE OF VALLEY VIEW STREET AT 12882 VALLEY VIEW STREET

REQUEST: Pursuant to the requirements of Planned Unit Development No. PUD-105-76, a request for an Interpretation of Use to determine compatibility between the proposed ambulance service and the existing Planned Unit Development No. PUD-105-76, in conjunction with a Conditional Use Permit request to operate a new 3,600 square foot ambulance service business, Shoreline Ambulance, within an existing facility located at 12882 Valley View Street, Suites 12, 13, and 14. The site is in the PUD-105-76 (Planned Unit Development) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Interpretation of Use No. IOU-109-2016 and Conditional Use Permit No. CUP-069-2016, subject to the recommended conditions of approval.

D.2. CONDITIONAL USE PERMIT NO. CUP-071-2016

APPLICANT: GOLDEN SEA RESTAURANT AND BANQUET
LOCATION: SOUTH SIDE OF KATELLA AVENUE, WEST OF THE INTERSECTION OF KATELLA AVENUE AND BROOKHURST STREET AT 9802 KATELLA AVENUE

REQUEST: Conditional Use Permit approval to operate an existing 9,120 square foot restaurant/banquet facility, Golden Sea Chinese Seafood Restaurant and Banquet, with live entertainment and an original State Alcoholic Beverage Control Type "47" (On-Sale, Distilled spirits, Beer and Wine, Eating Place) License. The site is in the C-2 (Community Commercial) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-071-2016, subject to the recommended Conditions of Approval.

D.3. CONDITIONAL USE PERMIT NO. CUP-074-2016

APPLICANT: MATTHEW BACA (ALDI, INC.)
LOCATION: NORTH SIDE OF CHAPMAN AVENUE, BETWEEN BROOKHURST STREET AND DALE STREET AT 9901 CHAPMAN AVENUE

REQUEST: Conditional Use Permit approval to operate an approximately 21,567 square foot grocery store with an original Alcoholic Beverage Control type "20" (Off-Sale, Beer and Wine) License. The site is in the NMU (Neighborhood Mixed Use) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-074-2016, subject to the recommended Conditions of Approval.

D.4. INTERPRETATION OF USE NO. IOU-001-2016
CONDITIONAL USE PERMIT NO. CUP-072-2016

APPLICANT: HUYENZ VUONG

LOCATION: WEST SIDE OF EUCLID STREET, BETWEEN FORBES AVENUE AND BUSINESS CENTER PARKWAY AT 14241 EUCLID STREET #C101-104

REQUEST: Conditional Use Permit approval to allow the operation of a 4,647 square foot billiard hall, Duy Tan Billiard, in a portion of the tenant space previously occupied by the Can Restaurant and Club. Also, Interpretation of Use approval to determine the compatibility between the proposed billiard hall and the existing zoning classification. The site is in the PUD-104-81/88 Rev. 90 (Planned Unit Development) zone. The project is exempt pursuant to CEQA Sections 15303 - New Construction or Conversion of Small Structures and 15301 - Existing Facilities.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-072-2016 and Interpretation of Use No. IOU-001-2016, subject to the recommended conditions of approval.

D.5. MITIGATED NEGATIVE DECLARATION
CONDITIONAL USE PERMIT NO. CUP-073-2016

APPLICANT: HEAVEN'S GATE FUNERAL HOME, INC.

LOCATION: SOUTH SIDE OF GARDEN GROVE BOULEVARD, EAST OF FAIRVIEW STREET AT 13272 GARDEN GROVE BOUELVARD

REQUEST: Conditional Use Permit approval to operate a new funeral home, within an existing approximately 19,460 square foot office building, which will include a mortuary and crematory.

STAFF RECOMMENDATION: Adoption of Mitigated Negative Declaration and approval of Conditional Use Permit No. CUP-073-2016, subject to the recommended Conditions of Approval.

E. MATTERS FROM COMMISSIONERS

F. MATTERS FROM STAFF

G. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION
Council Chamber, Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes
Thursday, April 21, 2016

CALL TO ORDER: 7:02 p.m.

ROLL CALL:

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

Absent: Zamora

Commissioner Zamora joined the meeting at 7:29 p.m.

PLEDGE OF ALLEGIANCE: Led by Chair O'Neill.

Staff introduced the City's new Community and Economic Development Director, Lisa Kim.

ORAL COMMUNICATIONS – PUBLIC – Mr. Charlie Zabinski asked for the status of the bike path between Nelson Street and Stanford Avenue. Vice Chair Kanzler stated that a consultant had been hired to develop a Bicycle Master Plan for the City.

March 17, 2016 MINUTES:

Action: Received and filed.

Motion: Margolin Second: Barker

Ayes: (5) Barker, Kanzler, Margolin, O'Neill, Paredes

Noes: (0) None

Absent: (1) Zamora

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-066-2016. FOR PROPERTY LOCATED AT 12755 BROOKHURST STREET, SOUTH OF STANFORD AVENUE, WEST OF BROOKHURST STREET AND STANFORD AVENUE.

Applicant: Karie Barker
Date: April 21, 2016

Request: Conditional Use Permit approval to operate a new 1,850 square foot after-school tutoring center for 46 students and six (6) instructors. The site is in the GGMU1 (Garden Grove Mixed Use 1) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

Action: It was moved to continue the item to a date uncertain per the applicant's request.

Motion: O'Neill Second: Kanzler

Ayes: (5) Barker, Kanzler, Margolin, O'Neill, Paredes

Noes: (0) None

Absent: (1) Zamora

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, SITE PLAN NO. SP-022-2016, CONDITIONAL USE PERMIT NO. CUP-065-2016, LOT LINE ADMUSTMENT NO. LLA-011-2016, AND DEVELOPMENT AGREEMENT NO. DA-002-2016 FOR PROPERTY LOCATED AT 10641 GARDEN GROVE BOULEVARD, 10661 GARDEN GROVE BOULEVARD, AND 10662 PEARL STREET, NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET. PEARL STREET PROPERTY IS CONTIGUOUS TO NORTH SIDE OF GARDEN GROVE BOULEVARD PROPERTIES AND FRONTS ON SOUTH SIDE OF PEARL STREET, WEST OF NELSON STREET.

Applicant: Tony Lam

Date: April 21, 2016

Request: Site Plan and Conditional Use approval to construct a four-story, 10-unit, work-live mixed-use development on three separate properties, in conjunction with a Lot Line Adjustment to consolidate three properties into one. A Development Agreement is also included.

Motion No. 1:

Action: Public Hearing held. Public Hearing closed then re-opened. Speaker(s): Joe Dovich, Tony Lam, George Behnam

Action: Motion to leave the Public Hearing open and continue the item to the May 19th Planning Commission meeting in order for staff to review updated architectural plans was approved.

Motion: Kanzler Second: Zamora

Ayes: (6) Barker, Kanzler, Margolin, O'Neill, Paredes, Zamora

Noes: (0) None

Absent: (0) None

Motion No. 2:

Action: Due to the number of items on the May 19th agenda, a motion to leave the Public Hearing open and to reconsider continuing the item to the May 5th Planning Commission meeting was approved.

Motion: Kanzler Second: Zamora

Ayes: (6) Barker, Kanzler, Margolin, O'Neill, Paredes, Zamora
Noes: (0) None
Absent: (0) None

Motion No. 3:

Action: Motion to leave the Public Hearing open and continue the item to the May 5th Planning Commission meeting in order for staff to review updated architectural plans was approved.

Motion: Margolin Second: Kanzler

Ayes: (6) Barker, Kanzler, Margolin, O'Neill, Paredes, Zamora
Noes: (0) None
Absent: (0) None

ITEM FOR CONSIDERATION - ACKNOWLEDGEMENT OF THE 2015 ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN:

Action: Received and filed. Discussion included clarification on the number of housing units per levels of income, as well as homelessness, including how to obtain resources and the methodology of the Police Department's resource team to reach out to the homeless.

Motion: Kanzler Second: Zamora

Ayes: (6) Barker, Kanzler, Margolin, O'Neill, Paredes, Zamora
Noes: (0) None
Absent: (0) None

ITEM FOR CONSIDERATION - REVIEW OF THE CODE OF ETHICS: Commissioners reviewed and acknowledged the Code of Ethics governing the Planning Commission.

MATTERS FROM COMMISSIONERS: Commissioner Margolin asked staff for updates on the Promenade Shopping Center, the Inge sign, and the Galleria. Staff responded that Chipotle, Wing Stop, Yogurtland, and Panda Express were in plan check; no

update on the Inge sign; as money becomes available, the businesses that want to comply with the new sign program would be first up; and in regard to the Galleria, the two parties were in court, with the issue to be back at City Council on the second meeting in May.

Vice Chair Kanzler asked if the City had a 'mansions' ordinance. Staff replied that the City presented a report years ago, however, the topic did not move forward.

Commissioner Zamora asked for an update on the mini-park at the corner of Brookhurst Street and Lampson Avenue; about the roadwork on Brookhurst Street between Chapman Avenue and Lampson Avenue; about a list of City projects posted online; and about Costco traffic. Staff responded that the park was being renovated to be drought tolerant using City funds; the roadwork would be looked into; a list of City projects was being worked on to be posted online; and that Dai Vu would be contacted regarding the Costco traffic.

Commissioner Barker asked if Commissioners could give recommendations for the District Maps. The advice was to attend City Council to express suggestions, along with a reminder that the topic was not under the Planning Commission's jurisdiction.

Commissioner Paredes asked if the May 5th Planning Commission meeting could include a public forum to discuss opportunities for vacant businesses.

Lisa Kim, responded that City Council had tasked the Community and Economic Development Department to bring forward an economic development strategy over the next six months, by way of community outreach, and a report with elements of the strategy could be brought back to Planning Commission.

Commissioner Margolin asked if a property owner could sit on their vacant property for years. Staff replied yes, as long as the property was maintained and that the City would become involved if the property became a public nuisance. Staff then added that in regard to a public forum for suggestions to fill vacant businesses, it was better for Commissioners to remain non-prejudiced and neutral in regard to future development.

Chair O'Neill mentioned the Graduates Reception, which would occur prior to the City Council meeting on April 26th.

MATTERS FROM STAFF: Staff reiterated that the May 5th meeting would include the continued item and a review of the Brown Act, and that the memo on Historic Preservation would go to City Council in June.

ADJOURNMENT: At 8:50 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, May 5, 2016, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Zamora Second: Barker

Ayes: (6) Barker, Kanzler, Margolin, O'Neill, Paredes, Zamora

Noes: (0) None

Absent: (0) None

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1	SITE LOCATION: Two properties are located on the north side of Garden Grove Boulevard, west of Nelson Street. The third property is contiguous to the north side of the Garden Grove properties and fronts on the south side of Pearl Street, west of Nelson Street. North side of Garden Grove Boulevard, west of Nelson Street. The property addresses are 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street.
HEARING DATE: May 19 ¹⁹ , 2016	GENERAL PLAN: Industrial/Commercial Mixed Use
CASE NOS.: Site Plan No. SP-022-2016 CUP-065-2016, Lot Line Adjustment No. LLA-011-2016, and Development Agreement No. DA-002-2016	EXISTING ZONE: AR (Adaptive Reuse)
APPLICANT: Tony Lam	APN: 089-092-06, 089-092-26, and 089-092-25
PROPERTY OWNER: Tony Lam and Jennie Do	CEQA DETERMINATION: Mitigated Negative Declaration

REQUEST:

A request for approval of a Site Plan and Conditional Use Permit approval to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties in conjunction with a Lot Line Adjustment to consolidate the three properties into one. A Development Agreement is also included.

PROJECT STATISTICS:

	Provided	Code Requirement	Meets Code
Total Lot Size	.69 acres	15,000 S.F.	Yes
Work/Live Density By Total Site Area	10 units per acre	32 units per acre	Yes
Work/Live Units	10 units	22 units	Yes
Total Parking			
Work/Live	32*	30	Yes
Recreation Area Total	4,376.85 S.F.	3,000 S.F.	Yes**
Common Area	3,500 S.F.		
Private Balcony	876.85 S.F.		
Building Setbacks			Yes
Front	15'-0"	15'-0"	
Rear	28'-9"	0'-0"	
sides	0'-0"	0'-0"	

*Table on plans says there are 31 spaces, but plans actually show 32 spaces.

**Private balconies range in size from 32.9 square feet to 132 square feet and are not a Code requirement.

BACKGROUND/DISCUSSION:

On April 21, 2016, the subject applications were presented to the Planning Commission for consideration. During the meeting, concerns were raised regarding accessible bathrooms in the commercial portions of the units, as well as access to the units from the shared garages. Since the plans that were submitted did not show accessible bathrooms nor separated garaged spaces, the Planning Commission continued the item in order for the applicant to provide plans that addressed their concerns.

The applicant has revised the plans and provided accessible bathrooms in each of the commercial areas of the units. The dividing wall within the garages have been shown on the plans for three of the garages, however, due to structural reasons, dividing walls within the two garages located at either end of the building could not be included without substantially impacting the layout of the units and reconfiguring the stairwells located on the east and west sides of the structure. Therefore, the applicant has proposed to leave the two garages as originally proposed with the change that the garages would not have direct access to the downstairs units. All other aspects of the project remain as originally proposed. The original staff report has been attached for reference.

Based on the new set of plans, a new Resolution of Approval has been provided with Conditions of Approval that include new conditions that require the provision for accessible bathrooms in the commercial areas of each unit, that the garages shall include a dividing wall between each garage space with the exception of the two end garages located along the easterly and westerly property lines, and that access to the units from the two end garages be prohibited.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 5857-16 recommending that the City Council approve Development Agreement No. DA-002-2016; and
2. Adopt Resolution No. 5858-16 approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, subject to the recommended Conditions of Approval, and subject to City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project and City Council approval of Development Agreement No. DA-002-2016.



Karl Hill

Planning Services Manager



By:

Lee Marino

Senior Planner

RESOLUTION NO. 5857-16

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVAL OF DEVELOPMENT AGREEMENT NO. DA-002-2016 FOR A MIXED-USE DEVELOPMENT ON THREE CONTIGUOUS PROPERTIES LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET AND THE SOUTH SIDE OF PERAL STREET, WEST OF NELSON STREET, AT 10641 AND 10661 GARDEN GROVE BOULEVARD AND 10662 PEARL STREET.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 21, 2016, does hereby recommend City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Development Agreement No. DA-002-2016, for a four-story, 10-unit, work-live, mixed-use development (the "Project") on land consisting of three properties, two located on the north side of Garden Grove Boulevard west of Nelson Street and one located contiguous to the north side of the Garden Grove Boulevard properties that fronts on the south side of Pearl Street, west of Nelson Street, at 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street, Assessor's Parcel Nos. 089-092-06, 089-092-25, and 089-092-26 (collectively, the "Property").

BE IT FURTHER RESOLVED that the Planning Commission has considered the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, together with comments received during the public review process, and finds that (1) the record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California; (2) that the custodian of record of proceedings is the Director of Community Development; (3) that the Mitigated Negative Declaration reflects the City's independent judgment and analysis; and (4) that on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project will have a significant effect on the environment; therefore, the Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for this Project.

BE IT FURTHER RESOLVED in the matter of Development Agreement No. DA-187-12, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Tony Lam (the "Applicant").
2. The Applicant has requested Planning Commission approval of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties proposed to be consolidated into a single parcel, and is requesting the Planning Commission

recommend approval to City Council of Development Agreement No. DA-002-2016 between the City of Garden Grove and Tony Lam and Jennie Do for the Project on the Property.

3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with the proposed mitigation measure cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
4. The Property has a General Plan Land Use designation of Industrial/Commercial Mixed Use and is currently zoned AR (Adaptive Reuse). The .69 acre site is currently developed with a vacant commercial building, a bicycle shop on the Garden Grove Boulevard properties and a non-forming single-family home on the Pearl Street property.
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 April 21, 2016, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on April 21, 2016, the Planning Commission adopted Resolution No. 5858-16 approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, subject to specified Conditions of Approval, and subject to the adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Development Agreement No. DA-002-2016 by the Garden Grove City Council. The facts and findings set forth in Planning Commission Resolution No. 5858-16 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting on April 21, 2016 and considered all oral and written testimony presented regarding the project.

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, are as follows:

FACTS:

The Property is .69 acres in area, and currently developed with a vacant commercial building and a bicycle shop on the Garden Grove Boulevard properties and a non-conforming single-family home on the Pearl Street property.

The Property has a General Plan Land Use designation of Medium Density Residential and is zoned R-3 (Multiple-Family Residential).

The Applicant desires to construct a 10-unit, work-live, mixed-use development on the Property pursuant to Site Plan No. SP-022-2016, CUP-062-2016, and Lot Line Adjustment No. LLA-011-2016. The maximum building height will be four (4) stories with an overall height not to exceed 46'-9" and the building area will be comprised of 10 work/live units ranging in size from 2,330 square feet to 3,168 square feet. 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-022-2016, CUP-062-2016, and Lot Line Adjustment No. LLA-011-2016, 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, work-live, mixed-use development Project authorized to be constructed under the Development Agreement is consistent with the Property's General Plan Land Use Designation of Industrial/Commercial Mixed Use, which is intended to provide for a mix of uses. The Project is also consistent with Policy LU-1.6 of the General Plan's Land Use Element, which provides for the City to encourage workplace development in close proximity to residences in areas designated as Mixed Use.

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 and in Resolution No. 5858-16.

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.

RESOLUTION NO. 5858-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-022-2016, CONDITIONAL USE PERMIT NO. CUP-065-2016, AND LOT LINE ADJUSTMENT NO. LLA-011-2016 FOR THREE CONTIGUOUS PROPERTIES THAT ARE LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET AND THE SOUTH SIDE OF PEARL STREET, WEST OF NELSON STREET, AT 10641 AND 10661 GARDEN GROVE BOULEVARD AND 10662 PEARL STREET, ASSESSOR PARCEL NOS. 089-092-06, 089-092-25, AND 089-092-26.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session, assembled on April 21, 2016 and May 5, 2016, and approved Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, subject to the Conditions of Approval attached hereto as "Exhibit A", and subject to the approval of Development Agreement No. DA-002-2016 by the Garden Grove City Council.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Tony Lam (the "Applicant").
2. The Applicant is requesting approval of a Site Plan and Conditional Use Permit to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties in conjunction with a Lot Line Adjustment to consolidate the three properties into one. A Development Agreement incorporating these proposed land use entitlements is also proposed.
3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
4. The properties have a General Plan Land Use designation of Industrial/Commercial Mixed Use, and are currently zoned AR (Adaptive Reuse). The subject properties are currently improved with a vacant commercial building, a bicycle shop, and a non-conforming single-family home.

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 April 21, 2016 and May 5, 2016, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on May 5, 2016, the Planning Commission adopted Resolution No. 5857-16, recommending that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Development Agreement No. DA-002-2016 for the Project. The facts and findings set forth in Planning Commission Resolution No. 5857-16 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meetings of April 21, 2016 and May 5, 2016.

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 are as follows:

FACTS:

The subject property is approximately .69 acres and consists of three properties, two located on the north side of Garden Grove Boulevard west of Nelson Street and one located contiguous to the north side of the Garden Grove Boulevard properties that fronts on the south side of Pearl Street, west of Nelson Street. The subject properties have a General Plan Designation of Industrial/Commercial Mixed Use and are zoned AR (Adaptive Reuse). The properties to the north, east, and west are zoned AR and are developed with non-conforming, single-family homes and commercial uses. The properties to the south, across Garden Grove Boulevard are zoned GGMU-3 (Garden Grove Mixed Use 3) and are developed commercially.

In 2008 the City Council adopted the current General Plan, which changed the Land Use Designation of the area generally located north of Garden Grove Boulevard, west of Nelson Street, east of Flower Street to the north of Stanford Avenue and Nutwood Street to the south Stanford Avenue, as well as the area that is south of the portion of the OCTA right-of-way that is north of Stanford Avenue, from Office Professional, Mixed Use, and Industrial to Industrial/Commercial Mixed Use. This area maintains a variety of uses that include eating establishments, auto repair, light industrial uses, offices, and non-conforming residential uses.

In 2012, the City Council approved a Code Amendment that established the AR Mixed Use Zone within this area along with associated development standards in

order to provide the consistency between the new General Plan Land Use Designation and the Zoning classification that is required by State Law.

The subject properties are developed with a vacant commercial building and a bicycle shop on the Garden Grove Boulevard properties and a non-conforming single-family home on the Pearl Street property. The applicant is proposing to combine the three subject properties and demolish the existing improvements in order to develop a four-story, ten-unit, work-live mixed-use development.

The new four-story building will be constructed to face Garden Grove Boulevard and will maintain a 15'-0" setback from the front property line and will be constructed over the main driveway. The building will maintain zero setbacks along the east and west property lines and 28'-0" from the rear property line. Main access to the property will be via a 25'-0" wide drive way from Garden Grove Boulevard with a secondary access to Pearl Street from the north side of the project. While Code requires a minimum of 30 parking spaces to accommodate the development, a total of 32 parking spaces have been provided (10 garaged, 11 covered, and 11 open). The Site design, including parking and, circulation, have been designed to comply with requirements of Title 18, Mixed Use Regulations and Development Standards, of the City's Municipal Code.

The project has been designed to comply with the City Code zoning requirements for landscaping, and active and private recreation areas for the work live units. City Code requires 3,000 square feet of recreational area for the ten proposed units. A total of 4,376.85 square feet of both common useable and private open space has been provided, that includes a 3,500 square common useable recreation area on the third floor of the building that is suspended over the main driveway and private patios that range in size from 32.9 square feet to 132 square feet. The common useable recreation area includes landscaping, umbrellas, lounge chairs, tables, and barbeques.

Landscaping along Garden Grove Boulevard will include both columnar and canopy trees with shrubs and ground cover on-site and canopy trees and ground covers within the parkway adjacent to the street. Landscaping within the site and along Pearl Street will include canopy trees, shrubs, vines, and ground covers. Landscaping within the third floor common useable open space area will include decorative paving, artificial turf, potted trees, shrubs, and flowering plants.

The project consists of 10 work-live units with private balconies. The units range in size from 2,330 square feet to 3,168 square feet. Each unit includes work space and a small residential space that maintains access from the work space area of the unit to the living space via an interior stair case. The residential portions of the units also have a secondary entrance to the third floor. The residential portions of the units range in size from 750 square feet to 915 square feet. Eight of the units maintain two bedrooms and two bathrooms, and the remaining two units maintain one bedroom and one and a half bathrooms. The commercial areas of the five lower units maintain direct access to Garden Grove Boulevard and have two floors of

commercial space. The commercial areas of the top 5 units maintain access from the walkway located on the fourth floor with the majority of the residential area (with the exception of a bedroom) of the unit below the commercial area of the unit on the third floor. Each unit will also include kitchen, living room, dining area and laundry facilities.

City Code does not allow the commercial portion of the units to be leased out separately from the residential portion or for the units to be converted entirely to residential use. The intent of the work-live unit is to provide an alternative space where people can have a space that allows them to live in the same unit as they work.

The design of the four-story building is contemporary exhibiting a two-toned kaki and red brown (burnt sienna) stucco exterior with teal metal railing on the balconies and upper story walkways, and aluminum store front glazing. The articulated façade, varying roof heights, and color pattern of the building provide visual interest to the building.

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 the Municipal Code and other applicable ordinances.

The subject site has a General Plan land use designation of Industrial/Commercial Mixed Use (IC) and is zoned AR (Adaptive Reuse). The proposed project consists of a 4-story, mixed-use development consisting of ten (10) work-live units in a single building, along with 32 parking spaces consisting of garage spaces, covered spaces, and an open parking lot. The proposed mixed use development is consistent with the General Plan land use designation, which is intended to provide for a mix of uses, as well as with Policy LU-1.6 of the General Plan's Land Use Element, which provides for the City to encourage workplace development in close proximity to residences in areas designated as Mixed Use. The Site Plan also complies with the spirit and intent of the provisions, conditions, and requirements of the Municipal Code and other applicable ordinances. The zoning of the property permits work-live units subject to the approval of a Conditional Use Permit. The placements of the structures, the site design, the parking lot layout, the number of on-site parking spaces, and the landscape areas are all consistent with the development standards applicable to the AR zone.

2. The proposed development does 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 proposed development has been designed to meet the Code's requirements for access, on and off-site circulation and off-street parking. The plans have been reviewed by the City's Traffic Engineering Division as well as a traffic consultant and it has been determined that the project will have no adverse impacts to surrounding streets. The site provides sufficient parking to accommodate the proposed work-live mixed use development. The project has been designed to provide a drive aisle and parking layout that enables customers to maneuver effectively through the site.

Furthermore, the City's Fire Department has also reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to surrounding streets should there be an emergency.

3. The development, as proposed, will not adversely affect essential public facilities such as streets and alleys, utilities and drainage channels.

The streets in the area will be adequate to accommodate the proposed development once the developer provides the necessary improvements for the project. The proposed work-live mixed-use project will not adversely affect essential public facilities such as streets and alleys, utilizes, and drainage channels. Utilities and drainage channels in the area are adequate to accommodate the development.

The proposed development will also provide landscaping and proper grading of the site in order to maintain proper drainage in the area. The Public Works Engineering and Water Services Division have reviewed the plans.

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. There were no issues raised by the project. Therefore, the project will not adversely impact the City's ability to perform its required public works functions.

5. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The project is located in an area with a mix of industrial, commercial and non-conforming, single-family homes. The proposed project is consistent with the surrounding area and compatible with the existing uses along Garden Grove Boulevard and within the AR (Adaptive Reuse) zone. The building has been designed to be oriented toward Garden Grove Boulevard to ensure a reasonable degree of compatibility with adjacent developments.

6. Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities 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. All landscaped areas are required to adhere to the landscaping requirements of the Title 9 of the Municipal Code. Through the conditions of approval for the project, the necessary agreements for the protection and maintenance of all landscaping will be achieved.

CONDITIONAL USE PERMIT:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The proposed work-live mixed-use development will be consistent with the General Plan Land Use Designation of the property, which is Industrial/Commercial Mixed Use, provided that the project complies with all conditions of approval. The proposed work-live development is consistent with the Industrial/Commercial Mixed Use land use designation, which is intended to provide for a mix of uses, as well as with Policy LU-1.6 of the General Plan's Land Use Element, which provides for the City to encourage workplace development in close proximity to residences in areas designated as Mixed Use.

2. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area.

The proposed work-live development will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area. The property is zoned for commercial and light industrial uses and work-live units like those proposed are expressly permitted pursuant to a conditional use permit. Pursuant to the conditions of approval, only uses permitted or conditionally permitted in the AR zone may be maintained in the live-work units; auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants will be prohibited; no uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted; and all work associated with a non-residential use in any of the work-live units shall be done indoors. The project design and conditions of approval will minimize potential impacts to the adjoining area. In addition, Chapter 9.18 of the Garden Grove Municipal Code contains express restrictions on the use and operation of work-live mixed-use projects such as the one proposed that must be adhered to for the life of the project.

Provided the conditions of approval for the project are adhered to for the life of the project, the use will be harmonious with persons who work and live in the area.

3. The proposed use will not interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site.

The proposed work-live mixed-use project will not unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located within the vicinity of the site, provided that the conditions of approval are adhered to for the life of the project. The property and adjacent properties are zoned for commercial and light industrial uses and work-live units like those proposed are expressly permitted pursuant to a conditional use permit. Pursuant to the conditions of approval, only uses permitted or conditionally permitted in the AR zone may be maintained in the live-work units; auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants will be prohibited; no uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted; and all work associated with a non-residential use in any of the work-live units shall be done indoors. In addition, Chapter 9.18 of the Garden Grove Municipal Code contains express restrictions on the use and operation of work-live mixed use projects such as the one proposed that must be adhered to for the life of the project.

4. The proposed use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

Pursuant to the conditions of approval, only uses permitted or conditionally permitted in the AR zone may be maintained in the live-work units; auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants will be prohibited; no uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted; and all work associated with a non-residential use in any of the work-live units shall be done indoors. In addition, Chapter 9.18 of the Garden Grove Municipal Code contains express restrictions on the use and operation of work-live mixed use projects such as the one proposed that must be adhered to for the life of the project. Provided that proposed work-live mixed-use development adheres to the conditions of approval for the life of the project, the proposed project will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

5. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other

development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The proposed project has been designed to comply with the development standards and requirements of the AR (Adaptive Reuse) zone. The site is adequate in size and shape to accommodate the new structure and associated site improvements, which include parking facilities, landscaping, and development walls.

6. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic to be generated, and by other public or private service facilities as required.

The site is adequately served by Garden Grove Boulevard and Pearl Street and the development of the project will include accessible driveways providing both ingress and egress. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

LOT LINE ADJUSTMENT:

1. The parcel, as a result of the Lot Line Adjustment, will conform to the zoning and building codes.

The subject parcels have a General Plan Land Use designation of Industrial/Commercial Mixed Use and are zoned AR (Adaptive Reuse). The property is comprised of three (3) lots each with a combine lot area of .69 acres. The Lot Line Adjustment will consolidate the three (3) parcels into one lot to allow the construction of a 10-unit, work-live project that is approved via Site Plan No. SP-022-2016 and Conditional Use Permit No. CUP-065-2016. The Lot Line Adjustment and all subsequent site improvements will be in conformance with the applicable zoning and building code regulations as well as be consistent with the City's Subdivision Ordinance and the State Subdivision Map Act.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN 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, Conditional Use Permit, and Lot Line Adjustment possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030 and 9.40.190.
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the attached Conditions of

Approval (Exhibit "A") shall apply to Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.

3. Approval of this Site Plan, Conditional Use Permit, and Lot Line Adjustment shall be contingent upon the approval of Development Agreement No. DA-002-2016 and adoption of the Mitigated Negative Declaration and the Mitigation Monitoring Program for the project by the Garden Grove City Council.

EXHIBIT "A"

Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016 and Lot Line Adjustment No. LLA-011-2016

10641 and 10661 Garden Grove Boulevard and
10662 Pearl Street

CONDITIONS OF APPROVAL

General Conditions

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. The applicant shall provide the City with a copy of the recorded Notice within ten (10) days of its recordation.
2. All Conditions of Approval, approved under Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 contained in Resolution No. 5858-16, shall remain in full force and effect, except as modified herein. All Conditions of Approval set forth herein, or contained in Resolution No. 5858-2016, 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, Tony Lam, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Except for minor modifications approved by the Community Development Director pursuant to Condition No. 4, below, any changes to the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-022-2016 and Conditional Use Permit No. CUP-065-2016. The Conditions of Approval applying to Lot Line Adjustment No. LLA-011-2016 shall only be those that so expressly state and/or those necessary to conform to the General Plan, any applicable specific plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements.
3. Approval of this Site Plan, Conditional Use Permit, and Lot Line Adjustment 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.
4. Minor modifications to the Site Plan, Conditional Use Permit, Lot Line Adjustment and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in impacts that have not previously been addressed, may be approved by the

Community Development Director, in his or her discretion. Proposed modifications to the project, approved site plan, floor plan, and/or these Conditions of Approval determined by the Community 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 otherwise expressly specified in the individual condition.
6. 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 City's 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.
7. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community 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 Garden Grove Boulevard and Pearl Street, or any parking areas and shall be screened to the satisfaction of the Community 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 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, roof, or wall-mounted mechanical equipment shall be screened from public view from adjacent properties and the public right-of-way and shall also be screened, to the extent feasible, from on-site areas.

- e. The mitigation measure that is part of the Mitigated Negative Declaration that is adopted for Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 (the "Mitigated Negative Declaration") is incorporated herein by this reference and shall be implemented as conditions of approval for this project

Public Works Engineering Division

8. The applicant shall be subject to Traffic Mitigation Fees in accordance with Chapter 9.44 of the Garden Grove Municipal Code; In-Lieu Park Fees in accordance with the City's current Fee Resolution; and all other applicable fees duly adopted by the City.
9. 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 the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
10. A separate street permit is required for work performed within the public right-of-way.
11. 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' 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. All fees collected at the time of permit issuance shall be based on the fee schedule in effect at that time.
12. 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 *Final* Water Quality Management Plan 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 structural and 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.
13. 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 compliance with the WQMP in a manner meeting the satisfaction of the City Engineer, including:
- 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 BMPs.
 - 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.
14. Prior to the 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.
15. 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.
16. Provide a separate coordinated utility plan showing the location of all utilities serving the site. Any easements required providing locations and access for the utilities and their appurtenances shall be provided by separate instrument.

17. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-120 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
18. 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.
19. All trash container areas shall meet the following requirement:
 - 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 into the enclosure per City of Garden Grove Standard Plan B-502;
 - Provide a drain to a sanitary waste line. 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 enclosures per City of Garden Grove Standard Plan B-502.
20. Prior to the issuance of the street improvements and grading permit, the applicant shall provide 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).
21. No parallel curb parking shall be permitted anywhere on the site and Garden Grove Boulevard.
22. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall shall have wheel stops.
23. Any new or required block walls and/or retaining walls shall be shown on the grading plans with a minimum height of 6-feet from the highest finished grade. 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
24. The applicant shall remove the existing landscaping within sidewalk areas along Garden Grove Boulevard and Pearl Street and construct street frontage

improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer. A separate street improvement plan shall be prepared for Garden Grove Boulevard and Pearl Street and submitted to the engineering department for improvements within the existing and proposed right of way.

Garden Grove Boulevard

- Remove the existing easterly and westerly substandard driveway approaches and existing landscaping on Garden Grove Boulevard and construct new curb, gutter and sidewalk.
- The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-120. Standard Plan B-120 calls for a maximum width of 30-feet for commercial and multi residential projects, with any deviation from the standard to be approved by the City Engineer and detailed on the plan showing all modifications.
- Construct 8" curb and gutter along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct a 8-foot sidewalk and landscape adjacent to the street curb in accordance with City Standard Plan B-106 and planning department direction.
- Remove and replace the street pavement from the edge of the median to the edge of the gutter per City Standard B-102 and as directed by the City Engineer.

Pearl Street

- Construct 6" rolled curb and gutter along the property frontage at 20' from centerline in accordance with City Standard Plan B-116.
- Remove and replace the pavement of the street from the edge of the northerly gutter to the edge of new southerly gutter along the property frontage per City Standard Plan B-104 and the direction of the City Engineer.
- Construct new driveway approach to the site in accordance with City of Garden Grove Standard Plan B-121.
- Construct a new 4-foot parkway adjacent to the new 6-inch curb and 4-foot sidewalk per City Standard Plan B-105.

25. Conditions of Approval for LLA-011-2016:

- The applicant shall submit an updated title report along with copies of the recorded instruments listed in the title report.
- The applicant shall submit copies of the reference maps used to prepare the legal description and the plat.
- The Lot Line Adjustment shall comply with all provisions of the City of Garden Grove Public Work's Engineering Service Division and shall be reflected in a deed or record of survey that shall be recorded, with copies filed with the City, prior to issuance of a building permit for the structure.

Public Works Water Services Division

Water Conditions

26. New water services 2" and smaller can be installed by the Water Services Division upon payment of applicable fees, or by the applicant's contractor and inspected by Water Engineering Inspector. Applicant's contractor shall have a Class A or C-34 License. Fire services and larger water services 3" and larger, shall be installed by developer/owner's contractor per City Standards and inspected by the Water Engineering Inspector.
27. 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. The property owner(s) 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(s) must open a water account upon installation of RPPD device.
28. It shall be the responsibility of the applicant to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
29. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
30. The City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
31. Fire service connection shall have above ground double check detector assembly (DCDA) per City Standard B-773. 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 Water Quality, Water Services Division. Device shall be on private property and is the responsibility of the property owner(s). The above ground assembly shall be screened from public view as required by the Planning Division.

32. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.

Sewer Conditions

33. The applicant shall install new sewer 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.

34. In order for the project to be constructed as proposed by the applicant, the existing off-site and on-site sewer main going from west to east of the property will need to be removed and new sewer improvements constructed on the property and the immediately adjacent properties. Accordingly, the applicant shall remove and remediate the existing sewer main located within the proposed project boundary and construct the new sewer line within the project boundary to tie into the main in Grove Boulevard. The applicant shall also work with the adjacent property owners to ensure that (a) the remaining downstream portion of the sewer main in the adjacent property to the east is capped and plugged and a new sewer cleanout installed at the east property line to allow access to the remaining sewer, and (b) a new reroute for a lateral to the south to tie into the main on Garden Grove Boulevard is installed on the adjacent property to the west. Prior to commencement of any field investigation and design work, the applicant SHALL provide evidence satisfactory to the City Engineer that the applicant has entered into a binding agreement or agreements with the adjacent property owners providing applicant with the right to construct the above-described improvements on the neighboring properties. The sewer improvements described in this Condition shall be designed, constructed and installed at the applicant's expense and shall be fully completed and approved by the City prior to issuance of a certificate of occupancy.

35. Commercial food uses of any type shall require the installation of an approved Grease Control Device (GCD) prior to obtaining a business license.

36. A properly sized Grease Control Device (GCD) shall be installed on the waste line and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the GCD. All other waste lines shall be drained through the grease trap. The GCD may be located inside of the building per County Health Department requirements. Prior to City permit issuance, trap location must be approved by the Orange County Health Department as evidenced by their stamp on the plans. Owner shall maintain comprehensive GCD maintenance records and shall make them available to the City of Garden Grove upon demand.

37. Food grinders (garbage disposal devices) are prohibited within the commercial part of the unit per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations.

Building Services Division

38. The buildings shall be designed to comply with all provisions of the California Building Codes and City adopted amendments.
39. All units shall be adaptable and on an accessible route. Office spaces shall meet all disability access requirements, including constructing a handicap accessible bathroom in each unit.

Planning Services Division

40. This approval is for the construction of a four-story, ten-unit, work-live, mixed-use development. The living area of each unit shall be incidental to the work area of the unit and shall not be leased out separately from the work area of the unit. Interior access between the work and live areas of each unit shall be maintained. The portion of each work-live unit used for residential purposes shall at no time exceed 40 percent of the total area of the work-live unit, and no work-live unit may be converted entirely to residential use. Each occupant of a work-live unit shall at all times comply with the restrictions on uses and activities within a vertically integrated residential/commercial mixed use development set forth in Garden Grove Municipal Code section 9.18.020.070 and the use limitations, design standards, and operating requirements for work-live units set forth in Garden Grove Municipal Code section 9.18.030.360. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times. In addition, prior to the issuance of a certificate of occupancy the then current owner(s) of the property shall enter into and record a Covenant Agreement (or other appropriate document acceptable to the City) with the City in a form approved by the City Attorney and City Manager, restricting use and occupancy of property in accordance with Conditions of Approval 40, 41, 42, and 43 and sections 9.18.020.070 and 9.18.030.360 of the Garden Grove Municipal Code. The Covenant Agreement shall run with the land and be binding upon all current and future owners and tenants of the property and their respective heirs, successors, and assignees; provide that the Covenant Agreement may not be substantively amended or terminated without City approval; and provide that the City may, but shall not be obligated to, enforce the provisions of the Covenant Agreement. The City Manager shall be authorized to execute the Covenant Agreement on behalf of the City. The Covenant Agreement shall be recorded prior to the issuance of any certificates of occupancy. Evidence of the recordation of the agreement shall be provided to the City prior to the issuance of a certificate of occupancy. The applicant shall provide City with a current title report and/or other evidence satisfactory to the City evidencing title ownership of the property at the time of recordation of the Covenant Agreement.

41. Only uses listed as permitted or conditionally permitted within the Land Use Chart, Table 9.18-1 of Section 9.18.020.030 of Title 9 of the City's Municipal Code shall be maintained in the live-work units. Auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants shall be prohibited. No uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted. All work associated with a non-residential use in any of the work-live units shall be done indoors. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times. The applicant and/or property owner(s) or managers shall provide written notice to all occupants and users of the work-live units that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in strictly residential areas.
42. Parking spaces in the garages shall maintain the ability to park either one car in a one-car garage and two cars in a two-car garage at all times. The garages shall not be used for storage. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times. Each unit shall be designated a garage space. With the exception of the garages located behind units 1 and 5, all other garage spaces shall be separated with a dividing wall between the units. No access into units 1 and 5 from the respective adjoining garages shall be permitted.
43. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces in the garages for their unit. The open parking shall be made available for patrons of the on-site business during all hours of operation. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times.
44. No outside storage shall be permitted on-site. Storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times.
45. Best Management Practices shall be incorporated in the management of the site to detour and/or abate any graffiti vandalism 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.
46. All landscaping shall be consistent with the landscape requirements set forth and/or incorporated in the Garden Grove Municipal Code. The developer shall submit a complete landscape plan governing the entire development. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the

City's Landscape Ordinance, associated Water Efficiency Guidelines and all recent applicable revisions from the State of California on water conservation measures shall be to the landscape plans. The landscape plan is also subject to the following:

- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. The sprinklers shall be low flow/precipitation sprinkler heads for water conservation.
- b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon. The remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.
- c. Trees planted within 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.
- d. Landscaping along Garden Grove Boulevard shall match the landscape requirements of the Garden Grove Mixed Use Zones. Off-site landscaping shall include 4'-0" x 8'-0" planters with canopy trees spaced 30'-0" apart on center with an under planting of shrubs and flowering ground cover. Plant materials within the public right-of-way shall be determined by the City's Public Work's Department. On-site landscaping shall include both columnar and canopy trees. Columnar trees (minimum height at maturity of 45'-0") shall be planted within 10'-0 of the public right-of-way and shall be placed at regular intervals and no more than 40'-0" on center. On-site canopy trees shall be planted at a ratio of at least one tree for every 50'-0" of the Garden Grove Boulevard street frontage. The on-site front yard landscape area shall also include shrubs and flowering ground covers. All on and off-site canopy trees shall be a minimum size of 24-inch box. Columnar trees shall be a minimum of 25'-0" tall. Should palm trees be proposed, the brown trunk height of the palm trees shall be 25'-0".
- e. All landscape areas, including the areas located within the public right-of-way along Garden Grove Boulevard and Pearl Street that abuts the subject property, are the responsibility of the applicant/property owner(s).
- f. Landscaping within the third floor open space area shall include decorative paving, artificial turf, and planters with canopy trees, shrubs, and flowering plants.

- g. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water run-off. This is also to be inclusive of any applicable Water Quality Management Plan (WQMP), the Orange County Drainage Area Management Plan (DAMP), and/or other water conservation measures applicable to this type of development.
47. Enhanced concrete treatment shall be provided within the 20-foot. deep driveway throats along Garden Grove Boulevard and Pearl Street, subject to the Community Development Department's approval. Such enhanced concrete treatment includes decorative stamped concrete or interlocking pavers, or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern, material, and final design and configuration shall be approved by the Community Development Department, Planning Division, and shall be shown on the final site plan, grading plan, and landscape plans.
48. 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 established in section 8.47.010 of the Municipal Code.
49. 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 of 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, the use of low-sodium parking lot lights, and to ensure compliance with Title 24.
50. Pursuant to the Mitigation Measure stated within the Mitigated Negative Declaration and Initial Study for the subject project, the applicant shall be required to obtain the services of a qualified archaeologist during the grading and excavation phases of the construction. The monitor(s) shall be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for archaeological resource(s) encountered during grading and excavation activities. Pertinent provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2(a) through (k) shall apply. The on-site monitoring shall end when the project site grading and excavation activities are complete.

51. The approval and effectiveness of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 shall be expressly contingent upon the adoption and effectiveness of a binding Development Agreement between the applicant and the City of Garden Grove.
52. 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 northerly property lines of the Garden Grove Boulevard properties and along all the easterly, and westerly property lines. The masonry wall shall be constructed to a maximum height of 8-feet, as measured from highest point of finished grade on the project's side. A higher wall may be constructed if needed for additional sound attenuation. These walls shall use slumpstone or split-face block with decorative caps, subject to Community Development Department's approval.
 - b. The applicant shall work with the existing property owner(s) along the northerly, southerly, and westerly property lines in designing and constructing the required block wall. 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. 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.
53. The common recreation area improvements shall be reviewed and approved by the Community Development Department, Planning Division, prior to issuance of building permits. The common recreation area shall include, at a minimum, landscaping, decorative paving, barbecues, benches and table with umbrellas.
54. Building colors and materials samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. The buildings shall include multi-toned stucco exteriors with a minimum of 1-inch reveal lines, windows recessed a minimum of 2-inches, aluminum store front glazing, metal railings on the balconies and upper story walkways, varying roof height, and decorative garage doors that are in keeping with the modern design of the building.

55. All signage shall comply with Chapter 20 of Title 9 of the City's Municipal Code. A sign program shall be established for the development prior to Certificate of Occupancy.
56. A copy of the resolution approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, including these Conditions of Approval, shall be kept on the premises at all times.
57. The permittee shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, and his/her agreement with all conditions of the approval.
58. 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-022-2016, Conditional Use Permit No. CUP-065-2016, Lot Line Adjustment No. LLA-011-2016, and/or the associated Development Agreement (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 Project entitlements and mutually terminate the Development Agreement, 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 Project entitlements.

Garden Grove Fire Department

59. The applicant, developer or contractor shall submit fire sprinkler plans, as defined by NFPA 13, 2013 Edition, to the City for review and approval prior to issuance of Building permits.

60. The applicant, developer, or contractor shall submit a Fire Alarm plan, as defined by NFPA 72, 2013 Edition, to the City for review and approval prior to issuance of a Building permit.
61. Fire hydrants shall meet the specification as outline by the Fire Chief and the City's Water Department.
62. Fire hydrants shall be spaced in accordance to the California Fire Code and at the directions from the City of Garden Grove's Fire Department.
63. Fire flow requirements and/or peculiar street configurations may dictate the necessity for additional fire hydrants per California Fire Code, Appendix III-A.
64. All water mains and fire hydrants shall be installed, accessible and operable prior to any on-site use or storage of combustible materials per California Fire Code Section 8704.3.
65. Applicant, developer, or contractor shall provide Fire Apparatus access on the sire prior to any flammable material is placed on-site.

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)

City Clerk's Office)
City of Garden Grove)
11222 Acacia Parkway)
Garden Grove, CA 92840)
)
)

(Space above for Recorder.)

This document is exempt from payment of a recording fee pursuant to Government Code Section 6103.

Dated: _____

DEVELOPMENT AGREEMENT NO. DA-002-2016

SP-022-2016, CUP-065-2016, and LLA-011-2016

(Tony Lam and Jennie Do)

THIS DEVELOPMENT AGREEMENT ("Agreement" or "Development Agreement") is made this ____ day of _____, 2016 ("Effective Date"), by the CITY OF GARDEN GROVE, a municipal corporation ("CITY") on the one hand, and Tony Lam, an individual, and Jennie Do, Trustee of Jennie Do Revocable Trust (collectively, "DEVELOPER"), on the other hand, pursuant to the authority set forth in Article 2.5 of Chapter 4 of Division I of Title 7, Sections 65864 through 65869.5 of the California Government Code.

RECITALS

The following recitals are a substantive part of this Agreement:

- A. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of a 4-story, 10-unit, work/live mixed use development on a .69-acre lot with related site improvements (the "PROJECT") on that certain real property described on Exhibit "A" attached hereto and incorporated herein by reference (the "PROPERTY").
- B. In order to implement the PROJECT, DEVELOPER has submitted, and CITY has approved, Site Plan No. SP-022-2016, Conditional Use Permit No.

CUP-065-2016, and Lot Line Adjustment No. LLA-022-2016, and associated conditions of approval, for the PROJECT.

- C. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of the PROJECT pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 of Title 7 of the California Government Code (the "Development Agreement Statute").
- D. The PROJECT is a development requiring certain discretionary approvals by the CITY before it may be constructed.
- E. The Development Agreement Statute provides the authority for CITY to enter into binding development agreements with a person having a legal or equitable interest in real property.
- F. DEVELOPER represents that it owns the PROPERTY in fee.
- G. As consideration for the benefits gained by DEVELOPER from the vested rights acquired pursuant to the Development Agreement Statute, CITY is requiring that DEVELOPER construct and install as part of development of the PROJECT certain public improvements and provide other public benefits.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. DURATION. This Agreement and Land Use Entitlements described in Section 2 shall expire four (4) years from the Effective Date, unless any duty specified remains executory, in which case this Agreement may be renewed for a successive one year term at discretion of CITY, pursuant to law, until all duties are performed. The effective date of this Agreement shall begin on the date first identified above.
2. Permitted Uses/Land Use Entitlements. The following uses are permitted on the PROPERTY: A 4-story, 10-unit work-live development. The units range in size from 2,330 square feet to 3,168 square feet. The PROJECT has been granted the following land use entitlements: Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 (subject to associated conditions of approval). The PROJECT is subject to the development standards of the AR (Adaptive Reuse) zoning requirements of Chapter 18, of Title 9 of the City's Municipal Code and the Conditions of Approval to Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.

3. Density/Intensity. The density or intensity of the PROJECT is as follows: 4-story, work/live development consisting of 10 units with related improvements on a .69 acre site.
4. Maximum Height and Building Size. The maximum height and building sizes are as follows: The maximum building height shall be four (4) stories with an overall height not to exceed 46'-9" and the building area is comprised of 10 work/live units ranging in size from 2,330 square feet to 3,168 square feet, as indicated on the site plan and elevations.
5. Reservation or Dedication. The reservation of easements or dedication of property to the CITY to allow the construction of the proposed residential development shall be as shown on and/or conditioned in the approved Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.
6. Improvements. The improvements described in Planning Commission Resolution No. 5858-16 shall be constructed prior to the occupancy of the proposed development or the issuance of any certificate of occupancy for any unit of the development, all in accordance with the terms and conditions of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.
7. Scope of PROJECT. The PROJECT shall consist of a work-live project consisting of 10-units that range in size from 2,330 square feet to 3,168 square feet, for a total of 10 units with related improvements.
8. Resolution/Material Terms. All Conditions of Approval of SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, as per Planning Commission Resolution No. 5858-16, attached hereto and incorporated herein as "Exhibit B," are material terms of this Agreement. Breach of any condition of approval shall be deemed to be a breach of this Development Agreement.
9. Development Agreement Payment. DEVELOPER shall pay a development agreement payment to the CITY as follows:
 - 9.1 Amount. \$750 per unit and shall be paid prior to issuance of any building permits.
 - 9.2 Amount. The DEVELOPER shall make a contribution of \$1,166 per unit toward construction of a Fire Station, including, but not limited to, related equipment, furnishings, and fixtures, etc., as part of this Development Agreement and shall be paid prior to issuance of any building permits.

- 9.3 Not to Exceed. Payment under this Agreement shall not exceed \$19,160.00.
10. City Agreement. CITY agrees that the sums to be paid to the CITY, pursuant to Paragraph 9, will reimburse CITY for the cost of certain CITY services required by the PROJECT that are not otherwise being reimbursed to CITY.
11. Payment Due Date. The payment amount of \$19,160.00 shall be due and payable prior to the issuance of building permits for the PROJECT.
12. Termination Provisions. This Agreement may be terminated upon the happening of any of the following events:
- A. Failure of DEVELOPER to perform any of the provisions of this Agreement, or
 - B. Mutual agreement of the parties.
13. Periodic Review. CITY's Director of Community Development shall review DEVELOPER'S performance every twelve (12) months at the anniversary of the adoption of this Agreement. DEVELOPER shall demonstrate good faith compliance with the terms of this Agreement. If as a result of the review, CITY's Community Development Director determines that DEVELOPER has not demonstrated good faith compliance with this Agreement, CITY shall hold a public hearing before CITY's City Council. If, following such public hearing, CITY's City Council finds and determines, based upon substantial evidence, that DEVELOPER has not complied in good faith with terms or conditions of this Agreement, CITY may terminate the Agreement.
14. City Discretion. So long as the Agreement remains in effect, DEVELOPER shall have the full vested right to construct and complete development of the PROJECT and the use of the PROPERTY consistent with the land use entitlements identified in Paragraph 2. Otherwise, CITY retains its right and discretion, under all applicable Codes, to approve or disapprove any item related to this PROJECT that it has not specifically agreed to via this Agreement. DEVELOPER acknowledges that it shall comply with all CITY requirements for applications and permits of any nature that apply to the PROJECT and the PROPERTY and that this Agreement does not relieve DEVELOPER of the necessity of filing applications for and obtaining any such permits.
15. Improvement Schedule. The following improvements shall be constructed by the stated dates:

All repairs and improvements to the public right-of-way required pursuant to Planning Commission Resolution No. 5858-16 shall be completed prior to the issuance of any certificates of occupancy or release of any public utilities.

16. Developer Breach. Failure of DEVELOPER to construct improvements as specified, or to pay amounts specified in a timely fashion, shall result in the withholding of building permits, any other permit or certificate of occupancy until the breach is remedied.
17. Non-Liability of Officials and Employees of the City. No official or employee of CITY shall be personally liable to DEVELOPER in the event of any default or breach by CITY, or for any amount that will become due to DEVELOPER, or any obligation under the terms of this Agreement.
18. Notices. All notices shall be personally delivered or mailed to the below listed address, or to such other address as may be designated by written notice. These addresses shall be used for delivery of service of process.
 - A. Address of DEVELOPER is as follows:
Tony Lam
9741 Bolsa Avenue, #201
Westminster, CA 92683
 - B. Address of CITY is as follows:
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
19. DEVELOPER'S Proposal. The PROJECT shall include DEVELOPER's proposal, as modified by Planning Commission and City Council, including all Conditions of Approval contained in Planning Commission Resolution No. 5858-16, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, the terms of this Agreement shall govern.
20. Licenses, Permits, Fees, and Assessments. At its sole expense, DEVELOPER shall obtain all licenses, permits, and approvals as may be required by this Agreement, or by the nature of the PROJECT.
21. Time of Essence. Time is of the essence in the performance of this Agreement.
22. Successor's In Interest. The provisions of this Agreement shall be binding upon and inure to successors in interest of the parties and shall be specifically binding upon and for the benefit of any future lessees or other owners of an interest in PROPERTY.

23. Authority to Execute. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.
24. Indemnification. DEVELOPER agrees to protect, defend, and hold harmless CITY and its elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of the Agreement by DEVELOPER, DEVELOPER'S agents, officers or employees, or contractors or subcontractors hired by DEVELOPER.
25. Modification. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written, regarding the subject matter set forth herein. This Agreement may be modified only by subsequent mutual written agreement executed by CITY and the DEVELOPER and approved by CITY in accordance with the Development Agreement Statute.
26. Recordation. The City Clerk shall cause this Agreement to be recorded against the PROPERTY within ten (10) days of its Effective Date.
27. Remedies. The breach or default of any term or provision of this Agreement by either party shall give the nondefaulting party the right to proceed with any and all remedies set forth in this Agreement, including an action for damages, an action or proceeding at law or in equity to require the defaulting party to perform its obligations and covenants under this Agreement or to enjoin acts or things which may be unlawful or in violation of the provisions of this Agreement, and the right to terminate this Agreement.
28. Force Majeure. Subject to the party's compliance with the notice requirements as set forth below, performance by either party hereunder shall be deemed to be in default, and all performance and other dates specified in this Agreement shall be extended, where delays or default are due to causes beyond the control and without the fault of the party claiming an extension of time to perform, which may include, without limitation, the following: war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, assaults, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually severe weather, inability to secure necessary labor, material or tools, acts or omissions of the other party, or acts or failures to act of any public or governmental entity (except that the City's acts or failure to act shall not excuse performance of the City hereunder). An extension of the time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice

by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause.

29. Attorney's Fees. In addition to any other remedies provided hereunder or available pursuant to law, if either party brings an action or proceeding to enforce, protect or establish any right or remedy hereunder, the prevailing party shall be entitled to recover from the other party its costs of suit and reasonable attorney's fees.
30. Remedies Cumulative. No right, power, or remedy given by the terms of this Agreement is intended to be exclusive of any other right, power, or remedy; and each other and every such right, power, remedy shall be cumulative and in addition to every other right, power, or remedy given by the terms of any such instrument, or by any statute or otherwise.
31. Waiver of Terms and Conditions. The CITY may, in its sole discretion, waive in writing any of the terms and conditions of this Agreement. Waivers of any covenant, term, or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term, or condition.
32. Non-Liability of City Officials and Employees. No member, official, employee or agent of the CITY shall be personally liable to the DEVELOPER, or any successor in interest, in the event of any default or breach by the CITY or for any amount that may become due to the DEVELOPER or its successors, or on any obligations under the terms of this Agreement.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, these parties have executed this Agreement on the day and year shown below.

Date: _____

"CITY"

**CITY OF GARDEN GROVE, a
municipal corporation**

By: _____
Its: _____

ATTEST:

CITY CLERK

DATE: _____

"DEVELOPER"

TONY LAM, an individual

By: _____

Date: _____

(Signature must be notarized.)

**JENNIE DO, as Trustee of Jennie Do
Revocable Trust**

By: _____

Date: _____

(Signature must be notarized.)

APPROVED AS TO FORM:

Garden Grove City Attorney

Date: _____

If DEVELOPER is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PARCEL 1

LOT 17 OF TRACT NO. 412 IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 17 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2

LOTS 7 AND 8 OF TRACT NO. 412 IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 17 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3

LOTS 9 AND 10 OF TRACT NO. 412 IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 17 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT "B"

CONDITIONS OF APPROVAL

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C-2 <i>C.I.</i>	SITE LOCATION: Two properties are located on the north side of Garden Grove Boulevard, west of Nelson Street. The third property is contiguous to the north side of the Garden Grove properties and fronts on the south side of Pearl Street, west of Nelson Street. North side of Garden Grove Boulevard, west of Nelson Street. The property addresses are 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street.
HEARING DATE: April 21, 2016	GENERAL PLAN: Industrial/Commercial Mixed Use
CASE NOS.: Site Plan No. SP-022-2016 CUP-065-2016, Lot Line Adjustment No. LLA-011-2016, and Development Agreement No. DA-002-2016	EXISTING ZONE: AR (Adaptive Reuse)
APPLICANT: Tony Lam	APN: 089-092-06, 089-092-26, and 089-092-25
PROPERTY OWNER: Tony Lam and Jennie Do	CEQA DETERMINATION: Mitigated Negative Declaration

REQUEST:

A request for approval of a Site Plan and Conditional Use Permit approval to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties in conjunction with a Lot Line Adjustment to consolidate the three properties into one. A Development Agreement is also included.

PROJECT STATISTICS:

	Provided	Code Requirement	Meets Code
Total Lot Size	.69 acres	15,000 S.F.	Yes
Work/Live Density By Total Site Area	10 units per acre	32 units per acre	Yes
Work/Live Units	10 units	22 units	Yes
Total Parking			
Work/Live	32*	30	Yes
Recreation Area Total	4,376.85 S.F.	3,000 S.F.	Yes**
Common Area	3,500 S.F.		
Private Balcony	876.85 S.F.		
Building Setbacks			Yes
Front	15'-0"	15'-0"	
Rear	28'-9"	0'-0"	
sides	0'-0"	0'-0"	

*Table on plans says there are 31 spaces, but plans actually show 32 spaces.

**Private balconies range in size from 32.9 square feet to 132 square feet and are not a Code requirement.

BACKGROUND:

The subject site is approximately .69 acres and consists of three contiguous properties, two fronting on the north side of Garden Grove Boulevard, west of Nelson Street, and one located on the north side of the Garden Grove Boulevard properties, fronting on Pearl Street. The General Plan designation of the properties is Industrial/Commercial Mixed Use with a zoning designation of AR (Adaptive Reuse). The properties are developed with a vacant commercial building and a bicycle shop on the Garden Grove Boulevard properties and a non-conforming single-family home on the Pearl Street property. The properties to the north, east, and west are zoned AR and are developed with non-conforming single-family homes and commercial uses. The properties to the south, across Garden Grove Boulevard are zoned GGMU-3 (Garden Grove Mixed Use 3) and are developed commercially.

In 2008 the City Council adopted the current General Plan, which changed the Land Use Designation of the area generally located north of Garden Grove Boulevard, west of Nelson Street, east of Flower Street to the north of Stanford Avenue and Nutwood Street to the south Stanford Avenue, as well as the area that is south of the portion of the OCTA right-of-way that is north of Stanford Avenue, from Office Professional, Mixed Use, and Industrial to Industrial/Commercial Mixed Use. This area maintains a variety of uses that include eating establishments, auto repair, light industrial uses, offices, and non-conforming residential uses.

In 2012, the City Council approved a Code Amendment that established the AR Mixed Use Zone within this area along with associated development standards in order to provide the consistency between the new General Plan Land Use Designation and the Zoning classification that is required by State Law.

The applicant is proposing to combine the three subject properties and demolish the existing improvements in order to develop a four-story, ten-unit, work-live mixed-use development. The proposal also includes a Development Agreement.

DISCUSSION:

The proposal for the development of a four-story, 10-unit, work-live project is required by City Code to be approved via the Site Plan and Conditional Use Permit processes. In addition, since the design of the project is designed to be built over property lines, the applicant is also required to consolidate the three subject properties into one parcel.

SITE PLAN:**Site Design, Parking, and Circulation**

The new four-story building will be constructed to face Garden Grove Boulevard and will maintain a 15'-0" setback from the front property line and will be constructed over the main driveway. The building will maintain zero setbacks along the east and west property lines and 28'-0" from the rear property line. Main access to the property will be via a 25'-0" wide driveway from Garden Grove Boulevard with a secondary

access to Pearl Street from the north side of the project. While Code requires a minimum of 30 parking spaces to accommodate the development, a total of 32 parking spaces have been provided (10 garaged, 11 covered, and 11 open). The Site design, including parking and circulation, has been designed to comply with requirements of Title 18, Mixed Use Regulations and Development Standards, of the City's Municipal Code.

Recreation Area and Landscaping:

The project has been designed to comply with the City Code zoning requirements for landscaping, and active and private recreation areas for the work-live units. City Code requires 3,000 square feet of recreational area for the ten proposed units. A total of 4,376.85 square feet of both common useable and private open space has been provided, that includes a 3,500 square common useable recreation area on the third floor of the building that is suspended over the main driveway and private patios that range in size from 32.9 square feet to 132 square feet. The common useable recreation area includes landscaping, umbrellas, lounge chairs, tables, and barbeques.

Landscaping along Garden Grove Boulevard will include both columnar and canopy trees with shrubs and ground cover on-site and canopy trees and ground covers within the parkway adjacent to the street. Landscaping within the site and along Pearl Street will include canopy trees, shrubs, vines, and ground covers. Landscaping within the third floor common useable open space area will include decorative paving, artificial turf, potted trees, shrubs, and flowering plans.

Unit Design

The project consists of 10 work-live units with private balconies. The units range in size from 2,330 square feet to 3,168 square feet. Each unit includes work space and a small residential space that maintains access from the work space area of the unit to the living space via an interior staircase. The residential portions of the units also have a secondary entrance to the third floor. The residential portions of the units range in size from 750 square feet to 915 square feet. Eight of the units maintain two-bedrooms and two-bathrooms, and the remaining two-units maintain one-bedroom and one and half-bathrooms. The commercial areas of the five lower units maintain direct access to Garden Grove Boulevard and have two floors of commercial space. The commercial areas of the top five units maintain access from the walkway located on the fourth floor with the majority of the residential area (with the exception of a bedroom) of the unit below the commercial area of the unit on the third floor. Each unit will also include kitchen, living room, dining area and laundry facilities.

City Code does not allow the commercial portion of the units to be leased out separately from the residential portion. The intent of the work-live unit is to provide an alternative space where people can have a space that allows them to live in the same unit as they work.

Building Architecture

The design of the four story building is contemporary exhibiting a two-toned kaki and red brown (burnt sienna) stucco exterior with teal metal railing on the balconies and upper story walkways, and aluminum store front glazing. The articulated façade, varying roof heights, and color pattern of the building provide visual interest to the building.

CONDITIONAL USE PERMIT:

The requested Conditional Use Permit (CUP-065-201), along with the subject Site Plan (SP-022-2016), will allow the applicant to develop the properties with work-live units. Additionally, the Conditional Use Permit will include conditions of approval regulating the development in order to minimize impacts to the site and surrounding areas.

The AR zone is intended for a mix of office, restaurants, limited commercial uses, and light industrial uses. The only residential uses that are permitted are small scale residential units that are part of a commercial/industrial unit in a work-live environment. The Code only allows the residential use as incidental to the non-residential use. The residential portions of the units cannot be leased out separately from the commercial/industrial portion of the tenant space, and the work-live units cannot be converted entirely to residential use. Additionally, all future non-residential uses shall comply with Chapter 18, Mixed Use Regulations and Development Standards, of the City's Municipal Code. Pursuant to the proposed Conditions of Approval, the applicant will be required to enter into and record a Covenant Agreement with the City preventing future owners and tenants of the property from using, leasing or converting the property in an unpermitted manner.

LOT LINE ADJUSTMENT:

In order to facilitate the development of the subject project, the three existing parcels are required to be consolidated into one parcel. This will allow the building to be constructed as proposed since the Building Code does not allow buildings to be constructed over property lines. Additionally, the consolidation of the lots will connect the open parking lot that faces Pearl Street to the rest of the project. When complete, the combined lot area will be .69 acres. The proposed Lot Line Adjustment is consistent with the City's General Plan, Zoning Ordinance, the City's Subdivision Ordinance, and the State Subdivision Map Act.

DEVELOPMENT AGREEMENT:

The applicant will enter into a Development Agreement with the City. The applicant will be guaranteed four years to construct the project, and the City will receive development agreement payments from the developer in an amount not to exceed \$19,160. Development Agreement payments are designed to reduce the economic costs of new projects to the public and mitigate development-related impacts 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 actions:

1. Adopt Resolution No. 5857-16 recommending that the City Council approve Development Agreement No. DA-002-2016; and
2. Adopt Resolution No. 5858-16 approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-201, and Lot Line Adjustment No. LLA-011-2016, subject to the recommended Conditions of Approval, and subject to City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project and City Council approval of Development Agreement No. DA-002-2016.

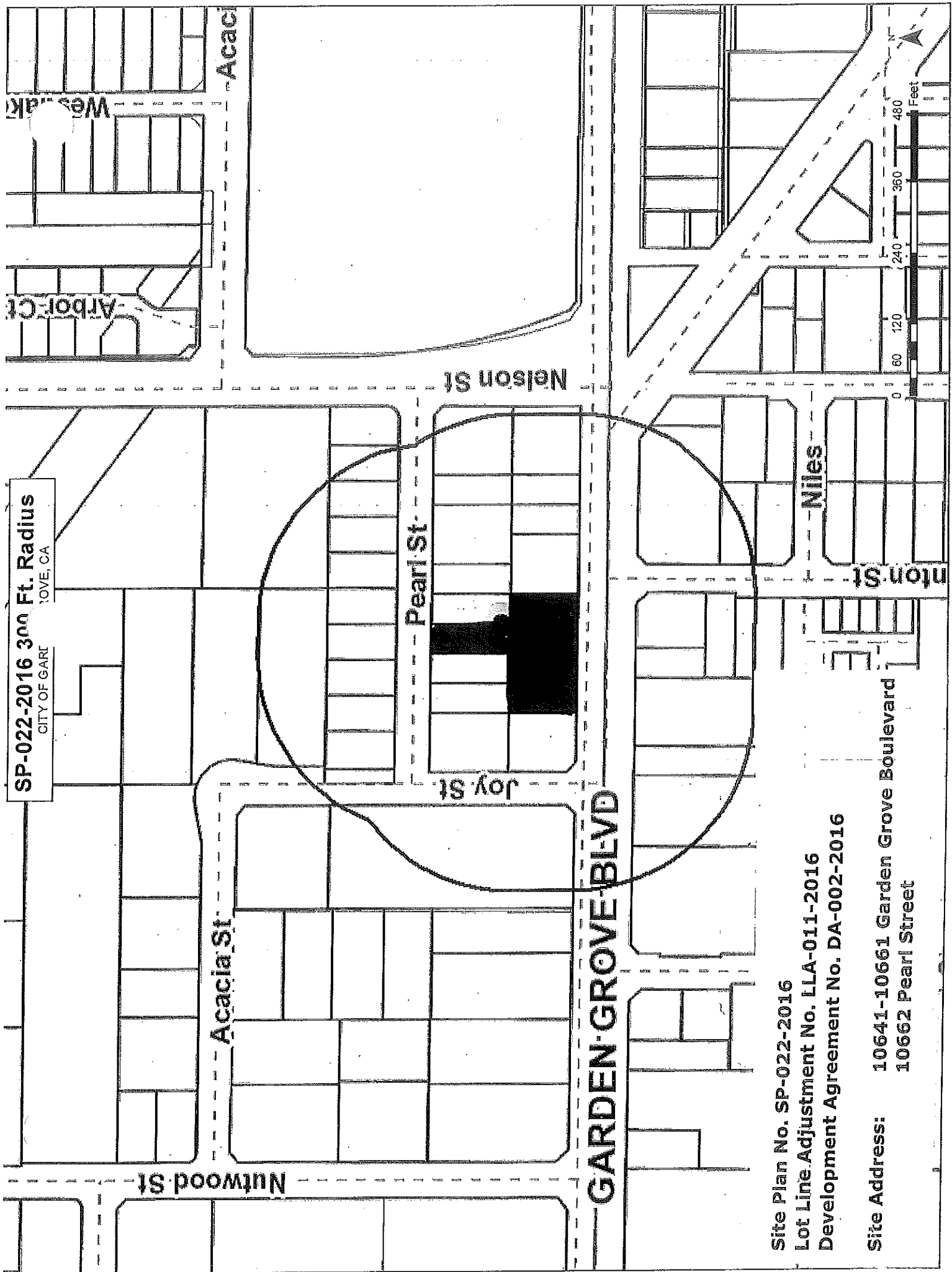


Karl Hill
Planning Services Manager



By: Lee Marino
Senior Planner

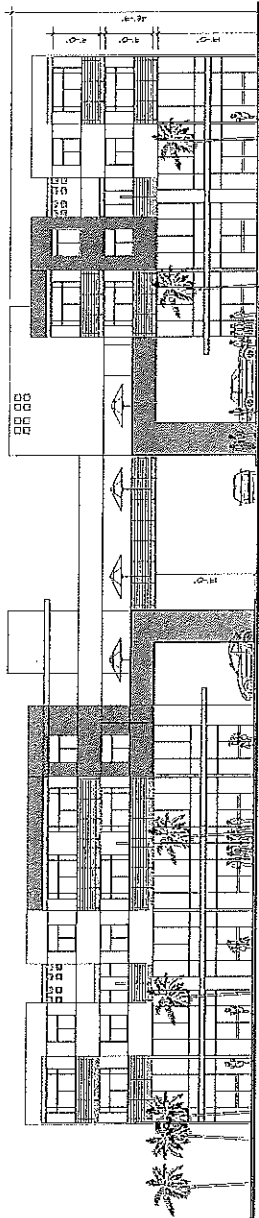
SP-022-2016 300 Ft. Radius
CITY OF GARDEN GROVE, CA



Site Plan No. SP-022-2016
Lot Line Adjustment No. LLA-011-2016
Development Agreement No. DA-002-2016

Site Address: 10641-10661 Garden Grove Boulevard
10662 Pearl Street

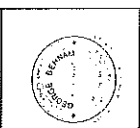
MIXED USE PROJECT 10641 & 10661 GARDEN GROVE BOULEVARD 10642 PEARL STREET GARDEN GROVE, CA 92843



REVISIONS	DATE

OWNER:
MR. LAM & MS. JENNIE DO
7741 BOLSA AVE., SUITE 201
WESTMINSTER, CA 92683

PROJECT:
MIXED USE DEVELOPMENT
10641 & 10661 GARDEN GROVE BLVD
GARDEN GROVE, CA 92843



GEORGE BEHNAM
ARCHITECT
1150 ORANGE GROVE # 100
PLACENTIA, CA 92679
(714) 512-2334
FAX: (714) 272-2365

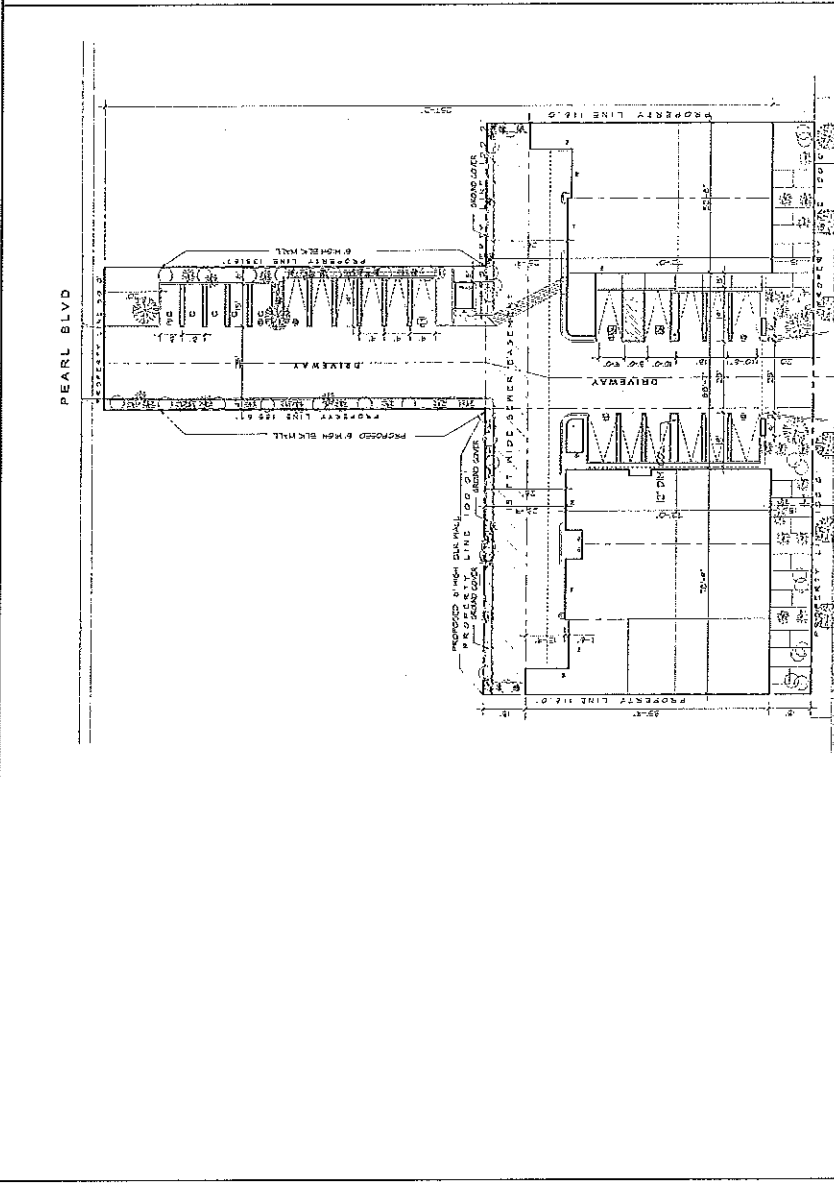
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CHECKED BY: G.D.
SCALE: NOTED
DATE: 02/09/11
SHEET TITLE:

SITE
PLAN

SHEET
A-1
1 OF 4

PROJECT DATA	AS
PRESENT ZONING	COMMERCIAL/OFFICE (C-1.18.11)
PROPOSED USE	
LOT AREA	9,845 SF
AS %	
BUILDING FOOTPRINT	
PAVED AREA	
NUMBER OF MIXED USE UNITS	10 MIXED USE UNITS
FIRST FLOOR AREA (COMMERCIAL)	
SECOND FLOOR AREA (RESIDENTIAL)	
THIRD FLOOR AREA (COMMERCIAL)	
OPEN RECREATION AREA	
UNIT AREA:	
UNIT # 1	1,234-600= 2,194 SF
UNIT # 2	1,234-600= 2,194 SF
UNIT # 3	1,234-600= 2,194 SF
UNIT # 4	1,234-600= 2,194 SF
UNIT # 5	1,234-600= 2,194 SF
UNIT # 6	1,234-600= 2,194 SF
UNIT # 7	1,234-600= 2,194 SF
UNIT # 8	1,234-600= 2,194 SF
UNIT # 9	1,234-600= 2,194 SF
UNIT # 10	1,234-600= 2,194 SF
CROSS AREA	28,426 SF
PARKING SPACES REQUIRED (19-18-11) 3 SPACES/UNIT = 30 SPACES	
PARKING SPACES PROVIDED	= 31 SPACES

NOTES:
1. VERTICAL AND HORIZONTAL CIRCULATION ELEMENTS NOT INCLUDED IN THE ABOVE UNIT AREAS
2. GARAGE AREAS NOT INCLUDED IN FIRST FLOOR UNIT AREAS
BUILDING CODES
OCCUPANCY CLASSIFICATION
CONSTRUCTION TYPE
ALLOWABLE AREAS
OCCUPANCY SEPARATION



PROJECT CONSULTANTS

ARCHITECT:
GEORGE BEHNAM ARCHITECT
1150 ORANGE GROVE AVE, SUITE 100
PLACENTIA, CA 92679
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WWW.GEORGEBEHNAM.COM

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LANDSCAPE ARCHITECT:
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FAX: 714.272.2365
WWW.CT&A.COM

ARCHITECTURAL PLAN CODES AND NOTES
1. A-1 FIRST AND MEZZANINE
2. A-2 SECOND AND THIRD FLOOR PLANS
3. A-3 ELEVATIONS AND DIAGRAMS
4. A-4 ELEVATIONS AND DIAGRAMS

CIVIL
1. SITE SHEET
2. PRELIMINARY PLAN
3. EXISTING PLAN
4. STREET PLAN
5. UTILITY PLAN
6. NOTES AND DETAILS

LANDSCAPE
1. LANDSCAPE PLAN

REVISIONS
DATE

OWNER:
MR. LAM & MS. JENNIE DO
6741 GARDEN AVE., SUITE 201
WESTMINSTER, CA 92683

PROJECT:
MIXED USE DEVELOPMENT
10651 & 10641 GARDEN GROVE BLVD.
GARDEN GROVE, CA 92643

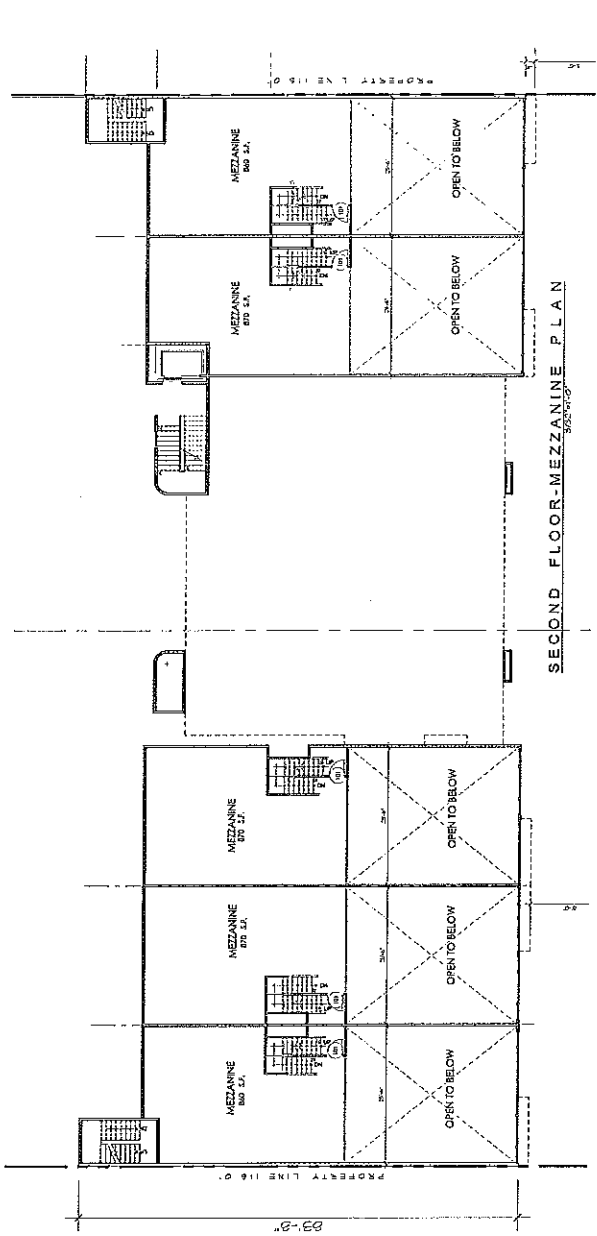


GEORGE BEHNAM
ARCHITECT
1508 GARDEN GROVE BLVD.
GARDEN GROVE, CA 92643
(714) 972-2335 FAX (714) 972-2335

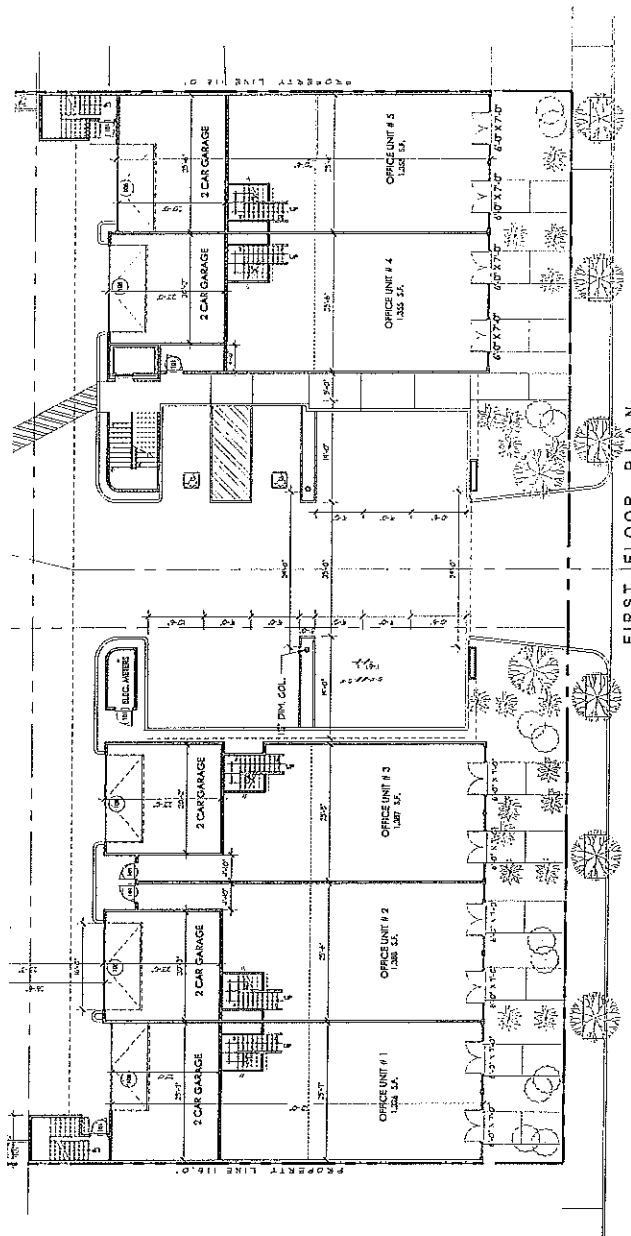
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CHECKED BY: GDB
SCALE: AS SHOWN
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FLOOR PLANS

SHEET
A-2
2 OF 4



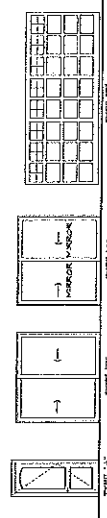
SECOND FLOOR-MEZZANINE PLAN



FIRST FLOOR PLAN

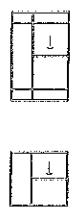
DOOR SCHEDULE:

MARKS	TYPE	SIZE	DOOR			FRAME	MATERIAL	NOTES
			REF	FIN	SW			
001	A	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
002	A	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
003	A	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
004	B	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
005	B	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
006	C	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
007	C	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
008	D	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
009	D	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
010	D	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD



WINDOW SCHEDULE:

MARKS	TYPE	SIZE	WINDOW			FRAME	MATERIAL	NOTES
			REF	FIN	SW			
001	A	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD
002	A	3'-0" x 7'-0"	1	1	1	MD	GLASSING	MD



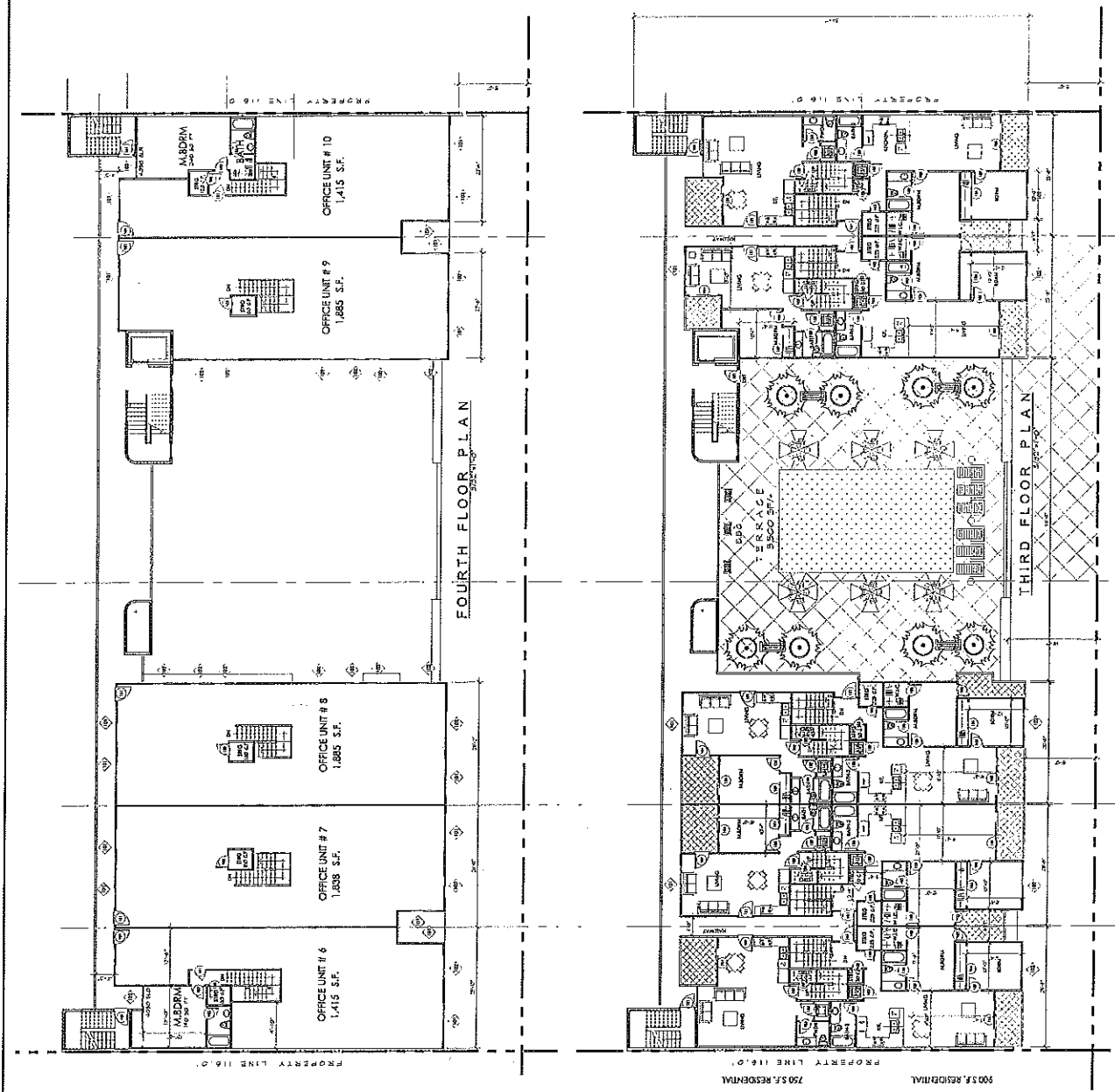
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 DRAWN BY: MKA
 CHECKED BY: GKA
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 SHEET TITLE:

GEORGE BEHNM
 ARCHITECT
 1150 E. BAYVIEW AVENUE # 100
 PACIFIC PALMS, CA 92650
 (714) 877-2234 FAX (714) 572-2365



PROJECT: **MIXED USE DEVELOPMENT**
 10591 & 10641 GARDEN GROVE BLVD
 GARDEN GROVE, CA 92643
 OWNER: **MR. LAM & MS. JENNIE DO**
 5741 BOLSA AVE., SUITE 201
 WESTMINSTER, CA 92683

REVISIONS	DATE



900 S.F. RESIDENTIAL

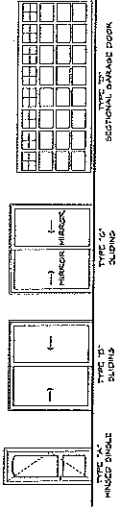
750 S.F. RESIDENTIAL

FOURTH FLOOR PLAN

THIRD FLOOR PLAN

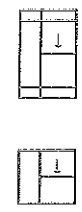
DOOR SCHEDULE :

DOOR AND FRAME SCHEDULE						
MARK	TYPE	SIZE	MFT	THK	FRAME	
					MATEL	MATEL
001	A	3'-0"	0'-0"	1'-2 1/4"	ALU	ALU
002	A	7'-0"	0'-0"	2'-0"	ALU	ALU
003	B	6'-0"	0'-0"	2'-0"	ALU	ALU
004	B	8'-0"	0'-0"	2'-0"	ALU	ALU
005	B	10'-0"	0'-0"	2'-0"	ALU	ALU
006	C	8'-0"	0'-0"	2'-0"	ALU	ALU
007	C	10'-0"	0'-0"	2'-0"	ALU	ALU
008	D	18'-0"	0'-0"	2'-0"	ALU	ALU



WINDOW SCHEDULE :

WINDOW SCHEDULE						
MARK	TYPE	SIZE	MFTN	THK	GLASSING	
					MATERIAL	NOTES
001	A	6'-0"	4'-0"	1/2"	ALU	
002	A	7'-0"	4'-0"	1/2"	ALU	
003	A	8'-0"	4'-0"	1/2"	ALU	



SEE NOTES

REVISIONS	DATE	BY	APP'D

OWNER:
MR. LAM & MS. JENNIE DO
9741 BOLA AVE., SUITE 201
WESTMINSTER, CA 92683

PROJECT:
MIXED USE DEVELOPMENT
10661 & 10641 GARDEN GROVE BLVD.
GARDEN GROVE, CA 92643

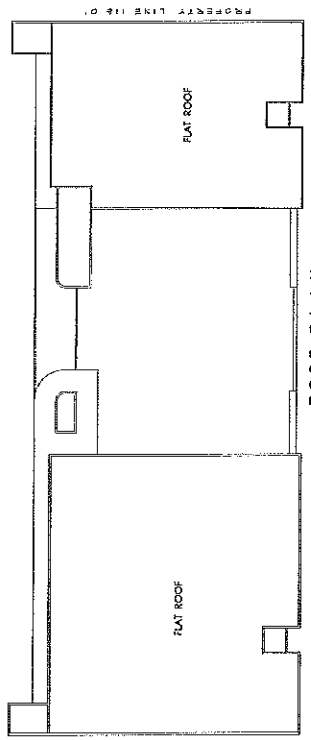


GEORGE BEHNAM
ARCHITECT
195 E. GARDEN GROVE BLVD.
PLACENTIA, CA 92669
(714) 972-2324 FAX (714) 972-2355

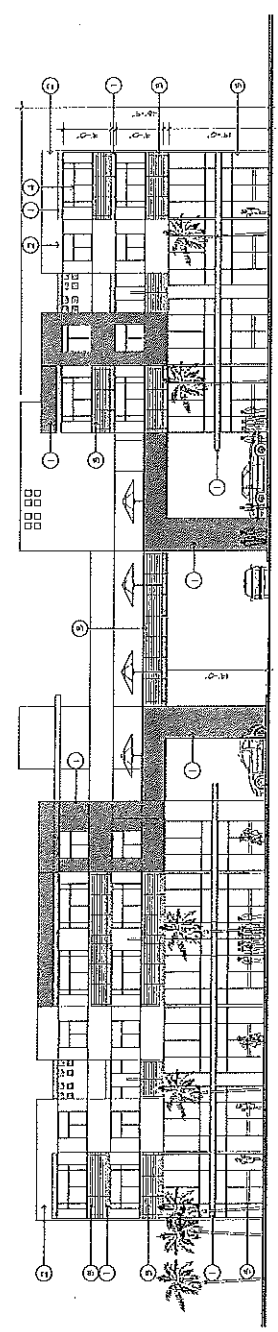
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ELEVATIONS
SECTIONS

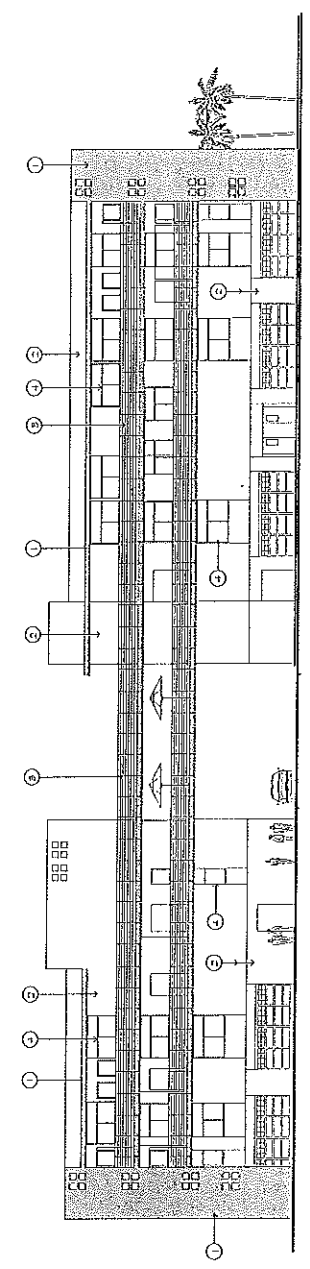
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A-4
4 OF 4



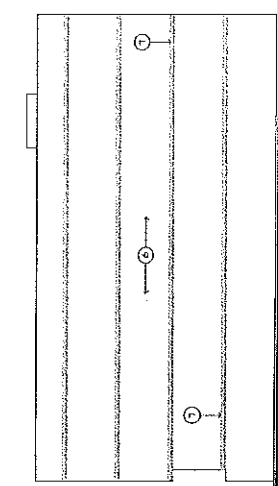
ROOF PLAN
1/8"=1'-0"



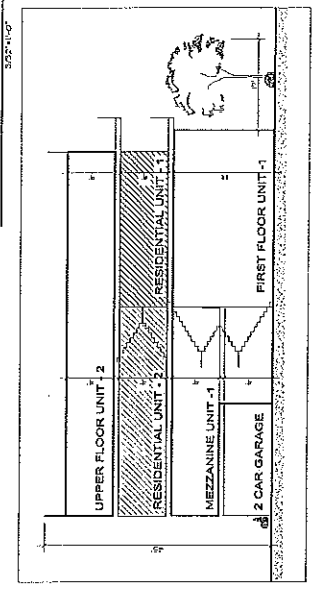
GARDEN GROVE BLVD ELEVATION
3/32"=1'-0"



REAR ELEVATION
3/32"=1'-0"



























SIDE ELEVATION(S)
1/8"=1'-0"



PLANT PALETTE

B.Y.M. BOTANICAL NAME COMMON NAME SIZE

																								
CESCAUM TERNST MUSEUM	WASHINGTON ROBUSTA	SPALUS LANCA	LEPTODERON CONVERSUS	STREET TREE	MAGNOLIA GRAND TITILE GOLF	BOUGAINVILLEA VIOLETA LACINIOSA	PROFOLIUM TENAX BRONZE BABY	AGAVE ATTENUATA	ANGUSTIFOLIUM BUSH GOLD	LOUISIANA J. TEXAS PRIVET	MANGROVE PALM	TEXAS PRIVET	MEXICAN FEATHER GRASS	CALISTEMON CITRINUS COMPACTA	PROCTINA	BOUGAINVILLEA SPECTABILIS	ROYAL PURPLE BOUGAINVILLEA	TRAILING CAZIANA	ROTTENBUSH	ROTTENBUSH	ROTTENBUSH	ROTTENBUSH	ROTTENBUSH	ROTTENBUSH
36" BOX	6' FT	24" BOX	24" BOX	15 GAL	24" BOX	5 GAL	1 GAL	5 GAL	1 GAL	5 GAL	5 GAL	1 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	5 GAL	

SHRUBS

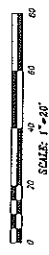
-  BOUGAINVILLEA VIOLETA LACINIOSA 5 GAL
-  PROFOLIUM TENAX BRONZE BABY 1 GAL
-  AGAVE ATTENUATA 5 GAL
-  ANGUSTIFOLIUM BUSH GOLD 1 GAL
-  LOUISIANA J. TEXAS PRIVET 5 GAL
-  MANGROVE PALM 5 GAL
-  TEXAS PRIVET 5 GAL
-  MEXICAN FEATHER GRASS 1 GAL
-  CALISTEMON CITRINUS COMPACTA 5 GAL
-  PROCTINA 5 GAL

VINES

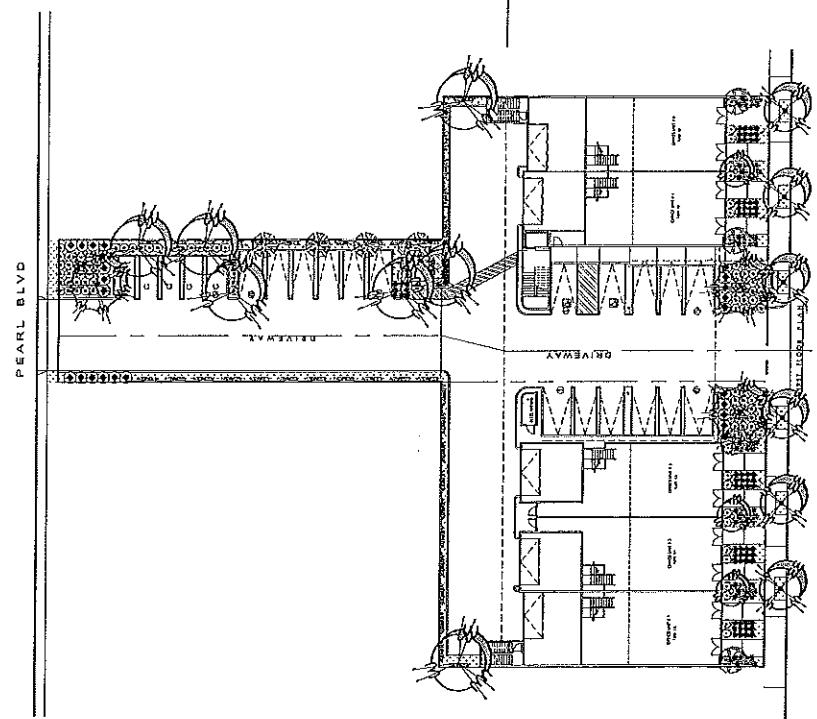
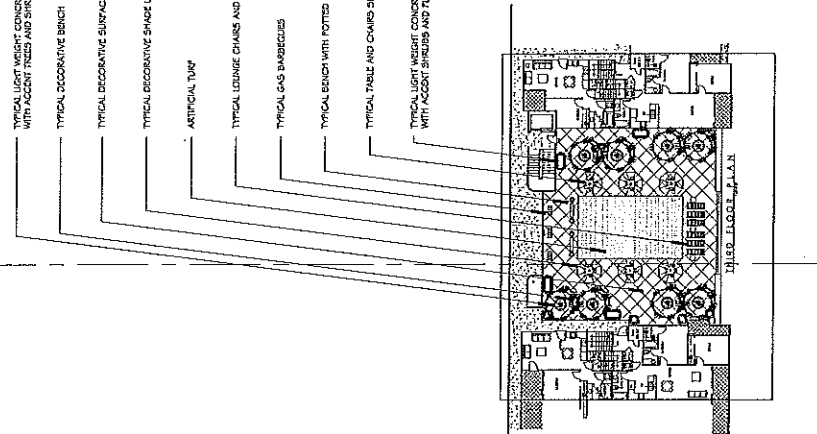
-  BOUGAINVILLEA SPECTABILIS 5 GAL
-  ROYAL PURPLE BOUGAINVILLEA 5 GAL

GROUNDCOVER

-  GAZANIA MITSUBIKI MIXED COLORS

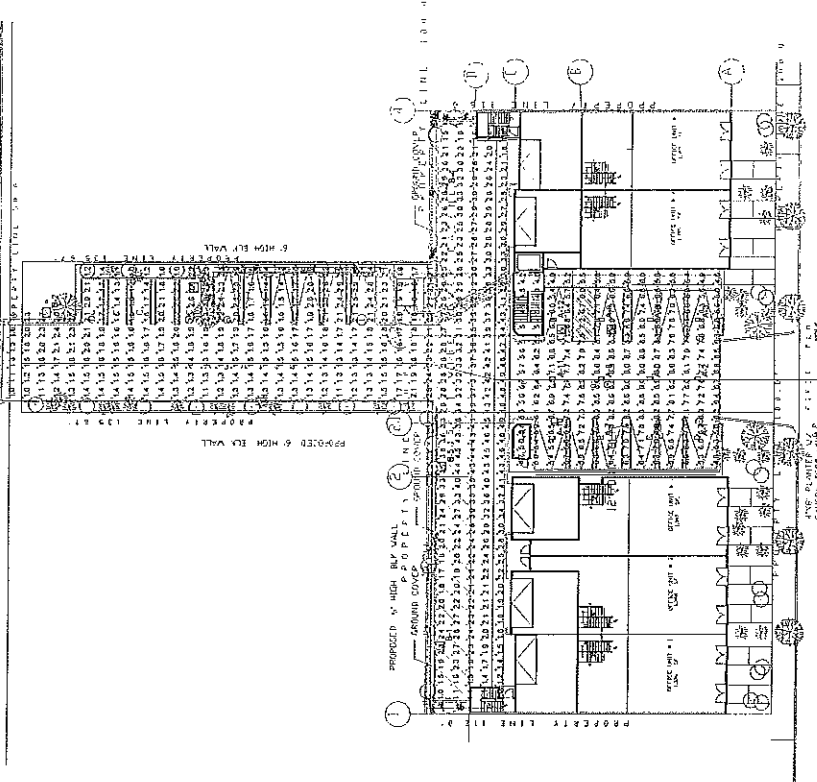
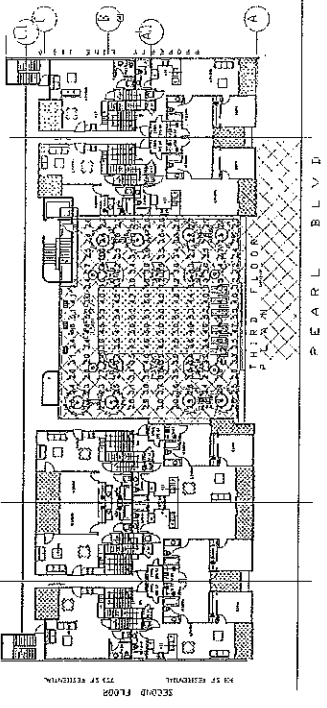


- TYPICAL LIGHT WEIGHT CONCRETE PLANTER WITH ACCENT TREES AND SHRUBS
- TYPICAL DECORATIVE BENCH
- TYPICAL DECORATIVE SURFACE TREATMENT
- TYPICAL DECORATIVE SHADE UMBRELLA
- ARTIFICIAL TANK
- TYPICAL LEANING CHAIRS AND TABLES
- TYPICAL GAS BARBECUES
- TYPICAL BENCH WITH POTTED FLOWERS
- TYPICAL TABLE AND CHAIR SEATING AREA
- TYPICAL LIGHT WEIGHT CONCRETE PLANTER WITH ACCENT SHRUBS AND FLOWERS



PRELIMINARY LANDSCAPE PLAN

MIXED USE PROJECT - GARDEN GROVE, CA.

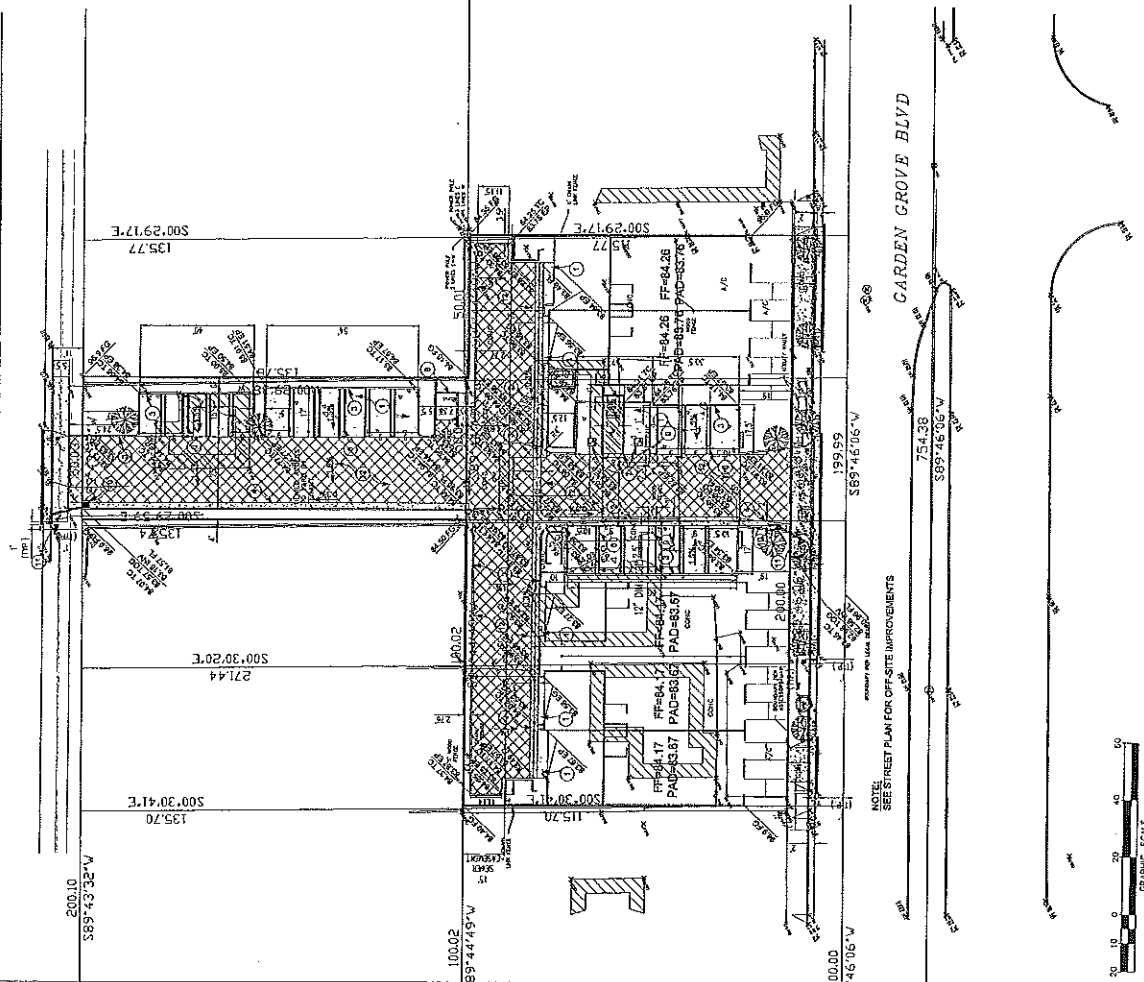


CITIZEN PLAN

Room	Quantity	Area (sq ft)	Description	Notes	Area (sq ft)	Area (sq ft)
A	1	1,200	RECEPTION	1	1,200	1,200
B	1	2,500	OFFICE	1	2,500	2,500
C	1	3,500	CONFERENCE	1	3,500	3,500

Room	Quantity	Area (sq ft)	Description	Notes	Area (sq ft)	Area (sq ft)
D	1	1,000	RESTROOM	1	1,000	1,000
E	1	2,000	STORAGE	1	2,000	2,000

PEARL ST



NOTE:
SEE STREET PLAN FOR OFF-SITE IMPROVEMENTS

GARDEN GROVE BLVD

100661 & 10641 GARDEN GROVE BLVD,
STA 0+00 TO STA 1+82.41
MIXED USE DEVELOPMENT
STA 0+00 TO STA 1+82.41
PUBLIC WORKS AGENCY

NOTICE TO CONTRACTOR
1. SPECIFICATIONS: ALL WORK SHALL CONFORM TO THE LATEST EDITION & SUPPLEMENTS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA ANA, AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (BROWNSHAW).
2. PLAN REFERENCES: THIS IMPROVEMENTS CONSISTS OF WORK CALLED FOR ON THIS PLAN ONLY.
3. TRAFFIC LANE: TRAFFIC LANE SUBJECT TO INSPECTION, BEFORE WORK OF THE WORKING DAY BEGINS THE DAY INSPECTION IS REQUIRED.
4. REMOVALS: ALL EXISTING IMPROVEMENTS THAT INTERFERE WITH THE CONSTRUCTION OF THIS PROJECT SHALL BE REMOVED OR RELOCATED BY OTHERS.
5. UTILITIES: ALL UTILITIES SHALL BE REMOVED OR RELOCATED BY OTHERS.
6. UNDERGROUND SERVICES: ALL UNDERGROUND SERVICES SHALL BE LOCATED AND RECORDED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE CONTRACTOR SHALL OBTAIN AN UNDERGROUND UTILITY SURVEY FROM THE UTILITY OWNERS AND SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMISSIONS FROM THE CITY AND COUNTY OF SANTA ANA, A CONTRACTOR MUST INDICATE THE CITY AND COUNTY OF SANTA ANA TO THE CONTRACTOR FROM THE APPROPRIATE CITY DEPARTMENT.
7. CURBS AND GUTTERS: REPAIR AND/OR REPLACE ANY EXISTING BROKEN OR DIFF. GRADE CONCRETE CURBS, GUTTERS, AND SLOPES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO THE SATISFACTION OF THE CITY ENGINEER TO OR WITHIN THE AREA OF THIS PROJECT.
8. CONSTRUCTION STAKES FOR CURBS AND OPTIONAL GUTTERS, WITH GRADE LESS THAN 0.15% SHALL BE SET 8.5 FEET ON CENTER.
9. UTILITY TRENCH EXEMPTIONS: REPAIR AND/OR REPLACE ANY EXISTING BROKEN OR DIFF. GRADE CONCRETE CURBS, GUTTERS, AND SLOPES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO THE SATISFACTION OF THE CITY ENGINEER TO OR WITHIN THE AREA OF THIS PROJECT.
10. TRAFFIC LANE REQUIREMENTS: ALL AREAS WHERE UTILITY LINES HAVE BEEN INSTALLED TO SERVE THE DEVELOPMENT, SHALL BE REPAIRED WITH GROUND SURFACE AND REPAVING SHALL BE AS SPECIFIED ON THE EXAMINATION PLAN.
11. NOTIFICATION: A 14 DAY NOTICE BEFORE THE START OF CONSTRUCTION, THE CONTRACTOR IS REQUIRED TO NOTIFY THE COUNTY ENGINEER AND THE CITY ENGINEER OF THE PROPOSED CONSTRUCTION START DATE.
12. TRAFFIC LANE REQUIREMENTS: STANDARD TRAFFIC LANE REQUIREMENTS FOR COLLATOR STREETS FOR WORK LESS THAN 100 FEET SHALL BE SUBJECT TO FEDERAL, HIGHWAY, AND FEDERAL.

QUANTITIES:
3787 SF
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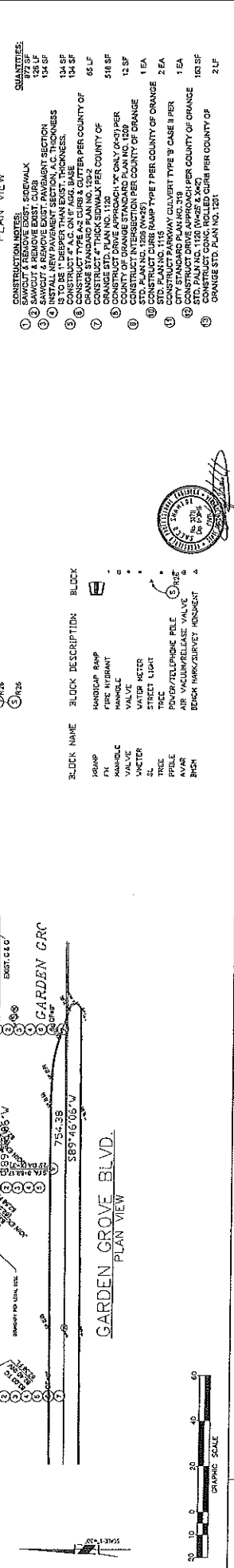
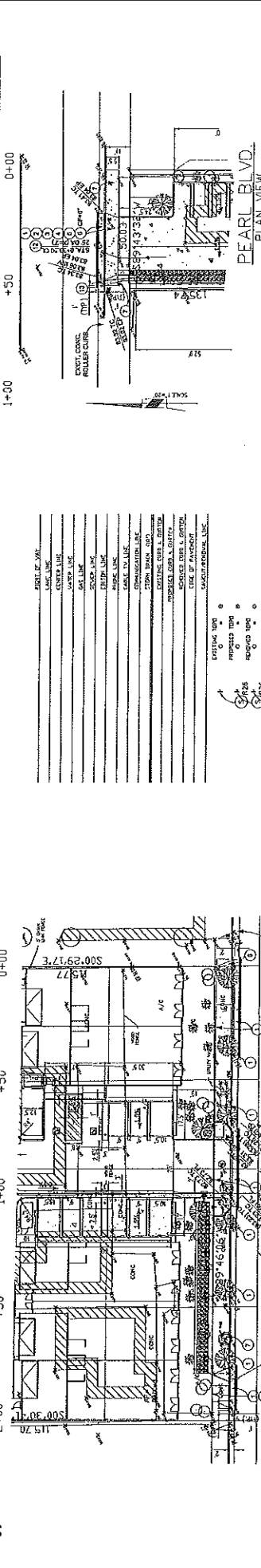
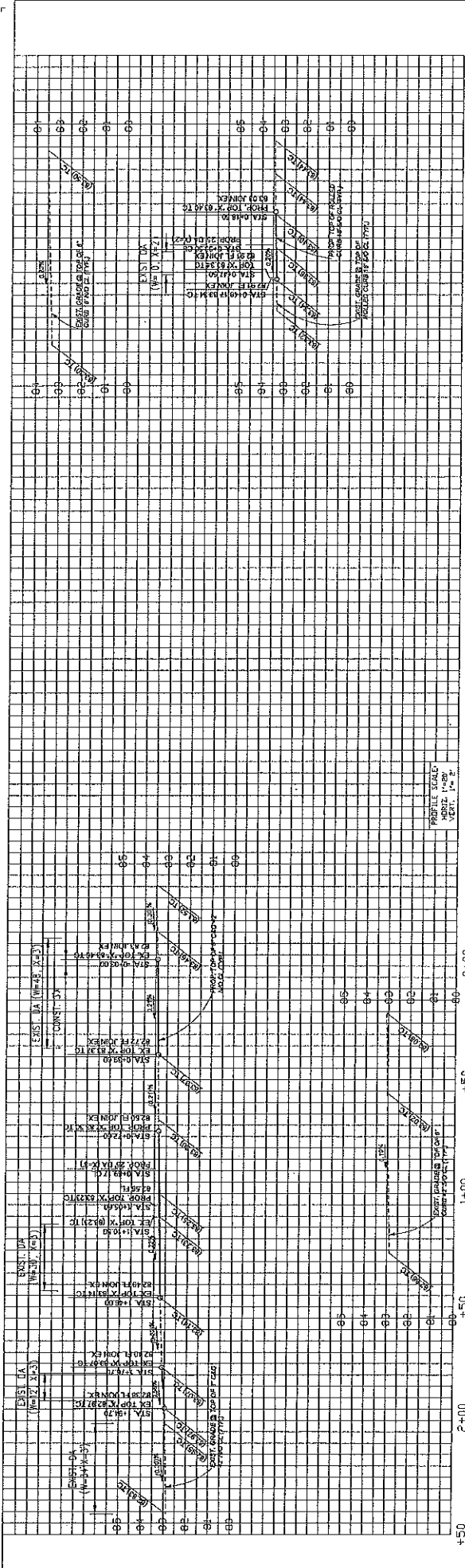
CONSTRUCTION NOTES:
1. 3\"/>



PREPARED UNDER THE SUPERVISION OF:
DATE: 05.12.2022
SCALE AND UNIT: AS SHOWN
DESIGNED BY: SD
CHECKED BY: SD
APPROVED BY: SD

NUMBER	DATE	INITIALS	DESCRIPTION

REFERENCES	PLANS
CONSULTING ENGINEER	
BRANCHES OF AGENCIES	
THE AND USE OF 2782 CIVIL ENGINEERING, DOCUMENT IS ISSUED IN ACCORDANCE WITH 2782 CIVIL ENGINEERING, 2782 CIVIL ENGINEERING, 2782 CIVIL ENGINEERING	
BACK TO THE CORNER	



NO.	DATE	REVISIONS	APPROV.	SCALE	DATE	REFERENCES
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STREET PLAN
 GARDEN GROVE BLVD.
 STATIONING FROM STA. 1462.41
 TO STA. 1462.41
 PUBLIC WORKS AGENCY

RESOLUTION NO. 5857-16

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVAL OF DEVELOPMENT AGREEMENT NO. DA-002-2016 FOR A MIXED-USE DEVELOPMENT ON THREE CONTIGUOUS PROPERTIES LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET AND THE SOUTH SIDE OF PERAL STREET, WEST OF NELSON STREET, AT 10641 AND 10661 GARDEN GROVE BOULEVARD AND 10662 PEARL STREET.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 21, 2016, does hereby recommend City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Development Agreement No. DA-002-2016, for a four-story, 10-unit, work-live, mixed-use development (the "Project") on land consisting of three properties, two located on the north side of Garden Grove Boulevard west of Nelson Street and one located contiguous to the north side of the Garden Grove Boulevard properties that fronts on the south side of Pearl Street, west of Nelson Street, at 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street, Assessor's Parcel Nos. 089-092-06, 089-092-25, and 089-092-26 (collectively, the "Property").

BE IT FURTHER RESOLVED that the Planning Commission has considered the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, together with comments received during the public review process, and finds that (1) the record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California; (2) that the custodian of record of proceedings is the Director of Community Development; (3) that the Mitigated Negative Declaration reflects the City's independent judgment and analysis; and (4) that on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project will have a significant effect on the environment; therefore, the Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for this Project.

BE IT FURTHER RESOLVED in the matter of Development Agreement No. DA-187-12, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Tony Lam (the "Applicant").
2. The Applicant has requested Planning Commission approval of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties proposed to be consolidated into a single parcel, and is requesting the Planning Commission

recommend approval to City Council of Development Agreement No. DA-002-2016 between the City of Garden Grove and Tony Lam and Jennie Do for the Project on the Property.

3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with the proposed mitigation measure cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
4. The Property has a General Plan Land Use designation of Industrial/Commercial Mixed Use and is currently zoned AR (Adaptive Reuse). The .69 acre site is currently developed with a vacant commercial building, a bicycle shop on the Garden Grove Boulevard properties and a non-forming single-family home on the Pearl Street property.
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 April 21, 2016, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on April 21, 2016, the Planning Commission adopted Resolution No. 5858-16 approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, subject to specified Conditions of Approval, and subject to the adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Development Agreement No. DA-002-2016 by the Garden Grove City Council. The facts and findings set forth in Planning Commission Resolution No. 5858-16 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting on April 21, 2016 and considered all oral and written testimony presented regarding the project.

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, are as follows:

FACTS:

The Property is .69 acres in area, and is currently developed with a vacant commercial building and a bicycle shop on the Garden Grove Boulevard properties and a non-conforming single-family home on the Pearl Street property.

The Property has a General Plan Land Use designation of Medium Density Residential and is zoned R-3 (Multiple-Family Residential).

The Applicant desires to construct a 10-unit, work-live, mixed-use development on the Property pursuant to Site Plan No. SP-022-2016, CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016. The maximum building height will be four (4) stories with an overall height not to exceed 46'-9" and the building area will be comprised of 10 work/live units ranging in size from 2,330 square feet to 3,168 square feet. 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-022-2016, CUP-062-2016, and Lot Line Adjustment No. LLA-011-2016, 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, work-live, mixed-use development Project authorized to be constructed under the Development Agreement is consistent with the Property's General Plan Land Use Designation of Industrial/Commercial Mixed Use, which is intended to provide for a mix of uses. The Project is also consistent with Policy LU-1.6 of the General Plan's Land Use Element, which provides for the City to encourage workplace development in close proximity to residences in areas designated as Mixed Use.

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 and in Resolution No. 5858-16.

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.

RESOLUTION NO. 5858-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-022-2016, CONDITIONAL USE PERMIT NO. CUP-065-2016, AND LOT LINE ADJUSTMENT NO. LLA-011-2016 FOR THREE CONTIGUOUS PROPERTIES THAT ARE LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF NELSON STREET AND THE SOUTH SIDE OF PERAL STREET, WEST OF NELSON STREET, AT 10641 AND 10661 GARDEN GROVE BOULEVARD AND 10662 PEARL STREET, ASSESSOR PARCEL NOS. 089-092-06, 089-092-25, AND 089-092-26.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 21, 2016, and approved Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, subject to the Conditions of Approval attached hereto as "Exhibit A", and subject to the approval of Development Agreement No. DA-002-2016 by the Garden Grove City Council.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Tony Lam (the "Applicant").
2. The Applicant is requesting approval of a Site Plan and Conditional Use Permit to construct a four-story, 10-unit, work-live, mixed-use development on three separate properties in conjunction with a Lot Line Adjustment to consolidate the three properties into one. A Development Agreement incorporating these proposed land use entitlements is also proposed.
3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
4. The properties have a General Plan Land Use designation of Industrial/Commercial Mixed Use, and are currently zoned AR (Adaptive Reuse). The subject properties are currently improved with a vacant commercial building, a bicycle shop, and a non-conforming single-family home.

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 April 21, 2016, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on April 21, 2016, the Planning Commission adopted Resolution No. 5857-16, recommending that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Development Agreement No. DA-002-2016 for the Project. The facts and findings set forth in Planning Commission Resolution No. 5857-16 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of April 21, 2016.

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 are as follows:

FACTS:

The subject property is approximately .69 acres and consists of three properties, two located on the north side of Garden Grove Boulevard west of Nelson Street and one located contiguous to the north side of the Garden Grove Boulevard properties that fronts on the south side of Pearl Street, west of Nelson Street. The subject properties have a General Plan Designation of Industrial/Commercial Mixed Use and are zoned AR (Adaptive Reuse). The properties to the north, east, and west are zoned AR and are developed with non-conforming single-family homes and commercial uses. The properties to the south, across Garden Grove Boulevard are zoned GGMU-3 (Garden Grove Mixed Use 3) and are developed commercially.

In 2008 the City Council adopted the current General Plan, which changed the Land Use Designation of the area generally located north of Garden Grove Boulevard, west of Nelson Street, east of Flower Street to the north of Stanford Avenue and Nutwood Street to the south Stanford Avenue, as well as the area that is south of the portion of the OCTA right-of-way that is north of Stanford Avenue, from Office Professional, Mixed Use, and Industrial to Industrial/Commercial Mixed Use. This area maintains a variety of uses that include eating establishments, auto repair, light industrial uses, offices, and non-conforming residential uses.

In 2012, the City Council approved a Code Amendment that established the AR Mixed Use Zone within this area along with associated development standards in order to provide the consistency between the new General Plan Land Use Designation and the Zoning classification that is required by State Law.

The subject properties are developed with a vacant commercial building and a bicycle shop on the Garden Grove Boulevard properties and a non-conforming single-family home on the Pearl Street property. The applicant is proposing to combine the three subject properties and demolish the existing improvements in order to develop a four-story, ten-unit, work-live mixed-use development.

The new four-story building will be constructed to face Garden Grove Boulevard and will maintain a 15' 0" setback from the front property line and will be constructed over the main driveway. The building will maintain zero setbacks along the east and west property lines and 28' 0" from the rear property line. Main access to the property will be via a 25' 0" wide drive way from Garden Grove Boulevard with a secondary access to Pearl Street from the north side of the project. While Code requires a minimum of 30 parking spaces to accommodate the development, a total of 32 parking spaces have been provided (10 garaged, 11 covered, and 11 open). The Site design, including parking and, circulation, have been designed to comply with requirements of Title 18, Mixed Use Regulations and Development Standards, of the City's Municipal Code.

The project has been designed to comply with the City Code zoning requirements for landscaping, and active and private recreation areas for the work live units. City Code requires 3,000 square feet of recreational area for the ten proposed units. A total of 4,376.85 square feet of both common useable and private open space has been provided, that includes a 3,500 square common useable recreation area on the third floor of the building that is suspended over the main driveway and private patios that range in size from 32.9 square feet to 132 square feet. The common useable recreation area includes landscaping, umbrellas, lounge chairs, tables, and barbeques.

Landscaping along Garden Grove Boulevard will include both columnar and canopy trees with shrubs and ground cover on site and canopy trees and ground covers within the parkway adjacent to the street. Landscaping within the site and along Pearl Street will include canopy trees, shrubs, vines, and ground covers. Landscaping within the third floor common useable open space area will include decorative paving, artificial turf, potted trees, shrubs, and flowering plants.

The project consists of 10 work-live units with private balconies. The units range in size from 2,330 square feet to 3,168 square feet. Each unit includes work space and a small residential space that maintains access from the work space area of the unit to the living space via an interior stair case. The residential portions of the units also have a secondary entrance to the third floor. The residential portions of the units range in size from 750 square feet to 915 square feet. Eight of the units maintain two bedrooms and two bathrooms, and the remaining two units maintain one bedroom and one and half bathrooms. The commercial areas of the five lower units maintain direct access to Garden Grove Boulevard and have two floors of commercial space. The commercial areas of the top 5 units maintain access from the walkway located on the fourth floor with the majority of the residential area

(with the exception of a bedroom) of the unit below the commercial area of the unit on the third floor. Each unit will also include kitchen, living room, dining area and laundry facilities.

City Code does not allow the commercial portion of the units to be leased out separately from the residential portion or for the units to be converted entirely to residential use. The intent of the work-live unit is to provide an alternative space where people can have a space that allows them to live in the same unit as they work.

The design of the four story building is contemporary exhibiting a two toned kaki and red brown (burnt sienna) stucco exterior with teal metal railing on the balconies and upper story walkways, and aluminum store front glazing. The articulated façade, varying roof heights, and color pattern of the building provide visual interest to the building.

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 the Municipal Code and other applicable ordinances.

The subject site has a General Plan land use designation of Industrial/Commercial Mixed Use (IC) and is zoned AR (Adaptive Reuse). The proposed project consists of a 4-story, mixed-use development consisting of ten (10) work-live units in a single building, along with 32 parking spaces consisting of garage spaces, covered spaces, and an open parking lot. The proposed mixed use development is consistent with the IC land use designation, which is intended to provide for a mix of uses, as well as with Policy LU-1.6 of the General Plan's Land Use Element, which provides for the City to encourage workplace development in close proximity to residences in areas designated as Mixed Use. The Site Plan also complies with the spirit and intent of the provisions, conditions, and requirements of the Municipal Code and other applicable ordinances. The zoning of the property permits work-live units subject to the approval of a Conditional Use Permit. The placements of the structures, the site design, the parking lot layout, the number of on-site parking spaces, and the landscape areas are all consistent with the development standards applicable to the AR zone.

2. The proposed development does 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 proposed development has been designed to meet the Code's requirements for access, on and off-site circulation and off-street parking

The plans have been reviewed by the City's Traffic Engineering Division as well as a traffic consultant and it has been determined that the project will have no adverse impacts to surrounding streets. The site provides sufficient parking to accommodate the proposed work-live mixed use development. The project has been designed to provide a drive aisle and parking layout that enables customers to maneuver effectively through the site.

Furthermore, the City's Fire Department has also reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to surrounding streets should there be an emergency.

3. The development, as proposed, will not adversely affect essential public facilities such as streets and alleys, utilities and drainage channels.

The streets in the area will be adequate to accommodate the proposed development once the developer provides the necessary improvements for the project. The proposed work-live mixed use project will not adversely affect essential public facilities such as streets and alleys, utilities, and drainage channels. Utilities and drainage channels in the area are adequate to accommodate the development.

The proposed development will also provide landscaping and proper grading of the site in order to maintain proper drainage in the area. The Public Works Engineering and Water Services Division have reviewed the plans.

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. There were no issues raised by the project. Therefore, the project will not adversely impact the City's ability to perform its required public works functions.

5. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The project is located in an area with a mix of industrial, commercial and non-conforming single-family homes. The proposed project is consistent with the surrounding area and compatible with the existing uses along Garden Grove Boulevard and within the AR (Adaptive Reuse) zone. The building has been designed to be oriented toward Garden Grove Boulevard to ensure a reasonable degree of compatibility with adjacent developments.

6. Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities 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. All landscaped areas are required to adhere to the landscaping requirements of the Title 9 of the Municipal Code. Through the conditions of approval for the project, the necessary agreements for the protection and maintenance of all landscaping will be achieved.

CONDITIONAL USE PERMIT:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The proposed work-live mixed use development will be consistent with the General Plan Land Use Designation of the property, which is Industrial/Commercial Mixed Use, provided that the project complies with all conditions of approval. The proposed work-live development is consistent with the Industrial/Commercial Mixed Use land use designation, which is intended to provide for a mix of uses, as well as with Policy LU-1.6 of the General Plan's Land Use Element, which provides for the City to encourage workplace development in close proximity to residences in areas designated as Mixed Use.

2. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area.

The proposed work-live development will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area. The property is zoned for commercial and light industrial uses and work-live units like those proposed are expressly permitted pursuant to a conditional use permit. Pursuant to the conditions of approval, only uses permitted or conditionally permitted in the AR zone may be maintained in the live-work units; auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants will be prohibited; no uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted; and all work associated with a non-residential use in any of the work-live units shall be done indoors. The project design and conditions of approval will minimize potential impacts to the adjoining area. In addition, Chapter 9.18 of the Garden Grove Municipal Code contains express restrictions on the use and operation of work-live mixed use projects such as the one proposed that must be adhered to for the life of the project. Provided the conditions of approval for the project are adhered to for the life of the project, the use will be harmonious with persons who work and live in the area.

3. The proposed use will not interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site.

The proposed work-live mixed use project will not unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located within the vicinity of the site, provided that the conditions of approval are adhered to for the life of the project. The property and adjacent properties are zoned for commercial and light industrial uses and work-live units like those proposed are expressly permitted pursuant to a conditional use permit. Pursuant to the conditions of approval, only uses permitted or conditionally permitted in the AR zone may be maintained in the live-work units; auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants will be prohibited; no uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted; and all work associated with a non-residential use in any of the work-live units shall be done indoors. In addition, Chapter 9.18 of the Garden Grove Municipal Code contains express restrictions on the use and operation of work-live mixed use projects such as the one proposed that must be adhered to for the life of the project.

4. The proposed use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

Pursuant to the conditions of approval, only uses permitted or conditionally permitted in the AR zone may be maintained in the live-work units; auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants will be prohibited; no uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted; and all work associated with a non-residential use in any of the work-live units shall be done indoors. In addition, Chapter 9.18 of the Garden Grove Municipal Code contains express restrictions on the use and operation of work-live mixed use projects such as the one proposed that must be adhered to for the life of the project. Provided that proposed work-live mixed use development adheres to the conditions of approval for the life of the project, the proposed project will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

5. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The proposed project has been designed to comply with the development standards and requirements of the AR (Adaptive Reuse) zone. The site is adequate in size and shape to accommodate the new structure and associated site improvements, which include parking facilities, landscaping, and development walls.

6. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic to be generated, and by other public or private service facilities as required.

The site is adequately served by Garden Grove Boulevard and Pearl Street and the development of the project will include accessible driveways providing both ingress and egress. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

LOT LINE ADJUSTMENT:

1. The parcel, as a result of the Lot Line Adjustment, will conform to the zoning and building codes.

The subject parcels have a General Plan Land Use designation of Industrial/Commercial Mixed Use and are zoned AR (Adaptive Reuse). The property is comprised of three (3) lots each with a combine lot area of .69 acres. The Lot Line Adjustment will consolidate the three (3) parcels into one lot to allow the construction of a 10-unit, work-live project that is approved via Site Plan No. SP-022-2016 and Conditional Use Permit No. CUP-065-2016. The Lot Line Adjustment and all subsequent site improvements will be in conformance with the applicable zoning and building code regulations as well as be consistent with the City's Subdivision Ordinance and the State Subdivision Map Act.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN 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, Conditional Use Permit, and Lot Line Adjustment possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030 and 9.40.190.
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.

3. Approval of this Site Plan, Conditional Use Permit, and Lot Line Adjustment shall be contingent upon the approval of Development Agreement No. DA-002-2016 and adoption of the Mitigated Negative Declaration and the Mitigation Monitoring Program for the project by the Garden Grove City Council.

EXHIBIT "A"

Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016 and Lot Line Adjustment No. LLA-011-2016

10641 and 10661 Garden Grove Boulevard and
10662 Pearl Street

CONDITIONS OF APPROVAL

General Conditions

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. The applicant shall provide the City with a copy of the recorded Notice within ten (10) days of its recordation.
2. All Conditions of Approval, approved under Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 contained in Resolution No. 5858-16, shall remain in full force and effect, except as modified herein. All Conditions of Approval set forth herein, or contained in Resolution No. 5858-2016, 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, Tony Lam, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Except for minor modifications approved by the Community Development Director pursuant to Condition No. 4, below, any changes to the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-022-2016 and Conditional Use Permit No. CUP-065-2016. The Conditions of Approval applying to Lot Line Adjustment No. LLA-011-2016 shall only be those that so expressly state and/or those necessary to conform to the General Plan, any applicable specific plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements.
3. Approval of this Site Plan, Conditional Use Permit, and Lot Line Adjustment 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.
4. Minor modifications to the Site Plan, Conditional Use Permit, Lot Line Adjustment and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in impacts that have not previously been addressed, may be approved by the Community Development Director, in his or her discretion. Proposed

SP-022-2016, CUP-065-2016, and LLA-011-2016
Conditions of Approval

modifications to the project, approved site plan, floor plan, and/or these Conditions of Approval determined by the Community 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 otherwise expressly specified in the individual condition.
6. 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 City's 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.
7. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community 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 Garden Grove Boulevard and Pearl Street, or any parking areas and shall be screened to the satisfaction of the Community 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 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, roof, or wall-mounted mechanical equipment shall be screened from public view from adjacent properties and the public right-of-way and shall also be screened, to the extent feasible, from on-site areas.
 - e. The mitigation measure that is part of the Mitigated Negative Declaration that is adopted for Site Plan No. SP-022-2016, Conditional Use Permit

No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 (the "Mitigated Negative Declaration") is incorporated herein by this reference and shall be implemented as conditions of approval for this project

Public Works Engineering Division

8. The applicant shall be subject to Traffic Mitigation Fees in accordance with Chapter 9.44 of the Garden Grove Municipal Code; In-Lieu Park Fees in accordance with the City's current Fee Resolution; and all other applicable fees duly adopted by the City.
9. 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 the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
10. A separate street permit is required for work performed within the public right-of-way.
11. 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' 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. All fees collected at the time of permit issuance shall be based on the fee schedule in effect at that time.
12. 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 *Final* Water Quality Management Plan 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 structural and 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.
13. 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 compliance with the WQMP in a manner meeting the satisfaction of the City Engineer, including:
- 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 BMPs.
 - 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.
14. Prior to the 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.
15. 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.
16. Provide a separate coordinated utility plan showing the location of all utilities serving the site. Any easements required providing locations and access for the utilities and their appurtenances shall be provided by separate instrument.

17. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-120 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
18. 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.
19. All trash container areas shall meet the following requirement:
 - 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 into the enclosure per City of Garden Grove Standard Plan B-502;
 - Provide a drain to a sanitary waste line. 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 enclosures per City of Garden Grove Standard Plan B-502.
20. Prior to the issuance of the street improvements and grading permit, the applicant shall provide 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).
21. No parallel curb parking shall be permitted anywhere on the site and Garden Grove Boulevard.
22. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall shall have wheel stops.
23. Any new or required block walls and/or retaining walls shall be shown on the grading plans with a minimum height of 6-feet from the highest finished grade. 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
24. The applicant shall remove the existing landscaping within sidewalk areas along Garden Grove Boulevard and Pearl Street and construct street frontage

improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer. A separate street improvement plan shall be prepared for Garden Grove Boulevard and Pearl Street and submitted to the engineering department for improvements within the existing and proposed right of way.

Garden Grove Boulevard

- Remove the existing easterly and westerly substandard driveway approaches and existing landscaping on Garden Grove Boulevard and construct new curb, gutter and sidewalk.
- The new driveway approach to the site shall be constructed in accordance with City of Garden Grove Standard Plan B-120. Standard Plan B-120 calls for a maximum width of 30-feet for commercial and multi residential projects, with any deviation from the standard to be approved by the City Engineer and detailed on the plan showing all modifications.
- Construct 8" curb and gutter along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8).
- Construct a 8-foot sidewalk and landscape adjacent to the street curb in accordance with City Standard Plan B-106 and planning department direction.
- Remove and replace the street pavement from the edge of the median to the edge of the gutter per City Standard B-102 and as directed by the City Engineer.

Pearl Street

- Construct 6" rolled curb and gutter along the property frontage at 20' from centerline in accordance with City Standard Plan B-116.
- Remove and replace the pavement of the street from the edge of the northerly gutter to the edge of new southerly gutter along the property frontage per City Standard Plan B-104 and the direction of the City Engineer.
- Construct new driveway approach to the site in accordance with City of Garden Grove Standard Plan B-121.
- Construct a new 4-foot parkway adjacent to the new 6-inch curb and 4-foot sidewalk per City Standard Plan B-105.

25. Conditions of Approval for LLA-011-2016:

- The applicant shall submit an updated title report along with copies of the recorded instruments listed in the title report.
- The applicant shall submit copies of the reference maps used to prepare the legal description and the plat.
- The Lot Line Adjustment shall comply with all provisions of the City of Garden Grove Public Works Engineering Service Division and shall be reflected in a deed or record of survey that shall be recorded, with copies filed with the City, prior to issuance of a building permit for the structure.

Public Works Water Services Division

Water Conditions

26. New water services 2" and smaller can be installed by the Water Services Division upon payment of applicable fees, or by the applicant's contractor and inspected by Water Engineering Inspector. Applicant's contractor shall have a Class A or C-34 License. Fire services and larger water services 3" and larger, shall be installed by developer/owner's contractor per City Standards and inspected by the Water Engineering Inspector.
27. 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. The property owner(s) 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(s) must open a water account upon installation of RPPD device.
28. It shall be the responsibility of the applicant to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
29. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
30. The City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
31. Fire service connection shall have above ground double check detector assembly (DCDA) per City Standard B-773. 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 Water Quality,

Water Services Division. Device shall be on private property and is the responsibility of the property owner(s). The above ground assembly shall be screened from public view as required by the Planning Division.

32. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.

Sewer Conditions

33. The applicant shall install new sewer 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.
34. In order for the project to be constructed as proposed by the applicant, the existing off-site and on-site sewer main going from west to east of the property will need to be removed and new sewer improvements constructed on the property and the immediately adjacent properties. Accordingly, the applicant shall remove and remediate the existing sewer main located within the proposed project boundary and construct the new sewer line within the project boundary to tie into the main in Grove Boulevard. The applicant shall also work with the adjacent property owners to ensure that (a) the remaining downstream portion of the sewer main in the adjacent property to the east is capped and plugged and a new sewer cleanout installed at the east property line to allow access to the remaining sewer, and (b) a new reroute for a lateral to the south to tie into the main on Garden Grove Boulevard is installed on the adjacent property to the west. Prior to commencement of any field investigation and design work, the applicant SHALL provide evidence satisfactory to the City Engineer that the applicant has entered into a binding agreement or agreements with the adjacent property owners providing applicant with the right to construct the above-described improvements on the neighboring properties. The sewer improvements described in this Condition shall be designed, constructed and installed at the applicant's expense and shall be fully completed and approved by the City prior to issuance of a certificate of occupancy.
35. Commercial food uses of any type shall require the installation of an approved Grease Control Device (GCD) prior to obtaining a business license.
36. A properly sized Grease Control Device (GCD) shall be installed on the waste line and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the GCD. All other waste lines shall be drained through the grease trap. The GCD may be located inside of the building per County Health Department requirements. Prior to City permit issuance, trap location must be approved by the Orange County Health Department as evidenced by their stamp on the plans. Owner shall maintain comprehensive GCD maintenance records and shall make them available to the City of Garden Grove upon demand.

37. Food grinders (garbage disposal devices) are prohibited within the commercial part of the unit per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations.

Building Services Division

38. The buildings shall be designed to comply with all provisions of the California Building Codes and City adopted amendments.
39. All units shall be adaptable and on an accessible route. Office spaces shall meet all disability access requirements.

Planning Services Division

40. This approval is for the construction of a four-story, ten-unit, work-live, mixed use development. The living area of each unit shall be incidental to the work area of the unit and shall not be leased out separately from the work area of the unit. Interior access between the work and live areas of each unit shall be maintained. The portion of each work-live unit used for residential purposes shall at no time exceed 40 percent of the total area of the work-live unit, and no work-live unit may be converted entirely to residential use. Each occupant of a work-live unit shall at all times comply with the restrictions on uses and activities within a vertically integrated residential/commercial mixed use development set forth in Garden Grove Municipal Code section 9.18.020.070 and the use limitations, design standards, and operating requirements for work-live units set forth in Garden Grove Municipal Code section 9.18.030.360. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times. In addition, prior to the issuance of a certificate of occupancy the then current owner(s) of the property shall enter into and record a Covenant Agreement (or other appropriate document acceptable to the City) with the City in a form approved by the City Attorney and City Manager, restricting use and occupancy of property in accordance with Conditions of Approval 40, 41, 42, and 43 and sections 9.18.020.070 and 9.18.030.360 of the Garden Grove Municipal Code. The Covenant Agreement shall run with the land and be binding upon all current and future owners and tenants of the property and their respective heirs, successors, and assignees; provide that the Covenant Agreement may not be substantively amended or terminated without City approval; and provide that the City may, but shall not be obligated to, enforce the provisions of the Covenant Agreement. The City Manager shall be authorized to execute the Covenant Agreement on behalf of the City. The Covenant Agreement shall be recorded prior to the issuance of any certificates of occupancy. Evidence of the recordation of the agreement shall be provided to the City prior to the issuance of a certificate of occupancy. The applicant shall provide City with a current title report and/or other evidence satisfactory to the City evidencing title ownership of the property at the time of recordation of the Covenant Agreement.

41. Only uses listed as permitted or conditionally permitted within the Land Use Chart, Table 9.18-1 of Section 9.18.020.030 of Title 9 of the City's Municipal Code shall be maintained in the live-work units. Auto repair uses, the storage of flammable liquids or hazardous materials beyond that normally associated with a residential use, heavy industrial uses, entertainment uses, and full service restaurants shall be prohibited. No uses that cause vibration, noise, odor, traffic or other impacts that could cause excessive impacts to the surrounding properties shall be permitted. All work associated with a non-residential use in any of the work-live units shall be done indoors. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times. The applicant and/or property owner(s) or managers shall provide written notice to all occupants and users of the work-live units that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in strictly residential areas.
42. Parking spaces in the garages shall maintain the ability to park two cars at all times. The garages shall not be used for storage. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times.
43. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces in the garages for their unit. The open parking shall be made available for patrons of the on-site business during all hours of operation. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times.
44. No outside storage shall be permitted on-site. Storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited. The owner(s) of the property shall be responsible for ensuring that tenants comply with these requirements at all times.
45. Best Management Practices shall be incorporated in the management of the site to detour and/or abate any graffiti vandalism 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.
46. All landscaping shall be consistent with the landscape requirements set forth and/or incorporated in the Garden Grove Municipal Code. The developer shall submit a complete landscape plan governing the entire development. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance, associated Water Efficiency Guidelines and all recent applicable revisions from the State of California on water conservation measures shall be to the landscape plans. The landscape plan is also subject to the following:

- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. The sprinklers shall be low flow/precipitation sprinkler heads for water conservation.
- b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon. The remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.
- c. Trees planted within 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.
- d. Landscaping along Garden Grove Boulevard shall match the landscape requirements of the Garden Grove Mixed Use Zones. Off-site landscaping shall include 4'-0" x 8'-0" planters with canopy trees spaced 30'-0" apart on center with an under planting of shrubs and flowering ground cover. Plant materials within the public right-of-way shall be determined by the City's Public Work's Department. On-site landscaping shall include both columnar and canopy trees. Columnar trees (minimum height at maturity of 45'-0") shall be planted within 10'-0 of the public right-of-way and shall be placed at regular intervals and no more than 40'-0" on center. On-site canopy trees shall be planted at a ratio of at least one tree for every 50'-0" of the Garden Grove Boulevard street frontage. The on-site front yard landscape area shall also include shrubs and flowering ground covers. All on and off-site canopy trees shall be a minimum size of 24-inch box. Columnar trees shall be a minimum of 25'-0" tall. Should palm trees be proposed, the brown trunk height of the palm trees shall be 25'-0".
- e. All landscape areas, including the areas located within the public right-of-way along Garden Grove Boulevard and Pearl Street that abuts the subject property, are the responsibility of the applicant/property owner(s).
- f. Landscaping within the third floor open space area shall include decorative paving, artificial turf, and planters with canopy trees, shrubs, and flowering plans.
- g. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water run-off. This is also to be inclusive of any applicable Water Quality Management Plan (WQMP), the Orange County Drainage Area Management Plan

(DAMP), and/or other water conservation measures applicable to this type of development.

47. Enhanced concrete treatment shall be provided within the 20-foot. deep driveway throats along Garden Grove Boulevard and Pearl Street, subject to the Community Development Department's approval. Such enhanced concrete treatment includes decorative stamped concrete or interlocking pavers, or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern, material, and final design and configuration shall be approved by the Community Development Department, Planning Division, and shall be shown on the final site plan, grading plan, and landscape plans.
48. 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 established in section 8.47.010 of the Municipal Code.
49. 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 of 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, the use of low-sodium parking lot lights, and to ensure compliance with Title 24.
50. Pursuant to the Mitigation Measure stated within the Mitigated Negative Declaration and Initial Study for the subject project, the applicant shall be required to obtain the services of a qualified archaeologist during the grading and excavation phases of the construction. The monitor(s) shall be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for archaeological resource(s) encountered during grading and excavation activities. Pertinent provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2(a) through (k) shall apply. The on-site monitoring shall end when the project site grading and excavation activities are complete.
51. The approval and effectiveness of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 shall be expressly contingent upon the adoption and effectiveness of a

binding Development Agreement between the applicant and the City of Garden Grove.

52. 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 northerly property lines of the Garden Grove Boulevard properties and along all the easterly, and westerly property lines. The masonry wall shall be constructed to a maximum height of 8-feet, as measured from highest point of finished grade on the project's side. A higher wall may be constructed if needed for additional sound attenuation. These walls shall use slumpstone or split-face block with decorative caps, subject to Community Development Department's approval.
 - b. The applicant shall work with the existing property owner(s) along the northerly, southerly, and westerly property lines in designing and constructing the required block wall. 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. 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.
53. The common recreation area improvements shall be reviewed and approved by the Community Development Department, Planning Division, prior to issuance of building permits. The common recreation area shall include, at a minimum, landscaping, decorative paving, barbecues, benches and table with umbrellas.
54. Building colors and materials samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. The buildings shall include multi-toned stucco exteriors with a minimum of 1-inch reveal lines, windows recessed a minimum of 2-inches, aluminum store front glazing, metal railings on the balconies and upper story walkways, varying roof height, and decorative garage doors that are in keeping with the modern design of the building.
55. All signage shall comply with Chapter 20 of Title 9 of the City's Municipal Code. A sign program shall be established for the development prior to Certificate of Occupancy.

56. A copy of the resolution approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, including these Conditions of Approval, shall be kept on the premises at all times.
57. The permittee shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, and his/her agreement with all conditions of the approval.
58. 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-022-2016, Conditional Use Permit No. CUP-065-2016, Lot Line Adjustment No. LLA-011-2016, and/or the associated Development Agreement (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 Project entitlements and mutually terminate the Development Agreement, 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 Project entitlements.

Garden Grove Fire Department

59. The applicant, developer or contractor shall submit fire sprinkler plans, as defined by NFPA 13, 2013 Edition, to the City for review and approval prior to issuance of Building permits.
60. The applicant, developer, or contractor shall submit a Fire Alarm plan, as defined by NFPA 72, 2013 Edition, to the City for review and approval prior to issuance of a Building permit.
61. Fire hydrants shall meet the specification as outline by the Fire Chief and the City's Water Department.

62. Fire hydrants shall be spaced in accordance to the California Fire Code and at the directions from the City of Garden Grove's Fire Department.
63. Fire flow requirements and/or peculiar street configurations may dictate the necessity for additional fire hydrants per California Fire Code, Appendix III-A.
64. All water mains and fire hydrants shall be installed, accessible and operable prior to any on-site use or storage of combustible materials per California Fire Code Section 8704.3.
65. Applicant, developer, or contractor shall provide Fire Apparatus access on the site prior to any flammable material is placed on-site.

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)

City Clerk's Office)
City of Garden Grove)
11222 Acacia Parkway)
Garden Grove, CA 92840)
)
)

(Space above for Recorder.)

This document is exempt from payment of a recording fee pursuant to Government Code Section 6103.

Dated: _____

DEVELOPMENT AGREEMENT NO. DA-002-2016

SP-022-2016, CUP-065-2016, and LLA-011-2016

(Tony Lam and Jennie Do)

THIS DEVELOPMENT AGREEMENT ("Agreement" or "Development Agreement") is made this _____ day of _____, 2016 ("Effective Date"), by the CITY OF GARDEN GROVE, a municipal corporation ("CITY") on the one hand, and Tony Lam, an individual, and Jennie Do, Trustee of Jennie Do Revocable Trust (collectively, "DEVELOPER"), on the other hand, pursuant to the authority set forth in Article 2.5 of Chapter 4 of Division I of Title 7, Sections 65864 through 65869.5 of the California Government Code.

RECITALS

The following recitals are a substantive part of this Agreement:

- A. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of a 4-story, 10-unit, work/live mixed use development on a .69 acre lot with related site improvements (the "PROJECT") on that certain real property described on Exhibit "A" attached hereto and incorporated herein by reference (the "PROPERTY").

- B. In order to implement the PROJECT, DEVELOPER has submitted, and CITY has approved, Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-022-2016, and associated conditions of approval, for the PROJECT.
- C. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of the PROJECT pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 of Title 7 of the California Government Code (the "Development Agreement Statute").
- D. The PROJECT is a development requiring certain discretionary approvals by the CITY before it may be constructed.
- E. The Development Agreement Statute provides the authority for CITY to enter into binding development agreements with a person having a legal or equitable interest in real property.
- F. DEVELOPER represents that it owns the PROPERTY in fee.
- G. As consideration for the benefits gained by DEVELOPER from the vested rights acquired pursuant to the Development Agreement Statute, CITY is requiring that DEVELOPER construct and install as part of development of the PROJECT certain public improvements and provide other public benefits.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. DURATION. This Agreement and Land Use Entitlements described in Section 2 shall expire four (4) years from the Effective Date, unless any duty specified remains executory, in which case this Agreement may be renewed for a successive one year term at discretion of CITY, pursuant to law, until all duties are performed. The effective date of this Agreement shall begin on the date first identified above.
2. Permitted Uses/Land Use Entitlements. The following uses are permitted on the PROPERTY: A 4-story, 10-unit work-live development. The units range in size from 2,330 square feet to 3,168 square feet. The PROJECT has been granted the following land use entitlements: Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 (subject to associated conditions of approval). The PROJECT is subject to the development standards of the AR (Adaptive Reuse) zoning requirements of Chapter 18, of Title 9 of the City's Municipal Code and the Conditions of Approval to Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.

3. Density/Intensity. The density or intensity of the PROJECT is as follows: 4-story, work/live development consisting of 10 units with related improvements on a .69 acre site.
4. Maximum Height and Building Size. The maximum height and building sizes are as follows: The maximum building height shall be four (4) stories with an overall height not to exceed 46'-9" and the building area is comprised of 10 work/live units ranging in size from 2,330 square feet to 3,168 square feet, as indicated on the site plan and elevations.
5. Reservation or Dedication. The reservation of easements or dedication of property to the CITY to allow the construction of the proposed residential development shall be as shown on and/or conditioned in the approved Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.
6. Improvements. The improvements described in Planning Commission Resolution No. 5858-16 shall be constructed prior to the occupancy of the proposed development or the issuance of any certificate of occupancy for any unit of the development, all in accordance with the terms and conditions of Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016.
7. Scope of PROJECT. The PROJECT shall consist of a work-live project consisting of 10-units that range in size from 2,330 square feet to 3,168 square feet, for a total of 10-units with related improvements.
8. Resolution/Material Terms. All Conditions of Approval of SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016, as per Planning Commission Resolution No. 5858-16, attached hereto and incorporated herein as "Exhibit B," are material terms of this Agreement. Breach of any condition of approval shall be deemed to be a breach of this Development Agreement.
9. Development Agreement Payment. DEVELOPER shall pay a development agreement payment to the CITY as follows:
 - 9.1 Amount. \$750 per unit and shall be paid prior to issuance of any building permits.
 - 9.2 Amount. The DEVELOPER shall make a contribution of \$1,166 per unit toward construction of a Fire Station, including, but not limited to, related equipment, furnishings, and fixtures, etc., as part of this Development Agreement and shall be paid prior to issuance of any building permits.

- 9.3 Not to Exceed. Payment under this Agreement shall not exceed \$19,160.00.
10. City Agreement. CITY agrees that the sums to be paid to the CITY, pursuant to Paragraph 9, will reimburse CITY for the cost of certain CITY services required by the PROJECT that are not otherwise being reimbursed to CITY.
11. Payment Due Date. The payment amount of \$19,160.00 shall be due and payable prior to the issuance of building permits for the PROJECT.
12. Termination Provisions. This Agreement may be terminated upon the happening of any of the following events:
- A. Failure of DEVELOPER to perform any of the provisions of this Agreement, or
 - B. Mutual agreement of the parties.
13. Periodic Review. CITY's Director of Community Development shall review DEVELOPER'S performance every twelve (12) months at the anniversary of the adoption of this Agreement. DEVELOPER shall demonstrate good faith compliance with the terms of this Agreement. If as a result of the review, CITY's Community Development Director determines that DEVELOPER has not demonstrated good faith compliance with this Agreement, CITY shall hold a public hearing before CITY's City Council. If, following such public hearing, CITY's City Council finds and determines, based upon substantial evidence, that DEVELOPER has not complied in good faith with terms or conditions of this Agreement, CITY may terminate the Agreement.
14. City Discretion. So long as the Agreement remains in effect, DEVELOPER shall have the full vested right to construct and complete development of the PROJECT and the use of the PROPERTY consistent with the land use entitlements identified in Paragraph 2. Otherwise, CITY retains its right and discretion, under all applicable Codes, to approve or disapprove any item related to this PROJECT that it has not specifically agreed to via this Agreement. DEVELOPER acknowledges that it shall comply with all CITY requirements for applications and permits of any nature that apply to the PROJECT and the PROPERTY and that this Agreement does not relieve DEVELOPER of the necessity of filing applications for and obtaining any such permits.
15. Improvement Schedule. The following improvements shall be constructed by the stated dates:

All repairs and improvements to the public right-of-way required pursuant to Planning Commission Resolution No. 5858-16 shall be completed prior to the issuance of any certificates of occupancy or release of any public utilities.

16. Developer Breach. Failure of DEVELOPER to construct improvements as specified, or to pay amounts specified in a timely fashion, shall result in the withholding of building permits, any other permit or certificate of occupancy until the breach is remedied.
17. Non-Liability of Officials and Employees of the City. No official or employee of CITY shall be personally liable to DEVELOPER in the event of any default or breach by CITY, or for any amount that will become due to DEVELOPER, or any obligation under the terms of this Agreement.
18. Notices. All notices shall be personally delivered or mailed to the below listed address, or to such other address as may be designated by written notice. These addresses shall be used for delivery of service of process.
 - A. Address of DEVELOPER is as follows:
Tony Lam
9741 Bolsa Avenue, #201
Westminster, CA 92683
 - B. Address of CITY is as follows:
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
19. DEVELOPER'S Proposal. The PROJECT shall include DEVELOPER's proposal, as modified by Planning Commission and City Council, including all Conditions of Approval contained in Planning Commission Resolution No. 5858-16, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, the terms of this Agreement shall govern.
20. Licenses, Permits, Fees, and Assessments. At its sole expense, DEVELOPER shall obtain all licenses, permits, and approvals as may be required by this Agreement, or by the nature of the PROJECT.
21. Time of Essence. Time is of the essence in the performance of this Agreement.
22. Successor's In Interest. The provisions of this Agreement shall be binding upon and inure to successors in interest of the parties and shall be specifically binding upon and for the benefit of any future lessees or other owners of an interest in PROPERTY.

23. Authority to Execute. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.
24. Indemnification. DEVELOPER agrees to protect, defend, and hold harmless CITY and its elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of the Agreement by DEVELOPER, DEVELOPER'S agents, officers or employees, or contractors or subcontractors hired by DEVELOPER.
25. Modification. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written, regarding the subject matter set forth herein. This Agreement may be modified only by subsequent mutual written agreement executed by CITY and the DEVELOPER and approved by CITY in accordance with the Development Agreement Statute.
26. Recordation. The City Clerk shall cause this Agreement to be recorded against the PROPERTY within ten (10) days of its Effective Date.
27. Remedies. The breach or default of any term or provision of this Agreement by either party shall give the nondefaulting party the right to proceed with any and all remedies set forth in this Agreement, including an action for damages, an action or proceeding at law or in equity to require the defaulting party to perform its obligations and covenants under this Agreement or to enjoin acts or things which may be unlawful or in violation of the provisions of this Agreement, and the right to terminate this Agreement.
28. Force Majeure. Subject to the party's compliance with the notice requirements as set forth below, performance by either party hereunder shall be deemed to be in default, and all performance and other dates specified in this Agreement shall be extended, where delays or default are due to causes beyond the control and without the fault of the party claiming an extension of time to perform, which may include, without limitation, the following: war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, assaults, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually severe weather, inability to secure necessary labor, material or tools, acts or omissions of the other party, or acts or failures to act of any public or governmental entity (except that the City's acts or failure to act shall not excuse performance of the City hereunder). An extension of the time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice

by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause.

29. Attorney's Fees. In addition to any other remedies provided hereunder or available pursuant to law, if either party brings an action or proceeding to enforce, protect or establish any right or remedy hereunder, the prevailing party shall be entitled to recover from the other party its costs of suit and reasonable attorney's fees.
30. Remedies Cumulative. No right, power, or remedy given by the terms of this Agreement is intended to be exclusive of any other right, power, or remedy; and each other and every such right, power, remedy shall be cumulative and in addition to every other right, power, or remedy given by the terms of any such instrument, or by any statute or otherwise.
31. Waiver of Terms and Conditions. The CITY may, in its sole discretion, waive in writing any of the terms and conditions of this Agreement. Waivers of any covenant, term, or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term, or condition.
32. Non-Liability of City Officials and Employees. No member, official, employee or agent of the CITY shall be personally liable to the DEVELOPER, or any successor in interest, in the event of any default or breach by the CITY or for any amount that may become due to the DEVELOPER or its successors, or on any obligations under the terms of this Agreement.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, these parties have executed this Agreement on the day and year shown below.

Date: _____

"CITY"

CITY OF GARDEN GROVE, a municipal corporation

By: _____

Its: _____

ATTEST:

CITY CLERK

DATE: _____

"DEVELOPER"

TONY LAM, an individual

By: _____

Date: _____

(Signature must be notarized.)

JENNIE DO, as Trustee of Jennie Do Revocable Trust

By: _____

Date: _____

(Signature must be notarized.)

APPROVED AS TO FORM:

Garden Grove City Attorney

Date: _____

If DEVELOPER is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PARCEL 1

LOT 17 OF TRACT NO. 412 IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 17 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2

LOTS 7 AND 8 OF TRACT NO. 412 IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 17 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3

LOTS 9 AND 10 OF TRACT NO. 412 IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 17 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT "B"

CONDITIONS OF APPROVAL

MITIGATION MONITORING AND REPORTING PROGRAM

**MIXED-USE DEVELOPMENT
10641 & 10661 GARDEN GROVE BLVD. &
10642 PEARL ST.
GARDEN GROVE, CALIFORNIA**



LEAD AGENCY:

**CITY OF GARDEN GROVE
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
1600 WEST BEVERLY BOULEVARD
GARDEN GROVE, CA 90640**

REPORT PREPARED BY:

**BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
16388 EAST COLIMA ROAD, SUITE 206J
HACIENDA HEIGHTS, CALIFORNIA 91745**

APRIL 12, 2016

GGRO 006

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1. OVERVIEW OF THE PROJECT

The proposed project is a request to construct ten work-live units within a 0.69-acre site. The project's implementation will necessitate the removal of an existing single-family unit fronting on Pearl Street and two existing commercial structures that have frontage along Garden Grove Boulevard. The new building that will be constructed will contain the ten work-live rental units. The new building will consist of four levels with a maximum height of approximately 47 feet. The total gross floor area of the proposed project will be 28,424 square feet. A total of 32 parking spaces, including two ADA stalls, will be provided. Access to the project will be possible with a driveway connection along the north side of Garden Grove Boulevard and a second driveway connection along the south side of Pearl Street. The project Applicant is Mr. Lam and Ms. Do with offices at 9741 Bolsa Avenue, Suite 201, Westminster, California, 92843.

2. FINDINGS OF THE ENVIRONMENTAL ASSESSMENT

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have a significant effect on the environment.
- The proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.
- The proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.

3. FINDINGS RELATED TO MITIGATION MONITORING

Section 21081(a) of the Public Resources Code states that findings must be adopted by the decision-makers coincidental to the approval of a Mitigated Negative Declaration. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the following additional findings may be made:

- A mitigation monitoring and reporting program *will be* required;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include the required standard conditions; and,
- An accountable enforcement agency or monitoring agency *shall* be identified for the mitigations adopted as part of the decision-maker's final determination.

4. MITIGATION MEASURES

The environmental analysis determined that the proposed project is located in an area that has a high sensitivity for cultural resources. As a result, the following mitigation is required:

Mitigation Measure No. 1 (Cultural Resources Impacts). The project building contractors will be required to obtain the services of a qualified Native American Monitor during construction-related ground

disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrielino Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The Monitor will photo-document the ground disturbing activities. The monitors must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitors will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities, pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.

5. MITIGATION MONITORING

The monitoring and reporting on the implementation of these measures, including the period for implementation, monitoring agency, and the monitoring action, are identified in Table 1 provided below.

TABLE 1 MITIGATION-MONITORING PROGRAM			
Measure	Enforcement Agency	Monitoring Phase	Verification
<p>Mitigation Measure No. 1 (Cultural Resources Impacts). The project building contractors will be required to obtain the services of a qualified Native American Monitor during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrielino Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The Monitor will photo-document the ground disturbing activities. The monitors must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitors will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities, pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.</p>	<p>City of Garden Grove Community Development Department and the Gabrielino Band of Mission Indians, Kizh Nation</p>	<p><i>Prior to the start of any construction related activities</i></p> <p>•</p> <p>Mitigation ends when ground disturbance is completed or otherwise noted by the tribal representative.</p>	<p>Date:</p> <p>Name & Title:</p>

**MITIGATED NEGATIVE DECLARATION
AND INITIAL STUDY**

**MIXED-USE DEVELOPMENT
10641 & 10661 GARDEN GROVE BLVD. &
10642 PEARL ST.
GARDEN GROVE, CALIFORNIA**



LEAD AGENCY:

**CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING SERVICES DIVISION
11222 ACACIA PARKWAY
GARDEN GROVE, CA 92840**

REPORT PREPARED BY:

**BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
16388 E. COLIMA ROAD, SUITE 206J
HACIENDA HEIGHTS, CALIFORNIA 91745**

MARCH 15, 2016

GGRO06

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GARDEN GROVE

MITIGATED NEGATIVE DECLARATION

Title of Project: Mixed Use Development (10641 & 10661 Garden Grove Blvd. and 10642 Pearl St.).

Brief Description of Project: The proposed project is a request to construct ten work-live units within a 0.69-acre site. The project's implementation will necessitate the removal of an existing single-family unit fronting on Pearl Street and two existing commercial structures that have frontage along Garden Grove Boulevard. The new building that will be constructed will contain the ten work-live units. The ten new work-live units will be rental units. The new building will consist of four levels with a maximum height of approximately 47 feet. The total gross floor area of the proposed project will be 28,424 square feet. A total of 32 parking spaces, including two ADA stalls, will be provided. Access to the project will be possible with a driveway connection along the north side of Garden Grove Boulevard and a second driveway connection along the south side of Pearl Street. Landscaping, totaling 4,410 square feet or 14.7% of the site area, will be provided along the project site's Garden Grove Boulevard frontage and around the rear surface parking area. The discretionary approvals that are being requested by the project Applicant include a lot line adjustment, the approval of a Conditional Use Permit, a site plan approval to construct ten work-live units, and the approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

Project Location (see also attached map): The 0.69-acre project site is located within the central portion of the City of Garden Grove. The proposed project site is located on the north side of Garden Grove Boulevard and on the south side of Pearl Street. The project site currently consists of three separate parcels. The legal addresses of the three parcels include 10641 Garden Grove Boulevard, 10661 Garden Grove Boulevard, and 10642 Pearl Street. The corresponding Assessor's Parcel Numbers include 089-092-026, 089-092-025, and 089-092-006.

Name of the Project Proponent: The project Applicant is Mr. Lam and Ms. Do with offices at 9741 Bolsa Avenue, Suite 201, Westminster, California, 92843.

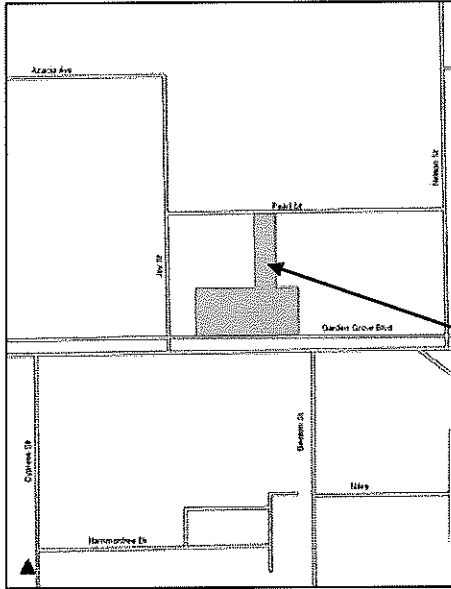
Cortese List: The project does does not involve a site located on the Cortese list.

Project Impacts: The Initial Study/MND found that the environmental effects from the project would be less than significant with the incorporation of mitigation measures.

Mitigation Measures: The mitigation measures required for the project are outlined below:

Mitigation Measure No. 1 (Cultural Resources Impacts). The project building contractors will be required to obtain the services of a qualified Native American Monitor during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrielino Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the

project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The Monitor will photo-document the ground disturbing activities. The monitors must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitors will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities, pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.



Project Site



PROJECT LOCATION MAP
SOURCE: QUANTUM GIS AND GOOGLE MAPS

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ENVIRONMENTAL CHECKLIST FORM

1. PROJECT TITLE: Mixed-Use Development (10641 & 10661 Garden Grove Blvd. and 10642 Pearl St.).

2. LEAD AGENCY:

City of Garden Grove
11222 Acacia Parkway
P.O. Box 3070
Garden Grove, California 92840

3. CONTACT PERSON:

Lee Marino, Senior Planner
Planning Services Division
City of Garden Grove
(714) 741-5312

4. PROJECT LOCATION:

The proposed project site is located between Garden Grove Boulevard (on the south) and Pearl Street (on the north). The project site currently consists of three separate parcels. The legal addresses of the three parcels include 10641 Garden Grove Boulevard, 10661 Garden Grove Boulevard, and 10642 Pearl Street. The corresponding Assessor's Parcel Numbers include 089-092-026, 089-092-025; and 089-092-006. The 0.69-acre project site is located in the central portion of the City of Garden Grove.

5. PROJECT SPONSOR:

Mr. Lam and Ms. Do
9741 Bolsa Avenue, Suite 201,
Westminster, California, 92843.

6. ENVIRONMENTAL SETTING:

The project site is located in the midst of an urbanized area that includes commercial buildings and surface parking along the site's Garden Grove Boulevard frontage and a single-family unit along the Pearl Street frontage. These existing uses and the related improvements will be demolished to accommodate the proposed project. Commercial uses abut that portion of the project located along the Garden Grove Boulevard frontage while residential uses abut the northern portion of the project site along the Pearl Street frontage.

7. GENERAL PLAN DESIGNATION:

The project site is designated as *Industrial/Residential Mixed Use 2* in the City of Garden Grove General Plan. The properties located on either side of the project site and along the north side of Pearl Street are also designated as *Industrial/Residential Mixed Use 2*. Finally, the properties located to the south and opposite the project site, on the south side of Garden Grove Boulevard, are designated as *Light Commercial*. No General Plan Amendment is required to accommodate the proposed project.

8. ZONING:

The project site is zoned *AR (Adaptive Reuse)*. The properties located to the north, east, and west are also zoned *AR*. The parcels located to the south of the project site, along the south side of Garden Grove Boulevard, are zoned *GGMU3 (Garden Grove Mixed Use 3)*. No Zone Change is required to accommodate the proposed use.

9. DESCRIPTION OF PROJECT:

The proposed project is a request to construct ten work-live units within a 0.69-acre site. The ten work-live units will be rental units. The project's implementation will necessitate the removal of an existing single-family unit located along Pearl Street and the existing commercial structures located on the Garden Grove Boulevard frontage. The new building will include four levels and the building's maximum height will be approximately 47 feet. The total gross floor area of the proposed new building will be 28,424 square feet. A total of 32 parking spaces will be provided including two ADA stalls. Access to the project will be provided by a driveway connection on the north side of Garden Grove Boulevard and a second driveway connection on the south side of Pearl Street. Landscaping, totaling 4,410 square feet or 14.7% of the total site area, will be provided along the project site's Garden Grove Boulevard frontage and along the perimeter of the rear parking area. The discretionary approvals that are being requested by the project Applicant include a lot line adjustment, the approval of a Conditional Use Permit, a site plan approval to construct ten work-live units, approval of a Development Agreement for the mitigation fees, and the approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

10. OTHER AGENCIES WHOSE APPROVAL (AND PERMITS) IS REQUIRED:

City of Garden Grove Planning Commission
 City of Garden Grove City Council

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist provided herein in Section 1.3 of the attached Initial Study.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture & Forest Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology & Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology & Water Quality
<input type="checkbox"/>	Land Use & Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population & Planning	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation & Circulation	<input type="checkbox"/>	Utilities & Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

DETERMINATION

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature:

Date:

Printed Name

For:
City of Garden Grove

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such efforts were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigating measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is elected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and,
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

The potential impacts are summarized in Table 1-1 (Initial Study Checklist) and Section 3 of the attached Initial Study.



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SECTION 1 INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study evaluates the environmental impacts associated with the construction and subsequent occupancy of ten work-live units within a 0.69-acre site. The project's implementation will necessitate the removal of an existing single-family unit fronting on Pearl Street and two existing commercial structures located along the Garden Grove Boulevard frontage. The new building will consist of four levels and will have a maximum height of approximately 47 feet. The total gross floor area of the new building will be 28,424 square feet. A total of 32 parking spaces, including two ADA stalls, will be provided. Access to the project will be provided by a driveway connection on the north side of Garden Grove Boulevard and a second driveway connection on the south side of Pearl Street. Landscaping, totaling 4,410 square feet or 14.7% of the site area, will be provided along the project site's Garden Grove Boulevard frontage and around the rear parking area.¹ The proposed project is described further in Section 2.

The proposed development is considered to be a project under the California Environmental Quality Act (CEQA).² The City of Garden Grove is the designated *Lead Agency* for the proposed project and the City will be responsible for the project's environmental review. Section 21067 of CEQA defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment.³ The project Applicants are Mr. Lam and Ms. Jennie Do, with offices located at 9741 Bolsa Avenue, Suite 201, Westminster, California 92883.

As part of the proposed project's environmental review, the City of Garden Grove authorized the preparation of this Initial Study.⁴ The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental impacts of a specific action or project. The purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City of Garden Grove with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;
- To facilitate the project's environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated with the proposed project.

¹ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

² California, State of. *Title 14. California Code of Regulations. Chapter 3. Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines)*. § 15060 (b).

³ California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions*. § 21067.

⁴ *Ibid.* (CEQA Guidelines) § 15050.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the City of Garden Grove, in its capacity as the Lead Agency. The City also determined, as part of this Initial Study's preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the project's environmental review pursuant to CEQA.

This Initial Study and the *Notice of Intent to Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and the public for review and comment. A 20-day public review period will be provided to allow these agencies and other interested parties to comment on the proposed project and the findings of this Initial Study.⁵

1.2 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction*, provides the procedural context surrounding this Initial Study's preparation and insight into its composition. This section also includes a checklist that summarizes the findings of this Initial Study.
- *Section 2 Project Description*, provides an overview of the existing environment as it relates to the project site and describes the proposed project's physical and operational characteristics.
- *Section 3 Environmental Analysis*, includes an analysis of potential impacts associated with the proposed project's construction and the subsequent occupancy.
- *Section 4 Findings*, indicates the conclusions of the environmental analysis and the Mandatory Findings of Significance.
- *Section 5 References*, identifies the sources used in the preparation of this Initial Study.

1.3 INITIAL STUDY CHECKLIST

The environmental analysis provided in Section 3 of this Initial Study indicates that the proposed project will not result in any unmitigable, significant impacts on the environment. For this reason, the City of Garden Grove determined that a Mitigated Negative Declaration is the appropriate CEQA document for the proposed project. The findings of this Initial Study are summarized in Table 1-1 provided on the following pages.

⁵ California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions. Chapter 2.6, Section 2109(b)*. 2000.

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
Section 3.1 Aesthetic Impacts					
3.1.A	Would the project have a substantial adverse effect on a scenic vista?				X
3.1.B	Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				X
3.1.C	Would the project substantially degrade the existing visual character or quality of the site and its surroundings?				X
3.1.D	Would the project create a new source of substantial light or glare which would adversely affect day- or –night-time views in the area?			X	
Section 3.2 Agricultural & Forestry Resources Impacts					
3.2.A	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
3.2.B	Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
3.2.C	Would the project conflict with existing zoning for or cause rezoning of, forest land (as defined in Public Resources Code section §12220(g)), timberland (as defined by Public Resources Code section §4526), or timberland zoned Timberland Production (as defined by Government Code section §51104(g))?				X
3.2.D	Would the project result in the loss of forest land or the conversion of forest land to a non-forest use?				X
3.2.E	Would the project involve other changes in the existing environment which, due to their location or nature, could result in the conversion of farmland to non-agricultural use or the conversion of forest land to a non-forest use?				X
Section 3.3 Air Quality Impacts					
3.3.A	Would the project conflict with or obstruct implementation of the applicable air quality plan?				X
3.3.B	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.3.C	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
3.3.D	Would the project expose sensitive receptors to substantial pollutant concentrations?				X
3.3.E	Would the project create objectionable odors affecting a substantial number of people?				X
Section 3.4 Biological Resources Impacts					
3.4.A	Would the project, either directly or through habitat modifications, have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?				X
3.4.B	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
3.4.C	Would the project have a substantial adverse effect on Federally protected wetlands as defined by §404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
3.4.D	Would the project interfere substantially with the movement of any native resident or migratory fish, wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				X
3.4.E	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
3.4.F	Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or State habitat conservation plans?				X
Section 3.5 Cultural Resources Impacts					
3.5.A	Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines?				X

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.5.B	Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?		X		
3.5.C	Would the project, directly or indirectly, destroy a unique paleontological resource, site, or unique geologic feature?				X
3.5.D	Would the project disturb any human remains, including those interred outside of formal cemeteries?				X
Section 3.6 Geology & Soils Impacts					
3.6.A	Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), ground-shaking, liquefaction, or landslides?			X	
3.6.B	Would the project result in substantial soil erosion or the loss of topsoil?				X
3.6.C	Would the project be located on a soil or geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			X	
3.6.D	Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012) creating substantial risks to life or property?			X	
3.6.E	Would the project be located on soils that are incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
Section 3.7 Greenhouse Gas Emissions Impacts					
3.7.A	Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
3.7.B	Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?			X	
Section 3.8 Hazards & Hazardous Materials Impacts					
3.8.A	Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.8.B	Would the project create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
3.8.C	Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?				X
3.8.D	Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code §65962.5, and as a result, would it create a significant hazard to the public or the environment?				X
3.8.E	Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
3.8.F	Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
3.8.G	Would the project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
3.8.H	Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
Section 3.9 Hydrology & Water Quality Impacts					
3.9.A	Would the project violate any water quality standards or waste discharge requirements?			X	
3.9.B	Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
3.9.C	Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.9.D	Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site?				X
3.9.E	Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
3.9.F	Would the project otherwise substantially degrade water quality?				X
3.9.G	Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map?			X	
3.9.H	Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
3.9.I	Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, as a result of the failure of a levee or dam?			X	
3.9.J	Would the project result in inundation by seiche, tsunami, or mudflow?				X
Section 3.10 Land Use & Planning Impacts					
3.10.A	Would the project physically divide an established community?				X
3.10.B	Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
3.10.C	Would the project conflict with any applicable habitat conservation or natural community conservation plan?				X
Section 3.11 Mineral Resources Impacts					
3.11.A	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				X
3.11.B	Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
Section 3.12 Noise Impacts					
3.12.A	Would the project result in exposure of people to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
3.12.B	Would the project result in exposure of people to, or generation of, excessive ground-borne vibration or ground borne noise levels?			X	
3.12.C	Would the project result in substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
3.12.D	Would the project result in substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project?			X	
3.12.E	For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
3.12.F	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
Section 3.13 Population & Housing Impacts					
3.13.A	Would the project induce substantial population growth in an area, either directly or indirectly?			X	
3.13.B	Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
3.13.C	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
Section 3.14 Public Services Impacts					
3.14.A	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>fire protection services</i> ?			X	

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.14.B	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>police protection services</i> ?			X	
3.14.C	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>school services</i> ?			X	
3.14.D	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for <i>parks</i> ?			X	
3.14.E	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>other public facilities</i> ?			X	
Section 3.15 Recreation Impacts					
3.15.A	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
3.15.B	Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
Section 3.16 Transportation & Circulation Impacts					
3.16.A	Would the project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.16.B	Would the project conflict with an applicable congestions management program, including but not limited to, level of service standards and travel demand measures, or other standards established by a County Congestion Management Agency for designated roads or highways?				X
3.16.C	Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks?				X
3.16.D	Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
3.16.E	Would the project result in inadequate parking capacity?				X
3.16.F	Would the project result in inadequate emergency access?				X
3.16.G	Would the project conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
Section 3.17 Utilities Impacts					
3.17.A	Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
3.17.B	Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?			X	
3.17.C	Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
3.17.D	Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
3.17.E	Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
3.17.F	Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	

**Table 1-1
 Initial Study Checklist**

Section	Description of Issue	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
3.17.G	Would the project comply with Federal, State, and local statutes and regulations related to solid waste?				X
Section 3.18 Mandatory Findings of Significance. <i>The approval and subsequent implementation of the proposed project:</i>					
3.18.A	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
3.18.B	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
3.18.C	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X



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SECTION 2 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The project site is located within the corporate boundaries of the City of Garden Grove which is located in the western portion of Orange County. Surrounding cities include Stanton on the west, Anaheim on the north, Orange and Santa Ana on the east, and Westminster and Santa Ana on the south.⁶ Regional access to the City is provided by the Garden Grove Freeway (State Route [SR] 22) that extends through the City in an east-west orientation. The location of Garden Grove in a regional context is shown in Exhibit 2-1. A Citywide map is provided in Exhibit 2-2.

The 0.69-acre project site is located in the central portion of the City. The proposed project site is located between Garden Grove Boulevard (on the south) and Pearl Street (on the north). The project site currently consists of three separate parcels. The legal addresses of the three parcels include 10641 Garden Grove Boulevard, 10661 Garden Grove Boulevard, and 10642 Pearl Street. The corresponding Assessor's Parcel Numbers include 089-092-026, 089-092-025; and 089-092-006.⁷ The project site is located approximately 2.63 miles east of Beach Boulevard, 0.52 miles west of Euclid Street, and 0.55 miles north of the Garden Grove Freeway (SR-22). The SR-22 Freeway provides the most direct regional freeway access to the site.⁸ A vicinity map is provided in Exhibit 2-3. A local map is provided in Exhibit 2-4.

2.2 ENVIRONMENTAL SETTING

The project site is located in the midst of an urbanized area that includes commercial development on the site's Garden Grove Boulevard frontage and a single-family unit on the Pearl Street frontage. These existing uses and the related improvements will be demolished to accommodate the proposed project. Commercial uses abut that portion of the project site located along the Garden Grove Boulevard frontage while residential uses abut the northern portion of the project site along the Pearl Street frontage. The dominant land uses located further north of the project site are manufacturing uses.⁹ Photographs of the project site are provided in Exhibits 2-5 through 2-7.

The project site is designated as *Industrial/Residential Mixed Use 2* in the City of Garden Grove General Plan. The properties located on either side of the project site and to the north are also designated as *Industrial/Residential Mixed Use*. Finally, the properties located to the south and opposite the project site, on the south side of Garden Grove Boulevard, are designated as *Light Commercial*. The project site is zoned *AR (Adaptive Reuse)*. The properties that surround the project site continuing north are also zoned *AR*.¹⁰ The parcels located to the south of the project site, along the south side of Garden Grove Boulevard, are zoned *GGMU3 (Garden Grove Mixed Use 3)*.

⁶ United States Geological Survey and Microsoft Research Maps. *The National Map, Garden Grove, California*.

⁷ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

⁸ Ibid.

⁹ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

¹⁰ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

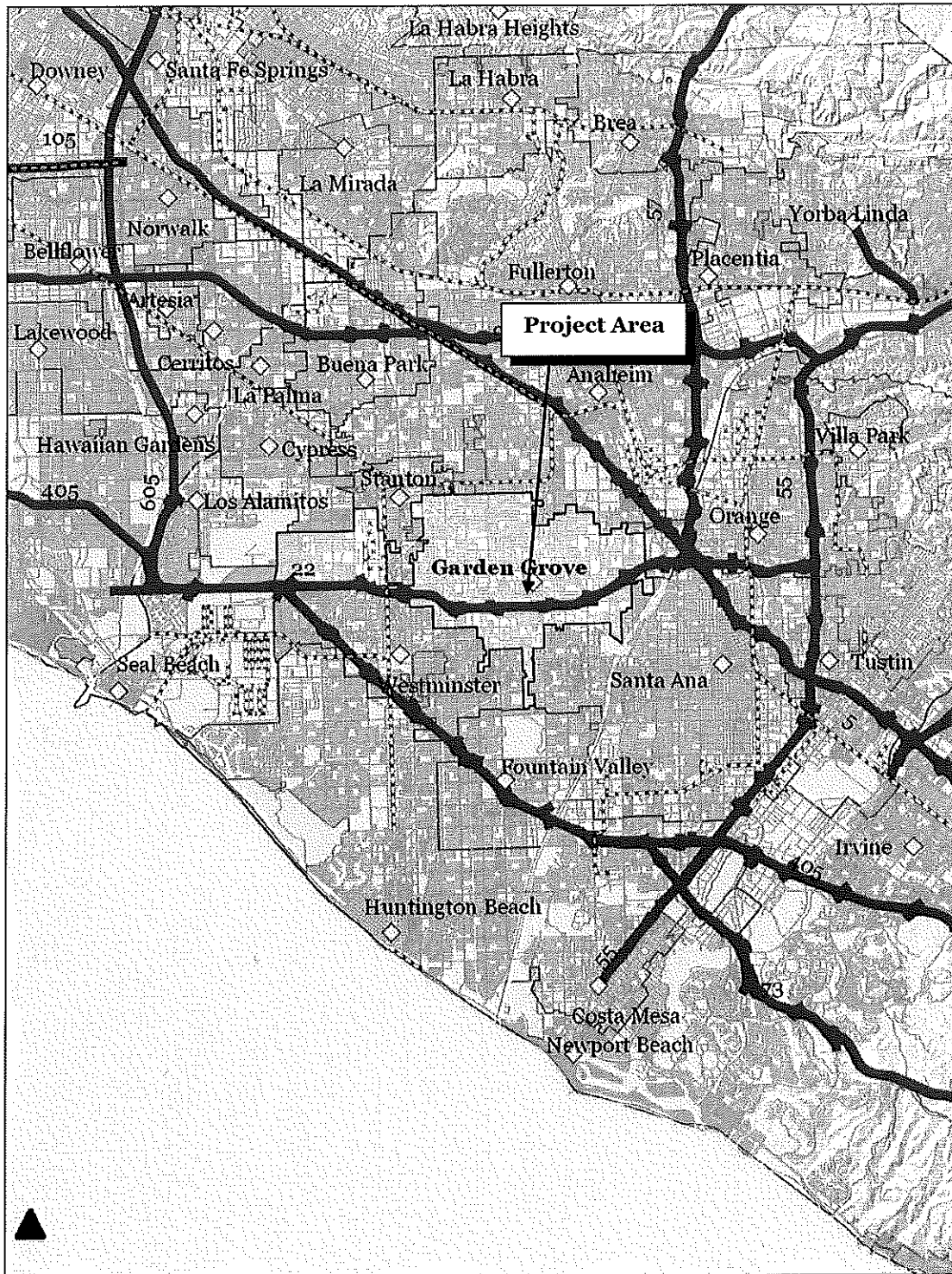


EXHIBIT 2-1
REGIONAL LOCATION MAP

SOURCE: QUANTUM GIS, 2015

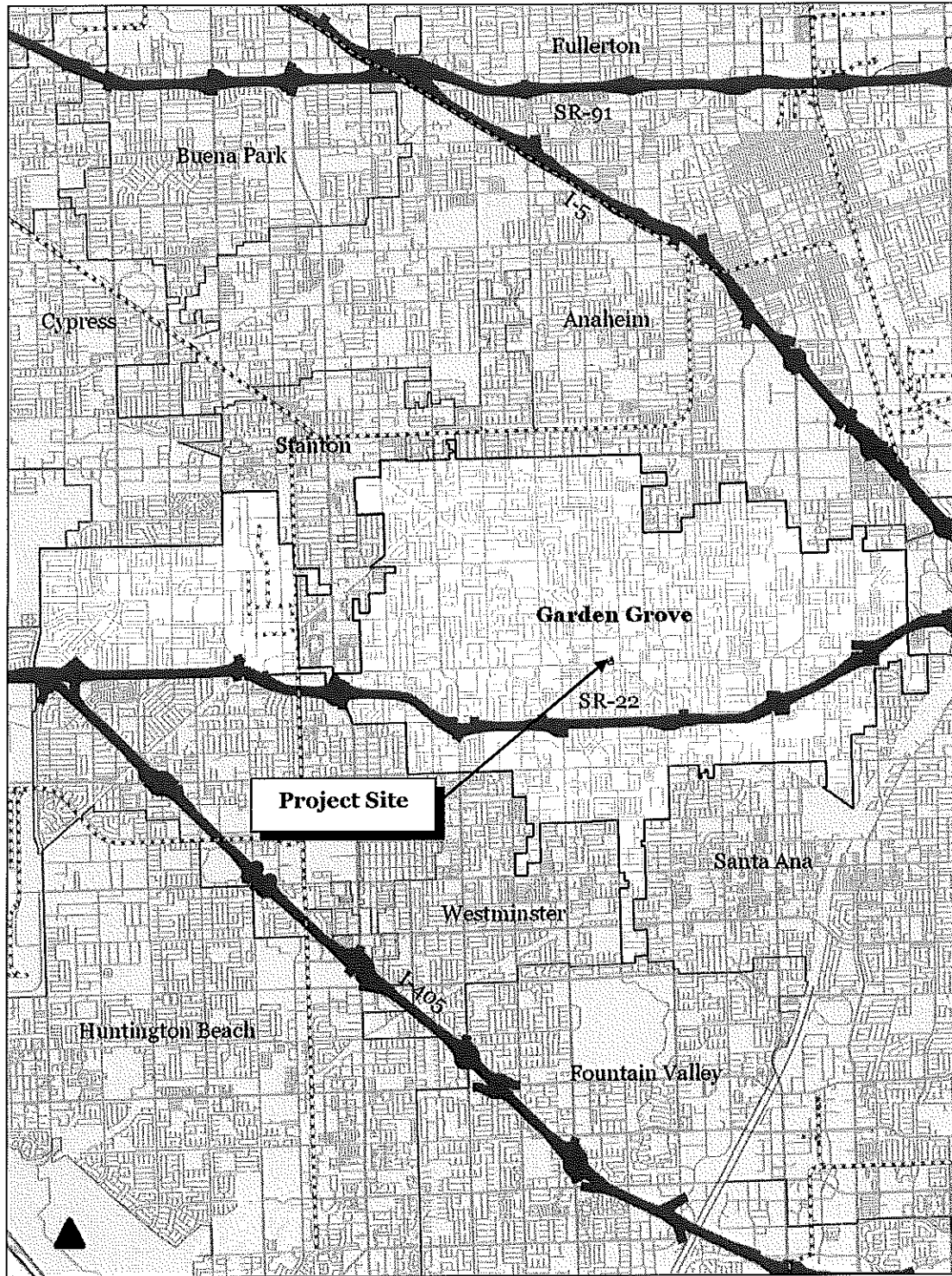


EXHIBIT 2-2
CITYWIDE MAP
SOURCE: QUANTUM GIS, 2015

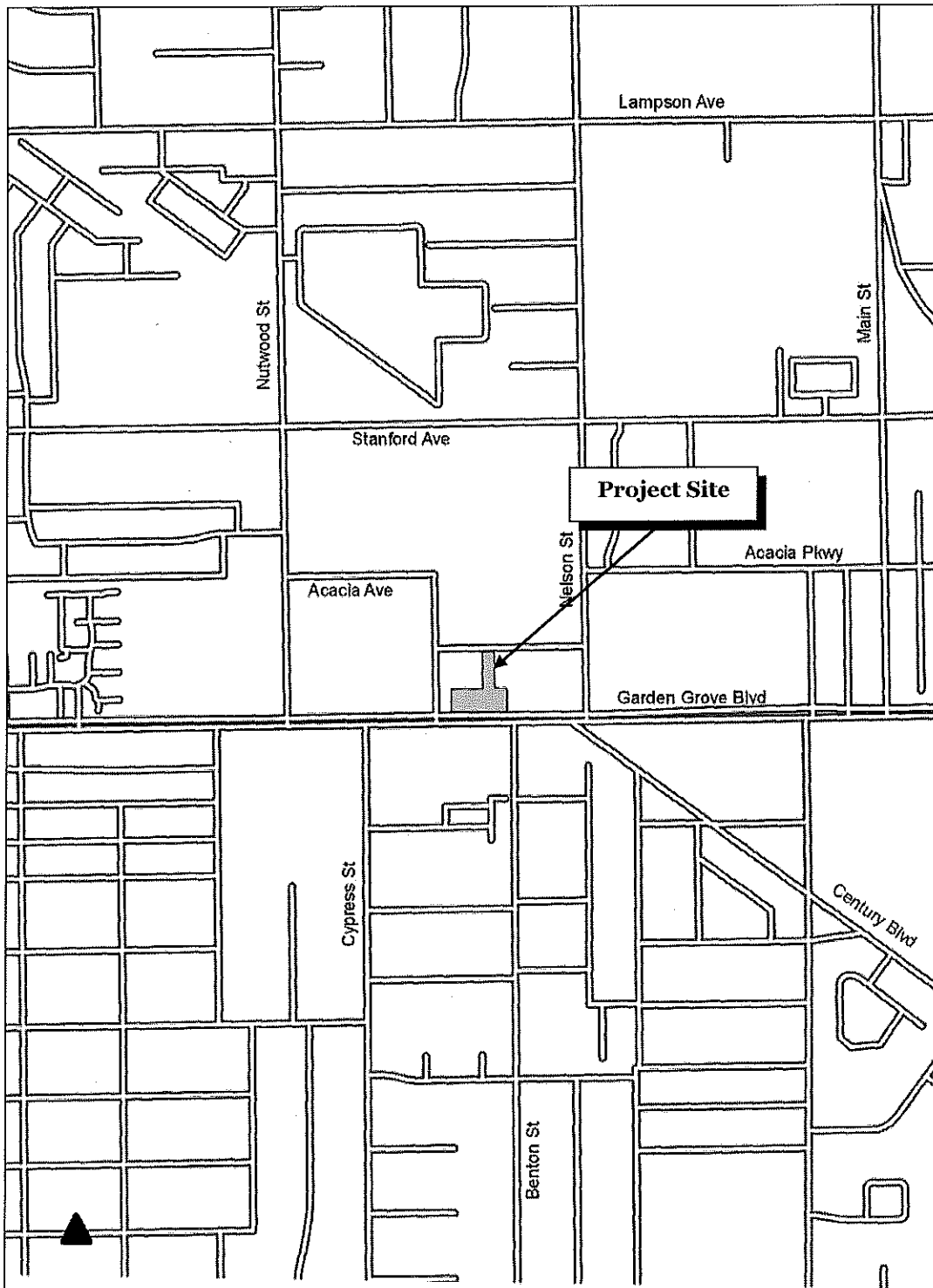


EXHIBIT 2-3
VICINITY MAP
QUANTUM GIS, 2015

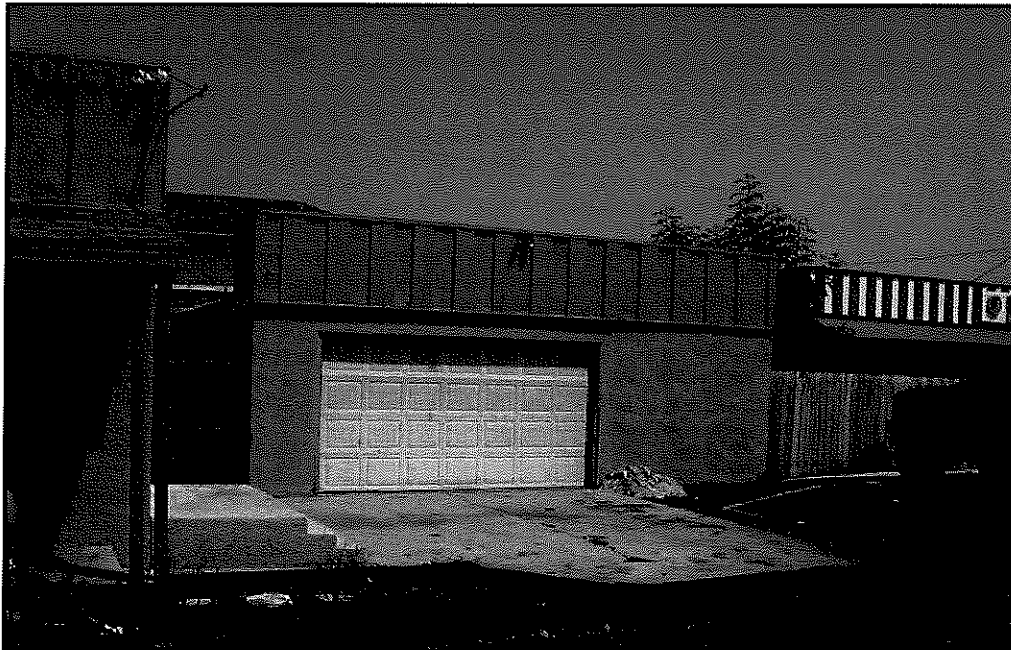


EXHIBIT 2-4
AERIAL PHOTOGRAPH OF THE SITE AND THE
SURROUNDING AREA

SOURCE: GOOGLE



View of vacant business along the Garden Grove Blvd. frontage (10641 Garden Grove Blvd.). This building will be demolished to accommodate the project.



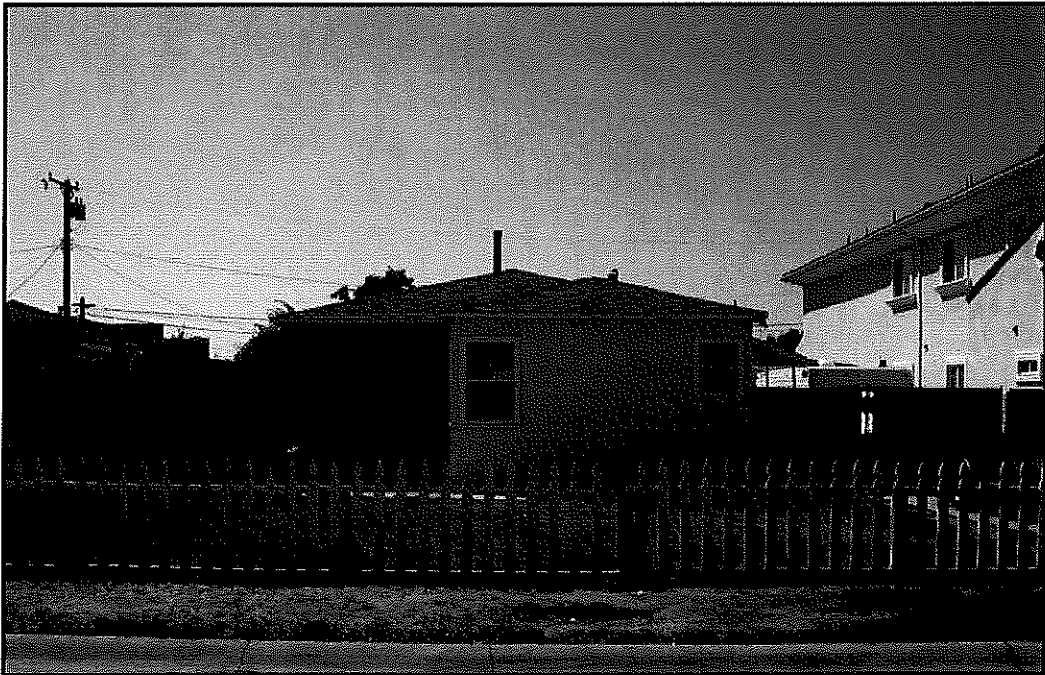
View of the garage located next to the vacant business in the preceding photograph. This building will be demolished to accommodate the proposed project

EXHIBIT 2-5
PHOTOGRAPHS OF THE PROJECT SITE

SOURCE: SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING, 2015



View of existing business along the Garden Grove Blvd. frontage (10661 Garden Grove Blvd.). This building will be demolished to accommodate the project.



View of existing residence located on Pearl St. (10642 Pearl St.). This residence will be demolished to accommodate the project.

EXHIBIT 2-6
PHOTOGRAPHS OF THE PROJECT SITE

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING, 2015



View along Garden Grove Blvd., looking east.



View along Pearl St., looking east.

EXHIBIT 2-7
PHOTOGRAPHS OF THE PROJECT SITE
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING, 2015

2.3 PROJECT DESCRIPTION

The proposed project is a request to construct ten owner-occupied, work-live units within a 0.69-acre site. The new structure that will contain the ten work-live units will consist of four levels with a maximum height of approximately 47 feet. The total gross floor area of the new building will be 28,424 square feet. A total of 32 parking spaces, including two ADA stalls, will be provided. Access to the project will be provided by a driveway connection on the north side of Garden Grove Boulevard and a second driveway connection on the south side of Pearl Street. Landscaping, totaling 4,410 square feet or 14.7% of the site area, will be provided along the project site's Garden Grove Boulevard frontage and around the rear parking area.¹¹ The proposed ten mixed-use units (referred to as Unit #1 to Unit #10) are described below.

- *Unit #1* will have a total floor area of 3,096 square feet. The total commercial floor area will be 2,196 square feet. The commercial floor area will be located on the first and second levels. The floor area of the residential unit will be 900 square feet. This unit will contain two bedrooms and two baths.
- *Unit #2* will have a total floor area of 3,168 square feet. The total commercial floor area will be 2,268 square feet. The commercial floor area will be located on the first and second levels. The floor area of the residential unit will be 900 square feet. This unit will contain two bedrooms and two baths.
- *Unit #3* will have a total floor area of 3,157 square feet. The total commercial floor area will be 2,257 square feet. The commercial floor area will be located on the first and second levels. The floor area of the residential unit will be 900 square feet. This unit will contain two bedrooms and two baths.
- *Unit #4* will have a total floor area of 3,093 square feet. The total commercial floor area will be 2,193 square feet. The commercial floor area will be located on the first and second levels. The floor area of the residential unit will be 900 square feet. This unit will contain two bedrooms and two baths.
- *Unit #5* will have a total floor area of 3,105 square feet. The total commercial floor area will be 2,205 square feet. The commercial floor area will be located on the first and second levels. The floor area of the residential unit will be 900 square feet. This unit will contain two bedrooms and two baths.
- *Unit #6* will have a total floor area of 2,330 square feet. The total commercial floor area will be 1,415 square feet. The commercial floor area will be located on the fourth level. The floor area of the residential unit will be 915 square feet. This unit will contain one bedroom and one and one-half baths.
- *Unit #7* will have a total floor area of 2,588 square feet. The total commercial floor area will be 1,838 square feet. The commercial floor area will be located on the fourth level. The floor area of the residential unit will be 750 square feet. This unit will contain one bedroom and one bath.

¹¹ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

- *Unit #8* will have a total floor area of 2,635 square feet. The total commercial floor area will be 1,885 square feet. The commercial floor area will be located on the fourth level. The floor area of the residential unit will be 750 square feet. This unit will contain one bedroom and one bath.
- *Unit #9* will have a total floor area of 2,635 square feet. The total commercial floor area will be 1,885 square feet. The commercial floor area will be located on the fourth level. The floor area of the residential unit will be 750 square feet. This unit will contain one bedrooms and one bath.
- *Unit #10* will have a total floor area of 2,330 square feet. The total commercial floor area will be 1,415 square feet. The commercial floor area will be located on the fourth level. The floor area of the residential unit will be 915 square feet. This unit will contain one bedroom and one and one half baths.

Other project elements are described below.¹²

- The total gross floor area of the proposed new four level building will be 28,424 square feet. The maximum height of the building will be approximately 47 feet.
- A total of 32 parking spaces, including two ADA stalls, will be provided. Access to the project will be provided by a driveway connection on the north side of Garden Grove Boulevard and a second driveway connection on the south side of Pearl Street.
- Landscaping, totaling 4,410 square feet or 14.7% of the site area, will be provided along the project site's Garden Grove Boulevard frontage and around the rear parking area. A total floor area of 3,500 square feet consisting of outside terrace area will be centrally located on the third level.

A conceptual site plan for the proposed project is provided in Exhibit 2-8. Floor plans are illustrated in Exhibit 2-9 and 2-10. Building elevations are provided in Exhibit 2-11. The proposed project is summarized below in Table 2-1.

Table 2-1
Summary of Proposed Project

Project Element	Description
Land Area of Project Site	0.69 acre (30,056 sq. ft.)
Building Floor Area (Total)	28,424 sq. ft.
Land Use	10 live work units (residential)
Residential	10 work-live rental units.
Parking	32 parking stalls

Source: George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St.

¹² George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

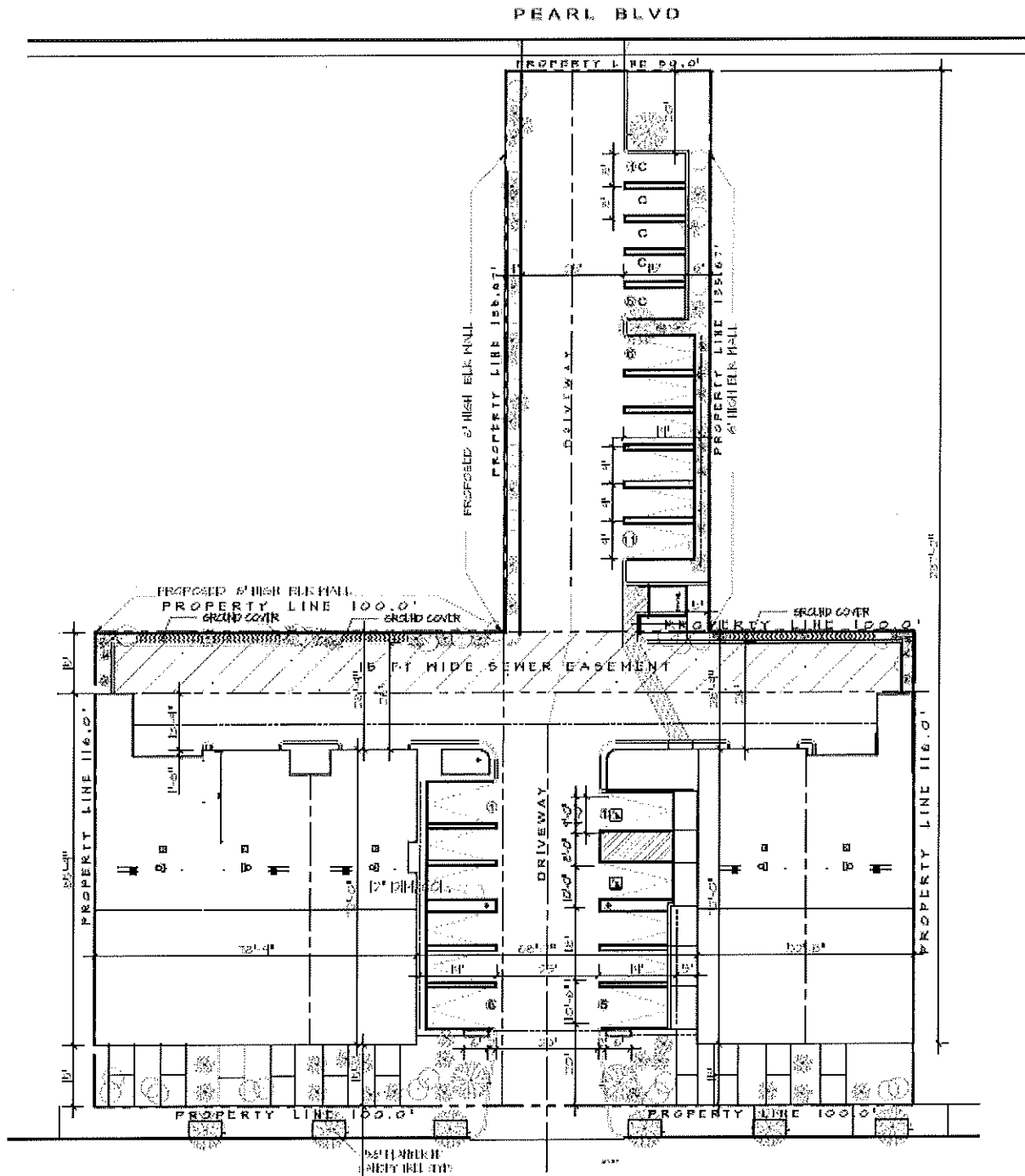


EXHIBIT 2-8 SITE PLAN

SOURCE: GEORGE BEHNAM, ARCHITECTS

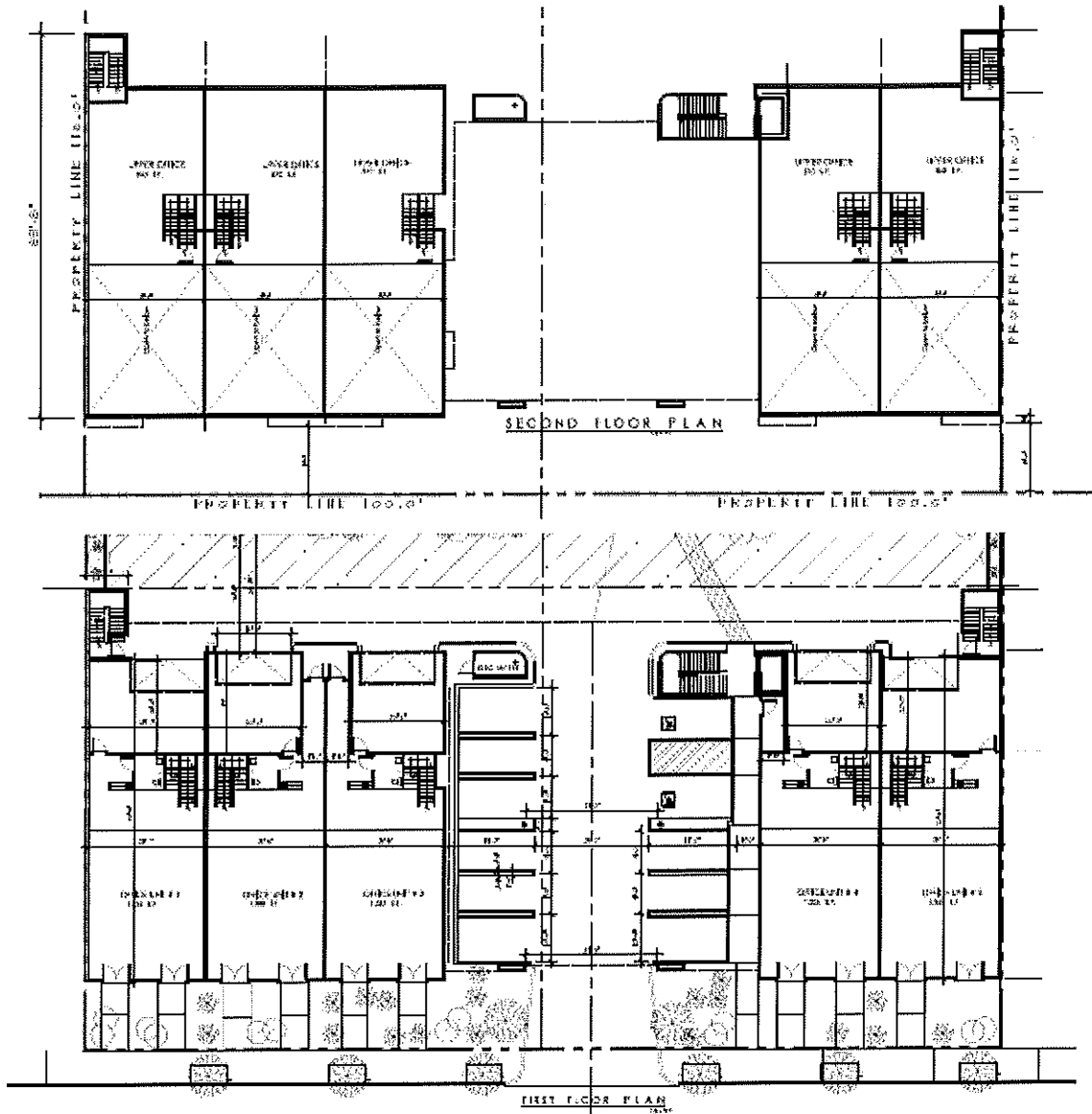


EXHIBIT 2-9
FLOOR PLAN – FIRST AND SECOND FLOORS
SOURCE: GEORGE BEHNAM, ARCHITECTS

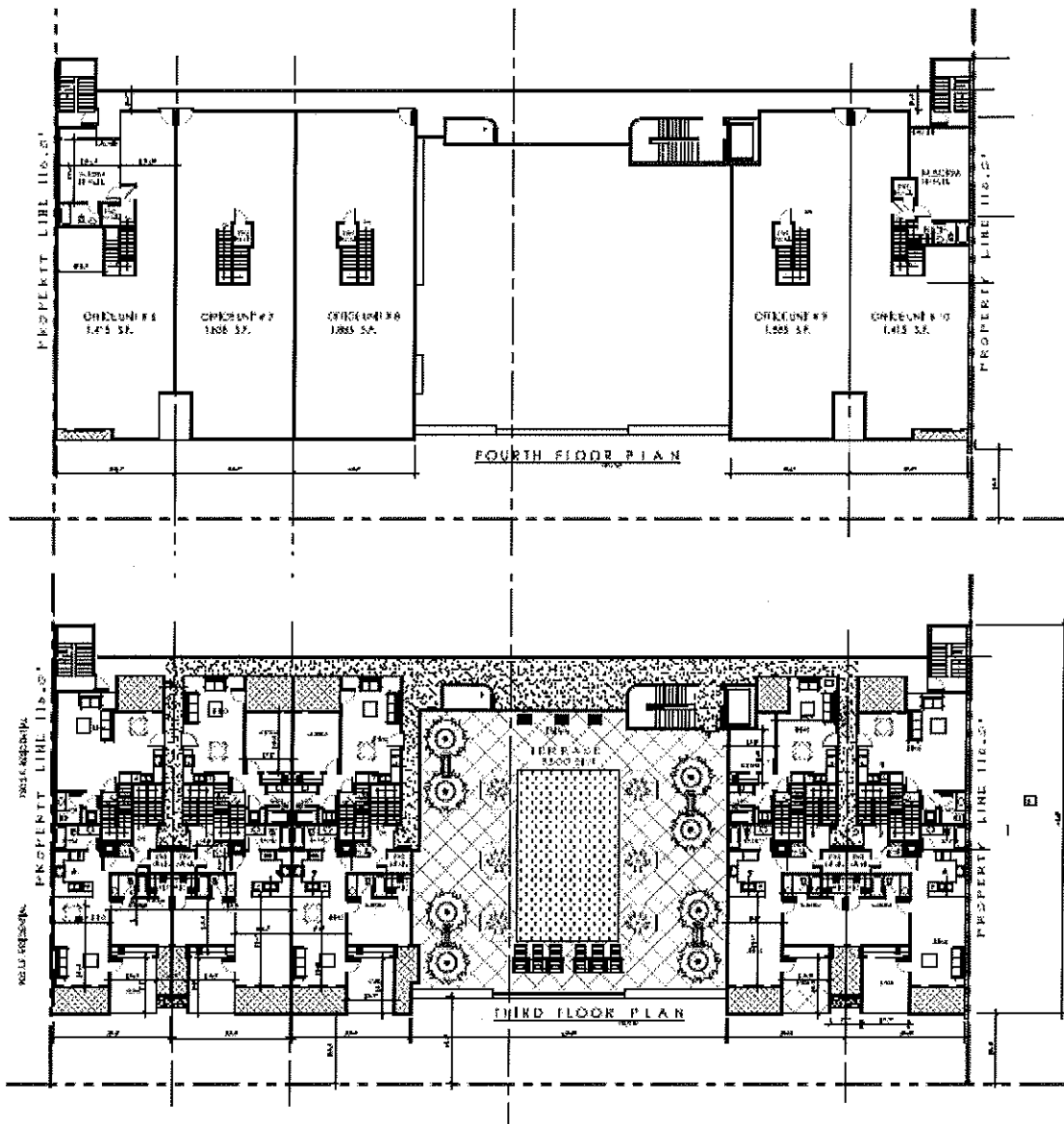


EXHIBIT 2-10
FLOOR PLANS – THIRD AND FOURTH FLOORS

SOURCE: GEORGE BEHNAM, ARCHITECTS

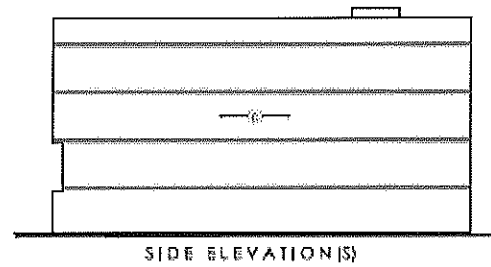
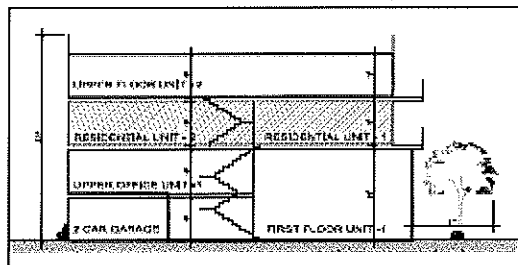
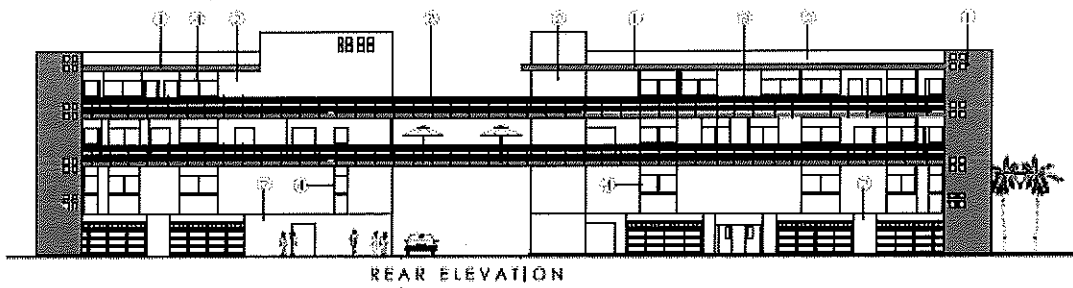
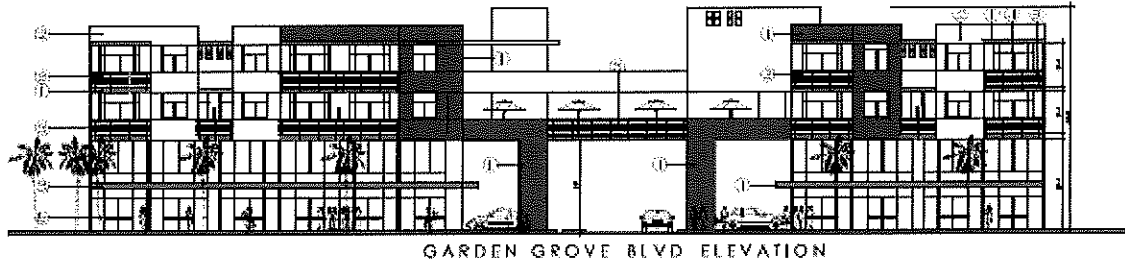


EXHIBIT 2-11
BUILDING ELEVATIONS
SOURCE: GEORGE BEHNAM, ARCHITECTS

2.4 PROJECT CONSTRUCTION CHARACTERISTICS

According to the project architect, the proposed project is anticipated to take approximately nine months to complete. The proposed project's construction will consist of the following phases:

- *Demolition.* The foundations, staircases, and other on-site improvements from the existing buildings (the commercial buildings and the residential unit) will need to be demolished in order to accommodate the proposed project. This phase will take approximately one month to complete.
- *Grading.* During this phase, the entire project site will be graded and leveled. This phase will take approximately one month to complete.
- *Site Preparation.* The project site will be prepared for the construction of the new four-level structure. This phase will take approximately one month to complete.
- *Construction.* The new four-level, 28,424 square-foot building will be constructed during this phase. This phase will take approximately four months to complete.
- *Paving, Landscaping, and Finishing.* This phase will involve paving, the installation of the landscaping, and the completion of the on-site improvements. This phase will last approximately two months.

2.5 OBJECTIVES OF THE PROJECT

The objectives that the City of Garden Grove seek to accomplish as part of the proposed project's implementation include the following:

- To further facilitate new residential infill development as a means to provide new housing opportunities for various income groups;
- To ensure that the proposed project conforms to all pertinent City of Garden Grove land use and development regulations; and,
- To ensure that the proposed project's environmental impacts are mitigated.

The objectives of the project Applicant include the following:

- To facilitate the development of a blighted, underutilized property;
- To facilitate the development of new rental, work-live housing; and,
- To realize a fair return on investment.

2.6 DISCRETIONARY ACTIONS

A Discretionary Action is an action taken by a government agency (for this project, the government agency is the City of Garden Grove) that calls for an exercise of judgment in deciding whether to approve a project. As part of the proposed project's implementation, the City will consider the following approvals:

- The approval of a lot line adjustment;

- The approval of a Conditional Use Permit (CUP);
- A site plan approval to construct ten work-live units;
- The approval of the Development Agreement (for the mitigation fees); and,
- The adoption of the Mitigation Negative Declaration and Mitigation Monitoring and Reporting Program.

Other permits required for the project will include, but may not be limited to, the issuance of encroachment permits for the new driveways and sidewalks, demolition permits, grading permits, building permits, and permits for the new utility connections.



SECTION 3 ENVIRONMENTAL ANALYSIS

This section of the Initial Study prepared for the proposed project analyzes the potential environmental impacts that may result from the proposed project's implementation. The issue areas evaluated in this Initial Study include the following:

- Aesthetics (Section 3.1);
- Agricultural & Forestry Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Geology & Soils (Section 3.6);
- Greenhouse Gas Emissions (Section 3.7);
- Hazards & Hazardous Materials (Section 3.8);
- Hydrology & Water Quality (Section 3.9);
- Land Use & Planning (Section 3.10);
- Mineral Resources (Section 3.11);
- Noise (Section 3.12);
- Population & Housing (Section 3.13);
- Public Services (Section 3.14);
- Recreation (Section 3.15);
- Transportation (Section 3.16);
- Utilities (Section 3.17); and,
- Mandatory Findings (Section 3.18).

Under each issue area, a description of the thresholds of significance is provided. These thresholds will assist in making a determination as to whether there is a potential for significant impacts on the environment. The analysis considers both the short-term (construction-related) and long-term (operational) impacts associated with the proposed project's implementation, and where appropriate, the cumulative impacts. To each question, there are four possible responses:

- *No Impact.* The proposed project will not result in any adverse environmental impacts.
- *Less than Significant Impact.* The proposed project may have the potential for affecting the environment, although these impacts will be below levels or thresholds that the City of Garden Grove or other responsible agencies consider to be significant.
- *Less than Significant Impact with Mitigation.* The proposed project may have the potential to generate a significant impact on the environment. However, the level of impact may be reduced to levels that are less than significant with the implementation of the recommended mitigation measures.
- *Potentially Significant Impact.* The proposed project may result in environmental impacts that are significant. This finding will require the preparation of an environmental impact report (EIR).

3.1 AESTHETIC IMPACTS

3.1.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse aesthetic impact if it results in any of the following:

- A substantial adverse effect on a scenic vista;
- Substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantial degrading of the existing visual character or quality of the site and its surroundings; or,
- A new source of substantial light and glare that would adversely affect day-time or night-time views in the area.

3.1.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project have a substantial adverse effect on a scenic vista? • No Impact.

The proposed project is a request to construct ten work-live rental units within a 0.69-acre site. The project's implementation will necessitate the removal of an existing single family-unit fronting on Pearl Street and two existing commercial structures that have frontage along Garden Grove Boulevard. The new structure that will contain the ten work-live units will consist of four levels with a maximum height of approximately 47 feet. The total gross floor area of the new building will be 28,424 square feet.¹³ The site plan calls for the aforementioned four-level structure to be constructed along the Garden Grove Boulevard frontage. The rear (northerly) portion of the property will be used for surface parking. As a result, the main building will be located away from the residential properties located along Pearl Street.

The new building will be located to the south of an existing sewer line easement approximately 29 feet from the property line of the existing homes located to the north. The parcels located to the east and west of the new building are commercial properties. The project site and the surrounding area is relatively level with no obvious scenic vistas that are visible.¹⁴ The proposed use's development density will be 15 units per acre and the maximum building height will be approximately 47 feet. Both the density and height are consistent with newer residential development that is occurring along the Garden Grove Boulevard corridor. The building's cross-section from two perspectives is illustrated in Exhibit 2-11. Given the new building's orientation within the project site and the nature and extent of the existing uses, no impacts on scenic vistas will result from the proposed project's implementation.

¹³ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

¹⁴ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? • No Impact.

As indicated previously, the 0.69-acre project site is occupied by an existing single-family unit fronting on Pearl Street and two existing commercial structures that have frontage along Garden Grove Boulevard.¹⁵ No designated State or County designated scenic highways are located in the vicinity of the project site. In addition, there are no historically significant buildings that would be affected by the proposed project.¹⁶ As a result, no impacts on scenic resources will result from the proposed project's implementation.

C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings? • No impact.

The proposed project is a request to construct ten renter-occupied, work-live units within a 0.69-acre site. The project's implementation will necessitate the removal of an existing single-family unit fronting on Pearl Street and two existing commercial structures that have frontage along Garden Grove Boulevard. The new structure that will contain the ten work-live units will consist of four levels with a maximum height of approximately 47 feet. The total gross floor area of the new building will be 28,424 square feet.¹⁷ The proposed use (mixed-use), development density (15 units per acre), and the maximum building height (approximately 47 feet) are consistent with newer development that is occurring along the Garden Grove Boulevard corridor. As a result, no impacts to the existing visual character or quality of the site and its surroundings will occur.

D. Would the project create a new source of substantial light or glare that would adversely affect day- or night-time views in the area? • Less than Significant Impact.

The proposed project is considered to be a light sensitive receptor. The northern portion of the project site extends to Pearl Street. Residential uses extend along both sides of the aforementioned street. Potential sources of light and glare that may result from the proposed project's implementation include decorative lighting, parking area lighting, interior lighting, exterior safety lighting, and vehicle headlights. The project will be required to comply with the City's lighting requirements. The City of Garden Grove Zoning Ordinance (Section 9.08.020.050.A.7) states that "All lights provided to illuminate any parking area or building on such site shall be so arranged as to direct the light away from any adjoining premise." The developer may utilize a number of design measures to accomplish this including the use of light shielding, directing light downward, and employing lower intensity lighting. Conformance with the standard conditions required under the City's Zoning requirements will reduce the potential light and glare impacts to levels that are less than significant.

¹⁵ George Behnam, Architect. Design Package [Mixed Use Development], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

¹⁶ The historical significance of the site and the potential impacts are evaluated herein in Section 3.5.

¹⁷ George Behnam, Architect. Design Package [Mixed Use Development], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

3.1.3 MITIGATION MEASURES

The analysis determined that the proposed project would not result in any aesthetic impacts. As a result, no mitigation is required.

3.2 AGRICULTURE & FORESTRY RESOURCES IMPACTS

3.2.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant impact on agriculture resources if it results in any of the following:

- The conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance;
- A conflict with existing zoning for agricultural use or a Williamson Act Contract;
- A conflict with existing zoning for, or cause rezoning of, forest land (as defined in *Public Resources Code section §12220(g)*), timberland (as defined by *Public Resources Code section §4526*), or timberland zoned Timberland Production (as defined by *Government Code section §51104(g)*);
- The loss of forest land or the conversion of forest land to a non-forest use; or,
- Changes to the existing environment that due to their location or nature may result in the conversion of farmland to non-agricultural uses.

3.2.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* • *No Impact.*

No agricultural activities are located within the project site or within the adjacent parcels (refer to Exhibit 3-1). The project site and the surrounding area are underlain by the Hueneme-Bolsa Soils Association.¹⁸ In the urbanized areas of Orange County, this soil is not considered to be a *prime farmland soil, unique farmland soil, or a soil of statewide importance*. As a result, no impacts will occur as part of the project site's development.

B. *Would the project conflict with existing zoning for agricultural use or a Williamson Act Contract?* • *No Impact.*

No agricultural activities are located within the project site or in the surrounding area. In addition, the project site is not zoned for an agricultural use.¹⁹ Finally, the project site is not subject to a Williamson Act Contract.²⁰ As a result, no impacts on existing Williamson Act Contracts will result.

¹⁸ United States Department of Agriculture. *Soil Survey of Orange County and Western Park of Riverside County*. 1969.

¹⁹ City of Garden Grove. City of Garden Grove Zoning Map. <http://www.ci.garden-grove.ca.us/commdev/maproom>. Site accessed August 24, 2015.

²⁰ State of California. *The California Land Conservation (Williamson) Act, 2010 Status Report*. November 2010.

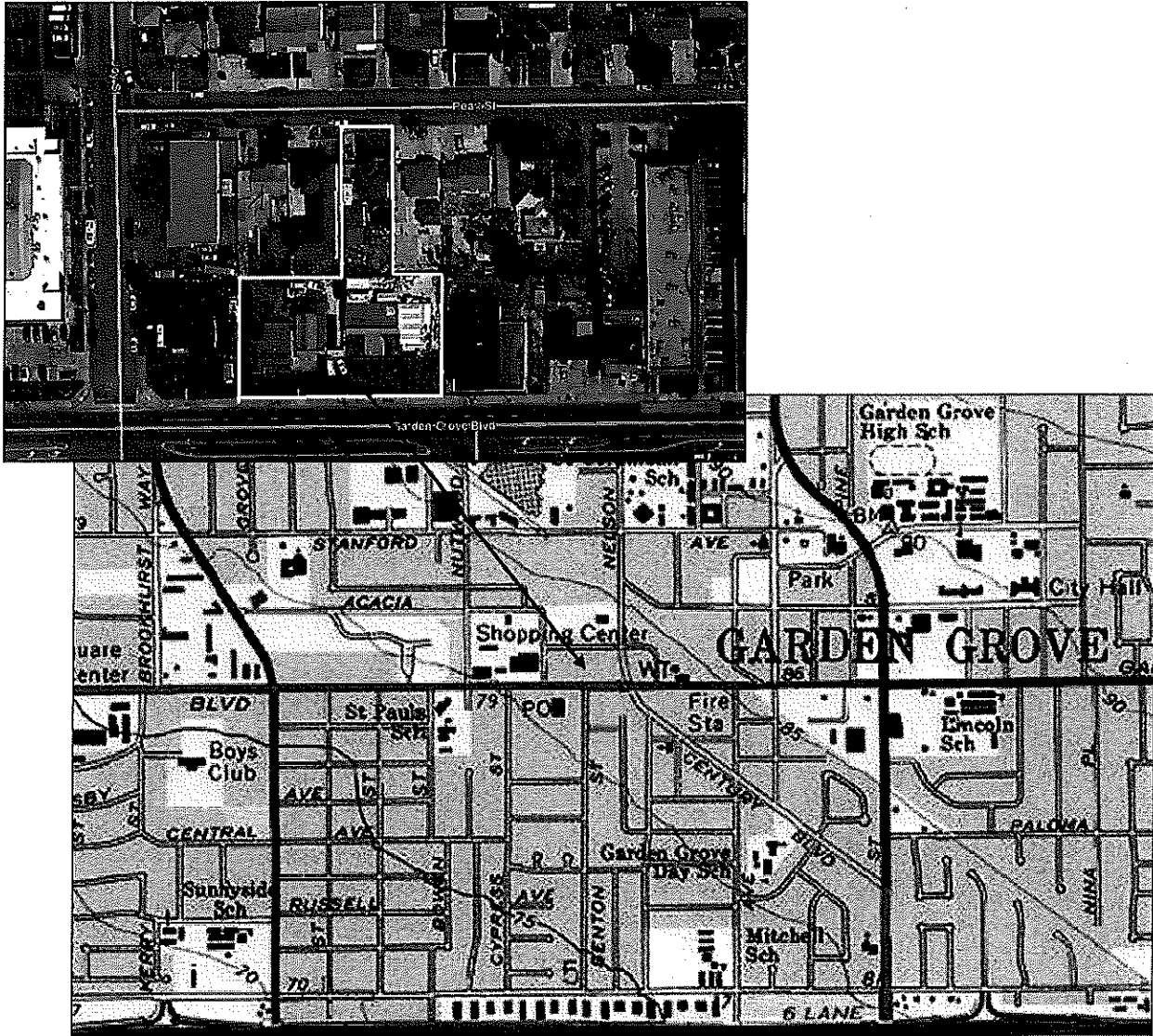


EXHIBIT 3-1 EXISTING LAND COVER

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING, 2015

C. *Would the project conflict with existing zoning for or cause rezoning of, forest land (as defined in Public Resources Code section §12220(g)), timberland (as defined by Public Resources Code section §4526), or timberland zoned Timberland Production (as defined by Government Code section §51104(g))?* • No impact.

The City of Garden Grove and the project site are located in the midst of a larger urban area and no forest lands are located within the City or within this portion of Orange County (refer to Exhibit 3-1). In addition, the project site is not zoned for a forestland use.²¹ As a result, no impacts on forest land or timber resources will result from the proposed project's implementation.

D. *Would the project result in the loss of forest land or the conversion of forest land to a non-forest use?* • No Impact.

As indicated in the previous section, no forest lands will be affected by the proposed project. As a result, there will not be any loss or conversion of existing forest lands and no impacts will result from the project's implementation.

E. *Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of Farmland to non-agricultural use or the conversion of forest land to a non-forest use?* • No Impact.

No agricultural activities or farmland uses are located on the project site or in the surrounding area.²² The proposed project will not involve the conversion of any existing farmland area to urban uses and, as a result, no impacts are anticipated.

3.2.3 MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impacts on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

²¹ City of Garden Grove. City of Garden Grove Zoning Map. <http://www.ci.garden-grove.ca.us/commdev/maproom>. Site accessed August 24, 2015.

²² Blodgett Baylosis Environmental Planning. *Site Survey*. (Survey were completed on August 24 and 27, 2015).

3.3 AIR QUALITY IMPACTS

3.3.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project will normally be deemed to have a significant adverse environmental impact on air quality, if it results in any of the following:

- A conflict with the obstruction of the implementation of the applicable air quality plan;
- A violation of an air quality standard or substantial contribution to an existing or projected air quality violation;
- A cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard;
- The exposure of sensitive receptors to substantial pollutant concentrations; or,
- The creation of objectionable odors affecting a substantial number of people.

The South Coast Air Quality Management District (SCAQMD) has established quantitative thresholds for criteria pollutants that include the following:

- *Ozone (O_3)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation. O_3 is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon monoxide (CO)*, a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain, is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust.
- *Nitrogen dioxide (NO_2)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_2 is formed when nitric oxide (a pollutant from burning processes) combines with oxygen.
- *Sulfur dioxide (SO_2)* is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels.
- *PM_{10} and $PM_{2.5}$* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily be inhaled.

The California Air Resources Board (CARB) has also established ambient air quality standards for six of the pollutants regulated by the EPA (CARB has not established standards for $PM_{2.5}$).²³ Table 3-1 lists the current National and State ambient air quality standards for each criteria pollutant.

²³ South Coast Air Quality Management District, *Final 2007 Air Quality Plan*, Adopted June 2007.

**Table 3-1
 National and California Ambient Air Quality Standards**

Pollutants	National Standards	State Standards
Lead (Pb)	1.5 µg/m ³ (calendar quarter)	1.5 µg/m ³ (30-day average)
Sulfur Dioxide (So ₂)	0.14 ppm (24-hour)	0.25 ppm (1-hour); 0.04 ppm (24-hour)
Carbon Monoxide (CO)	9.0 ppm(8-hour); 35 ppm(1-hour)	9.0 ppm (8-hour); 20 ppm (1-hour)
Nitrogen Dioxide (NO ₂)	0.053 ppm; (annual average)	0.25 ppm; (1-hour)
Ozone (O ₃)	0.12 ppm; (1-hour)	0.09 ppm; (1-hour)
Particulates (PM ₁₀)	150 µg/m ³ (24-hour)	50 µg/m ³ (24-hour)
Sulfate	None	25 µg/m ³ (24-hour)

Source: South Coast Air Quality Management District. 2010.

In addition to the Federal and State ambient air quality standards (AAQS) thresholds, there are daily and quarterly emissions thresholds for construction emissions, mobile emissions, and stationary emissions established by the SCAQMD. Projects in the South Coast Air Basin (SCAB) generating *construction-related* emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA:

- 75 pounds per day of reactive organic compounds;
- 100 pounds per day of nitrogen dioxide;
- 550 pounds per day of carbon monoxide;
- 150 pounds per day of PM₁₀;
- 55 pounds per day of PM_{2.5}; or,
- 150 pounds per day of sulfur oxides.

The proposed project would have a significant effect on air quality if any of the following *operational* emissions thresholds for criteria pollutants are exceeded:

- 55 pounds per day of reactive organic compounds;
- 55 pounds per day of nitrogen dioxide;
- 550 pounds per day of carbon monoxide;
- 150 pounds per day of PM₁₀;
- 55 pounds per day of PM_{2.5}; or,
- 150 pounds per day of sulfur oxides.

3.3.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with or obstruct the implementation of the applicable air quality plan?*

- *No Impact.*

The SCAB is subject to the Final 2012 AQMP, which was jointly prepared with the CARB and the Southern California Association of Governments (SCAG).²⁴ Two consistency criteria that should be referred to in determining a project's conformity with the AQMP are identified in Section 12.3 of the SCAQMD's CEQA Air Quality Handbook. The two consistency criteria and the proposed project's conformity with each are summarized below.

- *Consistency Criteria 1* refers to a project's potential for resulting in an increase in the frequency or severity of an existing air quality violation or a contribution to the continuation of an existing air quality violation. The proposed project's construction and operational emissions are below the SCAQMD's thresholds (refer to Tables 3-2 and 3-3).
- *Consistency Criteria 2* refers to the project's potential for exceeding the assumptions included in the AQMP or other regional growth projections relevant to the AQMP's implementation.²⁵ According to the City's regional population growth projections developed for the City by the SCAG, the City's 2020 population will be 179,400 persons.²⁶ This 2020 projection translates into a population increase of 4,626 persons over the Current 2015 population estimate of 174,774 persons. Assuming an average household size of 3.76 persons per unit derived from the 2015 California Department of Finance (DOF), the ten new units would result in a potential population of 36 persons. As a result, the proposed project's implementation will not result in the SCAG projections being exceeded.

The proposed project is also an infill development which further promotes the region's sustainable growth objectives. Based on the above findings, the proposed project will not result in an obstruction of the AQMP and no impacts are anticipated.

B. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?* • *Less than Significant Impact.*

The proposed project's implementation will result in short-term (construction-related) emissions associated with demolition, site preparation, grading, and construction activities. The emissions were estimated using the computer model (CalEEModV.2013. 2.2) developed for the SCAQMD. Estimated Mass Daily Construction Emissions are estimated emissions that will potentially occur on peak construction days. The analysis assumed that the proposed project would be constructed over a nine-month period. As shown in Table 3-2, daily construction emissions are not anticipated to exceed the SCAQMD significance thresholds. Therefore, the mass daily construction-related impacts associated with the proposed project would be less than significant.

²⁴ South Coast Air Quality Management District, *Final 2007 Air Quality Plan*, Adopted June 2007.

²⁵ South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993 [as amended 2009]. Table 11-4.

²⁶ These SCAG projections are used in the preparation of the Regional Transportation Plan.

**Table 3-2
 Estimated Daily Construction Emissions**

Construction Phase	ROG	NO ₂	CO	SO ₂	PM ₁₀	PM _{2.5}
Demolition (on-site)	1.31	11.23	8.70	0.01	0.91	0.78
Demolition (off-site)	0.05	0.19	0.75	--	0.12	0.03
Total Demolition Phase	1.36	11.42	9.45	0.01	1.03	0.81
Site Preparation (on-site)	1.35	13.63	7.34	--	0.85	0.76
Site Preparation (off-site)	0.02	0.02	0.32	--	0.05	0.01
Total Site Preparation	1.37	13.65	7.66	--	0.90	0.77
Grading (on-site)	1.31	11.23	8.70	0.01	1.55	1.18
Grading (off-site)	0.04	0.05	0.65	--	0.11	0.03
Total Grading	1.35	11.28	9.65	0.01	1.66	1.21
Building Construction (on-site)	1.38	13.70	8.21	0.01	0.93	0.86
Building Construction (off-site)	0.07	0.32	1.14	--	0.16	0.04
Total Building Construction	1.45	14.02	9.35	0.01	1.09	0.90
Paving (on-site)	1.15	10.62	7.29	0.01	0.66	0.61
Paving (off-site)	0.07	0.09	1.17	--	0.20	0.05
Total Paving	1.22	10.71	8.46	0.01	0.86	0.66
Architectural Coatings (on-site)	4.16	2.37	1.88	--	0.19	0.19
Architectural Coatings (off-site)	0.01	0.01	0.19	--	0.03	--
Total Architectural Coatings	4.17	2.38	2.07	--	0.22	0.19
Maximum Daily Emissions	4.17	14.03	9.45	0.01	1.66	1.21
Daily Thresholds	75	100	550	150	150	55

Source: CalEEMod V.2013.2.2.

Long-term emissions refer to those air quality impacts that will occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The long-term air quality impacts associated with the proposed project include the following: mobile emissions associated with vehicular traffic and off-site stationary emissions associated with the generation of energy (natural gas and electrical). The analysis of long-term operational impacts also used the CalEEModV.2013.2.2 computer model.

**Table 3-3
 Estimated Operational Emissions**

Emissions Type	Criteria Pollutants (lbs/day)					
	ROG	NO ₂	CO	SO ₂	PM ₁₀	PM _{2.5}
Area-wide	3.12	0.07	5.86	---	0.76	0.76
Energy	--	0.04	0.01	--	--	--
Mobile	0.25	0.74	3.00	--	0.52	0.14
Total (lbs/day)	3.38	0.85	0.88	0.01	1.30	0.92
Daily Thresholds	55	55	550	150	150	55

Source: California Air Resources Board, CalEEMod [CalEEMod V. 2013. 2.2]

As indicated in Table 3-3, the projected long-term emissions are below those thresholds considered to be a significant impact. As a result, the long-term air quality impacts will be less than significant.

C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? • Less than Significant Impact.

The SCAB is a designated non-attainment area for ozone and particulates. The proposed project's implementation will result in construction-related emissions due to the use of construction equipment as well as particulate emissions generated during demolition and grading (refer to the discussion provided in the previous section). Operational emissions will be limited to vehicles traveling to and from the proposed project and off-site area-wide stationary emissions related to power generation.

As indicated in Table 3-3, the projected long-term emissions are below thresholds considered to represent a significant adverse impact. In addition, the project is an infill development, which is beneficial because it reduces urban sprawl and the overall vehicle miles traveled (VMT). Finally, the proposed project will not exceed these adopted projections used in the preparation of the Regional Transportation Plan (refer to the discussion included in Subsection 3.3.2.A). As a result, the potential cumulative air quality impacts are deemed to be less than significant related to the generation of criteria pollutants.

D. Would the project expose sensitive receptors to substantial pollutant concentrations? • No Impact.

The SCAQMD requires that CEQA air quality analyses indicate whether a proposed project will result in an exceedance of *localized emissions thresholds* or LSTs. LSTs only apply to short-term (construction) and long-term (operational) emissions at a fixed location and do not include off-site or area-wide emissions. The approach used in the analysis of the proposed project utilized a number of screening tables that identified maximum allowable emissions (in pounds per day) at a specified distance to a receptor. The pollutants that are the focus of the LST analysis include the conversion of

NO_x to NO₂; carbon monoxide (CO) emissions from construction and operations; PM₁₀ emissions from construction and operations; and PM_{2.5} emissions from construction and operations.²⁷

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality and typically include homes, schools, playgrounds, hospitals, convalescent homes, and other similar facilities where children or the elderly may congregate.²⁸ Sensitive receptors, including homes located in the vicinity of the proposed project site, are identified in Exhibit 3-2. The nearest sensitive receptors to the project site are the single-family homes located along Pearl Street on either side of the project site. Furthermore, the proposed project, once occupied, will be a sensitive receptor.

The use of the “look-up tables” (LSTs) is permitted since each of the construction phases will involve the disturbance of less than one acre of land area. As indicated in Table 3-4, the proposed project will not exceed any LSTs based on the information included in the Mass Rate LST Look-up Tables provided by the SCAQMD. For purposes of the LST analysis, the receptor distance used was 25 meters. As indicated in the table, the proposed project will not exceed any LSTs based on the information included in the Mass Rate LST Look-up Tables.

**Table 3-4
 Local Significance Thresholds Exceedance SRA 17**

Emissions	Project Emissions (lbs/day)	Type	Allowable Emissions Threshold (lbs/day) and a Specified Distance from Receptor (in meters)				
			25	50	100	200	500
NO ₂	14.03	Construction	81	83	98	123	192
NO ₂	0.85	Operations	81	83	98	123	192
CO	9.45	Construction	485	753	1,128	2,109	6,841
CO	0.88	Operations	485	753	1,128	2,109	6,841
PM ₁₀	1.30	Operations	1	3	7	15	38
PM ₁₀	1.66	Construction	4	12	28	60	158
PM _{2.5}	0.92	Operations	1	1	2	6	21
PM _{2.5}	1.21	Construction	3	4	9	22	85

Source: South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2003.

²⁷ South Coast Air Quality Management District, Final Localized Significance Threshold Methodology, June 2003.

²⁸ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, April 1993.

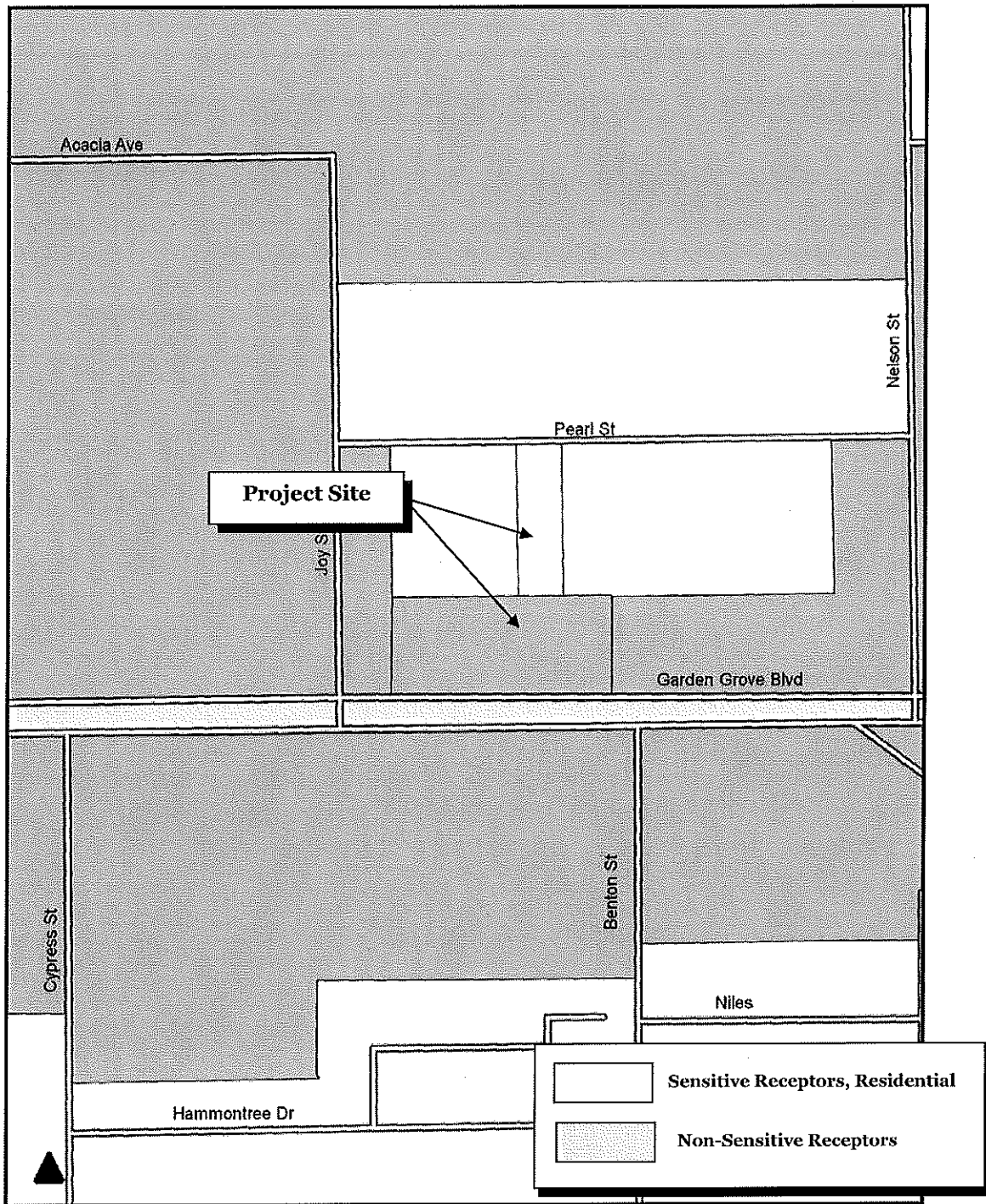


EXHIBIT 3-2
AIR QUALITY SENSITIVE RECEPTORS
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING, 2015

Most vehicles generate carbon monoxide (CO) as part of the tail-pipe emissions and high concentrations of CO along busy roadways and congested intersections are a concern. Two variables influence the creation of a hot-spot and these variables include traffic volumes and traffic congestion. Typically, a hot-spot may occur near an intersection that is experiencing severe congestion.²⁹

The SCAQMD stated in its CEQA Handbook that a CO hot-spot would not likely develop at an intersection operating at LOS C or better.³⁰ Since the Handbook was written, there have been new CO emissions controls added to vehicles and reformulated fuels are now sold in the SCAB. These new automobile emissions controls, along with the reformulated fuels, have resulted in a lowering of both ambient CO concentrations and vehicle emissions. The proposed project will generate approximately eight AM peak hour trips and ten PM peak hour trips. This additional peak hour traffic will not affect any local intersection's level of service (LOS E or F). The nearest major intersection is Euclid Street to the east and Brookhurst Street, to the west. For the Euclid Street and Garden Grove Boulevard intersection, the morning (AM) peak hour LOS is LOS D and the evening (PM) peak hour LOS is LOS E. For the Brookhurst Street and Garden Grove Boulevard intersection, the morning (AM) peak hour LOS is LOS B and the evening (PM) peak hour LOS is LOS B. The additional project-generated traffic at these intersections will be no more than five trips during the peak hours and, as a result, this additional traffic will not result in the creation of a carbon monoxide hot-spot. As a result, no impacts are anticipated to occur.

E. Would the project create objectionable odors affecting a substantial number of people? No Impact.

The SCAQMD has identified those land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills, and businesses involved in fiberglass molding.³¹ The proposed project will be a mixed-use, work-live development and no generation of odors is anticipated. The placement and design of the trash receptacles must also be approved by the City. As a result, no odor-related impacts from the proposed residential development are anticipated.

3.3.3 MITIGATION MEASURES

The proposed project's air emissions are not considered to represent a significant adverse impact. The construction activities will also be required to comply with SCAQMD rules and regulations. As a result, no mitigation is required.

²⁹ South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993.

³⁰ Ibid.

³¹ South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993.

3.4 BIOLOGICAL RESOURCES IMPACTS

3.4.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service;
- A substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- A substantial adverse effect on Federally protected wetlands as defined by Section §404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;
- A substantial interference with the movement of any native resident or migratory fish, or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites;
- A conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or,
- A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans.

3.4.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

- A. *Would the project either directly or through habitat modifications, have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* • No Impact.

The project's implementation will necessitate the removal of an existing single-family unit fronting on Pearl Street and two existing commercial structures that have frontage along Garden Grove Boulevard.³² A review of the California Natural Diversity Database indicates that no sensitive habitats or protected plant and animal species are located on the project site or within the adjacent parcels.³³ As a result, no impacts will result from proposed project's implementation.

³² George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

³³ California Department of Fish and Game, *Natural Diversity Database*, 1998.

B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • No Impact.

No natural plant communities or habitats remain on the project site or the surrounding properties. The project site is located in the midst of an urbanized area that does not include any riparian areas.³⁴ As a result, no impacts on natural or riparian habitats or sensitive habitats will occur.

C. Would the project have a substantial adverse effect on Federally protected wetlands as defined by Section §404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? • No Impact.

The project site and the adjacent developed properties do not contain any natural wetland and/or riparian habitat. The project site is located in an urbanized setting.³⁵ As a result, the proposed project will not impact any protected wetland areas, Waters of the U.S., or a designated "blue-line" stream.

D. Would the project interfere substantially with the movement of any native resident or migratory fish, wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? • No Impact.

No natural open space areas are located on-site or in the adjacent properties that would potentially serve as an animal migration corridor (refer to Exhibit 3-3). The project site is surrounded by urban development and all of the adjacent properties are presently developed. As a result, no impacts are anticipated.

E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? • No Impact.

The affected parcels contain limited shrubbery and several smaller trees. No mature trees or *heritage trees* are located within the three parcels that comprise the project site.³⁶ This existing landscaping will be removed to accommodate the project site's development. The proposed project is not in conflict with any local policies or ordinances protecting biological resources and no impacts are anticipated.

³⁴ U.S. Fish and Wildlife, Wetlands Mapper. <http://www.fws.gov/wetlands/Data/Mapper.html>. Site accessed August 29, 2015.

³⁵ Ibid.

³⁶ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

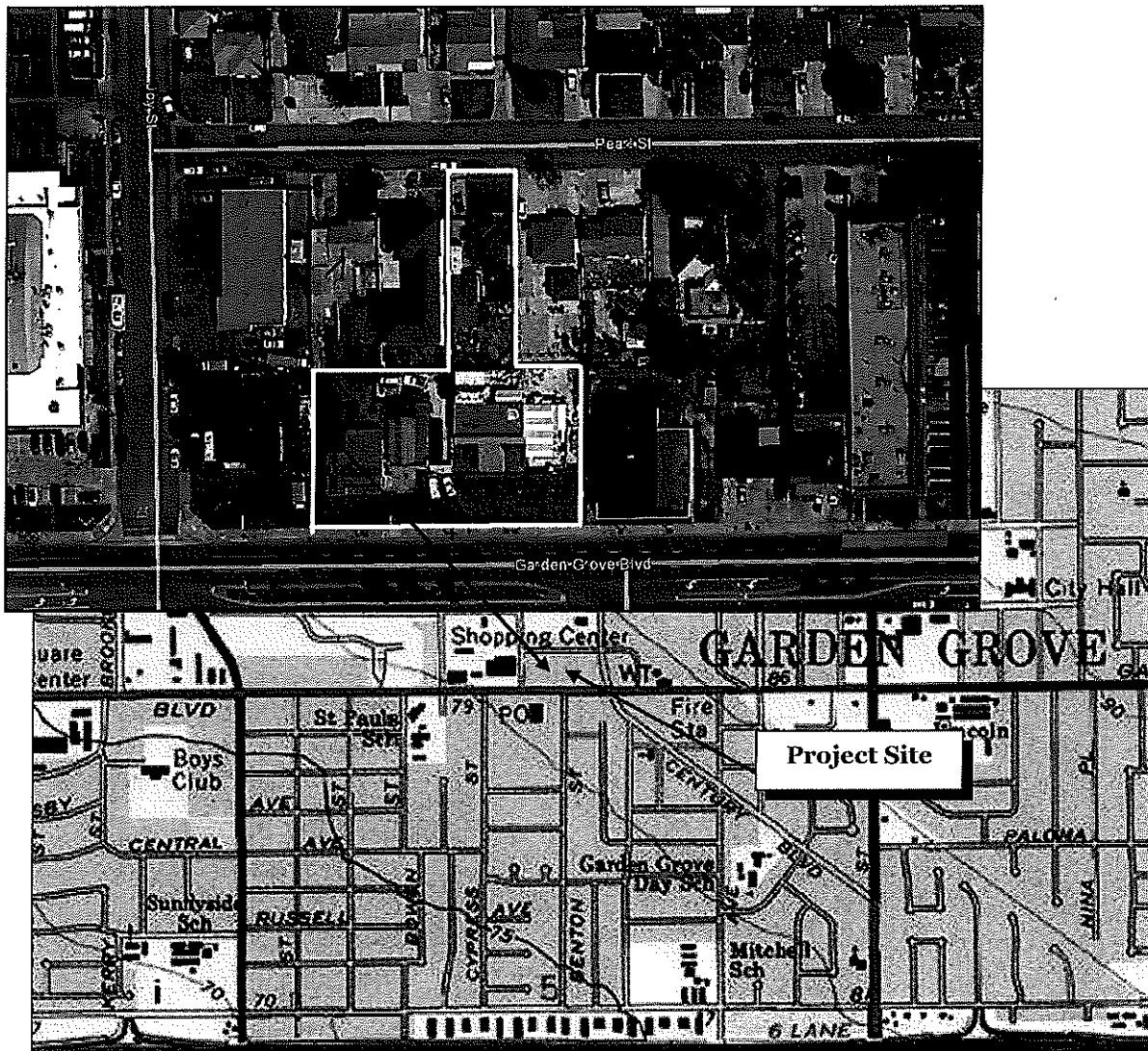


EXHIBIT 3-3
LAND USES AND GROUND COVER
SOURCE: UNITED STATES GEOLOGICAL SURVEY

F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans? • No Impact.

The project site is located within an urban area and no natural habitats are found on the project site or within the adjacent properties.³⁷ The project site is not located within an area governed by a habitat conservation or community conservation plan. As a result, no impacts on local, regional, or State habitat conservation plans will result from the proposed project's implementation.

3.4.3 MITIGATION MEASURES

The analysis indicated that the proposed project would not result in any impacts on biological resources. As a result, no mitigation measures are required.

³⁷ United States Geological Survey. *Garden Grove 71/2 Minute Quadrangle*. Release Date March 25, 1999.

3.5 CULTURAL RESOURCES IMPACTS

3.5.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project will normally have a significant adverse impact on cultural resources if it results in any of the following:

- A substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines;
- A substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines;
- The destruction of a unique paleontological resource, site, or unique geologic feature; or,
- The disturbance of any human remains, including those interred outside of formal cemeteries.

3.5.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

- A. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines?* • *No Impact.*

Historic structures and sites are generally defined by local, State, and Federal criteria. A site or structure may be historically significant if it is protected through a local general plan or historic preservation ordinance. The U.S. Department of the Interior has established specific guidelines and criteria that indicate the manner in which a site, structure, or district is to be identified as having historic significance through a determination of eligibility for listing on the National Register of Historic Places. Significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements.³⁸ Buildings and properties will qualify for a listing on the National Register if they are integral parts of districts that meet certain criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event;

³⁸ U. S. Department of the Interior, National Park Service. National Register of Historic Places. <http://nrhp.focus.nps.gov>. 2010.

- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.³⁹

The project site is occupied by commercial structures located along the Garden Grove Boulevard frontage and a single-family residence along Pearl Street. These structures will be demolished to accommodate the proposed project. The existing structures do not meet any of the aforementioned significance criteria. Furthermore, the project site is not identified as a historic resource by the City's Historical Society.⁴⁰ In addition, the proposed project will not adversely impact any designated landmark. As a result, no impacts are anticipated with the proposed project's implementation.

B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines? • Less than Significant Impact with Mitigation.

Prior to European contact, the local Gabrieleño Indians lived in more than 50 villages located throughout the Los Angeles Basin and Orange County coastal plain. Archaeological sites are often located along creek areas, ridgelines, and vistas.⁴¹ The project site has been extensively disturbed due to the previous development activities. No unknown archaeological sites or resources are likely to be discovered during excavation activities due to the previous soil disturbance. Native American consultation was undertaken pursuant to AB-52 on September 28th, 2015. Formal AB-52 consultation letters were mailed to a total of six tribes, including the different Gabrieleño subsets and the Soboba tribe. The specific tribal contacts included the following:

- Linda Candelaria, Co-Chairperson, Gabrielino-Tongva Tribe;
- Anthony Morales, Chairperson, Gabrieleno/Tongva – San Gabriel Band of Mission Indians;
- Robert F. Dorame, Tribal Chair/Cultural Resources, Gabrielino Tongva Indians of California Tribal Council;
- Joseph Ontiveros, Cultural Resource Director, Soboba Band of Luiseno Indians;

³⁹ U.S. Department of the Interior, National Park Service. National Register of Historic Places. <http://nrhp.focus.nps.gov>. 2010.

⁴⁰ City of Garden Grove. City of Garden Grove Historical Society. <http://www.ci.garden-grove.ca.us/?q=/HistoricalSociety>. Website accessed on August 29, 2015.

⁴¹ McCawley. The First Angelinos, The Gabrieleño Indians of Los Angeles County. 1996.

- Andrew Salas, Chairman, Gabrieleno Band of Mission Indians – Kizh Nation; and,
- Sam Dunlap, Cultural Resources Director, Gabrielino/Tongva Nation.

The State of California Native American Heritage Commission indicated that the project site was located within the ancestral homeland of the Gabrieleño-Kizh. As a result, this latter tribe was contacted as part of the early consultation requirements. Representatives from the Gabrieleño-Kizh indicated that development sites that would require grading and/or excavation will need to be monitored during these activities. The tribal representatives indicated that this monitoring was necessary due to the area's high sensitivity for cultural resources.

Tribal representatives were concerned that construction workers not familiar with archeological resources might unknowing damage and/or destroy significant resources. For this reason, the following mitigation will be required:

- *Mitigation Measure 10 (Cultural Resources Impacts)*. The project building contractors will be required to obtain the services of a qualified Native American Monitor during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrielino Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The Monitor will photo-document the ground disturbing activities. The monitors must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitors will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities, pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.

The aforementioned mitigation will reduce the potential impacts to levels that are less than significant.

C. Would the project, directly or indirectly, destroy a unique paleontological resource, site, or unique geologic feature? • No Impact.

The City is generally underlain by Pleistocene shallow marine, lagoonal, floodplain, and terrace deposits approximately 40,000 years to 1.8 million years old.⁴² The potential for paleontological resources in the area is also considered low due to the character of subsurface soils (recent alluvium)

⁴² Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

and the amount of disturbance associated with the previous development that has occurred. The construction activities will be limited to the removal of the existing buildings, concrete foundations, the excavation required for new utility connections, and limited excavation for the new building footings. No excavation will be below the layer of recent alluvium and due to the limited excavation depths, no impacts on paleontological resources are anticipated.

D. Would the project disturb any human remains, including those interred outside of formal cemeteries? • No Impact.

The historic map collection at California State University, Chico was also reviewed and no cemeteries were identified on a historic USGS map of the area dated 1901.⁴³ However, any unanticipated discovery of human remains must be handled pursuant to Health and Safety Code §70505 which provides that in the event that human remains are discovered during construction, construction activity shall cease and the coroner shall be notified. As a result, no impacts are anticipated.

3.5.3 MITIGATION MEASURES

Tribal representatives were concerned that construction workers not familiar with archeological resources might unknowing damage and/or destroy significant resources. For this reason, the following mitigation will be required to address potential cultural resources impacts:

Mitigation Measure No. 1 (Cultural Resources). The project building contractors will be required to obtain the services of a qualified Native American Monitor during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrielino Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The Monitor will photo-document the ground disturbing activities. The monitors must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitors will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities, pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.

The aforementioned mitigation will reduce the potential impacts to levels that are less than significant.

⁴³ California State University, Chico. Meriam Library Special Collections. California Historic Map Collection.

3.6 GEOLOGY & SOILS IMPACTS

3.6.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on the environment if it results in the following:

- The exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), ground-shaking, liquefaction, or landslides;
- Substantial soil erosion resulting in the loss of topsoil;
- The exposure of people or structures to potential substantial adverse effects, including location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;
- Locating a project on an expansive soil, as defined in the California Building Code, creating substantial risks to life or property; or,
- Locating a project in, or exposing people to potential impacts, including soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

3.6.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

- A. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), ground-shaking, liquefaction, or landslides? • Less than Significant Impact.*

A number of active faults traverse the Southern California region, posing a threat to millions of residents including those who reside in the City. Earthquakes from several active and potentially active faults in the surrounding region could affect the project site. The project site is not located in an area that is at risk for fault rupture according to the latest Alquist-Priolo Earthquake Fault Zone list. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake.⁴⁴

⁴⁴ California Department of Conservation. *What is the Alquist-Priolo Act* <http://www.conservation.ca.gov/cgs/rghm/ap/Pages/main.aspx>

Major active faults in the region are identified in Table 3-5, along with their distance from the City and their Maximum Credible Richter (MCR) magnitude. A map indicating the location and extent of major faults in the Southern California region is provided in Exhibit 3-4. The project site is not located within an Alquist-Priolo Special Studies Zone, and no fault rupture from a known fault is anticipated.

Table 3-5
Active Earthquake Faults Near the Site

Fault Name	Miles from Site	MCR
San Andreas Fault	43 miles N	8.0
Palos Verdes Fault	22 miles SW	6.7
Elsinore Fault	37 miles SE	7.1
Newport-Inglewood Fault	6 miles SW	7.6
Whittier Fault	6 miles NE	7.0
Sierra Madre Fault	20 miles N	8.0

MCR - Maximum Credible Richter Magnitude.

Source: United States Geological Survey.

The California Geological Survey (CGS) is authorized to implement the Seismic Hazards Mapping Act of 1990.⁴⁵ According to the Seismic Zones Hazard Map (refer to Exhibit 3-5) prepared for the Garden Grove 7½ Minute Quadrangle, the project site is in a potential risk area for liquefaction. As is apparent from the review of the map, major portions of the City are also included within an area where there is an elevated risk for liquefaction. The map also indicates the site is not located in an area that is subject to potential landslides. The topography of the project site and the surrounding area is generally level. The design of the residential units will be required to conform to the current Building Code seismic requirement. The most recent California Building Code requirements call for stronger masonry construction on-site through shear-testing, wall anchors, and embedded wall bolts. As a result, the impacts will be less than significant.

B. Would the project result in substantial soil erosion or the loss of topsoil? • No Impact.

The project site will continue to be covered over in impervious surfaces (paved parking areas, roadways, and buildings) following development. Limited excavation will be required for building footings and utility connections. Given the developed character of the project area, no impacts related to soil erosion or the loss of topsoil are anticipated.

⁴⁵ United States Geological Survey. <http://earthquake.usgs.gov/regional/nca/bayarea/apfaults.php>. Site accessed on September 2, 2015.

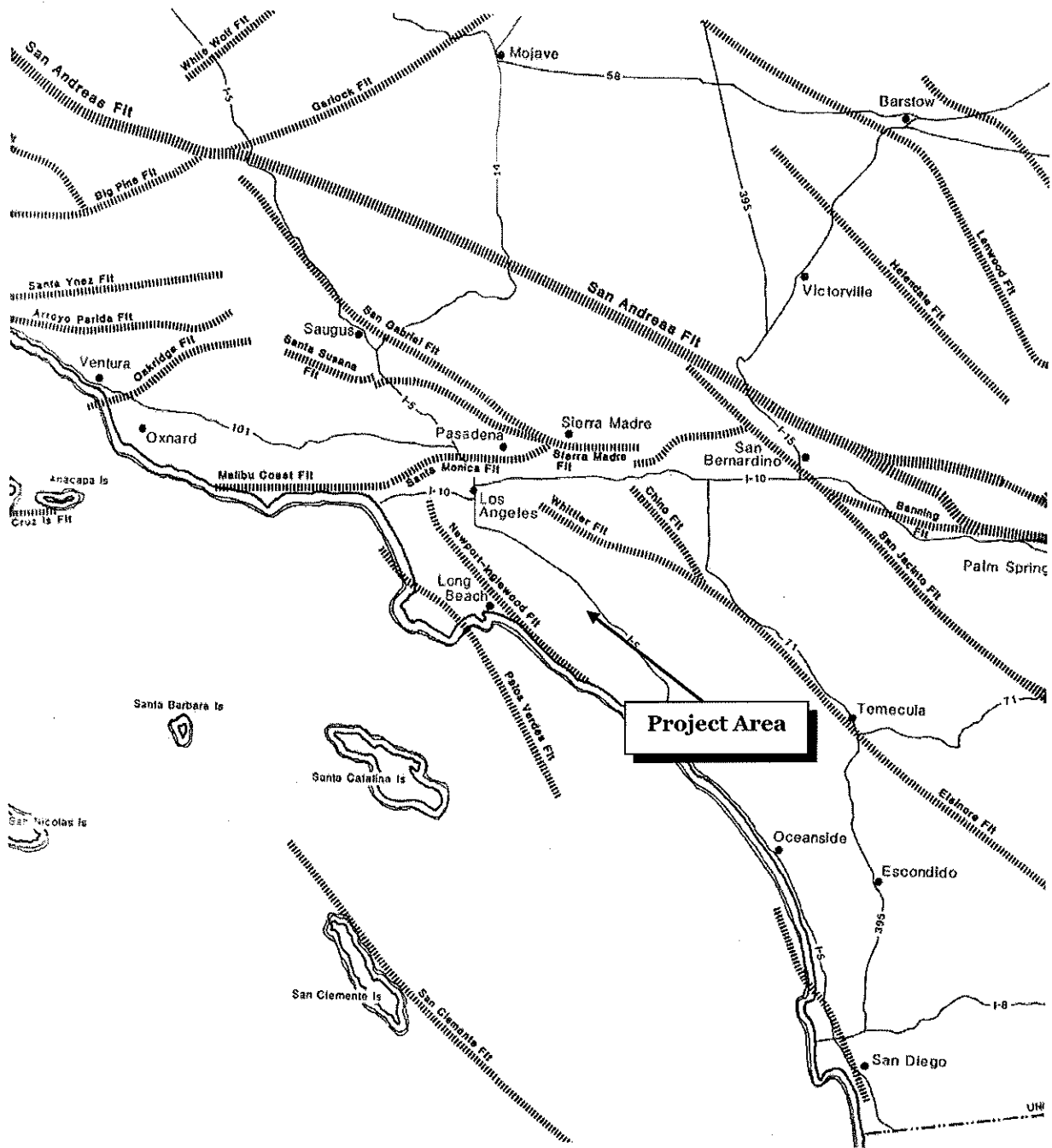


EXHIBIT 3-4
GENERAL LOCATION OF MAJOR SOUTHERN CALIFORNIA FAULTS
SOURCE: UNITED STATES GEOLOGICAL SURVEY

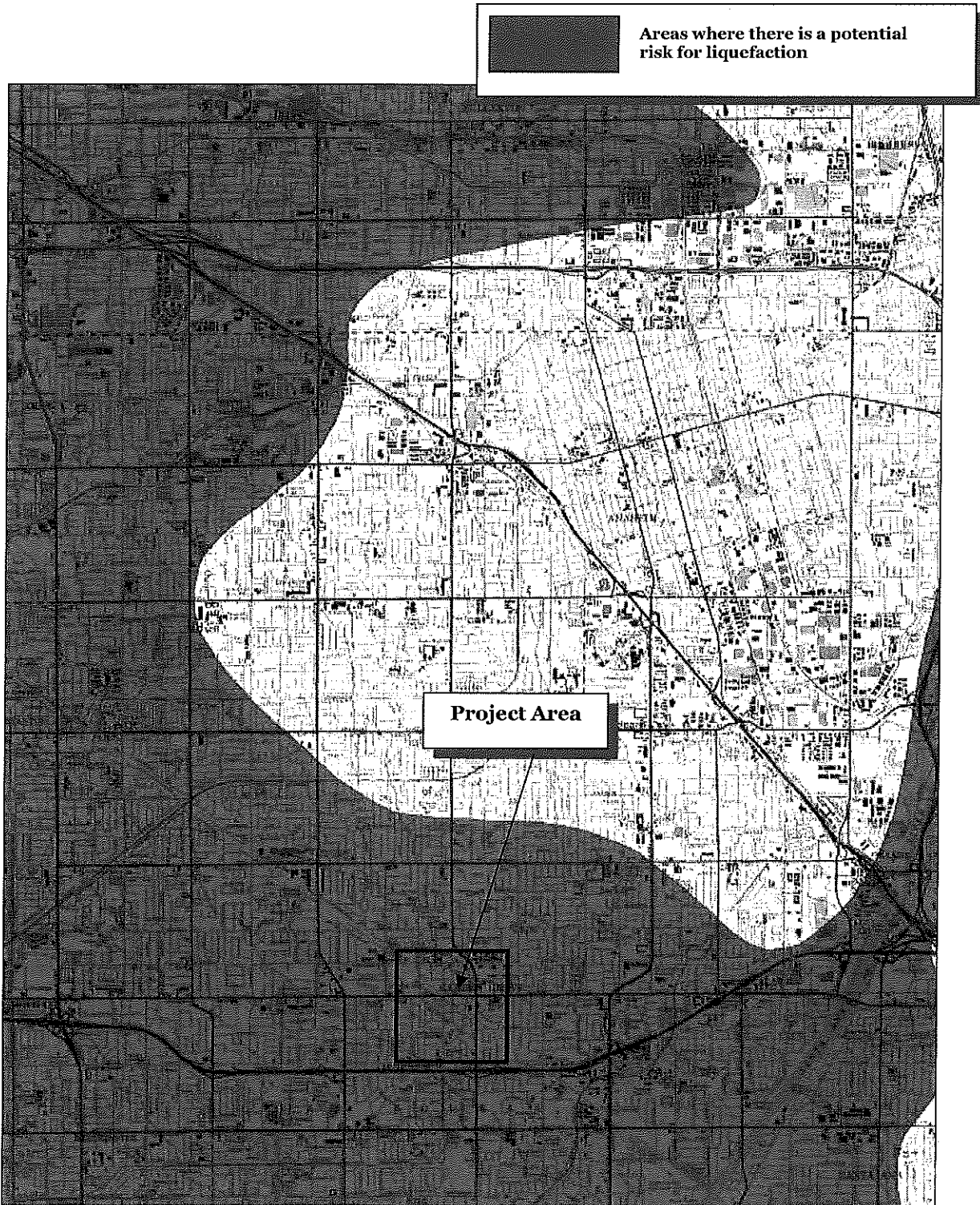


EXHIBIT 3-5
LIQUEFACTION RISKS
SOURCE: CALIFORNIA GEOLOGICAL SURVEY

- C. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? • Less than Significant Impact.*

Recent studies completed by the CGS Seismic Hazard Zones Mapping Program indicate the project site is not located within an area that is subject to potential slope failure. As indicated previously, the project site is located within an area that may be subject to potential liquefaction risk. The soils that underlie the project site are suitable for future development. The design of the project improvements will be required to conform to the current Building Code seismic requirement. As indicated previously, the most recent Building Code requirements call for stronger masonry construction, the use of wall anchors, and embedded wall bolts. As a result, the impacts will be less than significant.

- D. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012) creating substantial risks to life or property? • Less than Significant Impact.*

The Hueneme-Bolsa Soils Association exhibits severe shrink-swell characteristics according to the United States Department of Agriculture (USDA).⁴⁶ The shrink swell potential refers to the extent to which the soil shrinks as it dries out or swells when the soils get wet. The extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils may cause damage to building foundations, roads, and other structures. Special geotechnical and structural considerations can mitigate the effects of soils that have a high shrink-swell potential. The proposed project will be designed to ameliorate the effects of the underlying expansive soils. As a result, the potential impacts will be less than significant.

- E. *Would the project be located on soils that are incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? • No Impact.*

No septic tanks will be used as part of proposed project. The proposed project will be required to connect with the sanitary sewer system. As a result, no impacts associated with the use of septic tanks will occur as part of the proposed project's implementation.

3.6.3 MITIGATION MEASURES

The analysis determined that the proposed project would not result in any impacts related to earth and geology. As a result, no mitigation measures are required.

⁴⁶ United States Department of Agriculture, Soil Conservation Service. *Soil Survey of Orange County and Western Part of Riverside County, California.*

3.7 GREENHOUSE GAS EMISSIONS IMPACTS

3.7.1 THRESHOLDS OF SIGNIFICANCE

A project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and,
- The potential for conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

3.7.2 ENVIRONMENTAL ANALYSIS

A. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? • Less than Significant Impact.*

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler.⁴⁷ However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels.

GHG differ from criteria or toxic air pollutants in that the GHG emissions do not cause direct adverse human health effects. Rather, the direct environmental effect of GHG emissions is the increase in global temperatures, which in turn has numerous impacts on the environment and humans. For example, some observed changes to include shrinking glaciers, thawing permafrost, later freezing and earlier break-up of ice on rivers and lakes, a lengthened growing season, shifts in plant and animal ranges, and earlier flowering of trees. Other, longer term environmental impacts of global warming may include a rise in sea level, changing weather patterns with increases in the severity of storms and droughts, changes to local and regional ecosystems including the potential loss of species, and a significant reduction in winter snow pack.

Table 3-6 summarizes annual greenhouse gas (CO₂E) emissions from build-out of the proposed project. Carbon Dioxide equivalent, or CO₂E, is a term that is used for describing different greenhouse gases in a common and collective unit. The SCAQMD has recommended several GHG thresholds of significance. These thresholds include 1,400 metric tons per year of CO₂E for commercial projects, 3,500 tons per year for residential projects, 3,000 tons per year for mixed-use projects, and 7,000 tons per year for industrial projects.

⁴⁷ California, State of. OPR Technical Advisory – CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act (CEQA) Review. June 19, 2008.

**Table 3-6
 Greenhouse Gas Emissions Inventory**

Source	GHG Emissions (Lbs/Day)			
	CO ₂	CH ₄	N ₂ O	CO ₂ E
Construction Phase – Demolition	1,093.61	0.23	--	1,098.62
Construction Phase – Site Preparation	973.08	0.29	--	979.24
Construction Phase – Grading	1,093.61	0.23	--	1,198.62
Construction Phase - Construction	1,178.55	0.35	--	1,186.02
Construction Phase - Paving	1,083.58	0.29	--	1,089.81
Construction Phase - Coatings	281.44	0.03	--	282.14
Long-Term Area Emissions	275.16	0.28	--	283.03
Long-Term Energy Emissions	58.00	--	--	51.31
Long-Term Mobile Emissions	660.70	0.02	--	661.22
Total Long-Term Emissions	986.87	0.30	--	995.57

Source: California Air Resources Board, CalEEMod [CalEEMod V. 2013 2.2.

As indicated in Table 3-6, the CO₂E total for the project is 995.57 pounds per day (0.45 tons of MTCO₂E per day). This equates to approximately 164.25 tons per year. This amount is well under the thresholds of significance for mixed-use, which is 3,000 tons per year. Therefore, the project's GHG impacts are less than significant.

B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? • Less than Significant Impact.

The proposed project will be consistent with the California Environmental Protection Agency Climate Action Team's proposed early action measures to mitigate climate change. These early action measures are designed to ensure that projects meet the Governor's climate reduction targets, and are documented in the *Climate Action Team Report to Governor Schwarzenegger at the Legislature*, March 2006. The early action measures are also included in the CARB Scoping Plan and are mandated under AB 32. A complete list of CARB Scoping Plan Measures/Recommended Actions needed to obtain AB 32 goals, as well as the Governor's Executive Order, are referenced in Table 3-7. Table 3-7 also identifies which CARB *Recommended Actions* apply to the proposed project, and of those, whether the proposed project is consistent.

**Table 3-7
 Recommended Actions for Climate Change**

ID #	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	No	No
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	No	No
T-3	Transportation	Regional Transportation-Related GHG Targets	No	No
T-4	Transportation	Vehicle Efficiency Measures	No	No
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No	No
T-6	Transportation	Goods-movement Efficiency Measures	No	No
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure	No	No
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	No	No
T-9	Transportation	High Speed Rail	No	No
E-1	Electricity and Natural Gas	Increased Utility Energy Efficiency Programs More Stringent Building and Appliance Standards	Yes	No
E-2	Electricity and Natural Gas	Increase Combined Heat and Power Use by 30,000GWh	No	No
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	No	No
E-4	Electricity and Natural Gas	Million Solar Roofs	No	No
CR-1	Electricity and Natural Gas	Energy Efficiency	Yes	No
CR-2	Electricity and Natural Gas	Solar Water Heating	No	No
GB-1	Green Buildings	Green Buildings	No	No
W-1	Water	Water Use Efficiency	Yes	No
W-2	Water	Water Recycling	No	No
W-3	Water	Water System Energy Efficiency	Yes	No
W-4	Water	Reuse Urban Runoff	No	No
W-5	Water	Increase Renewable Energy Production	No	No
W-6	Water	Public Goods Charge (Water)	No	No
I-1	Industry	Energy Efficiency and Co-benefits Audits for Large Industrial Sources	No	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	No
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	No
I-4	Industry	Refinery Flare Recovery Process Improvements	No	No
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	No
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	No

**Table 3-7
 Recommended Actions for Climate Change (continued)**

ID #	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
RW-2	Recycling and Waste Management	Additional Reductions in Landfill Methane – Capture Improvements	No	No
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	Yes	No
F-1	Forestry	Sustainable Forest Target	No	No
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	No
H-2	High Global Warming Potential Gases	SF6 Limits in Non-Utility and Non-Semiconductor Applications (Discrete Early Action)	No	No
H-3	High Global Warming Potential Gases	Reduction in Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	No	No
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No	No
H-5	High Global Warming Potential Gases	High GWP Reductions from Mobile Sources	No	No
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	No
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No	No
A-1	Agriculture	Methane Capture at Large Dairies	No	No

Source: California Air Resources Board, *Assembly Bill 32 Scoping Plan*, 2008.

Of the 39 measures identified, those that would be considered to be applicable to the proposed project include actions related to electricity and natural gas use and water conservation. The proposed project would not conflict with adopted initiatives that are designed to control GHG emissions in the coming years. The project will involve the reuse of an existing urban property and *infill development* is seen as an important strategy in reducing regional GHG emissions. The proposed project's implementation of Title 24 measures, the installation and use of Energy Star® appliances, and water conservation measures will be effective in indirectly reducing GHG emissions. Therefore, the proposed project will not be in conflict with the State's recommended actions for addressing climate change. As a result, the impacts will be less than significant.

3.7.3 MITIGATION MEASURES

The analysis of potential impacts related to greenhouse gas emissions indicated that the potential GHG impacts associated with the project's implementation would be less than significant. As a result, no mitigation measures are required.

3.8 HAZARDS & HAZARDOUS MATERIALS IMPACTS

3.8.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on risk of upset and human health if it results in any of the following:

- The creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- The creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- The generation of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school;
- Locating the project on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section §65962.5 resulting in a significant hazard to the public or the environment;
- Locating the project within an area governed by an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport that would result in a safety hazard for people residing or working in the project area;
- Locating the project in the vicinity of a private airstrip that would result in a safety hazard for people residing or working in the project area;
- The impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan; or,
- The exposure of people or structures to a significant risk of loss, injury, or death involving wild land fire.

3.8.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* • *No Impact.*

The Environmental Protection Agency's (EPA's) *Environfacts* Database was consulted to identify EPA-regulated facilities within the project area. The site is not included on this list. All demolition debris that may contain lead or asbestos containing materials will be handled and disposed of in accordance with existing regulations. These regulations include equipment and the training of personnel engaged in the handling and removal of hazardous materials, and the means of transport and disposal. Finally, the proposed ten work-live units will not involve the storage and use of any hazardous products other than those commonly used in a household setting. As a result, no impacts are anticipated.

B. *Would the project create a significant hazard to the public or the environment, or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? • No Impact.*

Future development arising as part of the proposed project's implementation will include ten work-live units. The use of hazardous materials for the development will consist of those commonly used in a household setting for routine maintenance and cleaning. As a result, no impacts are anticipated.

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? • No impact.*

Hazardous chemicals and materials used on-site will be limited to common household maintenance and cleaning products. Because of the nature of the proposed use, no hazardous or acutely hazardous materials will be emitted. During the demolition phases, asbestos containing materials and/or lead paint may be encountered. As indicated in subsection 3.8.2.A, any such materials would be handled and disposed of in accordance with the existing regulations. As a result, no impacts concerning a release of hazardous materials are anticipated.

D. *Would the project be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section §65962.5, and, as a result, would it create a significant hazard to the public or the environment? • No Impact.*

The project site is not included on a hazardous sites list compiled pursuant to California Government Code Section §65962.5.⁴⁸ As a result, no impacts are anticipated.

E. *Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? • No Impact.*

The nearest general aviation airport is the Fullerton Municipal Airport (FMA) located at 4011 West Commonwealth Avenue, 6.92 miles to the northwest of the project site. The FMA is within the oversight of the Orange County Airport Land Use Commission (ALUC). The ALUC is required to prepare and adopt an airport land use plan for each of the airports within its jurisdiction. The ALUC prepared the *Airport Environs Land Use Plan for Fullerton Municipal Airport* (AELUP) as a means to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. A *Runway Protection Zone* (RPZ) is a trapezoidal area located off of each end of a runway that is used to enhance the protection of people and property on the ground. The proposed project site is located over 6.92 miles to the southeast of the nearest RPZ.

⁴⁸ California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List), 2009.

The nearest military airport is the Los Alamitos Joint Forces Training Base (JFTB), located approximately 5.78 miles to the northwest of the project site. As a result, the proposed project will not affect or be affected by aircraft operations and no impacts will result.

F. Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? • No Impact.

The project site is not located within two miles of a *private* airstrip.⁴⁹ As a result, the proposed project will not present a safety hazard related to aircraft and/or airport operations at a private use airstrip and no impacts are anticipated.

G. Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? • No Impact.

At no time will the adjacent public streets, Garden Grove Boulevard or Pearl Street, be completely closed to traffic during the construction phases. The construction plans will be reviewed by the City to identify specific provisions for the regulation of construction vehicle ingress and egress to the site during construction as a means to provide continued access. As a result, no impacts are associated with the proposed project's implementation.

H. Would the project expose people or structures to a significant risk of loss, injury, or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? • No Impact.

The project area is developed as are the surrounding properties. There are no areas of native vegetation found within the project site or in the surrounding properties that could provide a fuel source for a wildfire.⁵⁰ As a result, there are no impacts associated with potential wildfires from off-site locations.

3.8.3 MITIGATION MEASURES

The analysis determined that no significant impacts related to hazardous materials or human health would be associated with the proposed project's implementation. As a result, no mitigation is required.

⁴⁹ United States Geological Survey. *Garden Grove 7 1/2 Minute Quadrangle*. 1994.

⁵⁰ *Ibid.*

3.9 HYDROLOGY & WATER QUALITY IMPACTS

3.9.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse environmental impact on water resources or water quality if it results in any of the following:

- A violation of any water quality standards or waste discharge requirements;
- A substantial depletion of groundwater supplies or interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- A substantial alteration of the existing drainage pattern of the site or area through the alteration of the course of a stream or river in a manner that would result in substantial erosion or siltation on- or off-site;
- A substantial alteration of the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on-site or off-site;
- The creation or contribution of water runoff that would exceed the capacity of existing or planned storm water drainage systems or the generation of substantial additional sources of polluted runoff;
- The substantial degradation of water quality;
- The placement of housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map;
- The placement of structures within 100-year flood hazard areas that would impede or redirect flood flows;
- The exposure of people or structures to a significant risk of loss, injury, or death involving flooding as a result of dam or levee failure; or,
- The exposure of a project to inundation by seiche, tsunami, or mudflow.

3.9.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project violate any water quality standards or waste discharge requirements? • Less than Significant Impact.*

The proposed project will consist of ten work-live units within the 0.69-acre site. The major source of potential water pollution is related to sheet runoff capturing surface pollutants from driveways and other impervious areas that are then conveyed into the local storm water system that is composed of

gutters, drains, catch basins, and pipes. This storm water infrastructure will collect the water run-off which will be conveyed to the local storm drain system. In the absence of certain design measures, trash, animal waste, chemicals, and other pollutants would be transported untreated through the storm water system where it is ultimately conveyed to the regional storm drain system.

As part of the development, certain improvements will be installed that will affect the amount of potential storm water runoff.⁵¹ For example, the majority of the project site will continue to be paved or otherwise covered in impervious surfaces. The existing landscaping includes the front and rear yard areas of the single-family home and very limited landscaping for the commercial properties. The estimated existing pervious area is 3,358 square feet. According to the proposed project's site plan, the total landscaped area will be 4,410 square feet.⁵² As a result, the proposed project's pervious area will be greater than the existing amount. In addition, the site's topography will not significantly change. As a result, there will not be an increase in either peak run-off volumes or peak run-off velocity.

The proposed project will be required to comply with all pertinent requirements of the National Pollutant Discharge Elimination System (NPDES). The first NPDES requirement involves the preparation, submittal, and implementation of a Standard Urban Storm Water Mitigation Plan (SUSMP) that includes design features and Best Management Practices (BMPs). These BMPs may include, but not be limited to, the use of sandbag berms, stabilized construction entrance/exit, sediment traps, and storm drain inlet projections. The purpose of the SUSMP is to reduce the potential for post-construction pollutants entering into the storm water system. The City is required to approve the SUSMP prior to the issuance of any grading or building permit.

The second requirement involves the preparation of a Storm Water Pollution Prevention Plan (SWPPP) for development that disturbs areas of between two to five acres. The Applicant must ensure that a SWPPP is approved, or file a Notice of Intent to comply with the State permit prior to issuance of a grading permit.⁵³ Adherence to the aforementioned requirements will reduce the potential impacts to levels that are less than significant.

B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? • Less than Significant Impact.

The proposed development is projected to consume approximately 2,500 gallons per day assuming 250 gallons per day per unit. However, the proposed project will utilize low-flush toilets and other water conservation devices as a means to reduce water consumption. In addition, the development will be required to employ the water conserving irrigation equipment as a means to further reduce consumption. When considering the consumption from the three existing units, the net change will be

⁵¹ The first 3/4 inches of rainfall from any storm shall be treated and infiltrated through the use of vegetated swales.

⁵² George Behnam, Architect. Design Package [Mixed Use Development], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

⁵³ City of Garden Grove. *The Garden Grove Plan, Program Environmental Impact Report*. February 2012.

negligible. Because of the minimal change in overall water consumption, the projected water consumption will not result in an overdraft of the existing available groundwater supply. In addition, the landscaping will consist of drought tolerant species that will conserve water. As a result, the potential impacts are anticipated to be less than significant.

C. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? • No Impact.

No natural drainage or riparian areas remain within the project site or the surrounding area due to the past development. During construction, the contractors must adhere to all regulations that govern erosion control during construction (refer to Section 3.9.2.A). Since there are no natural streams or riparian areas, no impacts are anticipated.

D. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in flooding on- or off-site? • No Impact.

The project site and the adjacent properties are developed in residential and commercial uses. There are no natural lakes or streams within or adjacent to the project site.⁵⁴ The project site is located in the midst of an existing urban area and no natural drainage features are found within the project site or on the adjacent parcels.⁵⁵ As a result, no impacts are anticipated.

E. Would the project create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? • No Impact.

The stormwater runoff will continue to be conveyed to local storm drains via the curb and gutters. The nature and extent of stormwater runoff ultimately discharged into the existing storm drain system will not significantly change from the existing levels. The areas where the new construction will occur are presently covered over in impervious surfaces. In addition, BMPs will be employed to capture storm water runoff during construction. These potential BMPs are summarized under Section 3.9.2.A. As a result, no impacts are anticipated.

F. Would the project otherwise substantially degrade water quality? • No Impact.

The standard regulations concerning stormwater runoff will mitigate any potential impacts from the proposed project. The existing landscaping includes the front and rear yard areas of the single-family home and very limited landscaping for the commercial properties. The estimated existing pervious area is 3,358 square feet. According to the proposed project's site plan, the total landscaped area will be 4,410 square feet.⁵⁶ As a result, the proposed project's pervious area will be greater than the

⁵⁴ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

⁵⁵ United States Geological Survey. *Garden Grove 7 1/2 Minute Quadrangle*. 1994.

⁵⁶ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

existing amount, and no additional impacts beyond those previously identified are anticipated.

G. Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map or other flood hazard delineation map? • Less than Significant Impact.

The project site is not located within a designated 100-year flood hazard area as defined by FEMA (the flood zones are well east of the site, east of Euclid Street). However, the project site is located within the Regular Flood Hazard Zone "X" as determined by FEMA Flood Insurance Rate Map No.06059C0138J (Community No. 060229, Panel 0138J), issued on December 3, 2009. Flood Zone "X", which is not subject to the Flood Hazard Overlay Zone, includes areas of a potential 500-year flood; with average flood water depths of less than one foot, or with an average drainage area less of less than one square mile, and areas protected by levees from 100-year floods.⁵⁷ As a result, the proposed project will not involve the placement of any structures that would impede or redirect potential floodwater flows. Therefore, less than significant flood-related impacts are anticipated.

H. Would the project place within a 100-year flood hazard area, structures that would impede or redirect flood flows? • No Impact.

As indicated previously, the project site is not located within a designated 100-year flood hazard area as defined by FEMA.⁵⁸ The proposed project will not involve the placement of any structures that would impede or redirect potential floodwater flows. Therefore, no impacts are anticipated with the proposed project's implementation.

I. Would the project expose people or structures to a significant risk of loss, injury, or death, involving flooding as a result of the failure of levee or dam? • Less than Significant Impact.

The project site and the majority of the City are located within an area that could be subject to flows due to failure or overflow at the Prado Dam. Inundation from dam failure will potentially affect the entire City. The primary impact associated with potential dam failure will be related to property damage since flood water will be relatively shallow and the flood water releases would be gradual.⁵⁹ In addition, this risk generally applies to the entire City. As a result, the potential impact is considered to be less than significant.

J. Would the project result in inundation by seiche, tsunami, or mudflow? • No Impact.

The project site is located approximately ten miles inland from the Pacific Ocean and, as a result, would not be exposed to the effects of a tsunami. In addition, there are no surface water bodies in the immediate area of the project site that would result in a potential seiche hazard. As a result, no impacts related to seiche, tsunami, or mudflows will result from the implementation of the proposed project.

⁵⁷ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

⁵⁸ City of Garden Grove. The Garden Grove Plan, Program Environmental Impact Report. Exhibit 5.8-2.

⁵⁹ United States Army Corps of Engineers, Los Angeles District. Dam Safety Program. <http://www.spl.usacc.army.mil/Media/FactSheets/tabid/1321/Article/477349/dam-safety-program.aspx>.

3.9.3 MITIGATION MEASURES

The analysis determined that the proposed project would not result in any significant hydrology or water quality impacts. As a result, no mitigation is required.

3.10 LAND USE & PLANNING IMPACTS

3.10.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant impact on land use and development if it results in any of the following:

- The physical division and disruption of an established community;
- A conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or,
- A conflict with any applicable habitat conservation or natural community conservation plan.

3.10.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project physically divide an established community? • No Impact.

The project site is located in the midst of an urbanized area that includes commercial development along the site's Garden Grove Boulevard frontage and a single-family unit along the Pearl Street frontage. These existing uses and the related improvements will be demolished to accommodate the proposed project. Commercial uses abut that portion of the project located along the Garden Grove Boulevard frontage while residential uses abut the northern portion of the project site along the Pearl Street frontage. The dominant land uses located further north of the project site are manufacturing uses.⁶⁰ The existing land uses in the vicinity of the project site are noted in Exhibit 3-6. The proposed mixed-use project will not result in the division of an established residential neighborhood. As a result, no impacts are anticipated.

B. Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? • No Impact.

The project site is designated as *Industrial/Residential Mixed Use 2* in the City of Garden Grove General Plan. The properties located on either side of the project site and to the north are also designated as *Industrial/Residential Mixed Use 2*. Finally, the properties located to the south and opposite the project site, on the south side of Garden Grove Boulevard, are designated as *Light Commercial*. The project site is zoned *AR (Adaptive Reuse)*. The properties located to the north, east, and west are also zoned *AR*.⁶¹

⁶⁰ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

⁶¹ George Behnam, Architect. Design Package [*Mixed Use Development*], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

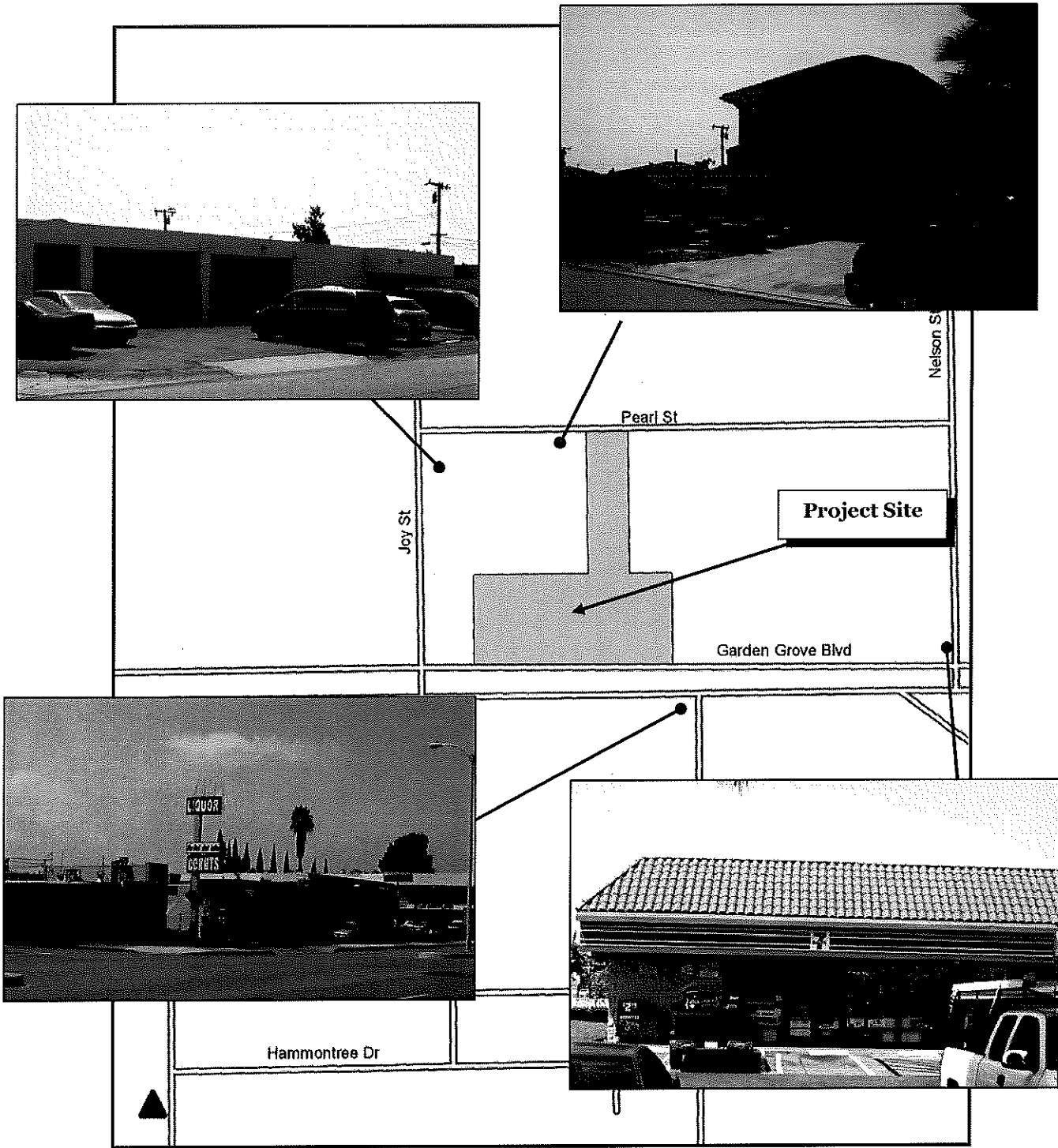


EXHIBIT 3-6
EXISTING LAND USES AND DEVELOPMENT
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

parcels located to the south of the project site, along the south side of Garden Grove Boulevard, are zoned *GGMU3 (Garden Grove Mixed Use 3)*. The General Plan and Zoning Map are shown in Exhibit 3-7 and 3-8, respectively. As indicated previously, the project site and the properties located to the west, east, and north of the project site are zoned *AR (Adaptive Reuse)*. The AR zone allows for a mix of work-live units, light industrial uses including activities engaged in research and technology, office, limited entertainment, and complementary uses. Residential uses within the AR zone are permitted only as work-live, either in new developments or as adaptive reuse of existing structures. The AR zone implements the Industrial/Residential Mixed-Use 2 land use designation which is applicable to the project site. The applicable zoning regulations for the AR zone are summarized below and on the following pages.⁶²

- *Permitted Uses.* Residential uses within the AR zone are permitted only as work-live, either in new developments or as adaptive reuse of existing structures. The non-residential component of a work-live development shall be a use allowed within the applicable zone by Section 9.18.020 (Uses Permitted) and Table 9.18-1 (Use Regulations for the Mixed-Use Zones). All floor area other than that reserved for living space shall be reserved and regularly used for working space. The proposed ten work-live units conform to these land use requirements.
- *Prohibited Uses.* Prohibited uses include auto repair uses, including paint, body work, or auto maintenance; storage of flammable liquids or hazardous materials (beyond that normally associated with a residential use); and any other activity or use, as determined by the responsible review authority to not be compatible with residential activities.⁶³ The proposed ten work-live units will include the residential units and office space which is permitted.
- *Conversion of Work-live Units.* After approval, a work-live unit may not be converted to entirely residential use. The covenants, conditions, and restrictions of any work-live project or unit in any Mixed-Use zone shall include the requirement that the work-live use shall not be converted to exclusive residential use. The proposed project will be required to comply with this requirement.
- *Floor Area Requirement.* A work-live unit shall have a minimum floor area of at least 750 square feet. The maximum size of the residential portion of the work-live unit shall be no more than 40 percent of the unit to ensure that the residential portion remains accessory to the primary commercial use. The proposed project will comply with this requirement.

⁶² City of Garden Grove. Garden Grove Mixed Use Zones Zoning Ordinance Amendment. <http://www.ci.garden-grove.ca.us/pdf/citymanager/mixed-use-regulations.pdf>.

⁶³ Uses that have the possibility of affecting the health or safety of work-live unit residents due to the potential for the use to create dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.

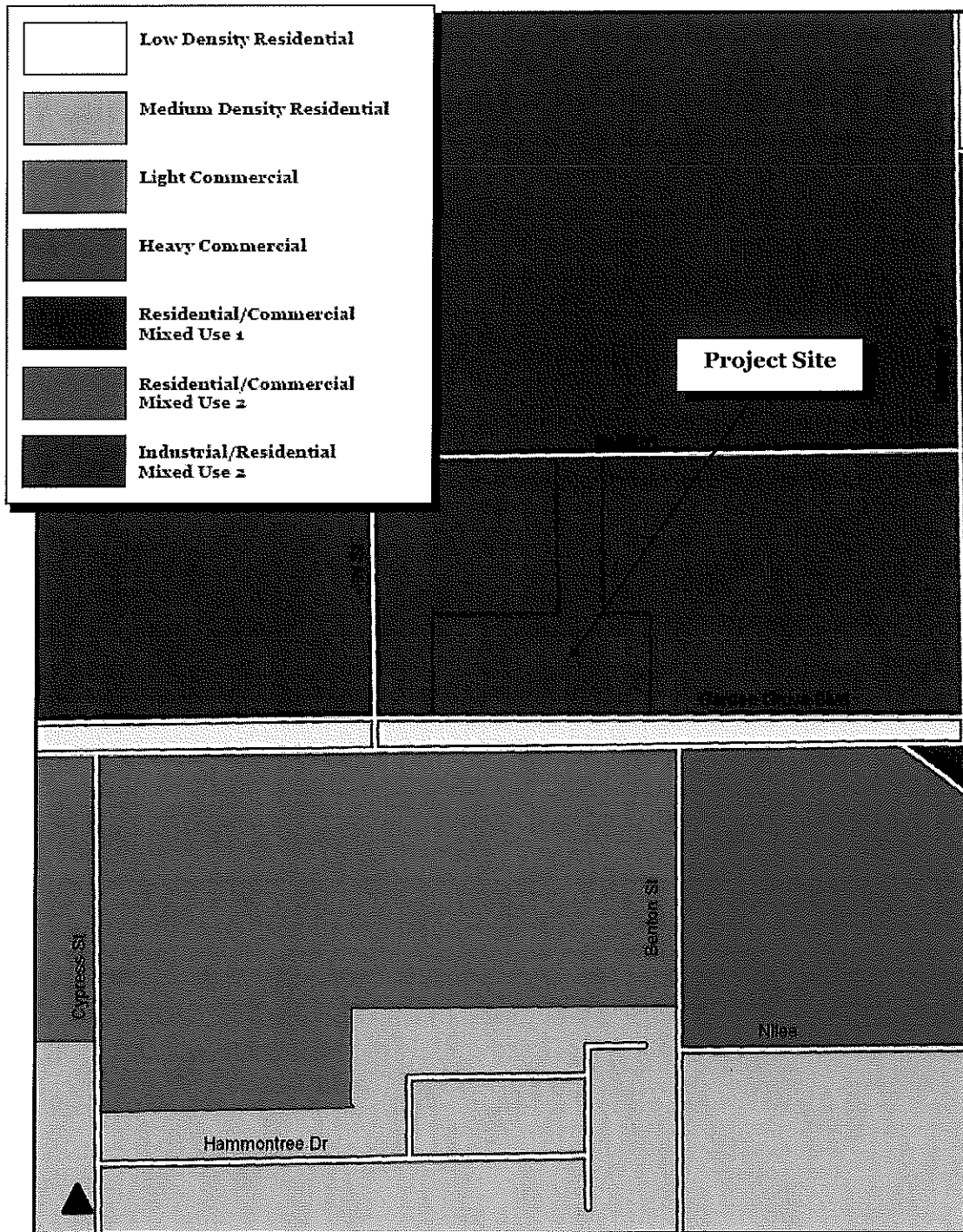


EXHIBIT 3-7
EXISTING GENERAL PLAN LAND USE DESIGNATIONS
 SOURCE: CITY OF GARDEN GROVE

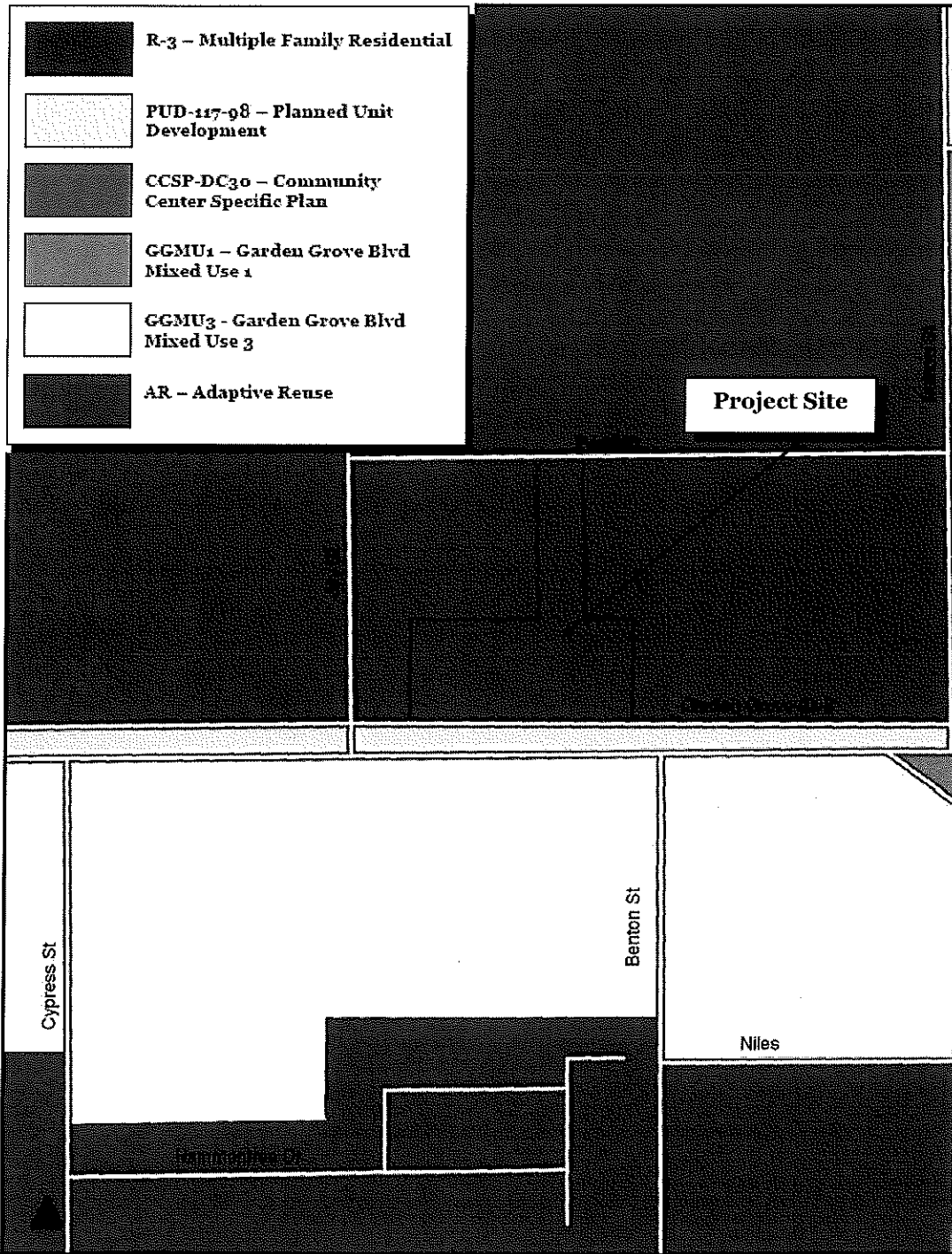


EXHIBIT 3-8 EXISTING ZONING LAND USE DESIGNATIONS

SOURCE: CITY OF GARDEN GROVE

- *Separation and Access of Individual Units.* Each work-live unit shall be separated from other units and other uses in the building. Access to each unit shall be provided via storefronts or from common access areas, corridors, or halls. The access to each unit shall be clearly separated from other work-live units or other uses within the building. Living space shall be located in the rear ground level or second floor and above to maintain activity and commercial access along the frontage.
- *Facilities to Accommodate Commercial or Industrial Activities.* A work-live unit shall be designed to accommodate non-residential uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively nonresidential facilities used for the same work activity. The proposed project will comply with this requirement.
- *Integration of Living and Working Space.* Areas within a work-live unit that are designated as living space shall be an integral part of the work-live unit and not separated (or occupied and/or rented separately) from the work space, except that mezzanines and lofts may be used as living space. The proposed project will comply with this requirement.
- *Parking Requirements.* Each work-live unit shall meet off-street parking requirements as provided in Section 9.18.140 (parking). The proposed project will provide 32 parking spaces while 30 spaces are required.
- *Operating/Occupancy Requirements.* A work-live unit shall be occupied and used only by the operator of the business within the unit or a household of which at least one member shall be the business operator. At least one of the residents of a work-live unit shall be required to have a business license with the City of Garden Grove. The proposed project will comply with this requirement.
- *Sale or Rental of Portions of Unit.* No portion of a work-live unit may be separately rented or sold as a commercial space for any person not living in the premises or as a residential space for any person not working in the same unit. The proposed project will comply with this requirement.
- *Non-Resident Employees.* Up to two persons who do not reside in the work-live unit may work in the unit unless this employment is prohibited or limited by the conditional use permit. The employment of three or more persons who do not reside in the work-live unit may be permitted subject to conditional use permit approval. The proposed project will comply with this requirement.
- *Client and Customer Visits.* Client and customer visits to work-live units are permitted subject to any applicable conditions of the conditional use permit, to ensure compatibility with adjacent commercial or industrial uses, or adjacent residentially zoned areas or uses. The proposed project will comply with this requirement.

The proposed project will conform to all pertinent development regulations. As a result, no impacts are anticipated.

C. Will the project conflict with any applicable habitat conservation or natural community conservation plan? • No Impact.

The project site is located in the midst of an existing urbanized commercial and residential area. No natural or native habitats are found within the site or on the adjacent parcels. In addition, there are no areas within the vicinity of the project site that are subject to habitat conservation plans. As a result, no impacts are anticipated.

3.10.3 MITIGATION MEASURES

The analysis determined that no impacts on land use and planning would result from the implementation of the proposed project. As a result, no mitigation measures are required.

3.11 MINERAL RESOURCES IMPACTS

3.11.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on energy and mineral resources if it results in any of the following:

- The loss of availability of a known mineral resource that would be of value to the region and the residents of the State; or,
- The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

3.11.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?* • *No Impact.*

According to the State of California Department of Conservation Regional Wildcat Map, the project site is not located over any oil wells. In addition, the project area is not located within a *Significant Mineral Aggregate Resource Area (SMARA)*, nor is it located in an area with active mineral extraction activities.⁶⁴ As a result, no impacts on existing mineral resources will result from the proposed project's implementation.

B. *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?* • *No Impact.*

There are no mineral, oil, or energy extraction activities located within the project area. Review of maps provided by the State Department of Conservation indicated that there are no oil wells located within the project site.⁶⁵ The resources and materials used in the construction of the proposed ten work-live units will not include any materials that are considered rare or unique. Thus, the proposed project will not result in any impacts on mineral resources in the region.

3.11.3 MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

⁶⁴ California Department of Conservation, *Mineral Land Classification of the Greater Los Angeles Area*, 1987.

⁶⁵ State of California Department of Conservation. *Regional Wildcat Map*. September 2015.

3.12 NOISE IMPACTS

3.12.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant impact on the environment if it results in any of the following:

- The exposure of people to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies;
- The exposure of people to, or generation of, excessive vibration or ground-borne noise levels;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- Located within an area with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, where the project would expose people to excessive noise levels; or,
- Located within the vicinity of a private airstrip that would result in the exposure of people residing or working in the project area to excessive noise levels.

3.12.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in exposure of people to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* • *Less than Significant Impact.*

Noise levels may be described using a number of methods designed to evaluate the "loudness" of a particular noise. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. Noise levels that are associated with common, everyday activities are illustrated in Exhibit 3-9. Noise may be generated from a point source, such as a piece of construction equipment, or from a line source, such as a road containing moving vehicles. Because the area of the sound wave increases as the sound gets further and further from the source, less energy strikes any given point over the surface area of the wave. This phenomenon is known as *spreading loss*. Due to spreading loss, noise decreases with distance. The City of Garden Grove's noise control regulations are included in Title 8, Chapter 47 (Noise Control) of the Municipal Code. The State of California has mandated that local governments prepare a noise element as part of their general plans. The Garden Grove Noise Element contains noise guidelines with respect to land use and noise exposure compatibility (refer to Exhibit 3-10). These standards are contained in the Garden Grove General Plan Noise Element (page 7-7; Table 7-1).

Noise Levels – in dBA

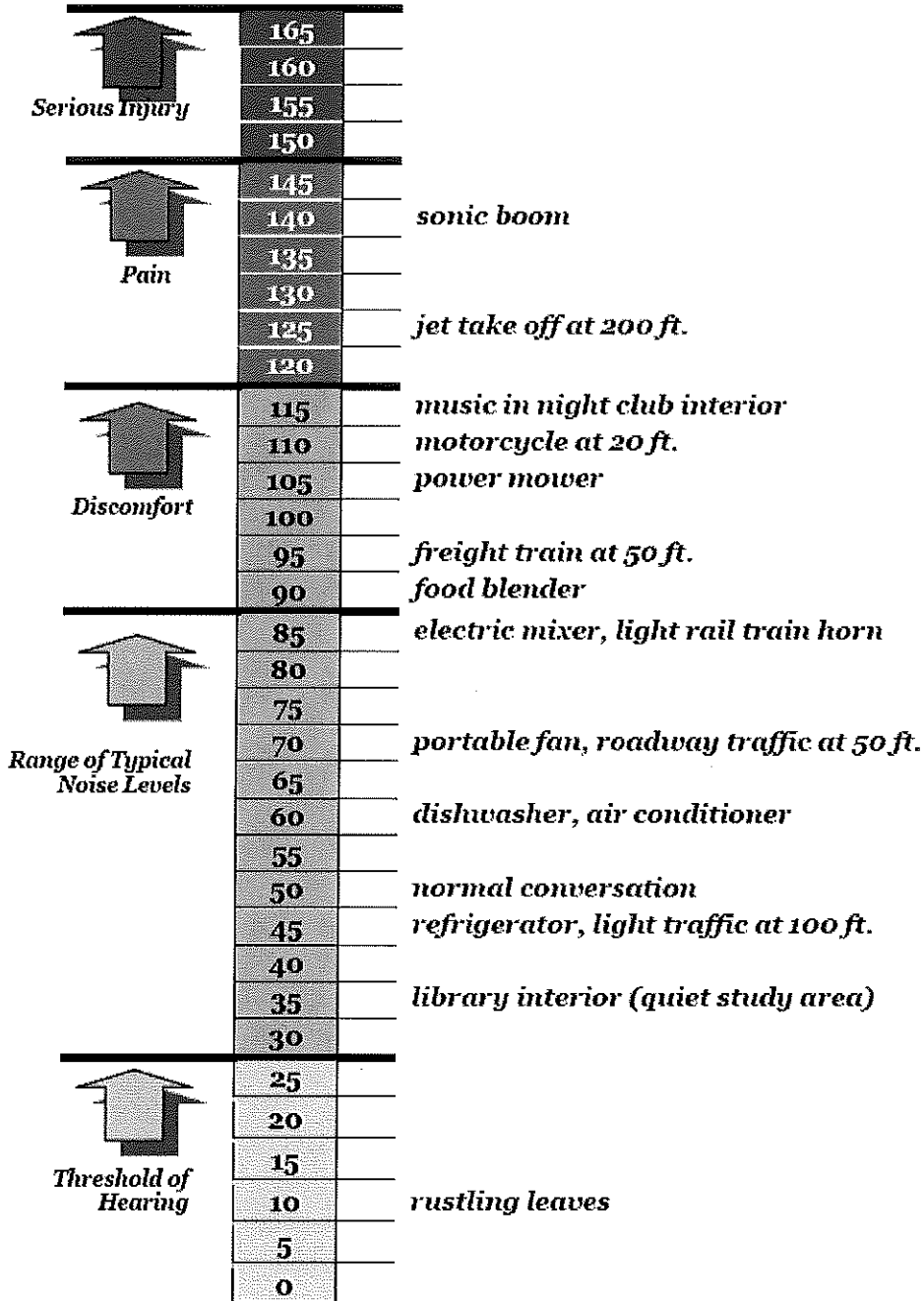


EXHIBIT 3-9
TYPICAL NOISE LEVELS FROM COMMON ACTIVITIES

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

City of Garden Grove Noise and Land Use Compatibility Standards

Land Use Category	Community Noise Exposure (L _{dn} or CNEL, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential - Low Density, Single-Family, Duplex, Mobile Homes	50 - 60	55 - 70	70-75	75-85
Residential - Multiple Family	50 - 65	60 - 70	70 - 75	70 - 85
Transient Lodging - Motel, Hotels	50 - 65	60 - 70	70 - 80	80 - 85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 - 70	60 - 70	70 - 80	80 - 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 - 70	NA	65 - 85
Sports Arenas, Outdoor Spectator Sports	NA	50 - 75	NA	70 - 85
Playgrounds, Neighborhood Parks	50 - 70	NA	67.5 - 75	72.5 - 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 - 70	NA	70 - 80	80 - 85
Office Buildings, Business Commercial and Professional	50 - 70	67.5 - 77.5	75 - 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 - 75	70 - 80	75 - 85	NA

NA: Not Applicable
 Source: Office of Planning and Research, California, *General Plan Guidelines*, October 2003.
Normally Acceptable – Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
Conditionally Acceptable – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.
Normally Unacceptable – New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
Clearly Unacceptable – New construction or development should generally not be undertaken.

City of Garden Grove Noise Ordinance Standards

Land Use Designation		Ambient Base Noise Level	Time Of Day
Sensitive Uses	Residential Use	55 dBA	7:00 AM – 10:00 PM
		50 dBA	10:00 PM – 7:00 AM
Conditionally Sensitive Uses	Institutional Use	65 dBA	Any Time
	Office-Professional Use	65 dBA	Any Time
	Hotels and Motels	65 dBA	Any Time
Non-Sensitive Uses	Commercial Uses	70 dBA	Any Time
	Commercial/Industrial Uses within 150 feet of Residential Uses	65 dBA	7:00 AM – 10:00 PM
		50 dBA	10:00 PM – 7:00 AM
	Industrial Uses	70 dBA	Any Time

Source: City of Garden Grove, *Municipal Code, Section 8.47, Noise Control*, 2005.

EXHIBIT 3-10
NOISE AND LAND USE COMPATIBILITY, CITY OF GARDEN GROVE
GENERAL PLAN
 SOURCE: CITY OF GARDEN GROVE

A series of noise measurements were taken to characterize the existing noise environment. The noise measurements indicated that the average noise levels within the property ranged from 64 dBA to 71 dBA. The ambient noise environment was dominated by traffic on Garden Grove Boulevard. Overall, the ambient noise levels were well below the 70 dBA level. According to the aforementioned land use and noise exposure compatibility guidelines, residential development is compatible in those areas where the ambient noise levels are 70 dBA, CNEL, or less. The proposed ten work-live units will be required to conform to the City's noise control requirements in the same manner as other residential development in the City. The potential construction noise impacts are discussed under Section 3.12.2.D. As a result, the impacts are less than significant.

B. Would the project result in exposure of people to, or generation of, excessive ground borne vibration or ground borne noise levels? • Less than Significant Impact.

The current noise environment within the project area is dominated by traffic noise emanating from Garden Grove Boulevard. The major source of noise from the proposed project itself will be related to typical residential activities and vehicle noise (horns, alarms, etc.) from the internal drive-aisle and parking area. As indicated previously, the City of Garden Grove's noise control regulations are included in Title 8, Chapter 47 (Noise Control) of the Municipal Code. The proposed ten work-live units will be required to conform to the requirements included in the City's Noise Control Ordinance. The aforementioned regulations will reduce the potential impacts to levels that are less than significant.

C. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? • No Impact.

The proposed project is considered to be a noise sensitive receptor. As indicated previously, the proposed use will also be required to conform to the City of Garden Grove's noise control regulations included in the Municipal Code. The cumulative traffic will not be great enough to result in a measurable or perceptible increase in traffic noise on either Pearl Street or Garden Grove Boulevard. It typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater which is considered to be the threshold for persons with normal hearing to discern a change in the ambient noise levels. As a result, the proposed project's implementation will not result in any permanent noise impacts.

D. Would the project result in substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project? • Less than Significant Impact.

Noise levels associated with various types of construction equipment are illustrated in Exhibit 3-11. The noise levels that are indicated in the exhibit illustrate the typical noise at a distance of 50 feet from the noise source. The construction noise would subside once construction of a particular project is completed. Two types of noise impacts could occur during the construction phase: the transport of workers and noise from construction equipment. Composite construction noise is best characterized by Bolt, Beranek, and Newman.⁶⁶

⁶⁶ USEPA, Protective Noise Levels. 1971.

			Noise Levels in dBA, 50 feet from noise source			
			70	80	90	100
Equipment Powered by Internal Combustion Engines	Earth Moving Equipment	Compactors (Rollers)		■		
		Front Loaders		■	■	
		Backhoes		■	■	■
		Tractors		■	■	■
		Scrapers, Graders		■	■	
		Pavers		■	■	
		Trucks		■	■	■
	Materials Handling Equipment	Concrete Mixers		■	■	
		Concrete Pumps		■	■	
		Cranes (Movable)		■	■	
		Cranes (Derrick)		■	■	
	Stationary Equipment	Pumps	■			
		Generators		■		
		Compressors		■	■	
	Impact Equipment	Pneumatic Wrenches			■	
Jack Hammers				■	■	
Pile Drivers				■	■	
Other Equipment	Vibrators	■	■			
	Saws		■			

EXHIBIT 3-11
TYPICAL CONSTRUCTION NOISE LEVELS
 SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

In this study, the noisiest phases of construction for residential development is presented at 89 dBA as measured at a distance of 50 feet from the construction activity. These values take into account both the number of construction equipment and the timing of heavy equipment use during construction. In later phases during building erection, noise levels are typically reduced from these values because the physical structures recently constructed further break up line-of-sight noise. However, as a worst-case scenario the 89 dBA value is used as an average noise level for the construction effort.

In general, the noise level adjustment that takes the spreading loss into account calls for a 6.0 dBA reduction for every doubling of the distance beginning with the initial 50-foot distance. When taking into account the spreading loss, the construction equipment will generate noise levels in excess of 80 dBA during the noisiest construction phases at the nearest sensitive receptor. While there will be a limited duration for the construction activities, all construction activities must adhere to the City's noise control requirements. The demolition activities along with the proposed project's construction operations must adhere to the requirements of the City of Garden Grove Noise Control Ordinance.⁶⁵ The aforementioned noise control regulations will limit construction noise levels and construction times, and will reduce the potential demolition and construction noise impacts to levels that are less than significant.

E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? • No Impact.

The nearest airport is the Los Alamitos Joint Forces Training Base (JFTB), located approximately 5.78 miles to the northwest of the project site. The Los Alamitos JFTB is located in the City of Los Alamitos. A second airport, the Fullerton Municipal Airport, is a general aviation airport that is located approximately 7.29 miles to the north of the project site. As a result, no impacts related to the exposure of persons to aircraft noise from a public use airport are anticipated.

F. Within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? • No Impact.

The project site is not located within two miles of a private airstrip.⁶⁷ No private airports are located in the City. As a result, no noise impacts from a private airstrip will affect the project site.

3.12.3 MITIGATION MEASURES

The analysis of potential noise impacts indicated no significant noise impacts would result from the proposed project's implementation. As a result, no mitigation is required.

⁶⁷ United States Geological Survey. TerraServer USA. *The National Map — Garden Grove, California*. July 1, 1979.

3.13 POPULATION & HOUSING IMPACTS

3.13.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant impact on housing and population if it results in any of the following:

- A substantial growth in the population within an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of new homes or infrastructure) related to a project;
- The displacement of a substantial number of existing housing units, necessitating the construction of replacement housing; or,
- The displacement of substantial numbers of people, necessitating the construction of replacement housing.

3.13.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project induce substantial population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of new homes or infrastructure) related to a project)? • Less than Significant Impact.

The existing uses within the project site include commercial and residential. A single-family home is located in the northern portion of the project site. The proposed project involves the construction of ten work-live units. Assuming an average household size of 3.64 persons per unit, which was derived from the 2010 Census, a potential of 36 residents would occupy the proposed units.

According to the City's regional population growth projections developed for the City by the Southern California Association of Governments (SCAG), the City's 2020 population will be 179,400 persons.⁶⁸ This 2020 projection translates into a population increase of 4,626 persons over the current 2015 population estimate of 174,774 persons. Assuming an average household size of 3.76 persons per unit derived from the 2015 California Department of Finance (DOF), the ten new units would result in a potential population of 36 persons. As a result, the proposed project's implementation will not result in the SCAG projections being exceeded.

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area, such as utilities, improved roadways, and expanded public services. The variables that typically contribute to growth-inducing impacts, and the project's contribution to potential growth-inducing impacts, are identified in Table 3-8. The utility connections and other infrastructure will continue to serve the project site. The increase in on-site population will not lead to substantial growth. As a result, the impacts are less than significant.

⁶⁸ These SCAG projections are used in the preparation of the Regional Transportation Plan.

**Table 3-8
 Potential Growth-Inducing Impacts**

Factor Contributing to Growth Inducement	Project's Potential Contribution	Basis for Determination
New development in an area presently undeveloped and economic factors which may influence development.	The proposed project will promote development of an underutilized parcel.	The new development will promote new infill residential development.
Extension of roadways and other transportation facilities.	The proposed project will not involve the extension or modification of any off-site existing roadways.	The only off-site improvements include those required to facilitate access.
Extension of infrastructure and other improvements.	No off-site water, sewer, and other critical infrastructure improvements are anticipated.	The only infrastructure improvements will be designed to serve the proposed project.
Major off-site public projects (treatment plants, etc.).	No major facilities are proposed at this time.	No off-site facilities will be required to accommodate the projected demand for wastewater treatment or water.
Removal of housing requiring replacement housing elsewhere.	The project does not involve the removal or the replacement of existing <i>affordable</i> or subsidized housing units.	No affordable housing will be affected by the proposed project.
Additional population growth leading to increased demand for goods and services.	The proposed project will provide additional employment opportunities in the 10 work-live units.	Limited potential long-term employment will be provided by the proposed mixed-use development.
Short-term growth inducing impacts related to the project's construction.	The proposed project may result in the creation of new construction employment.	Short-term increases in construction employment are considered a beneficial impact.

Source: Blodgett Baylosis Environmental Planning, 2015.

B. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? • No Impact.

The proposed project involves the construction of ten work-live units within a site that is currently occupied by a single-family units and commercial uses.⁶⁹ The existing housing unit will be demolished to accommodate the proposed new mixed-use development. However, the existing unit is a market rate unit which will be replaced by the proposed ten-unit development. As a result, no impacts related to housing displacement will result from the proposed project's implementation.

⁶⁹ Blodgett Baylosis Environmental Planning. *Site Survey* (Survey were completed on August 24 and 27, 2015.)

C. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? • No Impact.

The existing housing unit will be demolished to accommodate the proposed new mixed-use development. As indicated previously, the existing unit is market rate units which will be replaced by the proposed ten-unit development. As a result, no impacts will result.

3.13.3 MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.14 PUBLIC SERVICES IMPACTS

3.14.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to *fire protection services*;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to *police protection services*;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to *school services*;
- A substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for *parks*; or,
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to other *public facilities*.

3.14.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

- A. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to fire protection services? • Less than Significant Impact.*

The Garden Grove Fire Department (GGFD) provides fire and emergency services to the project site. The GGFD operates seven fire stations within its service area. The nearest station to the project site is located at 11301 Acacia Parkway within the Civic Center. The proposed project will be subject to review and approval by the GGFD to ensure that fire safety and fire prevention measures are incorporated into the project. The GGFD currently reviews all new development plans, and the project will be required to

conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, the availability of fire hydrants, use of interior sprinklers, etc.⁷⁰ GGFD conditions of approval will be incorporated into the applicable plans prior to the issuance of building permits. As a result, the impacts will be less than significant.

B. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives relative to police protection services? • Less than Significant Impact.

The Garden Grove Police Department (GGPD) provides law enforcement services to the City. The GGPD operates from a central facility located in the Civic Center complex (11301 Acacia Parkway). The proposed site plan, lighting plan, and other recommended improvements must be reviewed by the GGPD. Any Department's conditions of approval must be incorporated into the applicable plans prior to the issuance of building permits. The implementation of these conditions will reduce the level of impact to levels that are less than significant.

C. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios or other performance objectives relative to school services? • Less than Significant Impact.

A majority of the students residing within the City of Garden Grove and the project site are served by the Garden Grove Unified School District (GGUSD). The GGUSD provides educational services for students in kindergarten through the 12th grade. Student generation factors were used to calculate the proposed project's potential enrollments (refer to Table 3-9). As indicated in Table 3-9, there is a potential for seven students.

**Table 3-9
 Projected School Enrollments**

Grade Levels	Student Generation Factor	Projected Enrollment
Elementary/Middle School	0.5 students/unit	5 students
High School	0.205 students/unit	2 students
Total		7 students

Source: Garden Grove Unified School District.

School districts assess development fees against residential development to mitigate impacts resulting from the increase in demand for school-related services. Pursuant to SB-50, payment of fees to the applicable school district is considered full mitigation for project-related impacts. The proposed project's school enrollment impacts will be off-set by the school fees that will be paid by the developer. As a result, the impacts will be less than significant.

⁷⁰ City of Garden Grove. <http://www.ci.garden-grove.ca.us/fire/generalinfo>

D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, need for new or physically altered public facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for parks? • Less than Significant Impact.

The City of Garden Grove Community Services Department maintains public parks located throughout the City. The proposed project's ten work-live units will potentially result in a projected resident population of up to 36 persons. The potential resident population will lead to a slight incremental increase in the demand on existing recreation services. However, no physical change to an existing park or recreation facility will occur as part of the proposed project's implementation. The project site is privately owned and secured from public use. As a result, the impacts will be less than significant.

E. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in other public facilities? • Less than Significant Impact.

The addition of ten new work-live units will translate into an incremental increase in the demand for other governmental services. However, the proposed project is consistent with the growth projections developed for the City by the Southern California Association of Governments (SCAG). In addition, any impact may be partially offset by the increase in the taxes and in the assessed valuation of the property. As a result, the potential impacts associated with the proposed project's adoption and subsequent implementation, are considered to be less than significant.

3.14.3 MITIGATION MEASURES

The analysis determined that the proposed project would not result in any significant impact on public services. As a result, no mitigation is required.

3.15 RECREATION IMPACTS

3.15.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on the environment if it results in any of the following:

- The use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or,
- The construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

3.15.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* • *Less than Significant Impact.*

The City of Garden Grove Community Services Department maintains public parks located throughout the City. The nearest park facility to the project site is the Village Green Park located at 12732 Main Street. This 6.3-acre park includes a play area, game courts, and a community center. The park is located approximately 0.39 miles to the northwest of the project site. No physical change to an existing park or recreation facility will occur as part of the proposed project's implementation. As a result, the impact will be less than significant.

B. *Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?* • *No Impact.*

The proposed project's ten work-live units will potentially result in a resident population of up to 36 persons. This additional population will lead to a slight incremental increase in the demand on existing recreation services. However, no physical change to an existing park or recreation facility will occur as part of the proposed project's implementation. The project site is privately owned and secured from public use. As a result, no impacts related to the need for replacing park facilities will result.

3.15.3 MITIGATION MEASURES

The analysis of potential impacts related to parks and recreation indicated that no impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.16 TRANSPORTATION & CIRCULATION IMPACTS

3.16.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project will normally have a significant adverse impact on traffic and circulation if it results in any of the following:

- A conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
- A conflict with an applicable congestions management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways;
- Results in a change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks;
- Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- Results in inadequate parking capacity;
- Results in inadequate emergency access; or,
- A conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

3.16.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

- A. *Would the project cause a conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?* • *Less than Significant Impact.*

Trip generation rates are developed by the ITE (Institution of Transportation Engineers) in their *Trip Generation Manual*, 9th Edition, 2012. The trip generation rates for this project are shown in Table 3-10. As indicated in Table 3-10, the proposed project will generate 95 trip ends per day, with eight vehicle trip ends per hour during the AM peak hour and ten vehicle trip ends per hour during the PM peak hour. Compared to the existing land uses (the commercial businesses and the single-family residence), the proposed project's potential net increased trip generation is negligible.

Table 3-10
Project Traffic Forecast

ITE Land Use Code/ Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Future Rates (Trips/Unit)	9.52	0.19	0.56	--	0.63	0.37	--
Future Trips (10 live units)	95	2	6	8	6	4	10

Source: Blodgett Baylosis Environmental Planning

The traffic volumes fall below the threshold of 50 peak hour trips that have been identified as requiring a project traffic study. The proposed project is an urban infill development that will be effective in reducing overall VMT. Therefore, a full traffic study is not required and the potential impacts will be less than significant.

B. Would the project result in a conflict with an applicable congestions management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways? • No Impact.

The proposed project will generate 95 trip ends per day, with eight vehicle trip ends per hour during the AM peak hour and ten vehicle trip ends per hour during the PM peak hour. These figures do not take into account the existing land uses (the commercial businesses and the single-family residence) that occupy the project site. When factoring the existing trips generated by the appliance business and the single-family residence, the proposed project's potential net increased trip generation will be negligible. The only CMP "intersection" located in Garden Grove is the SR-22 freeway ramp connections with Harbor Boulevard. No other CMP intersections are located in the study area. As a result, no CMP impacts are anticipated.

C. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in the location that results in substantial safety risks? • No Impact.

The nearest airport is the Los Alamitos Joint Forces Training Base (JFTB), located approximately 5.78 miles to the northwest of the project site. The Los Alamitos JFTB is located in the City of Los Alamitos. The nearest general aviation airport is the Fullerton Municipal Airport (FMA) located at 4011 West Commonwealth Avenue approximately 6.92 miles to the northwest of the project site. The proposed ten work-live units will not result in a change in air traffic patterns or otherwise impact aircraft operations. As a result, no impacts are anticipated.

D. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? • No Impact.

The design features of the project will not create any safety hazards since no modifications to any existing public roadways will occur. As a result, no impacts are anticipated.

E. Would the project result in inadequate parking capacity? • No Impact.

A total of 32 parking spaces within the enclosed garages of each unit and in the surface parking area located in the northern portion of the project site. According to the to the City's off-street parking requirements, a total of 30 parking spaces are required.⁷¹ The proposed project will exceed these requirements and, as a result, no parking impacts are anticipated.

F. Would the project result in inadequate emergency access? • No Impact.

The proposed project would not result in inadequate emergency access. The proposed project will be required to comply with conditions of approval established by the GGFD and the GGPD. As indicated previously, the GGFD and GGPD will review the site plan including all buildings, fences, drive gates, or other features that might affect emergency access. This review process, along with the project's compliance with the applicable regulations and standards, would ensure that adequate emergency access would be provided. As a result, no impacts are anticipated.

G. Would the project result in a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? • No Impact.

The Orange County Transportation Authority (OCTA) operates several bus routes throughout the City of Garden Grove. The nearest bus route that serves the project site is OCTA Line 56 which extends along Garden Grove Boulevard. No bus stop is located along the project site's Garden Grove Boulevard frontage. The proposed project will not affect any existing bus stops and/or routes. As a result, no impacts will result from the proposed project's implementation.

3.16.3 MITIGATION MEASURES

The analysis of potential impacts related to traffic and circulation indicated that no traffic impacts would result. As a result, no mitigation is required.

⁷¹ George Behnam, Architect. Design Package [Mixed Use Development], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015.

3.17 UTILITIES IMPACTS

3.17.1 THRESHOLDS OF SIGNIFICANCE

According to the City of Garden Grove, acting as Lead Agency, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- An exceedance of the wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- The construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts;
- The construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Insufficient water supplies to serve the project from existing entitlements and resources, or need new or expanded entitlements;
- A determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand;
- The project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or,
- Non-compliance with Federal, State, and local statutes and regulations relative to solid waste;

3.17.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? • Less than Significant Impact.

The City of Garden Grove's sewer system operates entirely using gravity flow and the effluent is conveyed to one of several of Orange County Sanitation District's (OCSD) sewer trunk lines.⁷² The future residential development contemplated under the proposed project (ten work-live units) is anticipated to generate approximately 1,800 gallons of effluent daily.⁷³ This effluent generation assumes a rate of 180 gallons per day, per unit. The OCSD has indicated that there is sufficient capacity to treat the additional effluent. No new off-site treatment facilities will be required to meet the projected demand. As a result, the potential impacts are less than significant.

⁷² City of Garden Grove. *City of Garden Grove General Plan, Chapter 6 Infrastructure Element*. <http://www.ci.garden-grove.ca.us/> (website accessed on September 8, 2015).

⁷³ Orange County Sanitation District rates. 2015

B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? • Less than Significant Impact.

The City receives its water from two main sources: the Lower Santa Ana River Groundwater Basin and imported water from the Metropolitan Water District of Southern California (MWD). This imported water is treated at the Robert B. Diemer Filtration Plant located north of Yorba Linda and the F.E. Weymouth Treatment Plant in the City of La Verne.⁷⁴ The proposed ten work-live units are projected to consume 2,500 gallons of water on a daily basis. This consumption assumes 250 gallons of water per day per unit.⁷⁵

The OCSD collects, treats, and disposes of and/or reclaims the wastewater generated by 2.5 million people living and working in central and northwestern Orange County. OCSD's service area encompasses approximately 479 square miles, and its system includes approximately 580 miles of sewer lines and two treatment plants located in the Cities of Fountain Valley and Huntington Beach. Through these facilities, OCSD collects, conveys, treats, and/or reclaims approximately 230 million gallons of wastewater generated daily in its service area. Wastewater from the City's local conveyance system is then conveyed to the OCSD trunk sewers and treated at the OCSD Plant No. 2 located in Huntington Beach. The OCSD Revenue Area 3 serves the City of Buena Park, La Habra, Garden Grove, Anaheim, Cypress, La Palma, Stanton, Los Alamitos, Westminster, and Fountain Valley. All sewage flow from Revenue Area 3 is collected and treated at Treatment Plant No. 2, which is located at 22212 Brookhurst Street, Huntington Beach.⁷⁶

The estimated average daily effluent received at Plant No. 2 is 127 million gallons (mgd). This facility currently has a total primary treatment capacity of 168 mgd, with an average daily treatment of approximately 127 mgd. Therefore, there is approximately 41 mgd of excess primary treatment capacity at OCSD Plant No. 2. Plant No. 2 also has 90 mgd of secondary treatment capacity. The future mixed-use development contemplated under the proposed project (ten work-live units) is anticipated to generate approximately 1,800 gallons of effluent daily. This effluent generation assumes a rate of 180 gallons per day, per unit.⁷⁷ This effluent generation represents a small proportion of the remaining total treatment capacity of Treatment Plant No. 2. As a result, the potential impacts will be less than significant.

⁷⁴ City of Garden Grove. *City of Garden Grove General Plan, Chapter 6 Infrastructure Element*. <http://www.ci.gardengrove.ca.us/> (website accessed on September 8, 2015).

⁷⁵ Derived from Orange County Sanitation District rates (150% of effluent generation).

⁷⁶ City of Garden Grove. *City of Garden Grove General Plan, Chapter 6 Infrastructure Element*. <http://www.ci.gardengrove.ca.us/> (website accessed on September 8, 2015).

⁷⁷ Orange County Sanitation District rates. 2015.

- C. *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? • No Impact.*

The City of Garden Grove is served by the County of Orange, Orange County Flood Control District (OCFCD), which operates and maintains regional and municipal storm drainage facilities. As part of the development, certain improvements will be installed that will affect the amount of potential storm water runoff.⁷⁸ For example, the majority of the project site will continue to be paved or otherwise covered in impervious surfaces. The existing landscaping includes the front and rear yard areas of the single-family home and very limited landscaping for the commercial properties. The estimated existing pervious area is 3,358 square feet. According to the proposed project's site plan, the total landscaped area will be 4,410 square feet.⁷⁹ Therefore, the proposed project's pervious area will be greater than the existing amount. In addition, the site's topography will not significantly change. As a result, there will not be an increase in either peak run-off volumes or peak run-off velocity.

- D. *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? • Less than Significant Impact.*

The proposed ten work-live units are projected to consume approximately 2,500 gallons of water per day assuming 250 gallons per day per unit.⁸⁰ The proposed project will utilize low-flush toilets and other water conservation devices as a means to reduce water consumption. In addition, the development will be required to employ the water conserving irrigation equipment as a means to further reduce consumption. When considering the consumption from the existing uses, the net change will be minimal. As a result, the potential impacts are anticipated to be less than significant. As a result, the potential impacts will be less than significant.

- E. *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? • Less than Significant Impact.*

The potential impacts on this issue are discussed herein in Section 3.17.2.B. No increase on wastewater treatment capacity and/or water supply commitments are required to accommodate the proposed project. As a result, the impacts are less than significant.

⁷⁸ The first 3/4 inches of rainfall from any storm shall be treated and infiltrated through the use of vegetated swales.

⁷⁹ George Behnam, Architect. Design Package [Mixed Use Development], 10641 & 10661 Garden Grove Blvd. & 10642 Pearl St. April 21, 2015..

⁸⁰ Derived from Orange County Sanitation District rates (150% of effluent generation).

F. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? • Less than Significant Impact.

The proposed project is projected to generate 40 pounds of solid waste on a daily basis. This waste generation rate assumes that each unit will generate four pounds of solid waste per average day. This generation rate represents a small proportion of the total waste generated citywide. As a result, the potential impacts are less than significant.

G. Would the project comply with Federal, State, and local statutes and regulations related to solid waste? • No Impact.

The proposed project, like all other development in Garden Grove, will be required to adhere to City and County ordinances with respect to waste reduction and recycling. As a result, no impacts related to State and local statutes governing solid waste are anticipated.

3.17.3 MITIGATION MEASURES

The analysis of utilities impacts indicated that no impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.18 MANDATORY FINDINGS OF SIGNIFICANCE

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- The approval and subsequent implementation of the proposed project *will not* have the potential to degrade the quality of the environment.
- The approval and subsequent implementation of the proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- The approval and subsequent implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity. The potential for cumulative impacts are outlined below:
 - The potential aesthetic impacts related to views, aesthetics, and light and glare is site specific. As a result, no cumulative aesthetic impacts are anticipated.
 - The analysis determined that there are no agricultural or forestry resources in the project area and that the implementation of the proposed project would not result in any impacts on these resources. As a result, no cumulative impacts on agricultural or farmland resources will occur.
 - The proposed project's long-term operational emissions are not considered to represent a significant impact. As a result, the potential cumulative air quality impacts will be less than significant.
 - The impacts on biological resources are site specific. The proposed project will not involve any loss of protected habitat. The analysis also determined that the proposed project will not result in any impacts on protected plant and animal species. As a result, no cumulative impacts on biological resources will be associated with the proposed project's implementation.
 - The potential cumulative impacts related to cultural resources are site specific. Consultation with the Gabrieleño-Kizh Band of Mission Indians indicated that there was a potential for impacts as part of any construction activity involving ground disturbance. As a result, any cumulative project where a discretionary action is involved that would require ground disturbance to implement would likely have the same mitigation identified herein (refer to Section 3.5.3).
 - The analysis herein determined that the proposed project would not result in any cumulative impacts related to landform modification, grading, or the destruction of a geologically significant landform or feature. As a result, no cumulative earth and geology impacts are anticipated.

- The analysis herein also determined that the proposed project would not result in any cumulative impacts related to the emissions of greenhouse gases. As a result, no cumulative impacts will result from the proposed project's implementation.
- The potential cumulative impacts related to hazardous materials are site specific. Furthermore, the analysis herein also determined that the implementation of the proposed project would not result in any impacts related to hazards and/or hazardous materials. As a result, no cumulative impacts related to hazards or hazardous materials will result from the proposed project's implementation.
- The potential cumulative impacts related to hydrology and storm water runoff are typically site specific. Furthermore, the analysis determined that the implementation of the proposed project would not result in any impacts. As a result, no cumulative impacts are anticipated.
- The potential cumulative impacts with respect to land use are site specific. Furthermore, the analysis determined that the proposed project will not result in any impacts. As a result, no cumulative land use impacts will occur as part of the proposed project's implementation.
- The potential cumulative impacts on mineral resources are site specific. Furthermore, the analysis determined that the proposed project would not result in any impacts on mineral resources. As a result, no cumulative impacts will occur.
- The analysis indicated the proposed project would not result in any cumulative noise impacts. The stationary noise from the proposed residential development will be comparable to that associated with the existing residential use. The anticipated mobile noise impacts will be consistent with that considered in the Garden Grove General Plan. As a result, no cumulative noise impacts will occur.
- The analysis of potential population and housing impacts indicated that no cumulative impacts would result from the proposed project's implementation. As a result, no cumulative noise impacts related to population and housing will occur.
- The future development contemplated as part of the proposed project's implementation will not result in an incremental increase in the demand for emergency services. As a result, no cumulative impacts are anticipated.
- The analysis determined the proposed project would not result in any potential cumulative impact on recreational facilities and services. As a result, no cumulative impacts on recreational facilities would result from the proposed project's implementation.

- The future development contemplated as part of the proposed project's implementation will result in an incremental increase in citywide traffic. However, the residential units address an existing need contemplated in the SCAG's RTP. As a result, no cumulative impacts are anticipated.
- The potential cumulative impacts related to water line and sewer line capacities are site specific. There is sufficient water and sewer infrastructure serving the project to provide capacity for the project at build-out and cumulatively. As a result, no cumulative impacts are anticipated.
- The approval and subsequent implementation of the proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.
- This Initial Study indicated there is no evidence that the proposed project will have an adverse effect on wildlife resources or the habitat upon which any wildlife depends.



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SECTION 4 CONCLUSIONS

4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have a significant effect on the environment.
- The proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.
- The proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.
- A Mitigation Monitoring and Reporting Program *will* be required.



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SECTION 5 REFERENCES

5.1 PREPARERS

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5.2 REFERENCES

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APPENDICES

APPENDIX A – AIR QUALITY WORKSHEETS

CITY OF GARDEN GROVE • MITIGATED NEGATIVE DECLARATION & INITIAL STUDY
 MIXED-USE DEVELOPMENT • 10641 & 10661 GARDEN GROVE BLVD. & 10642 PEARL ST.

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Garden Grove Mixed Use
 South Coast AQMD Air District, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Use	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse	10.00	Dwelling Unit	0.83	10,000.00	29
Parking Lot	32.00	Space	0.29	12,800.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	31
Climate Zone	8	Operational Year	2017		
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	630.88	CH4 Intensity (lb/MWhr)	0.029	H2O Intensity (lb/MWhr)	0.008

1.3 User Entered Comments & Non-Default Data

Project Characteristics -
 Land Use -
 Construction Phase - construction times discussed in MND
 Demolition -
 Architectural Coating - Per SCAQMD
 Construction Off-road Equipment Mitigation -

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Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	150.00
tblConstructionPhase	NumDays	6.00	21.00
tblConstructionPhase	NumDays	100.00	80.00
tblConstructionPhase	NumDays	10.00	44.00
tblConstructionPhase	NumDays	2.00	22.00
tblConstructionPhase	NumDays	5.00	21.00
tblConstructionPhase	NumDays	1.00	21.00
tblGrading	AcresOfGrading	10.60	0.60
tblProjectCharacteristics	OperationalYear	2014	2017

2.0 Emissions Summary

CITY OF GARDEN GROVE • MITIGATED NEGATIVE DECLARATION & INITIAL STUDY
MIXED-USE DEVELOPMENT • 10641 & 10661 GARDEN GROVE BLVD. & 10642 PEARL ST.

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2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2018	4.1790	14.0328	9.4561	0.0138	0.8645	0.8453	1.6994	0.4434	0.6697	1.2116	0.0000	1,398.503	1,398.503	0.3630	0.0000	1,408.234
Total	4.1790	14.0328	9.4561	0.0138	0.8645	0.8453	1.6994	0.4434	0.6697	1.2116	0.0000	1,398.503	1,398.503	0.3630	0.0000	1,408.234

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2018	4.1790	14.0328	9.4561	0.0138	0.4054	0.8453	1.2102	0.1910	0.6697	0.9992	0.0000	1,398.503	1,398.503	0.3630	0.0000	1,408.234
Total	4.1790	14.0328	9.4561	0.0138	0.4054	0.8453	1.2102	0.1910	0.6697	0.9992	0.0000	1,398.503	1,398.503	0.3630	0.0000	1,408.234

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	83.11	0.00	27.81	82.92	0.00	20.83	0.00	0.00	0.00	0.00	0.00	0.00

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2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	3.1210	0.0782	5.9831	8.0400e-003		0.7684	0.7684		0.7683	0.7683	93.6602	181.4625	275.1617	0.2909	8.3800e-003	283.0304
Energy	4.6800e-003	0.0400	0.0170	2.6000e-004		3.2300e-003	3.2300e-003		3.2300e-003	3.2300e-003		51.0078	51.0078	0.8000e-004	0.4000e-004	51.3182
Mobile	0.2540	0.7420	3.0098	7.7800e-003	0.5189	0.0110	0.5280	0.1387	0.0101	0.1487		660.7056	660.7056	0.0249		661.2219
Total	3.3606	0.8591	8.9957	0.0161	0.5189	0.7926	1.3015	0.1387	0.7916	0.9203	93.6602	693.2039	966.9761	0.3067	7.3000e-003	995.5765

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	3.1210	0.0782	5.9831	8.0400e-003		0.7684	0.7684		0.7683	0.7683	93.6602	181.4625	275.1617	0.2909	8.3800e-003	283.0304
Energy	4.6800e-003	0.0400	0.0170	2.6000e-004		3.2300e-003	3.2300e-003		3.2300e-003	3.2300e-003		51.0078	51.0078	0.8000e-004	0.4000e-004	51.3182
Mobile	0.2540	0.7420	3.0098	7.7800e-003	0.5189	0.0110	0.5280	0.1387	0.0101	0.1487		660.7056	660.7056	0.0249		661.2219
Total	3.3606	0.8591	8.9957	0.0161	0.5189	0.7926	1.3015	0.1387	0.7916	0.9203	93.6602	693.2039	966.9761	0.3067	7.3000e-003	995.5765

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NH3- CO2	Total CO2	GHG	N2	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	2/1/2016	3/31/2016	5	44	
2	Site Preparation	Site Preparation	4/1/2016	4/29/2016	5	21	
3	Grading	Grading	4/30/2016	5/31/2016	5	22	
4	Building Construction	Building Construction	6/1/2016	9/30/2016	5	90	
5	Paving	Paving	10/1/2016	10/31/2016	5	21	
6	Architectural Coating	Architectural Coating	11/1/2016	11/30/2016	5	22	

Acres of Grading (Site Preparation Phase): 0.5

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 20,250; Residential Outdoor: 6,750; Non-Residential Indoor: 576; Non-Residential Outdoor: 102 (Architectural Coating – sqft)

OffRoad Equipment

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Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	75	0.48
Paving	Cement and Mortar Mixers	4	6.00	9	0.66
Demolition	Concrete/Industrial Saws	1	6.00	81	0.73
Grading	Concrete/Industrial Saws	1	6.00	81	0.73
Building Construction	Cranees	1	4.00	225	0.25
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	6.00	174	0.41
Paving	Pavers	1	7.00	125	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	1.00	255	0.40
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Building Construction	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	6.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	4	10.00	0.00	23.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	13.00	3.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	3.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

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3.1 Mitigation Measures Construction

Use Soil Stabilizer
 Water Exposed Area
 Clean Paved Roads

3.2 Demolition - 2016

Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day										lb/day					
Fugitive Dust					0.1120	0.0000	0.1120	0.0171	0.0000	0.0171			0.0000			0.0000
Off-Road	1.3122	11.2385	8.7048	0.0120		0.8039	0.8039		0.7674	0.7674			1,193,610.6	1,193,610.6	0.2386	1,194,821.7
Total	1.3122	11.2385	8.7048	0.0120	0.1120	0.8039	0.9159	0.0171	0.7674	0.7845			1,193,610.6	1,193,610.6	0.2386	1,194,821.7

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3.2 Demolition - 2016

Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day										lb/day					
Hauling	8.0400e-003	0.1433	0.1014	3.0000e-004	0.1100e-003	2.2700e-003	0.0114	2.4500e-003	2.0800e-005	4.5300e-003			38.8468	38.8468	2.9000e-004	38.8424
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000	0.0000	0.0000	0.0000
Worker	0.0418	0.0522	0.6500	1.4200e-003	0.1118	0.3000e-004	0.1127	0.0208	8.6800e-004	0.0305			118.9406	118.9406	6.1000e-003	119.0740
Total	0.0418	0.1955	0.7514	1.8100e-003	0.1209	3.3000e-003	0.1241	0.0321	2.9100e-003	0.0321			157.7924	157.7924	6.3800e-003	157.9264

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
	lb/day										lb/day					
Fugitive Dust					0.0440	0.0000	0.0440	0.0700e-003	0.0000	0.0700e-003			0.0000			0.0000
Off-Road	1.3122	11.2385	8.7048	0.0120		0.8039	0.8039		0.7674	0.7674			1,193,610.6	1,193,610.6	0.2386	1,194,821.7
Total	1.3122	11.2385	8.7048	0.0120	0.0440	0.8039	0.8479	0.0700e-003	0.7674	0.7740			1,193,610.6	1,193,610.6	0.2386	1,194,821.7

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3.2 Demolition - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	9.9400e-003	0.1433	0.1014	3.0000e-004	0.1100e-003	2.2700e-003	0.0114	2.4900e-003	2.0000e-003	4.5000e-003			33.8466	33.8466	2.8000e-004	38.8524
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000	0.0000	0.0000	0.0000
Worker	0.0418	0.0522	0.8500	1.4200e-003	0.1118	0.3000e-004	0.1127	0.0208	8.6000e-004	0.0305			118.0456	118.0456	6.1000e-003	119.0740
Total	0.0907	0.1955	0.9514	1.0100e-003	0.1209	3.2000e-003	0.1241	0.0321	2.9300e-003	0.0351			157.7924	157.7924	6.5000e-003	157.9264

3.3 Site Preparation - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0253	0.0000	0.0253	2.7300e-003	0.0000	2.7300e-003			0.0000			0.0000
Off-Road	1.3593	13.6350	7.3401	8.3500e-003		0.8338	0.8338		0.7671	0.7671			973.0842	973.0842	0.2935	979.2481
Total	1.3593	13.6350	7.3401	8.3500e-003	0.0253	0.8338	0.8590	2.7300e-003	0.7671	0.7698			973.0842	973.0842	0.2935	979.2481

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3.3 Site Preparation - 2016

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000	0.0000	0.0000	0.0000
Worker	0.0200	0.0261	0.3290	7.1000e-004	0.0590	4.7000e-004	0.0644	0.0148	4.3000e-004	0.0153			59.4729	59.4729	3.0500e-003	60.8370
Total	0.0200	0.0261	0.3290	7.1000e-004	0.0590	4.7000e-004	0.0644	0.0148	4.3000e-004	0.0153			59.4729	59.4729	3.0500e-003	60.8370

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0500e-003	0.0000	0.0500e-003	1.0600e-003	0.0000	1.0600e-003			0.0000			0.0000
Off-Road	1.3593	13.6350	7.3401	8.3500e-003		0.8338	0.8338		0.7671	0.7671			973.0842	973.0842	0.2935	979.2481
Total	1.3593	13.6350	7.3401	8.3500e-003	0.0500e-003	0.8338	0.8436	1.0600e-003	0.7671	0.7691			973.0842	973.0842	0.2935	979.2481

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3.3 Site Preparation - 2016
Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0203	0.0281	0.3250	7.1900e-004	0.0599	4.7000e-004	0.0584	0.0148	4.3000e-004	0.0153		39.4729	39.4729	3.0500e-003		39.5370
Total	0.0203	0.0281	0.3250	7.1900e-004	0.0599	4.7000e-004	0.0584	0.0148	4.3000e-004	0.0153		39.4729	39.4729	3.0500e-003		39.5370

3.4 Grading - 2016
Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.7528	0.0000	0.7528	0.4138	0.0000	0.4138			0.0000			0.0000
Off-Road	1.3122	11.2385	8.7048	0.0120		0.8039	0.8039	0.7674	0.7674	0.7674		1,193,610.6	1,193,610.6	0.2386		1,199,821.7
Total	1.3122	11.2385	8.7048	0.0120	0.7528	0.8039	1.5566	0.4138	0.7674	1.1811		1,193,610.6	1,193,610.6	0.2386		1,199,821.7

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3.4 Grading - 2016
Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0418	0.0522	0.6300	1.4200e-003	0.1118	0.3000e-004	0.1127	0.0286	8.6000e-004	0.0305		118,9458	118,9458	6.1000e-003		119,0740
Total	0.0418	0.0522	0.6300	1.4200e-003	0.1118	0.3000e-004	0.1127	0.0286	8.6000e-004	0.0305		118,9458	118,9458	6.1000e-003		119,0740

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					0.2936	0.0000	0.2936	0.1614	0.0000	0.1614			0.0000			0.0000
Off-Road	1.3122	11.2385	8.7048	0.0120		0.8039	0.8039	0.7674	0.7674	0.7674		1,193,610.6	1,193,610.6	0.2386		1,199,821.7
Total	1.3122	11.2385	8.7048	0.0120	0.2936	0.8039	1.0975	0.1614	0.7674	0.9287		1,193,610.6	1,193,610.6	0.2386		1,199,821.7

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3.4 Grading - 2016
Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0418	0.0322	0.0500	1.4200e-003	0.1118	0.3000e-004	0.1127	0.0290	0.6000e-004	0.0300		118.9408	118.9408	6.1000e-003		119.0740
Total	0.0418	0.0322	0.0500	1.4200e-003	0.1118	0.3000e-004	0.1127	0.0290	0.6000e-004	0.0300		118.9408	118.9408	6.1000e-003		119.0740

3.5 Building Construction - 2016
Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.3818	13.7058	8.2122	0.0113		0.8398	0.8398		0.8648	0.8648		1,178,554.0	1,178,554.0	0.3555		1,188,020.2
Total	1.3818	13.7058	8.2122	0.0113		0.8398	0.8398		0.8648	0.8648		1,178,554.0	1,178,554.0	0.3555		1,188,020.2

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3.5 Building Construction - 2016
Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0250	0.2501	0.2898	8.8000e-004	0.0188	4.2700e-003	0.0230	5.3400e-003	3.0200e-003	0.2800e-003		65.4067	65.4067	4.7000e-004		65.4185
Worker	0.0543	0.0679	0.8450	1.8400e-003	0.1433	1.2100e-003	0.1485	0.0385	1.1200e-003	0.0397		164.6296	164.6296	7.9300e-003		164.7962
Total	0.0793	0.3270	1.1438	2.4900e-003	0.1641	5.4800e-003	0.1695	0.0438	5.0400e-003	0.0489		220.0393	220.0393	8.4000e-003		220.2147

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.3818	13.7058	8.2122	0.0113		0.8398	0.8398		0.8648	0.8648		1,178,554.9	1,178,554.9	0.3555		1,188,020.2
Total	1.3818	13.7058	8.2122	0.0113		0.8398	0.8398		0.8648	0.8648		1,178,554.9	1,178,554.9	0.3555		1,188,020.2

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3.5 Building Construction - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0260	0.2991	0.2858	8.5000e-004	0.0188	4.2700e-003	0.0030	5.3400e-003	3.0200e-003	0.2690e-003		85.4087	85.4087	4.7000e-004		85.4185
Worker	0.0543	0.0870	0.8450	1.8400e-003	0.1453	1.2100e-003	0.1465	0.0368	1.1200e-003	0.0307		154.6206	154.6206	7.0300e-003		154.7962
Total	0.0793	0.3270	1.1438	2.4900e-003	0.1641	5.4800e-003	0.1595	0.0438	5.6400e-003	0.0409		220.0393	220.0393	6.4000e-003		220.2147

3.6 Paving - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.1203	10.8282	7.2935	0.0111		0.6606	0.6606		0.6113	0.6113		1,083,683.2	1,083,683.2	0.2969		1,089,817.5
Paving	0.0382					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.1585	10.8282	7.2935	0.0111		0.6606	0.6606		0.6113	0.6113		1,083,683.2	1,083,683.2	0.2969		1,089,817.5

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3.6 Paving - 2016

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0752	0.0340	1.1700	2.5500e-003	0.2012	1.6900e-003	0.2029	0.0534	1.5500e-003	0.0549		214.1025	214.1025	0.0110		214.3332
Total	0.0752	0.0340	1.1700	2.5500e-003	0.2012	1.6900e-003	0.2029	0.0534	1.5500e-003	0.0549		214.1025	214.1025	0.0110		214.3332

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.1203	10.8282	7.2935	0.0111		0.6606	0.6606		0.6113	0.6113	0.0000	1,083,683.2	1,083,683.2	0.2969		1,089,817.5
Paving	0.0382					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.1585	10.8282	7.2935	0.0111		0.6606	0.6606		0.6113	0.6113	0.0000	1,083,683.2	1,083,683.2	0.2969		1,089,817.5

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3.6 Paving - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0762	0.0040	1.1700	2.9500e-003	0.2012	1.6900e-003	0.2020	0.0034	1.0000e-003	0.0040		214.1025	214.1025	0.0110		214.3332
Total	0.0762	0.0040	1.1700	2.9500e-003	0.2012	1.6900e-003	0.2020	0.0034	1.0000e-003	0.0040		214.1025	214.1025	0.0110		214.3332

3.7 Architectural Coating - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	3.7030					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.3625	2.3722	1.8830	2.9700e-003		0.1988	0.1988		0.1988	0.1988		281.4481	281.4481	0.0332		282.1449
Total	4.1654	2.3722	1.8830	2.9700e-003		0.1988	0.1988		0.1988	0.1988		281.4481	281.4481	0.0332		282.1449

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3.7 Architectural Coating - 2016

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0125	0.0157	0.1850	4.2000e-004	0.0335	2.8000e-004	0.0338	0.0000e-003	2.6000e-004	0.1000e-003		35.6838	35.6838	1.8300e-003		35.7222
Total	0.0125	0.0157	0.1850	4.2000e-004	0.0335	2.8000e-004	0.0338	0.0000e-003	2.6000e-004	0.1000e-003		35.6838	35.6838	1.8300e-003		35.7222

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	3.7030					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.3625	2.3722	1.8830	2.9700e-003		0.1988	0.1988		0.1988	0.1988		281.4481	281.4481	0.0332		282.1449
Total	4.1654	2.3722	1.8830	2.9700e-003		0.1988	0.1988		0.1988	0.1988		281.4481	281.4481	0.0332		282.1449

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3.7 Architectural Coating - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NH3-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Heating	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0125	0.0127	0.1950	4.2000e-004	0.0335	2.8000e-004	0.0338	6.8000e-003	2.6800e-004	9.1500e-003		35.6838	35.6838	1.6300e-003		35.7222
Total	0.0125	0.0127	0.1950	4.2000e-004	0.0335	2.8000e-004	0.0338	6.8000e-003	2.6800e-004	9.1500e-003		35.6838	35.6838	1.6300e-003		35.7222

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NH3-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.2540	0.7420	3.0998	7.7600e-003	0.5180	0.0110	0.0200	0.1387	0.0161	0.1457		660.7068	660.7068	0.0240		661.2270
Unmitigated	0.2540	0.7420	3.0998	7.7600e-003	0.5180	0.0110	0.0200	0.1387	0.0161	0.1457		660.7068	660.7068	0.0240		661.2270

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4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	65.90	71.60	60.70	225,434	225,434
Parking Lot	0.00	0.00	0.00		
Total	65.90	71.60	60.70	225,434	225,434

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	14.70	5.90	6.70	40.20	19.20	40.60	86	11	3
Parking Lot	16.60	6.40	6.90	0.00	0.00	0.00	0	0	0

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.612183	0.060173	0.182257	0.139094	0.042244	0.006684	0.018017	0.031680	0.001840	0.002497	0.004358	0.000692	0.002122

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	4.8870e-003	0.0400	0.0170	2.6000e-004	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	0.0000	0.0000	0.0000	0.0000e-004	0.4000e-004	0.13182
NaturalGas Unmitigated	4.8870e-003	0.0400	0.0170	2.6000e-004	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	0.0000	0.0000	0.0000	0.0000e-004	0.4000e-004	0.13182

5.2 Energy by Land Use - NaturalGas
Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Land Use	MBTU/yr	lb/day										lb/day					
Condo/Townhouse	433.888	4.8870e-003	0.0400	0.0170	2.6000e-004	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	0.0000	0.0000	0.0000	0.0000e-004	0.4000e-004	0.13182
Parking Lot	0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000e-004	0.0000e-004	0.0000
Total		4.8870e-003	0.0400	0.0170	2.6000e-004	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	0.0000	0.0000	0.0000	0.0000e-004	0.4000e-004	0.13182

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5.2 Energy by Land Use - NaturalGas
Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Land Use	MBTU/yr	lb/day										lb/day					
Condo/Townhouse	0.433888	4.8870e-003	0.0400	0.0170	2.6000e-004	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	0.0000	0.0000	0.0000	0.0000e-004	0.4000e-004	0.13182
Parking Lot	0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000e-004	0.0000e-004	0.0000
Total		4.8870e-003	0.0400	0.0170	2.6000e-004	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	3.2300e-003	0.0000	0.0000	0.0000	0.0000e-004	0.4000e-004	0.13182

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	3.1210	0.0782	5.8831	8.0400e-003	0.7684	0.7684	0.7684	0.7683	0.7683	0.7683	93.6602	181.4625	275.1617	0.2609	6.3600e-003	283.0304
Unmitigated	3.1210	0.0782	5.8831	8.0400e-003	0.7684	0.7684	0.7684	0.7683	0.7683	0.7683	93.6602	181.4625	275.1617	0.2609	6.3600e-003	283.0304

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6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day											lb/day				
Architectural Coating	0.0230					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.4514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	2.6204	0.0885	5.0284	8.0000e-003		0.7630	0.7630		0.7638	0.7638	93.6502	180.0000	273.6602	0.2793	6.3600e-003	281.5062
Landscaping	0.0263	0.7500e-003	0.9367	4.0000e-003		4.5400e-003	4.5400e-003		4.5400e-003	4.5400e-003		1.4925	1.4925	1.5100e-003		1.5243
Total	3.1219	0.0762	5.9631	8.0000e-003		0.7684	0.7684		0.7683	0.7683	93.6502	181.4925	273.1617	0.2809	6.3600e-003	283.0304

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6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day											lb/day				
Architectural Coating	0.0230					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.4514					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	2.6204	0.0885	5.0284	8.0000e-003		0.7630	0.7630		0.7638	0.7638	93.6502	180.0000	273.6602	0.2793	6.3600e-003	281.5062
Landscaping	0.0263	0.7500e-003	0.9367	4.0000e-003		4.5400e-003	4.5400e-003		4.5400e-003	4.5400e-003		1.4925	1.4925	1.5100e-003		1.5243
Total	3.1219	0.0762	5.9631	8.0000e-003		0.7684	0.7684		0.7683	0.7683	93.6502	181.4925	273.1617	0.2809	6.3600e-003	283.0304

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation

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COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: D.1	SITE LOCATION: North side of Garden Grove Freeway (SR-22), east side of Valley View Street
HEARING DATE: May 19, 2016	GENERAL PLAN: Industrial/ Commercial Mixed Use
CASE NO.: Conditional Use Permit No. CUP-069-2016 and Interpretation of Use No. IOU-109-2016	ZONE: PUD-105-76
APPLICANT: Shoreline Ambulance	CEQA DETERMINATION: Exempt – Existing Facilities
PROPERTY OWNER: Bridgecreek Garden Grove, LLC	APN.: 217-052-01 and 02

REQUEST:

Pursuant to the requirements of Planned Unit Development No. PUD-105-76, a request for an Interpretation of Use (IOU) to determine the compatibility between the proposed ambulance service and the existing Planned Unit Development (PUD-105-76), in conjunction with a Conditional Use Permit (CUP) request to operate a new 3,600 square foot ambulance service business, Shoreline Ambulance within an existing facility located at 12882 Valley View Street, Suite 12, 13, and 14.

DISCUSSION:

Bridgecreek Garden Grove LLC, the property owner of 12752 - 12882 Valley View Street, Garden Grove, CA, 92845, APN 217-052-01 and 02, is requesting that the City of Garden Grove Planning Commission withdraw Conditional Use Permit application request (CUP-069-2016 and IOU-109-2016). No terms and financial agreements were reached with the applicant and no lease documents were executed.

REQUEST

Staff is requesting that the Planning Commission withdraw Conditional Use Permit CUP-069-2016 and Interpretation of Use IOU-109-2016.


Karl Hill
Planning Service Manager

By: 
Senior Program Specialist

BRIDGECREEK BUSINESS PARK
OFFICE AND INDUSTRIAL PARK
12752 Valley View Street, Suite J, Garden Grove, CA 92845
Managed and Leased by Seligman Western Enterprises, Ltd.

City of Garden Grove

Planning Division

11222 Acacia Parkway

Garden Grove, CA 92840

Attention: Paul Guerrero

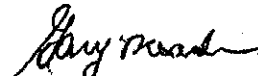
Subject: Withdraw of Conditional Use Permit CUP-069-2016 and IOU-109-2016

May 3, 2016,

Dear: Mr. Guerrero

At this time, Bridgecreek Garden Grove LLC, property owners of 12812 and 12842 Valley View Street, Garden Grove, CA, 92845, APN 217-052-01 and 02 is requesting that the City of Garden Grove Planning Division withdraw Conditional Use Permit application request (CUP-069-2016 and IOU-109-2016). No terms and financial agreements were reached and no lease documents were executed. In addition, the last correspondence with Shoreline Ambulance Company LLC or from their authorized agent was March 24, 2016. Thank you for your assistance in this matter.

Sincerely,


Gary Meade,
Property Manager

Phone: (714) 373-5075

Email: bridgecreek@seligmanwestern.com

Fax: (714) 373-5196

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C2 D.2.	SITE LOCATION: South side of Katella Avenue, west of Brookhurst Street and Katella Avenue
HEARING DATE: May 19, 2016	GENERAL PLAN: Light Commercial
CASE NO.: Conditional Use Permit No. CUP-071-2016	ZONE: C-2 (Community Commercial)
APPLICANT: Andy Nguyen	CEQA DETERMINATION: Exempt – Existing Facilities
PROPERTY OWNER: An Tang Dao	APN.: 132-111-21

REQUEST:

The applicant requests approval of Conditional Use Permit (CUP) to operate an existing 9,120 square foot restaurant/banquet facility, Golden Sea Chinese Restaurant and Banquet, with live entertainment and an original State Alcoholic Beverage Control (ABC) type "47" (On-Sale General, Eating Place) License.

BACKGROUND:

The site for the existing restaurant is improved with an integrated multi-tenant shopping center located on the south side of Katella Avenue, west of Brookhurst Street. The shopping center includes several retail uses, financial and eating establishments, professional and medical offices, and other related uses. The subject restaurant under application is a 9,120 square foot tenant space located on the north side of the shopping center at 9802 Katella Avenue. The restaurant's existing designated parking area provides 106 parking spaces. Title 9 of the Municipal Code parks restaurant use at a rate of one (1) space per 100 square feet of gross floor area, based on this rate, the restaurant provides fourteen (14) spaces above code.

The site is located in the C-2 (Community Commercial) zone and has a General Plan Land Use designation of Light Commercial. The existing restaurant is adjacent to R-1 (single-family residential) to the east, R-3 (multiple-family residential) to the south, C-2 (Community Commercial) to the west, and single-family residential units to the north located within the City of Anaheim.

The subject restaurant changed ownership in February 2016 and is open for business. On May 17, 2000, the Planning Commission approved Conditional Use Permit No. CUP-504-00 to operate a restaurant/banquet facility, Royal Dragon Seafood Restaurant with live entertainment in conjunction with a State Alcoholic Beverage Control Type "47" (On-Sale General – Eating Place) License. However, the prior

restaurant owner, Seafood Kingdom and the new owners were unable to reach an agreement to complete the transfer of the ABC type "47" and thus, the new owner is requesting approval of a Conditional Use Permit for an original State Alcoholic Beverage Control type "47" (On-Sale General - Eating Place) License.

Municipal Code Section No. 9.18.060 requires the approval of a Conditional Use Permit when there is a use that engages in on-sale of alcoholic beverages and when there is an application for a new original ABC license.

DISCUSSION:

The Golden Sea Chinese and Banquet operates as a sit-down, family-style restaurant that specializes in Chinese cuisine. A portion of the restaurant will continue to be a banquet facility with live entertainment that will be an incidental use to the restaurant. The restaurant's total floor area is 9,120 square feet which consists of a dining and banquet room both separated by sound proof retractable panel walls, hostess and service station, cashier area, service bar, men's and women's restrooms, office, kitchen, dry and cold storage, trash enclosure, and entertainment stage. No exterior alcoholic beverage consumption is requested. The layout of the tenant space along with the entrance locations will remain as originally approved under CUP-504-00.

A permanent raised entertainment stage approximately (12'X32') is located in the banquet room. The stage is only to be used by the leasee and their guest during the banquet event. The restaurant owner is solely responsible to book all banquet events and will review the executed agreement to ensure that the live entertainment is in compliance with the conditions of approval. The banquet leasee is responsible to execute an agreement with the live entertainment. Additionally, according to the restaurant owner, the live entertainment has an option to use their own equipment or that of the restaurant.

The restaurant will operate from 11:00 a.m. to 11:00 p.m., seven (7) days a week. The banquet facility with live entertainment will occur on Fridays, Saturdays, and Sundays from 11:00 a.m. to 11:00 p.m. The banquet facility will remain incidental to the restaurant use, and the live entertainment in the form of karaoke, a solo karaoke performer, solo disc-jockey, one-man band, or solo performer with accompaniment of one instrumentalist will only be permitted in conjunction with the banquet event. The restaurant is considered a "bone-fide public eating place," and as such, is required to maintain a section of the dining area available for the general public to use for dining purpose during banquet hours.

The restaurant is located in a high-crime district and in an area with an over concentration of Alcoholic Beverage Control Licenses. A summary of the district, along with findings for public convenience and necessity, can be found in Resolution No. 5862-16 for Conditional Use Permit No. CUP-071-2016.

Upon inspection of the site, Staff observed several property maintenance items that have been address in the conditions of approval.

The Community and Economic Development Department and the Police Department have reviewed the request and are in support of the proposal. All standard conditions of approval for a restaurant that operates with an ABC Type "47" (On-Sale General, Eating Place) License along with an incidental banquet facility with live entertainment will apply.

RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 5862-16 approving Conditional Use Permit No. CUP-071-2016, subject to the recommended conditions of approval.



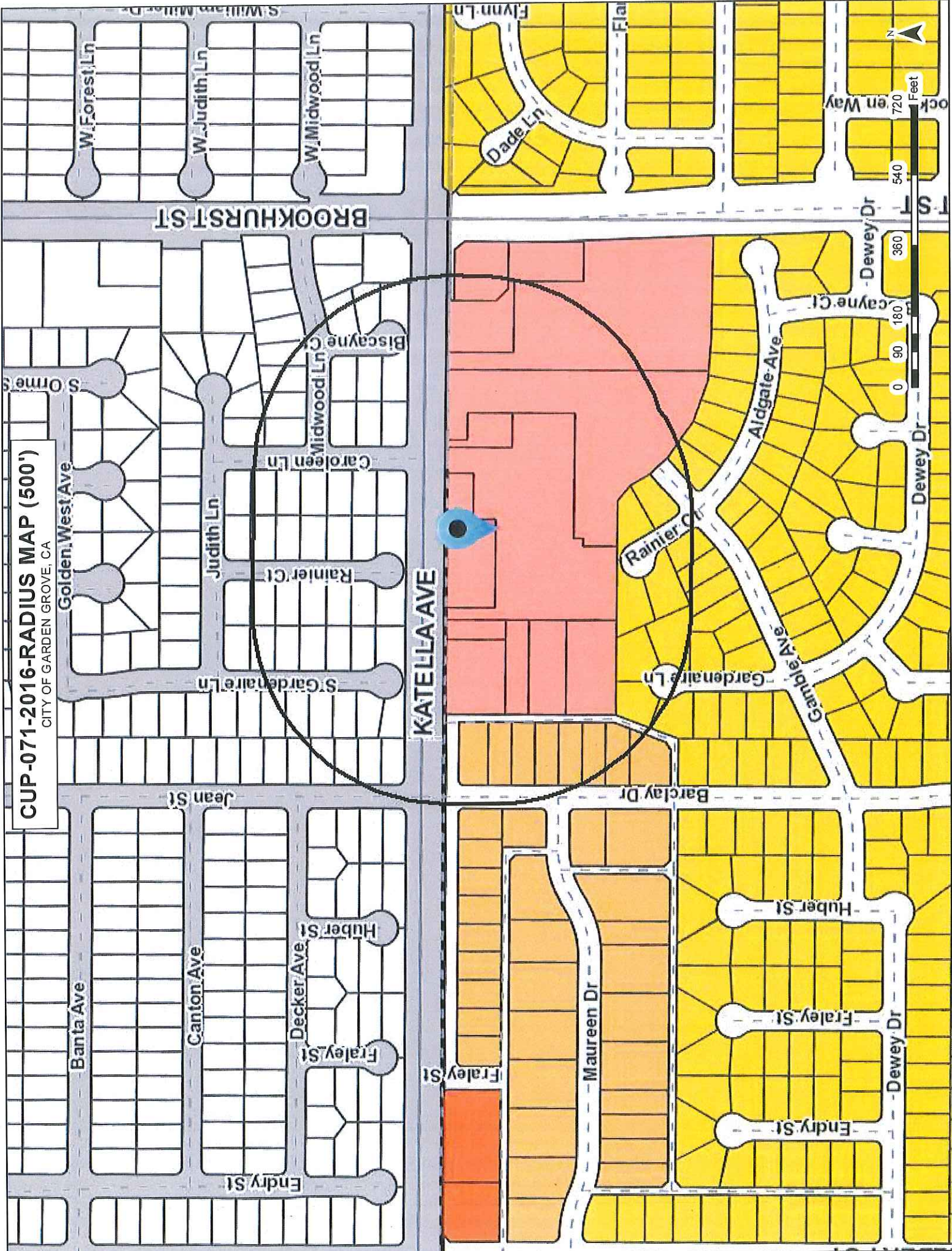
Karl Hill
Planning Service Manager



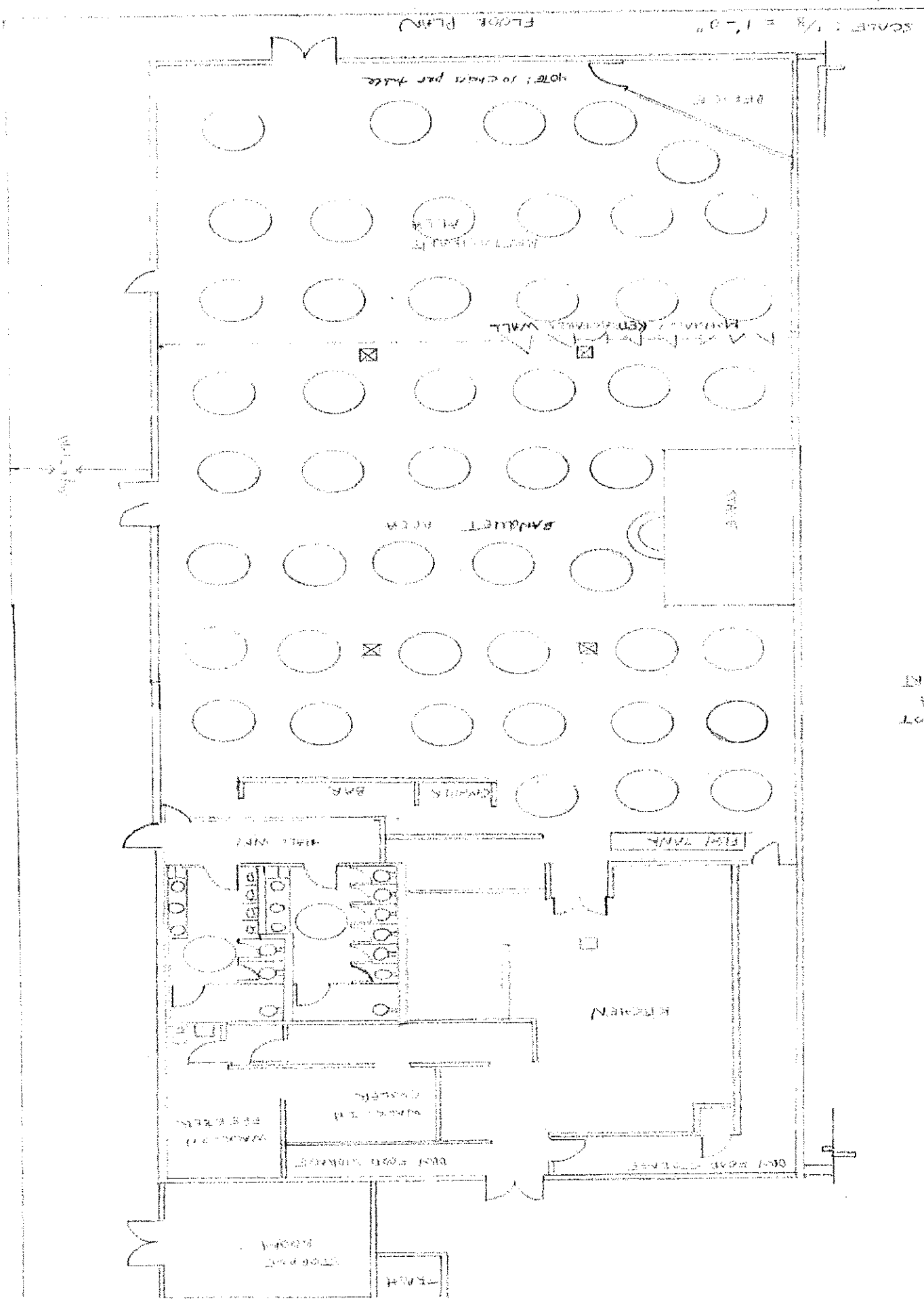
By: Paul Guerrero
Senior Program Specialist

CUP-071-2016-RADIUS MAP (500')

CITY OF GARDEN GROVE, CA



GOLDEN SEA CHINESE SEAFOOD RESTAURANT & BANQUET



PART
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RESOLUTION NO. 5862-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-071-2016 FOR PROPERTY LOCATED AT 9802 KATELLA AVENUE, ASSESSOR'S PARCEL NO. 132-111-21.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove in a regular session assembled on May 19, 2016, hereby approves Conditional Use Permit No. CUP-071-2016 to permit operation of restaurant/banquet facility with live entertainment and an original State Alcohol Beverage Control (ABC) Type "47" License for a property located on the south side of Katella Avenue, west of Brookhurst Street and Katella Avenue at 9802 Katella Avenue, Assessor's Parcel No. 132-111-21.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-071-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Andy Nguyen for Golden Sea Chinese Restaurant and Banquet.
2. The applicant is requesting Conditional Use Permit (CUP) approval to allow Golden Sea Chinese Restaurant and Banquet, to operate an existing 9,120 square foot restaurant/banquet facility with live entertainment with a new State Alcoholic Beverage Control (ABC) Type "47" (On-Sale General, Eating Place) License.
3. The City of Garden Grove has determined that this project is not subject to the California Environmental Quality Act ("CEQA") (Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15301 of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.).
4. The property has a General Plan Land Use Designation of Light Commercial, and is zoned C-2 (Community Commercial). The site for the existing restaurant is improved with an integrated multi-tenant shopping center.
5. Existing land use, zoning, and General Plan designation of property within 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 May 19, 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 of May 19, 2016, 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 (Conditional Use Permits), are as follows:

FACTS:

The site for the existing restaurant is improved with an existing integrated multi-tenant shopping center that is approximately 12.17 acres (530,038 square feet) and is improved with an approximately 124,448 square feet multi-tenant commercial center.

The existing restaurant occupies an end-cap tenant space of 9,120 square feet. The portion of this multi-tenant shopping center incorporating the existing restaurant/banquet facility was constructed in 1987. The restaurant's existing designated parking area provides 106 parking spaces. Title 9 of the Municipal Code parks restaurant use at a rate of one (1) space per 100 square feet of gross floor area, based on this rate, the restaurant provides fourteen (14) spaces above code.

The subject site is located in the C-2 (Community Commercial) zone and has a General Plan Land Use designation of Light Commercial. The existing restaurant is adjacent to R-1 (single-family residential) to the east, R-3 (multiple-family residential) to the south, C-2 (Community Commercial) to the west, and single-family residential units to the north located within the City of Anaheim.

On May 17, 2000, the Planning Commission approved Conditional Use Permit No. CUP-504-00 to operate a restaurant/banquet facility, Royal Dragon Seafood Restaurant with live entertainment in conjunction with a State Alcoholic Beverage Control Type "47" (On-Sale General, Eating Place) License.

Golden Sea Chinese Restaurant and Banquet, will operate as a sit-down, family-style restaurant that specializes in Chinese cuisine. The restaurant will operate from 11:00 a.m. to 11:00 p.m., seven (7) days a week. The banquet facility will operate Fridays, Saturdays, and Sundays from 11:00 a.m. to 11:00 p.m. The proposed hours of operation are within the City's approved hours of operation for an approved State Alcoholic Beverage Control Type "47" (On-Sale General, Eating Place) licensed establishment. The layout of the tenant space along with the entrance locations will remain as originally approved under CUP-504-00.

Restaurants that operate a banquet facility with live entertainment with a State ABC Type "47" License selling alcohol are conditionally permitted uses in the C-2 (Community Commercial) zone.

Municipal Code Section No. 9.18.060 requires the approval of a Conditional Use Permit when there is a use that engages in on-sale of alcoholic beverages and when there is an application for a new original State ABC license.

The existing restaurant/banquet facility is in a high-crime district, and in an area with an over concentration of Alcoholic Beverage Control Licenses. A summary of the District is as follows:

- The subject site is located in Crime Reporting District is No. 91.
- The crime count for the District is 104.
- Average crime count per District in the City is 85.
- A District is considered high crime when it exceeds the City-wide average by 20%.
- The subject District has a crime count of 22% above the City-wide average; therefore, it is considered a high-crime area.
- The subject site is located in Alcoholic Beverage Control (ABC) Census Reporting District No. 882.01.
- ABC Census Reporting District No. 882.01 allows for four (4) on-sale licenses within the District. Currently, there are nine (9) on-sale licenses in the District. The approval of this new State ABC on-sale license will increase the number of licenses in the District to ten (10).

The Community and Economic Development Department and the Police Department have reviewed the request and are in support of the proposal. All standard conditions of approval for a restaurant that operates with a State ABC Type "47" (On-Sale General, Eating Place) License along with an incidental banquet facility with live entertainment will apply.

PUBLIC CONVENIENCE OR NECESSITY:

A finding for public convenience or necessity would have to be made in order to approve an establishment that is requesting a new original State Alcoholic Beverage Control license that is located within a district with a high crime rate and/or in an area with an over-concentration of ABC licenses. California Business and Professions Code Section 23817.5 prohibits the ABC from issuing new alcoholic licenses in areas of over-concentration. Business and Professions Code Section 23958 states:

"Upon receipt of an application for a license or for a transfer of a license and the applicable fee, the department shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied qualify for a license and whether the provisions of this division have been complied with, and shall investigate all matters connected therewith which may affect the public welfare and morals. The department shall deny an application for a license or for a transfer of a license if either the applicant or the premises for which a license is applied do not qualify for a license under this division."

"The department further shall deny an application for a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in

Section 23958.4.”

California Business and Professions Code Section 23958.4(b) provides the following exception:

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

ABC Census Reporting District No. 882.01 shows the subject site to be located in a high-crime area with an over-concentration of on-sale State ABC licenses. Staff is supportive of the request for a new original State ABC Type “47” (On-Sale General, Eating Place) License. A finding of public convenience or necessity is warranted given the potential community benefit through the addition of a State ABC Type “47” License, which would provide an additional amenity that would enhance the dining experience at Golden Sea Chinese Restaurant and Banquet. The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

Furthermore, the establishment shall provide an assortment of foods normally offered in restaurants, and the kitchen shall be open, and preparing food, during all hours that the establishment is open. At all times the establishment is open, the sale of alcohol shall be incidental to the sale of food; and the quarterly gross sales of alcoholic beverages shall not exceed 35% of the total gross sale of food during the same period.

FINDINGS AND REASONS:

1. That the proposed use will be consistent with the City’s adopted General Plan and redevelopment plan.

The subject site has a General Plan Land Use Designation of Light Commercial which is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community. Policy LU-1.3 of the General Plan Land Use Element seeks to encourage a wide variety of retail and commercial services, restaurant and cultural arts/entertainment, in appropriate

locations. Eating establishments with alcohol sales are conditionally permitted in the C-2 (Community Commercial) zone. This approval will allow the existing restaurant to operate with a new State ABC Type "47" (On-Sale General, Eating Place) License. Provided that the Conditions of Approval are complied with and the use will be consistent with the General Plan. Furthermore, on May 17, 2000, the Planning Commission approved Conditional Use Permit No. CUP-504-00 to operate a restaurant/banquet facility with live entertainment in conjunction with a State Alcoholic Beverage Control Type "47" (On-Sale General - Eating Place) License. The layout of the tenant space along with the entrance locations will remain as originally approved under CUP-504-00.

2. That the requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, as the sale of alcohol will be ancillary to the sale of food.

The restaurant is required to operate as a family-style restaurant that operates from 11:00 a.m. to 11:00 p.m., seven (7) days a week. This is the standard hours of operation that are applied to State ABC Type "47" licensed establishments. Food is required to be served during all hours of operation, and the sale of beer, wine, and distilled spirits will be incidental to the sale of food. The banquet facility with live entertainment will occur on Fridays, Saturdays, and Sundays from 11:00 a.m. to 11:00 p.m. The banquet facility will remain incidental to the restaurant use, and the live entertainment in the form of karaoke, a solo karaoke performer, solo disc-jockey, one-man band, or solo performer with accompaniment of one instrumentalist will only be permitted in conjunction with the banquet event. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The site for the existing restaurant is improved with an integrated multi-tenant shopping center. The restaurant's existing designated parking area provides 106 parking spaces. Title 9 of the Municipal Code parks restaurant use at a rate of one (1) space per 100 square feet of gross floor area, based on this rate, the restaurant provides fourteen (14) spaces above code. The site, with the existing site improvements and modifications, is of adequate size to accommodate the proposed uses within the surrounding area.

4. That the proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is adequately served by six (6) main driveways, two (2) driveways are located on Brookhurst Street and four (4) driveways are located on Katella Avenue, two (2) of those four (4) Katella Avenue driveways are adjacent to the restaurant. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Conditional Use Permit No. CUP-071-2016 does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Conditional Use Permits) and 9.16.020.080 (Alcoholic Beverage Sales).
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 Conditional Use Permit No. CUP-071-2016.

EXHIBIT "A"

Conditional Use Permit No. CUP-071-2016

9802 Katella Avenue

CONDITIONS OF APPROVAL

General Conditions

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. 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 the project applicant, Andy Nguyen for Golden Sea Chinese Restaurant and Banquet, the current owner of the property, An Tang Dao, the future owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of a 9,120 square foot restaurant/banquet facility with live entertainment and an original State Alcoholic Beverage Control Type "47" License as identified on the floor plan attached to this Conditions of Approval. Approval of this Conditional Use Permit 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.
4. Minor modifications to the approved site plan, floor 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 approved floor plan, site plan, or Conditions of Approval that would result in the intensification of the project or create impacts that have not been previously addressed, and which are 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 Works

6. Commercial food use of any type requires the installation of an approved grease interceptor, according to Garden Grove Sanitary District's Ordinance No. 6 (Fats, Oil and Grease Control Regulations Applicable to Food Service Establishments). In the event that an approved grease interceptor is not already installed, a properly sized grease interceptor shall be installed on the sewer lateral and be maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. Owner shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.
7. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Any existing units are to be removed.
8. All requirements of the Water Engineering Services shall be met.

Fire Department

9. The applicant shall have a plan for the current fire sprinkler, alarm, and control valves system that is certified and tagged by an approved fire protection contractor all in accordance with the California Fire Code.
10. An automatic extinguishing system shall be provided to protect cooking equipment.
11. The applicant shall provide emergency lighting, illuminated exit signs, and shall indicate the occupancy type and occupancy load per room as determined by the Fire Department and shall not be exceeded at any time and/or for any reason.
12. A sign shall be posted on the exit door that reads "Door to remain unlocked during business hours."

Police Department

13. The hours of operation shall be permitted from 11:00 a.m. to 11:00 p.m., seven (7) days a week. Banquets with live entertainment in the form of karaoke, a solo karaoke performer, solo disc-jockey, one-man band, or solo performer with accompaniment of one instrumentalist shall be permitted on Fridays, Saturdays, and Sundays from 11:00 a.m. to 11:00 p.m. The City of Garden Grove reserves the right to reduce hours of operation, by order of the Chief of the Police Department, if problems arise due to the operation of the business.
14. There shall be no customers or patrons in or about the premises when the establishment is closed.
15. In the event security problems occur, and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.
16. There shall be no enclosed booths on the premises at any time. Walls and/or partitions exceeding thirty-six (36) inches in height, which partially enclose or separate booths, shall be of a clear and transparent material. No item shall be placed in the area of the booths that would limit or decrease the visibility of the interior of the business from any location within the business.
17. "Last Call" for the sale and service of alcohol shall be announced and stop thirty (30) minutes prior to the designated closing time.
18. The business shall show proof to the Police Department that all members of the business staff have completed the LEAD training (Licensee Education on Alcohol and Drugs) through the Alcohol Beverage Control Department or an ABC approved "Responsible Beverage Service (RBS) Training" program.
19. Applicant shall comply with Chapter 8.20 of the Garden Grove Municipal Code. There shall be no gaming tables or gaming machines on the premises at any time. No card games shall be permitted.
20. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation of up to \$1,000 pursuant to GGMA 1.22.010(a) in addition to other penalties provided by law.

Building Services Division

21. Any building modifications shall comply with all provisions to the California Building Code Standards, City adopted amendments and California Plumbing and Electrical Code.

Community Development Department

22. Approval of this Conditional Use Permit will allow the establishment to operate with an original State Alcoholic Beverage Control Type "47" (On-Sale General, Eating Place) License. There shall be no additional changes in the design of the floor plan without the approval of the Community and Economic Development Department, Planning Division. Any additional changes in the approved floor plan, which has the effect of expanding or intensifying the present use, shall require a new Conditional Use Permit. No alcoholic beverages shall be sold until all conditions of approval have been met and the State Alcoholic Beverage Control Board (ABC) has approved the release of the ABC License.
23. The restaurant shall be operated as a "Bona-fide Public Eating Place" as defined by ABC. The restaurant shall contain sufficient space and equipment to accommodate a full restaurant kitchen, and the kitchen shall be open preparing and serving meals to the general public for dining purpose during all hours the restaurant is open, including during banquet events as well as when alcoholic beverages are being served. The restaurant shall provide an assortment of foods normally offered in restaurants. The service of only appetizers, sandwiches and/or salads shall not be deemed in compliance with this requirement.
24. Alcohol sales shall not exceed thirty-five percent (35%) of the business gross sales, with a minimum of sixty-five percent (65%) food sales. Any income or revenue derived from sales of merchandise, and non-food related items, shall be excluded from the business gross sales in the calculation of the ratio of food to alcoholic beverage sales. The sale of alcoholic beverages shall be incidental to the sale of food.
25. The owner of the establishment shall, upon request, provide the City of Garden Grove with an audited report of sales ratio of food to alcoholic beverages.
26. There shall be no bar or lounge area upon the licensed premises.

Conditional Use Permit No. CUP-071-2016

Conditions of Approval

27. The sale of alcoholic beverages for consumption off the licensed premises is prohibited.
28. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the licensed premises.
29. In the event that an ABC License is suspended for any period of time and/or fined for any ABC violation as a result of disciplinary action, the Conditional Use Permit shall be presented to the Planning Commission for review or further consideration.
30. Approval of this Conditional Use Permit will allow the restaurant to operate a banquet facility with the live entertainment that shall be an incidental use to the restaurant. The live entertainment shall be limited to banquet events, and shall be limited in the form of karaoke, a solo karaoke performer, solo disc-jockey, one-man band or solo performer with accompaniment of one instrumentalist. The live entertainment has an option to use their own equipment or that of the restaurant. All amplified music shall not be audible outside the boundaries of the interior of the restaurant nor exceed the standard county decibel level. All entertainment shall stop fifteen (15) minutes prior to the designated closing time.
31. The establishment can only operate as a banquet facility on Fridays, Saturdays, and Sundays during the normal restaurant hours of operation.
32. The restaurant owner/operator of the establishment shall be solely responsible for all banquet event bookings and reviewing contractual arrangements for live entertainment in conjunction with the banquet event to ensure that the live entertainment is in compliance with the conditions of approval.
33. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the establishment, nor shall the business provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests for the customers.
34. At no time shall the live entertainment become the attracting venue for the establishment. The purpose of permitting live entertainment is to enhance the banquet event and associated activity.
35. There shall be no special entertainers (i.e., Go-Go dancers) permitted to dance/perform in the business. There shall be no "party fliers" or special

promotion events (promoter parties). Entrance fees and cover charges shall be prohibited. "Under 18" or "Under 21" promotion parties are prohibited.

36. The business operator shall not permit "Taxi Dancing" or similar type of activity, to occur at the business wherein partners are provided for dancing or social purposes. Social purposes include, but are not limited to, the soliciting or accepting of any alcoholic beverages, money, or other forms of compensation, from any customers within the business.
37. There shall be no uses or activities permitted of an adult-oriented nature as outlined in the City Code, Section 9.04.060.
38. There shall be no cover charge for any event to gain access to the licensed business.
39. There shall be no pool tables or amusement devices on the licensed premises at any time.
40. There shall be no smoking permitted inside the licensed business at any time pursuant to State Labor Code Section 6404.5 (ref: State Law AB 13).
41. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the restaurant's entrance, and shall also be visible to the public.
42. A prominent sign stating "RESTAURANT ENTRANCE" and "BANQUET ENTRANCE" shall be posted on each entrance location and in a place that is clearly visible to direct patrons to the proper venue. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background.
43. The exit doors shall be kept closed at all times during the operation of the licensed premises, except in case of emergency or to permit deliveries. Panic hardware shall be provided on doors and comply with all City code requirements.
44. There shall be no deliveries to or from the licensed premises before 8:00 a.m. and after 9:00 p.m., seven (7) days a week.
45. No outside storage or displays shall be permitted at any time on the licensed premises.

46. The applicant/property owner shall be responsible for maintaining free from debris and litter daily from the licensed premises, including adjacent to the licensed premises, public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned continuously, either mechanically or manually, on a weekly basis, to maintain the said area in a clean and orderly condition.
47. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be based on the existing schedule provided by the commercial center. Trash pick-up shall be at least three (3) times a week.
48. Graffiti shall be removed from the licensed premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours upon notification/application.
49. No roof-mounted mechanical equipment, including exhaust vents, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
50. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
51. All ground-mounted mechanical equipment shall be screened from view from any place on or off the site.
52. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
53. Signs shall comply with the City of Garden Grove sign requirements. No more than fifteen percent (15%) of the total window area and clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows. Any opaque material applied to the store front, such as window shall count toward the maximum window coverage area.

54. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
55. All parking lot areas of the licensed premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lots. The applicant/property owner shall be sure that all parking lot lighting are in proper working order including the rear parking area.
56. Lighting in the parking area of the licensed premises shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window areas of nearby residences.
57. All parking lot light standard poles and heads designated to the licensed premises shall be painted and maintained.
58. The current vehicle "Stop", "Solid Line", and "Directional Arrow" markers most adjacent to the restaurant on the licensed premises most northerly parking area shall be repainted white and maintained. A total of two (2) sets.
59. Conditional Use Permit No. CUP-504-00 shall become null and void, and superseded in its entirety, by the approval of CUP-071-2016.
60. A copy of the Resolution No. 5862-16 approving Conditional Use Permit No. CUP-071-2016 shall be kept on the licensed premises at all times and be made available upon request by City Staff and/or Police Department.
61. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-071-2016, and his/her agreement with all conditions of the approval.
62. The Conditional Use Permit shall be reviewed within one (1) year from the date of this approval. On a yearly basis, as determined by Staff, the business operator shall meet with members of the Planning Department and Police Department to discuss operating conditions of the business and to determine if the business is operating in compliance with the Conditions of Approval.
63. In the event the site cannot accommodate the parking demand for Golden Sea Chinese Restaurant and Banquet, or any future eating establishment/restaurant, at any given time, which causes a nuisance,

hindrance, and/or problem with both on-site and/or off-site parking and circulation, the business owner/property owner shall devise and implement a plan to relieve the situation. The business owner/property owner shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation, limiting the number of customers within the establishment, limiting the number of seats and customer dining area within the establishment, instituting an off-site parking arrangement; having on-site parking control personnel; and/or other alternatives that may be deemed applicable to the situation. If the City deems such action is necessary to address parking and circulation problems, such action shall be required within thirty (30) days of written notice. Failure to take appropriate action may result in the City restricting the overall use of the facility or revoking Conditional Use Permit No. CUP-071-2016.

64. 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 Conditional Use Permit No. CUP-071-2016. 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, the 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.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C3 D.3.	SITE LOCATION: North side of Chapman Avenue, between Brookhurst Street and Gilbert Street, at 9901 Chapman Avenue
HEARING DATE: May 19, 2016	GENERAL PLAN: Residential/Commercial Mixed Use 2
CASE NO.: Conditional Use Permit No. CUP-074-2016	ZONE: NMU (Neighborhood Mixed Use)
APPLICANT: Matthew Baca, Aldi, Inc.	CEQA DETERMINATION: Exempt
PROPERTY OWNER: HCCA Promenade, L.P.	APN: 132-402-38

REQUEST:

The applicant is requesting Conditional Use Permit approval to operate a new 21,567 square foot supermarket, Aldi, located as 9901 Chapman Avenue, with a new original State Alcoholic Beverage (ABC) Control "Type 20" (Off-Sale Beer and Wine) License.

BACKGROUND:

The subject site is improved with an integrated multi-tenant retail shopping center called the Promenade located on the north side of Chapman Avenue, between Brookhurst Street and Gilbert Street. The specific 21,567 square foot in-line tenant space under application is located west of the Marshall's retail tenant space, with primary tenant frontage facing Chapman Avenue. The subject tenant space was previously occupied by Anna's Linens, whose business license expired on March 30, 2016. Prior history of this site included Miller's Outpost retail store. The shopping center includes a Regal movie theater, restaurants, retail stores, a Bank of America, 24-Hour Fitness Center, and other related retail and office businesses.

The subject property maintains a Residential/Commercial Mixed Use 2 General Plan Land Use designation and is zoned NMU (Neighborhood Mixed Use). The property abuts NMU zoned properties to the east, west, and south, and R-1 (Single-Family Residential) zoned properties to the north.

Municipal Code Section No. 9.18.060 requires a Conditional Use Permit when there is a use that engages in off-site retail sales of alcoholic beverages and that is required to operate with a State Alcoholic Beverage Control license.

DISCUSSION:

The proposed Aldi market will occupy an existing 21,567 square foot in-line tenant space located west of the Marshall's retail store in the Promenade shopping center. The interior of the market consists of retail sales area with display shelves, storage areas, food coolers and freezers, office, employee break room, and restrooms. The beer and wine will be displayed on the display shelves located on the most southerly shelving unit facing the south wall, toward the center of store. Hours of operation for the market are proposed to be from 9:00 a.m. to 9:00 p.m., seven days a week.

Aldi is a nationwide low-price grocer that operates over 1,500 stores in 33 states. The first store was opened in the Midwest in 1976. Aldi carries their own exclusive brands on more than 1,300 of the most commonly purchased grocery items. According to the Aldi website, as of April 24, 2016, 18 stores have been opened in Southern California.

In order to accommodate the new market, Aldi's will be modifying the interior of the tenant space as well as modifying the storefront to coincide with the changes to the interior of the store and the company's corporate identity. The exterior changes will be consistent with the overall design of the in-line tenants, exhibiting the same color scheme, stucco finishes, score lines, and varied parapet heights, and gabled parapet over entry. Additionally, a cart corral will be added to the front of the store and the parking lot area in front of the store will be modified to include a new handicap ramp and new handicap parking spaces. The rear parking area will be modified to include relocation of an existing trash enclosure adjacent to the tenant space and relocation of planter areas. It should be noted that both the interior and exterior improvements do not require Planning Commission review and approval, however, the applicant has shown them on plan to highlight the investment and improvements that they are proposing to make for the establishment of the new store.

The proposed market is located in a high-crime district and in an area of over-concentration of Alcoholic Beverage Control off-sale licenses. A summary of the district, along with findings for public convenience and necessity, can be found in Resolution No. 5861-16 for Conditional Use Permit No. CUP-074-2016.

The Community and Economic Development Department and the Police Department have reviewed the request and are supporting the proposal. All standard conditions of approval for a Type "20" License will apply.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

1. Adopt a Resolution approving Conditional Use Permit No. CUP-074-2016, subject to the recommended conditions of approval.



Karl Hill
Planning Services Manager



By: Lee Marino
Senior Planner

CUP-074-2016 500 ft. Radius

9901 Chapman Avenue
CITY OF GARDEN GROVE, CA

Barrier 1

Base Layers

- Parcels
- Parcel Labels
- City Limits
- Garden Grove
- Other Cities

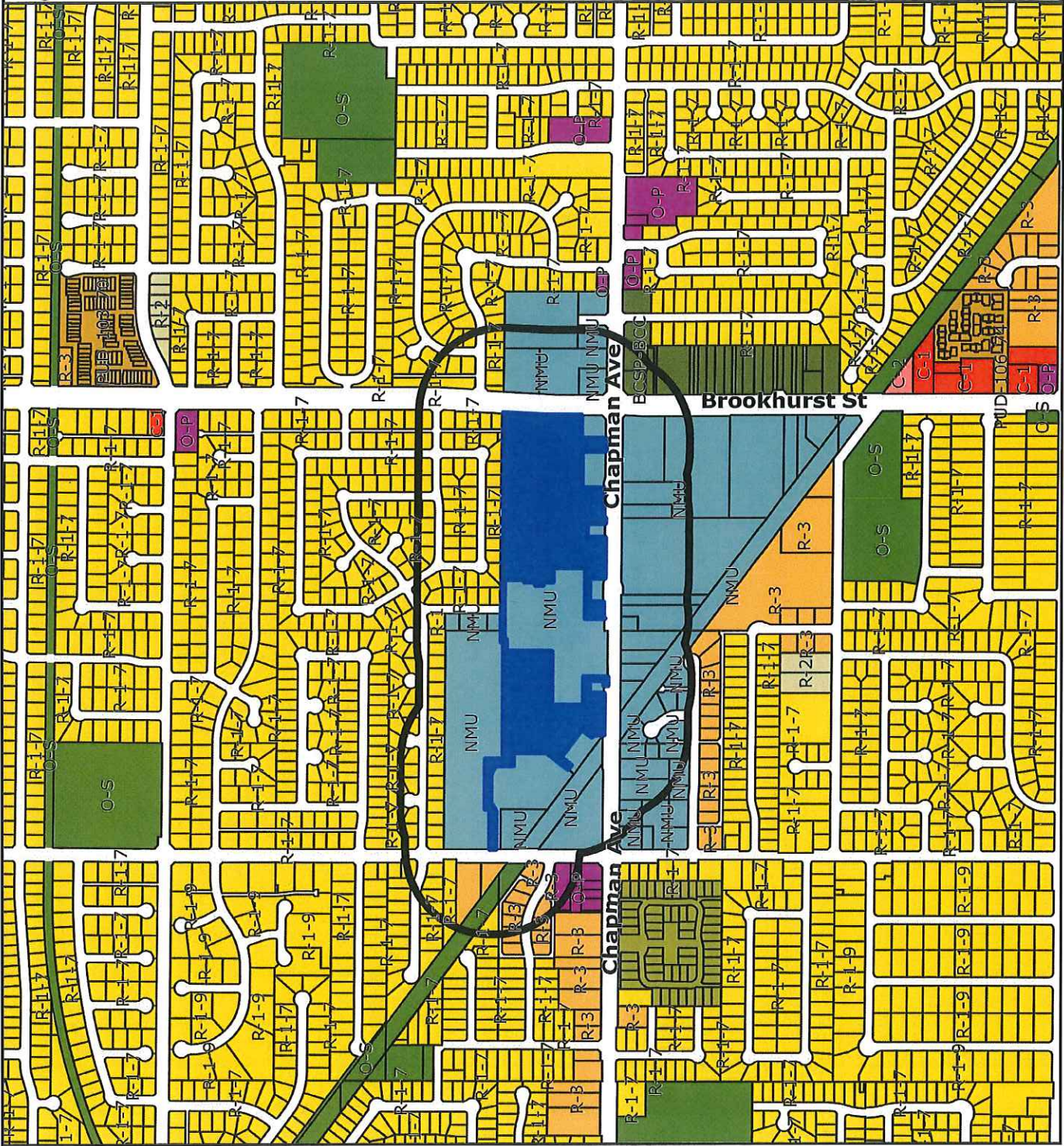
Points of Interest

Zoning

Zoning Labels

Zoning

- BCSP-BCC
- C-1
- C-1(T)
- C-2
- C-3
- CCSP-CGR
- CCSP-CCT
- CCSP-COS
- CCSP-CFF
- CCSP-CR
- CCSP-DC
- CCSP-OP
- CCSP-PR



GreenbergFarrow

19000 MacArthur Blvd, Suite 250
Irvine, CA 92612
t: 949 296 0450 f: 949 296 0479

PROJECT INFORMATION

SITE AREA
TOTAL GROSS SITE AREA ± 18,827 ACRES

BUILDING AREA

ALDI 21,828 SF
TOTAL BLDG AREA 21,828 SF

LANDSCAPING

PRE-CONSTRUCTION 2,081 SF
POST CONSTRUCTION 1,823 SF

PARKING SUMMARY

USER	RATIO	SPACES
	REQUIRED	PROVD
ALDI	4 SP/1000 SF	87
EXISTING PARKING		1,473
SPACES TO BE REMOVED		-20
TOTAL		1,452

TOTAL ALDI RATIO PROVIDED: ±4.11 SP/1000 SF
EXISTING TOTAL PARKING RATIO PROVIDED: ±4.03 SP/1000 SF
PROPOSED PARKING RATIO PROVIDED: ±3.96 SP/1000 SF

ZONING INFORMATION

JURISDICTION: CITY OF GARDEN GROVE
EXISTING ZONING: NEIGHBORHOOD MIXED USE (N/MU)
PROPOSED ZONING: NONE

SETBACKS

FRONT STREET SIDE 15'
INTERIOR SIDE/REAR NONE
ADJACENT TO RESIDENTIAL N/A

PROJECT NOTES

1. NO TITLE REPORT HAS BEEN ISSUED AS OF 02/18/2015
2. ALL UTILITIES SHOWN AS OF 02/18/2015
3. UTILITIES NOT SHOWN WERE REMOVED TO
PROVIDE FOR NEW TRUCK DOCK AND TRUCK ACCESS

DRAWING ISSUE/REVISION RECORD

DATE	ISSUE/REVISION	INITIALS
11.03.2015	SP 2	GD
01.28.2016	SP 3	JDU
02.02.2016	SP 3.1	JDU

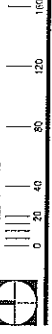
CLIENT REPRESENTATIVE ALDI
SITE PLANNER MATTHEW BACCA
SITE DEV. COORDINATOR VINCENT TAN



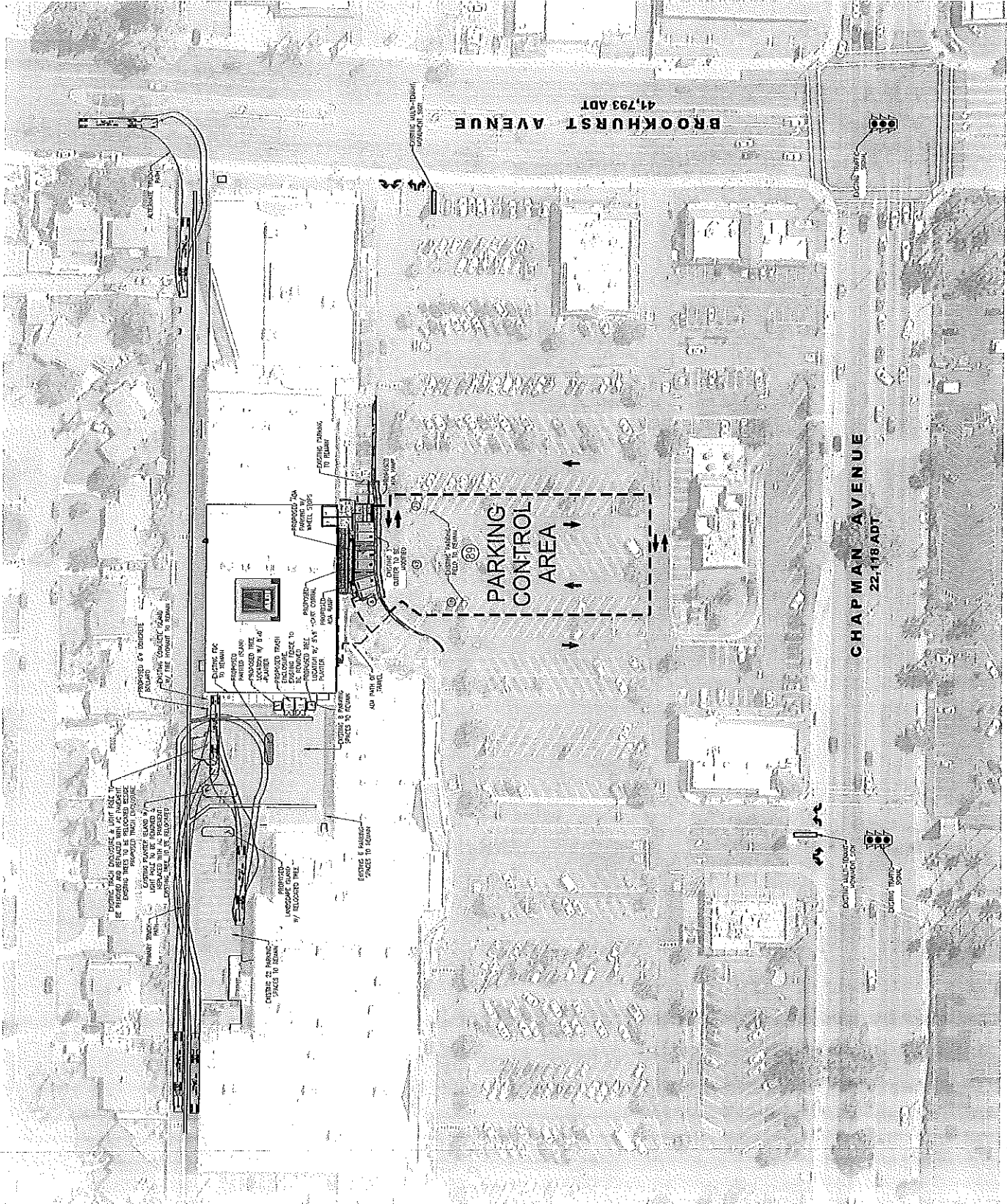
GARDEN GROVE, CA
9901 CHAPMAN AVE.

GFA PROJECT NUMBER 20151166.0

SCALE: 1" = 40'



SP 3.1



GrenbergFarrow

19000 MacArthur Blvd, Suite 260
Irvine, CA 92612
t: 949 296 0450 f: 949 296 0479

PROJECT INFORMATION

SITE AREA
= 18.627 ACRES
= 16,627 ACRES

BUILDING AREA
ALDI 21,628 SF
TOTAL BLDG AREA 21,628 SF

LANDSCAPING
PRE-CONSTRUCTION 2,081 SF
POST CONSTRUCTION 1,623 SF

PARKING SUMMARY

USER	RATIO REQUIRED	SPACES PROVIDED	SPACES REQUIRED
ALDI	4.5 SP/1000 SF	87	87
EXISTING PARKING		1,478	-26
TOTAL		1,462	

TOTAL ALDI RATIO PROVIDED: 44.11 SP/1000 SF
EXISTING TOTAL PARKING RATIO PROVIDED: 84.83 SP/1000 SF
PROPOSED PARKING RATIO PROVIDED: 43.98 SP/1000 SF

ZONING INFORMATION

JURISDICTION: CITY OF GARDEN GROVE
EXISTING ZONING: NEIGHBORHOOD MIXED USE (NMMU)
PROPOSED ZONING: NONE

SETBACKS

FRONT / STREET SIDE: 10'
INTERIOR SIDE / REAR: NONE
ADJACENT TO RESIDENTIAL: N/A

PROJECT NOTES

- NO TITLE REPORT HAS BEEN ISSUED AS OF 05/18/2016.
- EXISTING PARKING AT THE REAR WILL NEED TO BE REMOVED TO PROVIDE FOR NEW TRUCK DOCK AND TRUCK ACCESS.

DRAWING ISSUE/REVISION RECORD

DATE	REVISION	INITIALS
03/20/16	SP 2	CD
02/22/2016	SP 3.1	JD

CLIENT: N/A
CLIENT REPRESENTATIVE: MATTHEW BAC
SITE PLANNER: CS
SITE DEV. COORDINATOR: VINCENT JAU

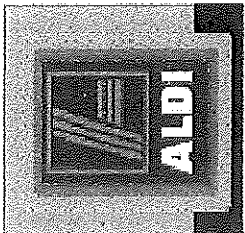
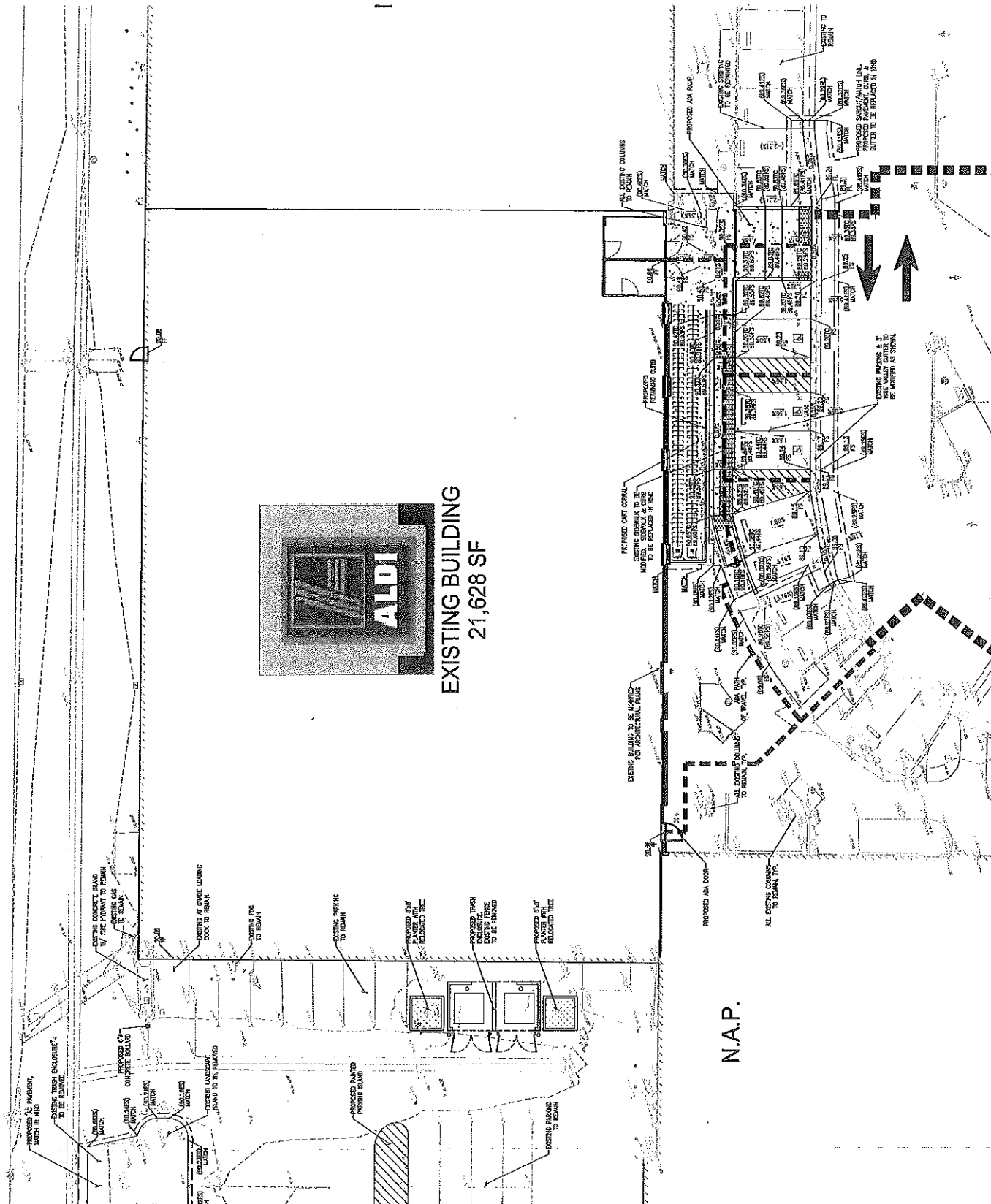


GFA PROJECT NUMBER: 20151166.0

SCALE: 1" = 10'



GRADING CONCEPT



EXISTING BUILDING
21,628 SF

N.A.P.

REVISION	DATE
A	02/28/16
B	02/17/16
C	02/17/16
D	02/17/16

PROJECT LEAD	DATE
PROJECT DESIGNER <td>DATE</td>	DATE

Seal
PROJECT ARCHITECT/DRAWN/DATE

Seal
PROJECT LEAD DATE

Seal
PROJECT DESIGNER DATE

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No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the copyright owner.

ALDI Inc.
1365 Argus Rd
Walton, CA 95792
707.852.4400

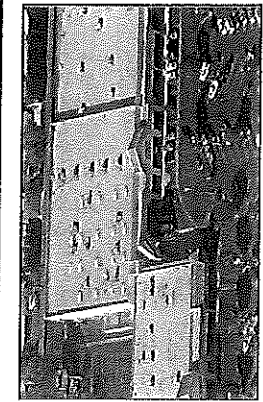
APD Architecture, Inc.
415 Fallon Rd
Walton, CA 95792
707.852.4400
www.apd.com

ALDI Inc.
1365 Argus Rd
Walton, CA 95792
707.852.4400

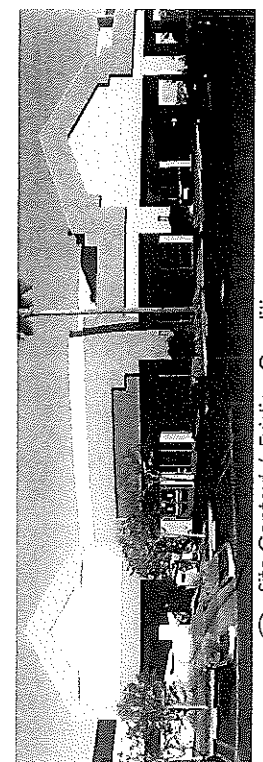
ALDI Inc. Store #: XX
Garden Grove, CA
Chapman Ave. & Brookhurst St.
Garden Grove, CA 92840
Orange County
Project Name & Location:

Concept Elevation
Drawing Name:

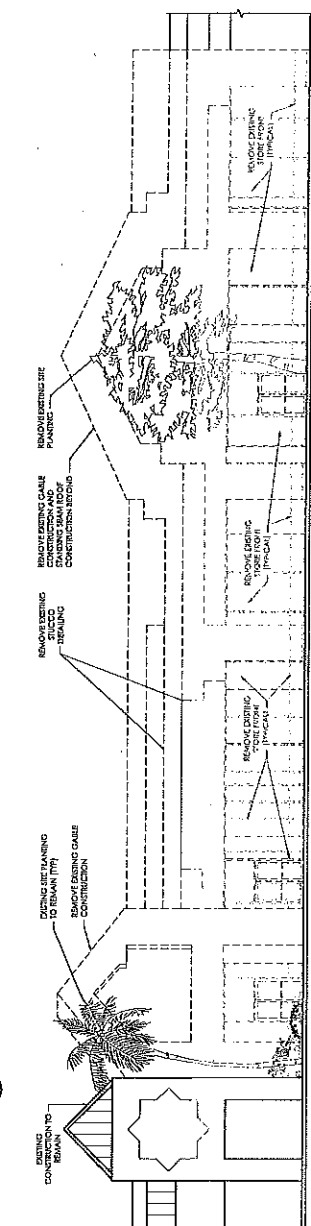
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Date: 02/17/16
Type: sp-cv-01
Drawn By: JC
Scale: As Noted
Drawing No. CEE-12



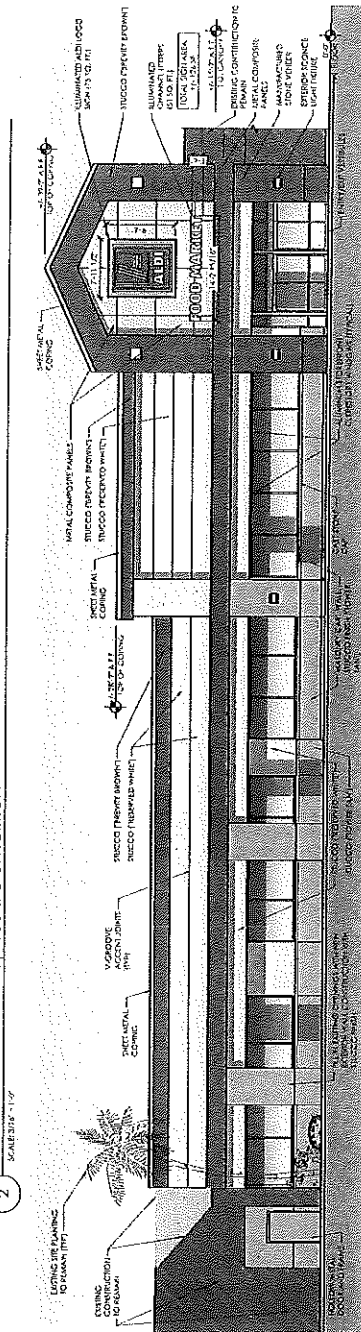
Aerial View of Site



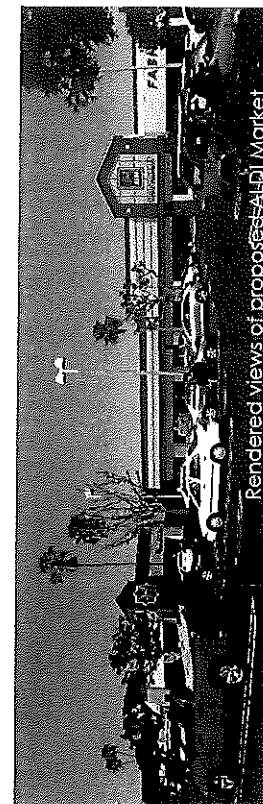
3 Site Context / Existing Conditions
Part of site



2 South Elevation - Proposed Demolition
SCALE: 3/4" = 1'-0"



1 South Elevation - Proposed Modifications
SCALE: 3/4" = 1'-0"



Rendered views of proposed ALDI Market

DATE	BY	DESCRIPTION
02/17/16	JC	REVISIONS TO EXISTING CONDI
02/17/16	JC	REVISIONS TO SOUTH ELEVATION
02/17/16	JC	REVISIONS TO SOUTH ELEVATION
02/17/16	JC	REVISIONS TO SOUTH ELEVATION
02/17/16	JC	REVISIONS TO SOUTH ELEVATION
02/17/16	JC	REVISIONS TO SOUTH ELEVATION

RESOLUTION NO. 5861-16

A DECISION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-074-2016.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-074-2016 for a property located on the north side of Chapman Avenue, between Brookhurst Street and Gilbert Street, at 9901 Chapman Avenue, Assessor's Parcel No. 132-402-38.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-074-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Matthew Baca, Aldi, Inc.
2. The applicant is requesting Conditional Use Permit approval to operate a new 21,567 square foot grocery store, Aldi, with a new original State Alcoholic Beverage Control (ABC) "Type 20" (Off-Sale, Beer and Wine) License.
3. The City of Garden Grove has determined that this project is exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
4. The property has a General Plan Land Use designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use).
5. Existing land use, zoning, and General Plan designation of property within 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 May 19, 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 of May 19, 2016 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 9.24.030 (Conditional Use Permits), are as follows:

FACTS:

The subject site is improved with an integrated multi-tenant retail shopping center called the Promenade located on the north side of Chapman Avenue between Brookhurst Street and Gilbert Street. The specific 21,567 square foot in-line tenant space under application is located west of the Marshall's retail tenant space, with primary tenant frontage facing Chapman Avenue. The subject tenant space was previously occupied by Anna's Linens, whose business license expired on March 30, 2016. Prior history of this site included Miller's Outpost retail store. The shopping center includes a Regal movie theater, restaurants, retail stores, a Bank of America, 24-Hour Fitness Center, and other related retail and office businesses.

The subject property maintains a Residential/Commercial Mixed Use 2 General Plan Land Use designation and is zoned NMU (Neighborhood Mixed Use). The property abuts NMU zoned properties to the east, west, and south, and R-1 (Single-Family Residential) zoned properties to the north.

The proposed Aldi market will occupy an existing 21,567 square foot in-line tenant space located west of the Marshall's retail store in the Promenade shopping center. The interior of the market consists of retail sales area with display shelves, storage areas, food coolers and freezers, office, employee break room, and restrooms. The beer and wine will be displayed on the display shelves located on the most southerly shelving unit facing the south wall, toward the center of store. Hours of operation for the market are proposed to be from 9:00 a.m. to 9:00 p.m., seven days a week.

Aldi's is a nationwide low-price grocer that operates over 1,500 stores in 33 states. The first store was opened in the Midwest in 1976. Aldi's carries their own exclusive brands on more than 1,300 of the most commonly purchased grocery items. According to the Aldi website, as of April 24, 2016, 18 stores have been opened in Southern California.

Municipal Code Section No. 9.18.060 requires a Conditional Use Permit when there is a use that engages in off-site retail sales of alcoholic beverages and that is required to operate with a State Alcoholic Beverage Control license.

The store is located in a high-crime district, and in an area with an even-concentration of Alcoholic Beverage Control Licenses. A summary of the district is as follows:

- The subject site is located in Crime Reporting District No. 92.
- The crime count for the District is 104.
- Average crime count per district in the City is 85.
- A District is considered high when it exceeds the citywide average by 20%.

- The subject District has a crime count of 22% above the citywide average; therefore, it is considered a high-crime area.
- The subject site is located in Alcoholic Beverage Control Census Report District No. 882.01.
- ABC Census Reporting District No. 882.01 allows for three (3) off-sale licenses within the District. Currently, there are four (4) off-sale licenses in the District. The approval of this CUP will increase the number of off-sale ABC Licenses in the District to five (5).

The Community Development Department and the Police Department have reviewed the request and are supporting the proposal. All standard conditions of approval for a Type "20" License will apply.

PUBLIC CONVENIENCE OR NECESSITY:

A finding for public convenience or necessity would have to be made in order to approve an establishment that is requesting a new original Alcoholic Beverage Control license that is located within a district with a high crime rate and/or in an area with an over-concentration of ABC licenses. California Business and Professions Code Section 23817.5 prohibits the ABC from issuing new alcoholic licenses in areas of over-concentration. Business and Professions Code Section 23817.7 provides the following exception:

(a) Notwithstanding Section 23817.5, the department may approve an application for an off-sale beer and wine license in areas covered by Section 23817.5, if the applicant shows that public convenience or necessity would be served by the issuance, and where all of the following conditions are found to exist:

(1) The applicant premises are located in a crime-reporting district that is below that specified pursuant to paragraph (1) of subdivision (a) of Section 23958.4.

(2) The applicant premises are located in an area that falls below the concentration level provided in paragraph (3) of subdivision (a) of Section 23958.4.

(3) The local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body determines that public convenience or necessity would be served by the issuance.

Furthermore, California Business and Professions Code Section 23958 states the following:

The department further shall deny an application for a license if issuance of that license would tend to create a law enforcement problem or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4

California Business and Professions Code Section 23958.4(b) provides the following exception:

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer's license, or a winegrower's license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt of the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

ABC Census Reporting District No. 882.01 shows the subject site to be located in an area considered to be in a high-crime district and in an area with an over-concentration of off-sale ABC licenses. Staff is supportive of the request for a new original ABC Type "20" (Off-Sale, Beer and Wine) License. Staff is able to support a finding for public convenience or necessity given the potential community benefit through the addition of an ABC Type "20" License, which would provide an additional amenity that, would enhance the customer shopping experience and have the intent on being a business serving the local community. Staff has determined that the use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

FINDINGS AND REASONS:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The subject site has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). Grocery stores with retail sales of beer and wine are conditionally permitted in this zone. This approval will allow the store to obtain a Type "20" (Off-Sale, Beer and Wine) License. Provided that the conditions of approval are complied with, the use will be consistent with the General Plan.

2. That the requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

The use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project. By operating as a grocery store with ancillary beer and wine sales for off-site consumption, the use will be compatible with the surrounding uses.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The site, with the existing site improvements and modifications, is of adequate size to accommodate the proposed uses within the surrounding area.

4. That the proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is fronted by Chapman Avenue, which is a fully developed street that provides adequate traffic circulation and driveway access to public parking areas. The site is also sufficiently served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030 (Conditional Use Permits).
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 Conditional Use Permit No. CUP-074-2016.

EXHIBIT "A"
Conditional Use Permit No. CUP-074-2016

9901 Chapman 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. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest, subject to Condition No. 40 below.
2. 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 the project applicant, Aldi, Inc., the owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission, except as otherwise provided herein.
3. Approval of this Conditional Use Permit 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. Modifications which do not change the intent of the project may be approved by the Community and Economic Development Director.
4. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

Police Department

6. There shall be no gaming tables or gaming machines, as outlined in City Code Sections 8.20.010 and 8.20.050, on the premises at any time.
7. Hours of operation for the supermarket shall be permitted from 9:00 a.m. to 9:00 p.m., seven (7) days a week; however, if problems arise where the hours of operation need to be reduced in order to minimize any problems, the operator shall change the hours of operation, as prescribed by the Police Department.
8. There shall be no customers or patrons loitering in or about the premises during store hours of operation. If the store operators decide to close the store for short periods of time, there shall be no customers or patrons on or about the premises when the establishment is closed.
9. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.
10. All pay phones located on the property, adjacent to the premises, shall be limited to out-going calls only. This condition shall be complied with within 30 days following approval of this application.
11. The sale of alcoholic beverages for consumption on the premises is prohibited. And no open alcoholic beverages are allowed within the establishment or anywhere on the premises.
12. The business, prior to obtaining the Type "20" ABC License, shall show proof to the Police Department that all members of the business staff have completed the LEAD training (Licensee Education on Alcohol and Drugs) through the Alcoholic Beverage Control Department or an ABC approved "Responsible Beverage Service (RBS) Training" program.
13. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation of up to \$1,000 pursuant to GGMC 1.22.010 (a).

Community Development Department

14. Approval of this Conditional Use Permit will allow the establishment to operate with a Type "20" ABC License. There shall be no additional changes

in the design of the floor plan without the approval of the Community Development Department, Planning Division. Any additional changes in the approved floor plan, which has the effect of expanding or intensifying the present use, shall require a new Conditional Use Permit. No alcoholic beverages shall be sold until all conditions of approval have been met and the State Alcoholic Beverage Control Board (ABC) has approved the release of the ABC License.

15. Alcoholic beverages in containers of 16 ounces or less shall not be sold by single containers, and shall be sold in manufactured, pre-packaged, multiple-unit quantities.
16. No outdoor storage or display shall be permitted outside of the building, including, but not limited to, storage and display of merchandise, cardboard, pallets, or boxes.
17. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit from the City.
18. There shall be no amusement devices on the premises at any time.
19. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the supermarket's entrance, and shall also be visible to the public.
20. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.18.050.
21. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
22. All unloading and loading of goods from vehicles shall occur on-site.
23. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week. Refrigerated trucks shall not be kept running while parked or during loading activities.
24. Customer and employee parking areas shall be illuminated during hours of darkness at a minimum of two foot-candles of light on the parking surface during operating hours. During non-operating hours, illumination shall be

one foot-candle of light on the parking surface. Lighting on the site shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate adjacent properties.

25. New exterior storefront systems shall comply with disabled access requirements.
26. In the event that an Alcoholic Beverage Control (ABC) License is suspended for any period of time and/or fined for any ABC violation as a result of disciplinary action, the Conditional Use Permit shall be presented to the Planning Commission for review and further consideration.
27. The sales area for alcoholic beverages shall not exceed 2% of the retail sales floor area of the supermarket.
28. Exterior signage shall be consistent with Chapter 20 of Title 9 of the Municipal Code as well as the established sign program for the center. All signs shall require a separate permit. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
29. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
30. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up.
31. Graffiti shall be removed from the premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours upon notification/application.
32. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
33. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by

the Community Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

34. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community Development Department, Planning Division. No advertising material shall be placed thereon.
35. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
36. A copy of the Resolution and the Conditions of Approval for Conditional Use Permit No. CUP-074-2016 shall be kept on the premises at all times.
37. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-074-2016 and his /her agreement with all conditions of the approval.
38. The Conditional Use Permit shall be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
39. 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 Conditional Use Permit No. CUP-074-2016. 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. The City shall retain the right to select its counsel of choice in any action referred to herein.
40. The applicant is advised that if the use of the establishment ceases to operate for more than 90 days, then the existing Conditional Use Permit will become null and void and the new applicant shall be required to apply for a new Conditional Use Permit subject to the approval by the Community

Development Department, Planning Services Division. In the event the use(s) authorized by the CUP cease and the property owner no longer desires to continue such use(s) on the property, property owner may voluntarily terminate the CUP and all rights and obligations thereunder by executing and recording a request for voluntary revocation and termination of the CUP in a form acceptable to the City.

41. In all parking areas of the Promenade Plaza shopping center, shopping carts, owned by the supermarket, shall be collected and properly stored during all hours of operation. During hours when the establishment is closed, shopping carts shall be safely and securely stored within the wholly enclosed building or cart corral. At no time shall shopping carts cause a nuisance, hindrance, or obstruction to any parking areas or drive aisles on the property.

Building Division

42. Building modifications shall comply with all provision to the California Building Codes and City adopted amendments.
43. The proposed building and site modifications shall comply with all disability requirements.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C4 D.4	SITE LOCATION: West side of Euclid Street, between Forbes Avenue and Business Center Parkway at 14241 Euclid Street #C101-104
HEARING DATE: May 19, 2016	GENERAL PLAN: Industrial/Commercial Mixed Use
CASE NO.: Interpretation of Use No. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016	ZONE: Planned Unit Development No. PUD-104-81/86 Rev. 90
APPLICANT: Huyenz Vuong	CEQA DETERMINATION: Exempt
PROPERTY OWNER: Euclid Real Estate Development, Inc.	APN: 099-183-03

REQUEST:

The applicant is requesting an Interpretation of Use and Conditional Use Permit approval to operate a 4,647 square foot billiard hall, Duy Tan Billiards, in a portion of a tenant space that was previously occupied by the CAN Restaurant & Club.

BACKGROUND:

The site is improved with a multi-tenant retail shopping center called the Euclid Retail Center. The site consists of two (2) in-line tenant buildings located on the west side of the property, and two (2) pad buildings. The site is accessed from three (3) driveways that are served from Euclid Street, Forbes Avenue, and Business Center Parkway. The center includes retail stores, restaurants, medical, and office professional uses.

The applicant proposes to operate a 4,647 square foot billiard hall within a portion of a tenant space that was previously occupied the CAN Restaurant & Club. The CAN Restaurant & Club previously occupied a 7,068 square foot tenant space. The restaurant vacated the premises on May 20, 2013, and subsequently on March 6, 2014, the Planning Commission revoked Conditional Use Permit No. CUP-253-08, which regulated the operation of the restaurant and the nightclub.

The tenant space is currently vacant, and the interior improvements associated with the CAN Restaurant & Club were removed. The applicant proposes to obtain a Conditional Use Permit in order to operate a new billiard hall. Building permits will be required in order to reduce the size of the tenant space to accommodate the proposed billiard hall, and will include construction of a demising wall to divide the tenant space, new restrooms, and new storage rooms.

In order to allow the operation of the proposed billiard hall, the applicant is required to obtain approval of an Interpretation of Use and a Conditional Use Permit. The Interpretation of Use is required since the Planned Unit Development does not specifically identify a billiard hall as a permitted or conditionally permitted use, and therefore, the Interpretation of Use is necessary to determine if the proposed billiard hall is compatible with the existing zone. The Conditional Use Permit is necessary in order to regulate the operation of the business and to minimize potential impacts to surrounding uses.

DISCUSSION:

INTERPRETATION OF USE:

"Billiard Hall" is not expressly listed as a permitted, conditionally permitted, or incidental use in Planned Unit Development No. PUD-104-81/86 Rev 90. However, the PUD establishes a process for considering uses that are not listed and/or classified in the PUD through a determination process referred to in the Municipal Code as an Interpretation of Use. Pursuant to Garden Grove Municipal Code section 9.32.030.D.7 and the provisions of the PUD, the Planning Commission may determine that a proposed use that is not expressly listed is nonetheless permitted or conditionally permitted within a zone if it is similar in scale and operational characteristics to other uses permitted in that zone, is consistent with the General Plan and the zone district, and is compatible with other permitted uses. Pursuant to the proposed Interpretation of Use, the Planning Commission is being asked to determine that a billiard hall is a conditionally permitted use within Area III of the PUD because of its similarity to, and compatibility with, other permitted or conditionally permitted uses.

The intent of Planned Unit Development No. PUD-104-81/86 Rev 90 is to allow for a combination of industrial, research and development, office, and commercial uses within the PUD. The proposed business is located in Area III of the PUD, which allows for research and development, office, and commercial uses. The allowable office and commercial uses include, but are not limited to, administrative, professional, and business offices, barber/beauty shops, deli/coffee shops, financial institutions, health clubs, restaurants, and restaurants with live entertainment subject to a Conditional Use Permit. The existing uses within Area III of the PUD include medical offices, insurance and real estate offices, a pharmacy, laundromat, dry cleaners, restaurants, and restaurants with live entertainment.

In evaluating the proposed use and the existing uses, Staff believes that, subject to the proposed Conditions of Approval, the proposed billiard hall will be a compatible use within the existing PUD zone and with the existing uses. A billiard hall is a recreation-amusement type use that has similar operating characteristics to commercial, entertainment, and service uses currently permitted in the PUD. Commercial and entertainment uses in this area are encouraged by the General Plan, and the PUD zoning provisions allow live entertainment in conjunction with restaurants, subject to Conditional Use Permit approval. Conditional Use Permit

approval is required for billiard halls located in other zones, and requiring a Conditional Use Permit will allow the City to minimize any potential negative impacts to surrounding uses. In addition, billiards hall and pool room businesses are subject to Chapter 5.40 of the Garden Grove Municipal Code, which requires persons engaging in such a business to obtain a permit from the Police Chief and to comply with specified building and operational requirements.

CONDITIONAL USE PERMIT:

The Duy Tan Billiards will occupy a 4,647 square foot tenant space located at the that will consist of an open billiard area with seventeen (17) pool tables, a service counter with seats for customers, two (2) restrooms, a pool cue storage room, a second storage room, and a 450 square foot, enclosed, outdoor patio area. All the interior improvements to the billiard hall will be new, and the applicant is required to obtain building permits before commencing any of the proposed construction.

The business will operate from 9:00 a.m. to 12:00 a.m., seven days a week. The proposed hours of operation are consistent with the hours of operation allowed by Title 5.40 (Pool Halls) of the Municipal Code. In addition, no live entertainment, including dancing, karaoke, or disc jockey will be permitted on the premises, along with no gaming machines or card games.

According to the applicant, no food will be prepared on the premises, and no alcoholic beverages will be served. Customers will be able to purchase soft drinks, coffee, and snacks at the service counter, and the counter will be available to customers for sitting purposes. The applicant is required to provide one primary service area where customers can checkout cue sticks and balls, and pay for services. The cue display racks will be stored in the pool cue storage room.

The billiard hall will continue to utilize the 450 square foot outdoor smoking area that was used by the previous business. The outdoor smoking area is accessed directly from the tenant space, and is secured by a block wall. In order to provide visibility into the patio area from the parking area, the applicant is required to remove the solid metal panel from the wrought iron gate. The applicant is also required to properly maintain the existing hedge around the patio's wall. The patio area must also provide exterior lighting that will illuminate the patio area during the hours of darkness when the business is open.

Furthermore, in order to provide visibility into the tenant space at all times, the tenant space storefront windows and doors are required to remain clear, transparent, and unobstructed, so that all parts of the inside of the tenant space are visible at all times. Any existing obscured material on the storefront must be removed.

While the applicant proposes a total of seventeen (17) pool tables, during the plan check process, the Building Division will determine the exact number of pool tables that will be allowed based on complying with the occupancy requirements for the

proposed use. If the number of pool tables are reduced, an addendum to the conditions of approval will be issued accordingly.

The shopping center has a total of 251 parking spaces. The PUD-104-81/86 Rev. 90 establishes its own parking standards for the various allowable uses (see Exhibit "A"). The PUD allows retail and restaurant uses to park at a rate of one (1) space per 250 square feet of gross floor area. Title 9 of the Municipal Code parks billiard halls at a retail rate. Since the proposed billiard hall will occupy a tenant space formerly occupied by a restaurant, no additional parking will be required for the proposed billiard hall as the previous restaurant and the proposed billiard hall will have the same retail parking requirement.

Upon inspection of the site, Staff observed several property maintenance issues that must be resolved in conjunction with the proposed project. The existing parking lot and landscape areas have deteriorated and are in need of repair and maintenance. The applicant/property owner are required to restripe all parking spaces, as well as re-pave/re-slurry areas of the parking lot pavement that have deteriorated. The applicant/property owner are also required to provide adequate landscaping in all planter areas, and are also required to install additional landscaping along the street berm planter areas to prevent erosion of dirt into the parking spaces.

The Community and Economic Development Department and the Police Department have reviewed the request and will support the proposal.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action(s):

1. Approve Interpretation of Use No. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016, subject to the recommended conditions of approval.



KARL HILL
Planning Services Manager

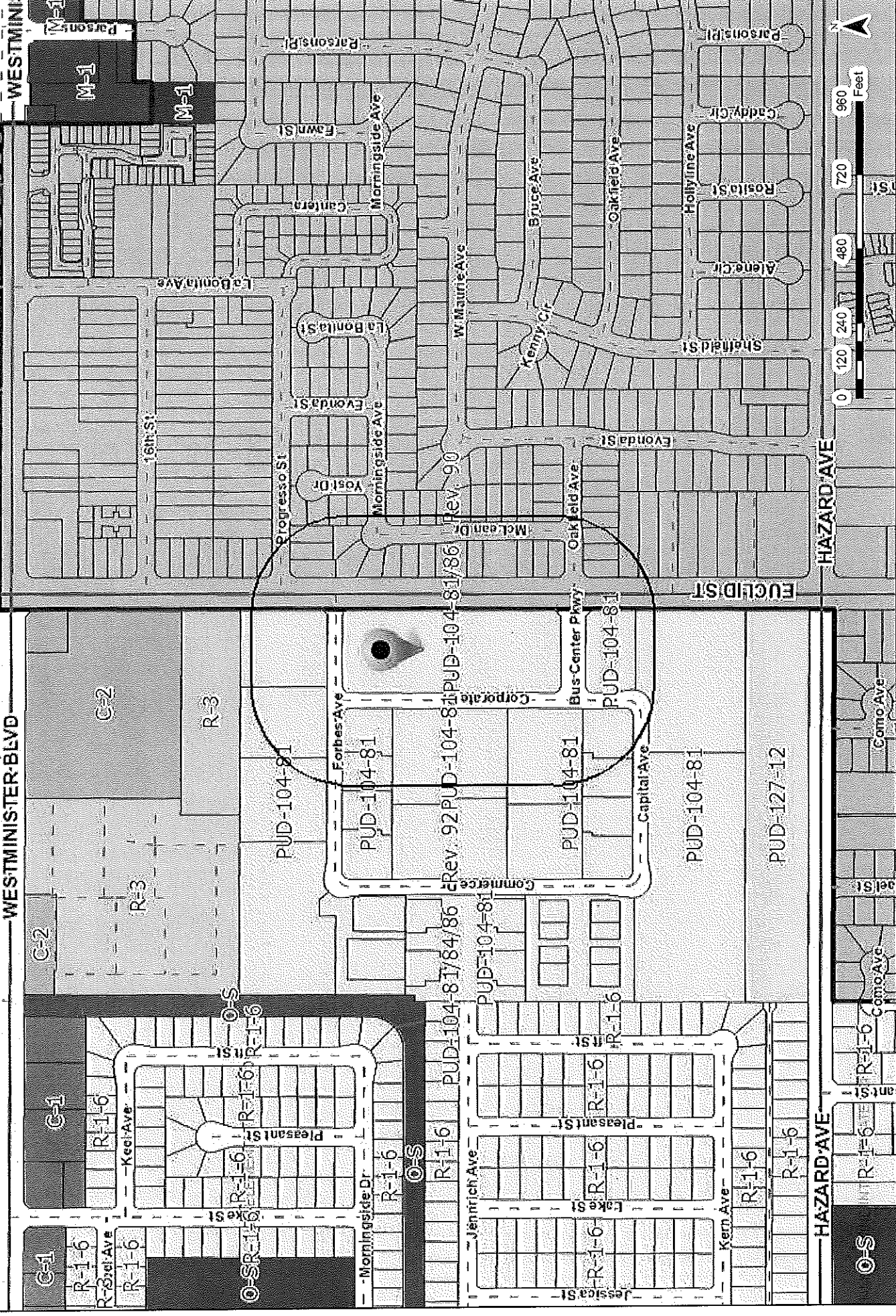


By: Maria Parra
Urban Planner

CUP-072-2016 and IOU-001-2016

CITY OF GARDEN GROVE, CA

300 Foot Radius



A TENANT IMPROVEMENT PROJECT FOR:

DUY TAN BILLARDS

Revision	Date

SCOPE OF WORK
LAYOUT PLAN

1432 BONHERRA ST. WESTMINSTER, CA 92683
CATE VOONG (714) 260-4994

REMANT IMPROVEMENT FOR
DUY TAN BILLARDS
Address: 14241 EUCALD ST. # 101-102-103-104, GARDEN GROVE, CA 92643

DATE BY
CATE VOONG
DATE BY
AS SHOWN
DATE
02-07-2015
JOB NUMBER
JW 2015-0227

CV-0
COVER SHEET
101-102-103-104
BILL BOARD
101-102-103-104
BILL BOARD
101-102-103-104
BILL BOARD
101-102-103-104
BILL BOARD

BUILDING CODE:
BUILDING CODE EDITION:
2013 CALIFORNIA BUILDING CODE
MECHANICAL CODE EDITION:
2013 CALIFORNIA MECHANICAL CODE
ELECTRICAL CODE EDITION:
2013 CALIFORNIA ELECTRICAL CODE
PLUMBING CODE EDITION:
2013 CALIFORNIA PLUMBING CODE
ADDITIONAL CODE EDITION:
2013 CALIFORNIA FIRE CODE

BUILDING DATA:
OCCUPANCY: M
CONSTRUCTION TYPE: 11-N
NUMBER OF STORES: 1
EXISTING FLOOR AREA: 4,647 S.F.

LIFE SAFETY SYSTEM:
EMERGENCY LIGHTING: NO
EXIT SIGNS: YES
SMOKE DETECTION SYSTEM: YES
FIRE ALARMS: YES
FIRE SPRINKLERS: YES

VICINITY MAP

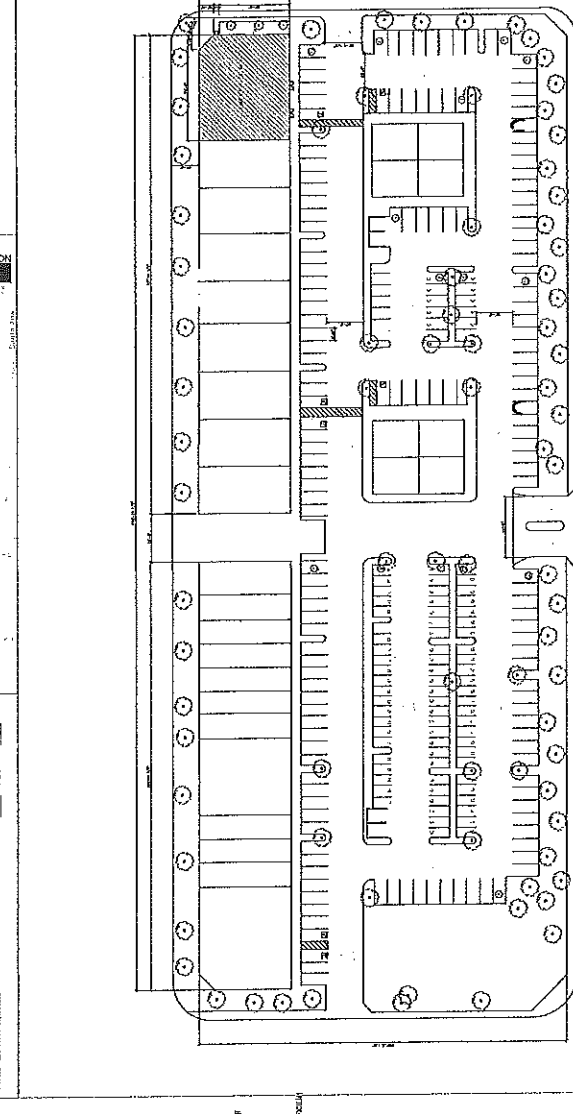
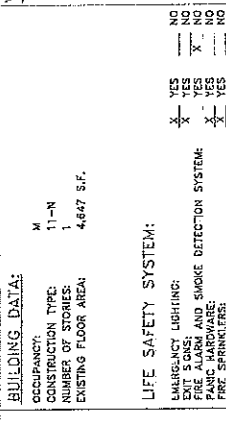
DRAWING INDEX

SYMBOL LEGEND:

- (A) GRID LINE NUMBER
- (1-27) GRID LINE LETTER
- (1) SECTION NUMBER
- (1) DETAIL
- (1) SECTION NUMBER
- (1) INTERIOR ELEVATION
- (1) DOOR
- (1) ROOM
- (1) WINDOW
- (1) WINDOW
- (1) WALL
- (1) TYPE
- (1) DATUM POINT
- (1) GRADE POINT
- (1) NORTH
- (1) APPROX
- (1) DRAWING REVISION
- (1) FIRE EXTINGUISHER
- (1) EMERGENCY EYE WASH / SHOWER
- (1) EMERGENCY SHOWER
- (1) CORNER GUARD
- (1) GUARD RAILER

ABBREVIATIONS

- AC: AIR CONDITIONING
- AD: ADJUSTABLE
- AG: AIR GARD
- AL: ALUMINUM
- AM: AIR MESH
- AN: ANCHOR
- AO: AIR OUTLET
- AP: AIR PORT
- AR: AIR REGISTER
- AS: AIR SUPPLY
- AT: AIR TREATMENT
- AV: AIR VALVE
- AW: AIRWAY
- AX: AIR EXHAUST
- B: BRASS
- BA: BATH
- BB: BENCH
- BC: BENCH
- BD: BENCH
- BE: BENCH
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THIS DRAWING IS FOR REFERENCE ONLY
SHEET 2-PLAN
SCALE: 1/8" = 1'-0"



1ST CITY SUBMITTAL 03-14-2016
CV-0
COVER SHEET



DUY TAN BILLARDS
 TENANT IMPROVEMENT FOR
 REMODELING

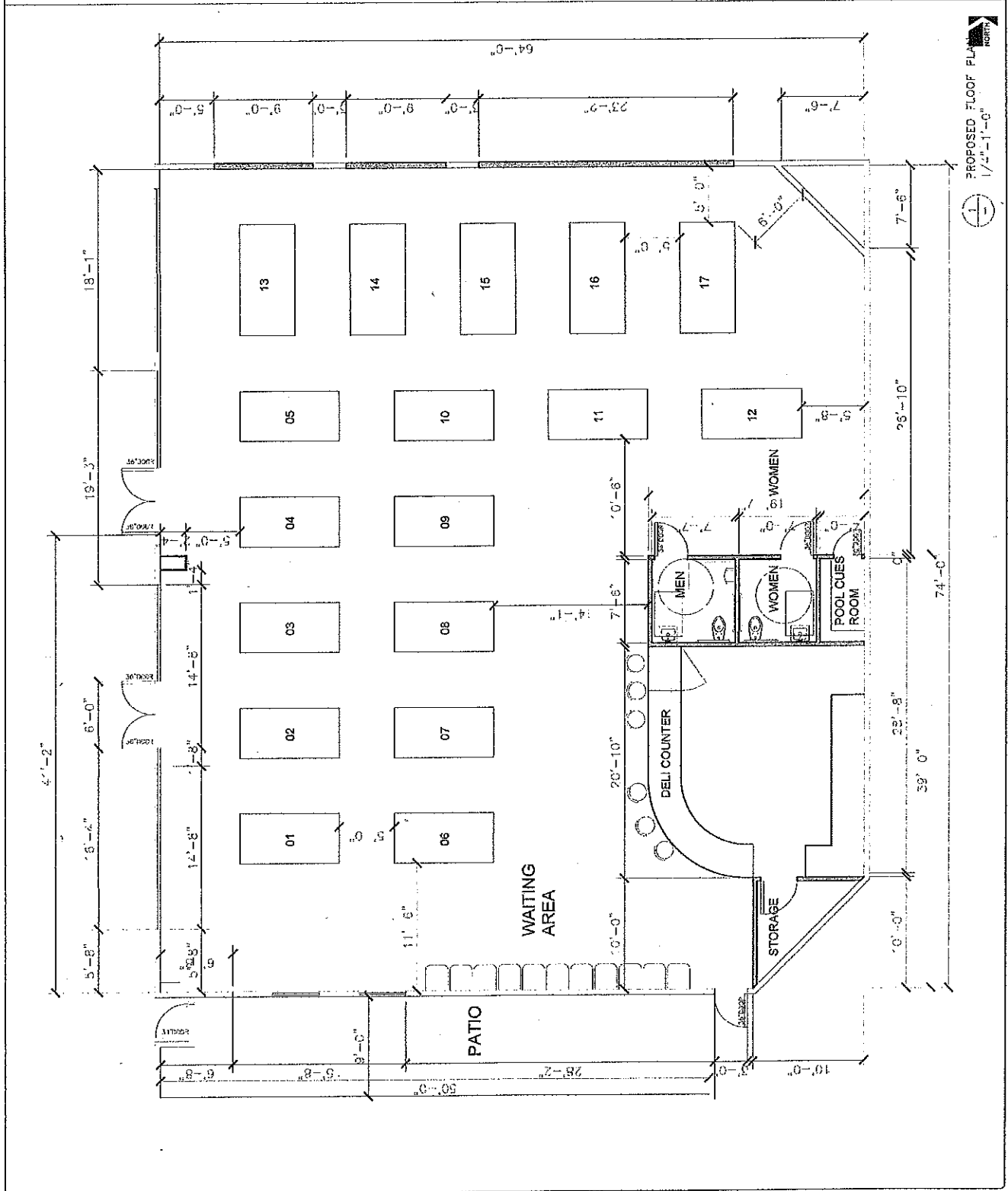
14372 BONHEIA ST. WESTMINSTER, CA 92683
 CARME VUONG (714) 260-4594

Revision	Date

LEGEND

EXISTING WALL
 NEW WALL
 HATCH

NOTE:
 1. FINISH THE INTERIOR OF THE TRASH JUMPMETER SURFACES AND SEAL TO BE IMPERVIOUS TO GROUT AND ACID.
 2. INSTALLER SHALL SUBMIT THE WALL AND CEILING MATERIALS SHALL NOT EXCEED THE FLAME SPREAD CLASSIFICATIONS OF ONE TABLE 800.2.



LAND USE MAP

PROPOSED REVISION



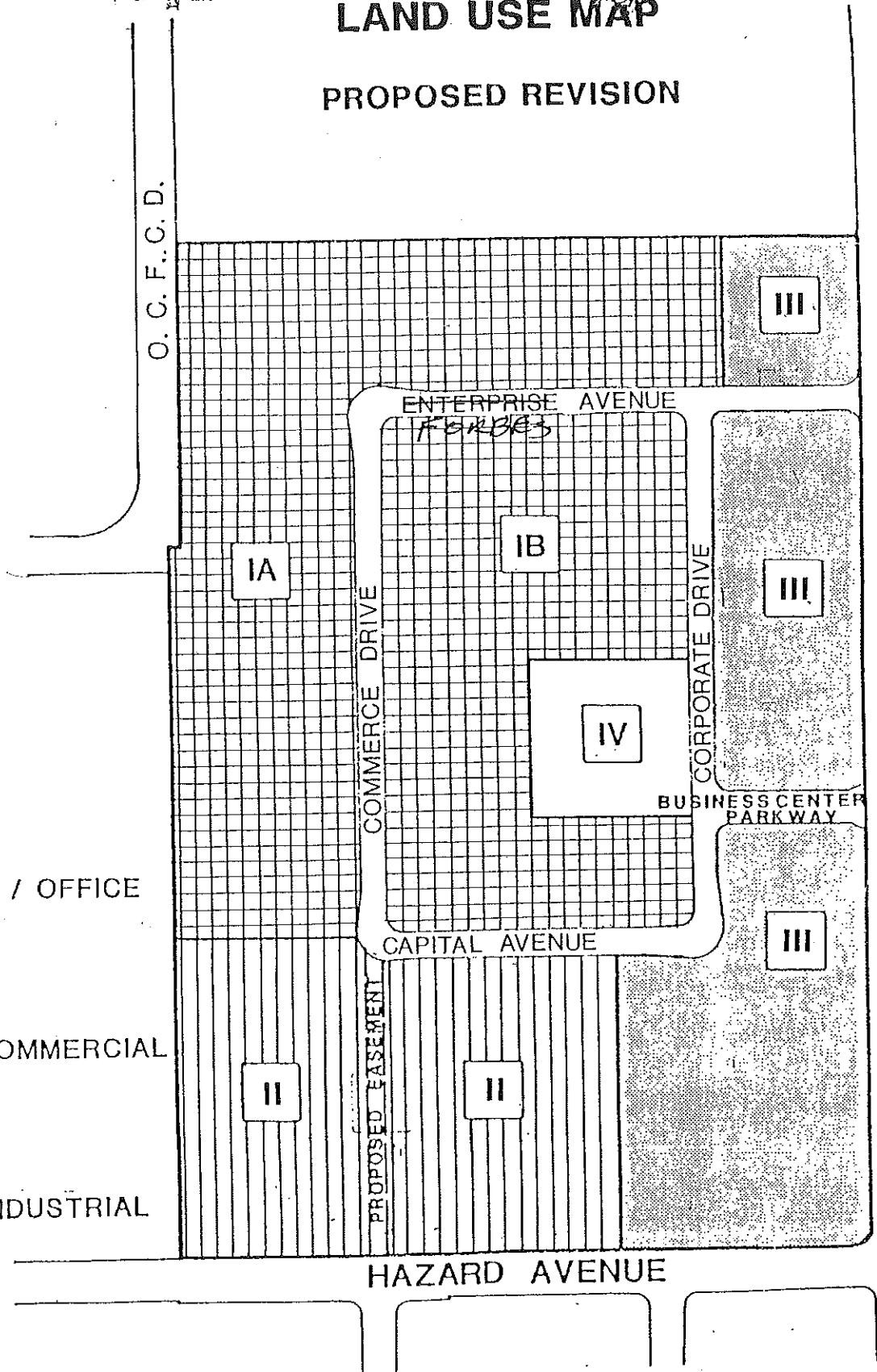
O. C. F. C. D.

AREA I
INDUSTRIAL / R&D

AREA II
INDUSTRIAL / R&D / OFFICE

AREA III
R&D / OFFICE / COMMERCIAL

AREA IV
OFFICE / R&D / INDUSTRIAL



PLANNED UNIT DEVELOPMENT
PUD-104-81/86' Revised 90

I. PURPOSE AND INTENT

The purpose of Planned Unit Development No PUD-104-81/Revised '84 is to establish responsible design and development parameters which will result in quality industrial/office park that will be recognized as a single entity. Additionally, it is the intent of this PUD to facilitate and accommodate industrial/office development at this site as the regional demand for such uses evolves.

The PUD will permit the realization of a comprehensive mixed use plan consistent with Garden Grove's Plan. Specifically, the objectives include:

Provisions of appropriate locations for clean industrial uses of all sizes;

Protection and enhancement of the integrity of industrial sites within the planned industrial areas of the community;

Encouragement of industry which will provide term employment opportunities for local residents; and

Attraction of a broad range of high quality, clean industrial uses.

Simultaneously, the existing neighborhoods adjacent to the site will be protected by potentially incompatible characteristics associated with industrial/office parks.

II. GENERAL USE AND DEVELOPMENT STANDARDS

The purpose of these development standards is to provide parameters to facilitate development on the subject site while protecting the surrounding properties from potentially incompatible uses. The entire site is divided into four separate land use areas. The general use and development standards apply to all four areas. Additionally, each land use area has specific use and development standards as described in Section III. Several environmental elements and constraints resulted in the final site design. Land Use Area I is located along the westerly and northerly perimeter of the site, adjacent to existing residential neighborhoods. Manufacturing and industrial uses with low traffic generation will be located in this area. Other design considerations included landscape buffers, extended building setbacks and specific criteria for regulating loading areas. Land Use Area II will have research and development uses with light industrial uses. Land Use

Area III is adjacent to Euclid Street and will utilize this location to have offices, limited retail and research and development uses. Extensive setbacks and limited access onto Euclid will incorporate this portion as an ancillary and to the remainder of the site. Land Use Area IV is a specific theme location for the entire PUD. A visible and well designed building is encouraged by the development standards. This site will serve as the focal point for the entire industrial/business park. The following definitions and standards shall apply to the entire Planned Unit Development:

A. Permitted Uses

The following uses will be allowed in this Planned Unit Development as permitted in the regulations for land use zones as stated in the specific Regulations. All uses shall be wholly contained within a building.

1. Manufacturing Uses

Unless specifically prohibited herein, any industrial operation, use and activity will be permitted in the Planned Unit Development provided it is so designed and constructed that the operations, uses and activities do not cause or produce a nuisance to adjacent sites such as vibrations, noise, radio frequency interference sound, electromechanical disturbance and radiation, electromagnetic disturbance, radiation, air or water pollution, dust, emission, of odorous, toxic or non-toxic matter. Further, lighting is to be shield and direct rays confined within the property lines.

An exception shall be made during periods when breakdown in equipment occurs in such a manner as to make it evident that the effect was not reasonably preventable. The Zoning Administrator shall be notified immediately after such deficiency occurs. The deficiency shall be corrected within thirty (30) days, except upon review and approval of the Zoning Administrator.

Any use proposed subject to the above-mentioned procedure will be submitted to the City of Garden Grove's Development Services Department for review and recommendation to the Zoning Administrator. Upon receipt of the Planning Coordinating Committee recommendation, the Zoning Administrator will make a determination as to compliance with the standards set forth in the Planned Unit Development regulations. If the applicant is not in agreement with the determination of the Zoning Administrator, he may request a public hearing through application for an Unclassified Use Permit for establishment of the subject use. This hearing will be duly advertised and held before the Planning Commission on a date and time specified.

a. Permitted Manufacturing Uses

Uses primarily engaged in research activities including research laboratories, developmental laboratories, and compatible light manufacturing.

Laboratories, scientific, research, experimental testing and engineering

Manufacture research assembly, testing and repair of components, devises, equipment and systems and parts and components.

Construction industries.

Accessory uses and structures when related and incidental to a permitted use

Agriculture as continuation of the existing land use, and all necessary structures and appurtenances.

Unless otherwise specifically excluded herein, uses as set forth in Garden Grove Municipal Code Section 9211. However, specifically excluding Billboards, Automobile Repair and Body Work, Kennels, Motels or Hotels, Automobile Assembly (Dismantling), Truck or Vehicle Storage, Lumber Yards, Poultry and Rabbit Slaughter, Restaurants and Cocktail Bars, with the exception of Take-Out Food Establishments, Tire Rebuilding, Recapping and Retreading.

Other similar uses when interpreted as set forth in Garden Grove Municipal Code Section 9215.3.1.

b. Permitted Manufacturing Uses Subject to Conditional Use Permit Approval.

The following additional uses shall be permitted in the Planned Unit Development with a Conditional Use Permit. A public hearing will be set before the Zoning Administrator to hear the request for establishment of the following uses:

Furniture Warehouse

Rug and Carpet Distribution

Warehouses comprising greater than 60 percent of the gross square footage of a building.

The purpose of the Conditional Use Permit will be to determine the compatibility of the requested use with surrounding uses and to ensure said use shall not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use.

2. **Research and Development Uses**

Research and development shall mean operations which combine administrative offices with manufacturing uses. For the purpose of these regulations, research and development operations are defined as uses where the total gross area of office space to industrial space is greater than twenty-five percent (25%) and less than seventy-five percent (75%) of the gross area of a building is office space.

3. **Office Uses**

For the purpose of these regulations, office uses shall be facilities where greater than seventy-five percent (75%) of the gross area of a building is office space.

4. **Commercial Uses**

It is the intent within this intended land use to allow a combination of general industry, business and professional offices, and commercial activities primarily supportive of the industrial park.

Minor ancillary activities associated with the above activities may be located outside a structure provided screening requirements as set forth in these supplemental regulations are met.

a. **Permitted Commercial Uses**

Commercial and commercial service uses, such as but not limited to the following, subject to City Zoning Administrator determination. The following are permitted uses for Area III A located north of Forbes Avenue and south of Business Center Parkway.

- Administrative, professional and business offices
- Barber Shop
- Beauty Shop
- Deli/Coffee Shop
- Savings and Loans, other related financial institutions
- Health Club
- Restaurants

The following are permitted uses for Area III B located between Business Center Parkway and Forbes Avenue.

All uses permitted in Area III A

Live entertainment in conjunction with bona fide eating establishment subject to Conditional Use Permit approval.

Unless otherwise specifically excluded herein, uses as set forth in Garden Grove Municipal Code Section 9208 are permitted in Area III A and Area III B. However, specifically excluding service stations and mini-marts.

b. Approval of Other Commercial Uses

If other commercial uses are proposed, the applicant will request approval of the use in writing. Upon receipt of this information, the City of Garden Grove's Development Services Department will make the recommendation to the Zoning Administrator for determination if the proposed project is in conformance with the intent of the General Plan and regulations governing development for the subject area if the Zoning Administrator so determines the project to conform to these regulations, the applicant will be processed administratively by the City staff and no public hearing will be required.

However, if in the opinion of the Zoning Administrator a question relative to use or design conformance exists, he may determine it to be a use not classified and at the request of the applicant, establish a duly noticed public hearing to be held before the Planning Commission at a date and time specified for determination of compliance with the Municipal Code and regulations governing development within the subject Planned Unit Development.

B. Parking Requirements

1. Location of Parking

Required off-street parking will be provided on the site of the use served, or on a contiguous site. When parking is provided on a site of different ownership, a recorded document will be approved by the City Attorney and filed with the Development Services Department and signed by the owners of the alternate site, stipulating to the permanent reservation of use of the site for said parking.

Off-site (on-street) parking is expressly prohibited.

2. Parking Standards and Requirements

In addition to the following standards, parking requirements by land use, including size of spaces, aisle widths, etc. will conform to regulations of the City of Garden Grove.

a. Manufacturing Uses

One (1) space for each 500 square feet of gross floor area for the first 20,000 square feet of floor area.

One (1) space for each 2,000 square feet of gross floor area for the second 20,000 square feet of floor area.

b. Research and Development Uses

One (1) space for each 250 square feet of gross floor area over of office space.

One (1) space for each 500 square feet of gross floor area of manufacturing area.

c. Office Use

One (1) space for each 250 square feet of gross floor area.

d. ~~Office Use~~ Retail Sales / Restaurant for K. Hill 5/19/95

One (1) space for each 250 square feet of gross floor area.

e. Commercial Service Uses

One (1) space for each 500 square feet of gross floor area for the first 20,000 square feet of floor area.

3. Compact Parking

Up to 40 percent of the required parking may be used for compact parking stalls per City of Garden Grove standards.

4. Parking Management Plan

Pursuant to Municipal Code Section 9217.4(c) proposed use(s) may propose a parking management plan in an attempt to accommodate unique and specific needs.

C. Setbacks

All setbacks will be measured from the property line. For the purpose of these supplemental regulations, a streetside property line is that line created by the ultimate right-of-way of the frontage street.

1. Setbacks from Streets

The following setbacks shall be maintained from designated streets.

a. Euclid and Hazard

- Buildings shall be set back a minimum of forty (40) feet.
- Parking shall be set back a minimum of twenty (20) feet.

b. Interior Streets

- Buildings shall be set back a minimum of fifteen (15) feet.
- Parking shall be set back a minimum of ten (10) feet.

2. Residential Zones

- Buildings shall be set back a minimum of fifty (50) feet from all residential zones.
- Parking shall be set back a minimum of ten (10) feet from all residential zones.

3. Property Lines

No setbacks are required at side of rear interior property lines.

4.

- a. Rooflines and eaves may project four (4) feet into setback areas subject to the specific approval by the Zoning Administrator.
- b. Steps and open and unenclosed staircases may project four (4) feet into the setback areas.

D. Site Coverage

Structures may not cover more than fifty (50) percent of the net lot area.

E. Landscaping

1. General Statement

Landscaping will consist of an effective combination of street trees, trees, ground cover, and shrubbery provided with suitable irrigation. Dry landscape materials may be used at side and rear only. All unpaved, non-work areas (excluding vacant lots) will be landscaped.

2. Setback Landscaping

All setback areas shall be fully landscaped except side and rear interior yards.

3. Boundary Landscaping

The boundaries of the property where adjacent to residential zone shall have a landscape area ten (10) feet wide adjacent to the property line. Trees shall be planted at a minimum, equal in number to one tree for every thirty (30) feet of boundary within this area.

4. Undeveloped Areas

- a. Landscaping plans will incorporate provisions for erosion control on all graded sites which will remain vacant prior to building construction.
- b. Undeveloped areas will be maintained in a weedfree condition as specified by the Garden Grove Municipal Code and reviewed by the Garden Grove Fire Department.

5. Parking Area

- a. Parking areas shall be landscaped in a manner as to screen said areas from view of all adjacent access streets and other properties of at a minimum have view of said areas visually interrupted. Plant materials used for screening will consist of lineal or grouped masses of shrubs and/or trees of a sufficient size and height to meet this requirement and combined with walls or berming as necessary.
- B. Trees, not less than fifteen (15) gallon size, equal in number to one (1) per each five (5) parking stalls and provided with adequate irrigation systems, will be installed in and around the parking area.

6. Landscaping Maintenance

- a. Periodic inspections will be made by the City of Garden Grove noting conditions which are in non-compliance with the requirements of this section. Corrections to bring an area into compliance with the standards will be accomplished by the offender within thirty (30) days of receipt of written notification.
- b. Lawn and ground covers are to be kept trimmed and/or mowed regularly. All planting areas are to be kept free of weeds and debris.

- c. All plantings are to be kept in a healthy and growing condition.
- d. Irrigation systems will be kept in working condition. Adjustments and cleaning will be part of regular maintenance.

F. Sign and Graphic Standards

One (1) sign per street frontage shall be permitted for each industry or commercial use. The signs may be of the following type:

1. Wall Signs

- a. No wall sign will exceed an area equal to one and one-half (1-1/2) square feet of sign area for each one (1) foot of lineal frontage of the building or store. However, no sign shall exceed 100 square feet in area nor comprise more than ten (10) percent of the area of the elevation upon which the sign is located.
- b. In multi-tenant industrial buildings, each individual industry may have a wall sign over the entrance to identify the tenant. Said sign will give only the name of the company and will be limited to six (6) inch high letters. Said sign will be oriented toward the parking or pedestrian area for that building and shall not exceed an area of five (5) square feet.

2. Ground Signs

Ground signs shall not exceed four (4) feet above grade in height nor more than one and one-half (1-1/2) square feet in area for each one (1) foot of lineal frontage of the building or store. However, no sign shall exceed sixty (60) square feet in area.

3. Miscellaneous Signs

The following are permitted:

a. Temporary Identification Signs

(1) Sales or Lease Sign

A sign not to exceed fifteen (15) square feet in area advertising the sale, lease or hire of the site will be allowed.

(2) Construction Sign

A sign not to exceed twenty (20) square feet in area denoting the architects, engineers, contractor and other related subjects will be allowed at the commencement of construction. Said sign will be removed at the time the building is fit for occupancy.

(3) Future Tenant Sign

b. Special Purpose and Directional Signs

Special purpose signs as may be submitted as a part of the Planned Unit Development site plan shall be allowed. The number of the signs shall be sufficient for the functional requirements only. This shall be determined during site plan review.

c. Monument Sign

Freestanding monument sign, or signs, identifying the name of the complex shall be permitted. Said sign(s) shall be approved by the Planning Commission during the site plan review procedure.

4. Standards

- a. Only one (1) single or double face permanent sign will be allowed per street frontage per tenant.
- b. Signs will be restricted to advertising only the person, firm, company, or corporation operating the use conducted on the site or the products sold therein.
- c. The area of a wall sign will be measured by a rectangle around the outside of the lettering and/or the pictorial symbol.
- d. All signs attached to the building will be surface-mounted.

5. Prohibited Signs

- a. The following signs are prohibited:
 - Pole
 - Roof-mounted
 - Signs or other advertising and identification structures that are constructed so as to rotate, gyrate, blink, or move in any fashion.

6. Review Criteria

All signs shall be reviewed as part of the building and site design. All signs shall be designed to compliment and to be integrated within the total site design.

G. Fence and Walls

1. Height

- a. No fence or wall shall exceed eight (8) feet in height except that a ten (10) foot fence may be permitted subject to the approval of the Zoning Administrator.
- b. No wall greater than three (3) feet shall be located within the setback area paralleling a street right-of-way.
- c. A six (6) foot high block wall shall be built on the property line adjacent to any residential zone.

2. Restriction on materials

Walls or fences of sheet or corrugated iron, steel, aluminum, or asbestos or chain link fencing are specifically prohibited. Chain link fences shall be permitted provided a view obscuring material shall be inserted in the fence.

3. Approvals

Prior to the installation of any wall or fence, the applicant shall obtain the approval from the Community Association Architectural Committee as established by recorded Covenants, Conditions, and Regulations, and approval of a Conditional Use Permit by the City of Garden Grove Zoning Administrator.

H. Telephone and Electrical Service

All on-site telephone and electrical lines will be placed underground. Transformer or terminal equipment will be screened from view of adjacent streets and properties. Transformer or terminal equipment will be located in underground vaults or adequately screened from view of adjacent streets and properties by the use of landscaping and/or solid wall and observe the applicable building setback.

I. Roof Equipment

All roof equipment shall be screened from view by a parapet wall of architecturally compatible material.

J. Storage and Refuse Collection Area

1. All outdoor storage areas and refuse collection areas shall be visually screened so that materials stored within these areas shall not be visible from access streets and adjacent property.
2. Storage or refuse collection will not be permitted between a frontage street and a building setback line.

K. Loading Areas

Streetside loading will be allowed providing the loading dock is set back a minimum of seventy (70) feet from face of curb. Said loading areas will be screened from view of adjacent streets, and access shall be provided without the necessity of vehicle maneuvers from frontage streets.

Streetside loading shall not be permitted directly adjacent to Euclid Street and Hazard Avenue.

L. Maintenance

1. All structures will be maintained in a neat and orderly manner.
2. All permitted signs will be maintained in a neat and orderly manner.

M. Public Safety

No operation in the manufacture, compounding, assembly, processing or treatment of any product, and no material stored on property within the Planned Unit Development shall be injurious to the health, safety or welfare of persons residing or working in the neighborhood by reason of danger to life or property.

III. SPECIFIC DEVELOPMENT STANDARDS

The following specific development standards apply to the use areas shown on the Land Use Plan:

A. Area I Industrial

1. Uses Permitted
 - a. Manufacturing
 - b. Research and Development

2. Minimum Lot Size

The net area of any lot in Area I shall not be less than 25,000 square feet in the area identified as I-A on the Land Use Map and 20,000 square feet in the area identified as I-B on the Land Use Map, except for cluster subdivision and condominiums as defined in Garden Grove Municipal Code Section 9101.

3. Maximum Building Height

No building in Area I shall be greater in height than thirty-five (35) feet.

4. Maximum Number of Tenants

There shall be no more than two (2) tenants occupying any one building.

B. Area II Industrial/Research and Development/Office

1. Uses Permitted

- a. Manufacturing
- b. Research and Development
- c. Office

2. Minimum Lot Size

The net area of any lot in Area II shall not be less than 20,000 square feet, except for cluster subdivision and condominiums as defined in Garden Grove Municipal Code Section 9101.

3. Maximum Building Height

No building in Area II shall exceed thirty-five (35) feet in height.

C. Area III A and III B Industrial/Research and Development/Office/Commercial

1. Uses permitted in Area III A, located north of Forbes Avenue and south of Business Center Parkway.

- a. Manufacturing
- b. Research and Development
- c. Office
- d. Commercial - Commercial Service Uses
- e. Restaurants

2. Uses permitted in Area III B, located between Business Center Parkway and Forbes Avenue:

- a. All uses permitted in III A.
- b. Live entertainment in conjunction with a bona fide eating establishment subject to Conditional Use Permit approval.

3. Minimum Lot Size

The net area of any lot in Area II shall not be less than 10,000 square feet, except for cluster subdivision and condominiums as defined in Garden Grove Municipal Code Section 9101.

4. Maximum Building Height

No building in Area II shall exceed thirty three (33) feet in height.

5. Access (Off-Site)

Access onto Euclid Street shall be approved by the Zoning Administrator and shall be placed at a minimum of 350 feet from any other point of access.

D. Area IV Theme Office

1. Uses Permitted

- a. Office
- b. Research and Development
- c. Manufacturing

2. Minimum Lot Size

The net area of any lot in Area IV shall not be less than 75,000 square feet.

3. Maximum Building Height

- a. No building in Area IV shall exceed sixty (60) feet in height.
- b. No parking structure within Area IV shall exceed two full levels above finish grade.
- c. No building in Area IV shall be less than thirty (30) feet in height.

IV. DEVELOPMENT PROCEDURES

- A. The size and nature of the Planned Unit Development precludes the development and submission at the zoning phase of specific development plans for individual sites within the project. The following procedure therefore will be adhered to regarding future submission of precise development plans to the City and the Community Association Architectural Committee as established by recorded Covenants, Conditions, and Regulations, for approval.
- B. Each applicant desiring to secure approval of building plans shall submit to the Planning Section and the Community Association Architectural Committee as established by recorded Covenants, Conditions, and Regulations, two copies of the following information:
1. Statement describing the intended use of the site, to include a full description of the activities contemplated to be conducted within the building(s) proposed.
 2. Site plan showing all buildings and structures complete with setback dimensions of said structures on the site in question.
 3. Architectural plans indicating the building elevations and construction materials, all site signage and provisions for landscaping and utility services.
 4. Additionally, the applicant shall submit one (1) sample board depicting finish exterior materials, colors, and texture.
- C. Upon receipt of this information, the City shall schedule the proposed project as a consent item on the Planning Commission Agenda as soon as it is convenient. Staff will submit a set of plans to the Planning Commission with a memorandum which indicates the compliance of the specific submittal with the appropriate regulations. The City shall receive written verification from the Community Association Architectural Committee as established by recorded Covenants, Conditions, and Regulations, determining approval prior to issuance of appropriate building permits.

V. GENERAL LANDSCAPE REQUIREMENT

This section contains the minimum required landscape material for the PUD. The list shall be used as a guideline for the review of individual site plans as described in Section IV, Development Procedures.

A. Euclid Street and Hazard Avenue Setback

1. Eucalyptus leucoxylon (white ironbark) 4/15 gal. per 30 lineal feet with random spacing for view windows into the project development.

2. *Platanus acerifolia* (London plane) along each side of entry drives for accent.
3. Undulating turf berms.

B. Entry Road

1. *Erythrina caffra* (coral tree) 1/36" box per 30 lineal feet, down center.
2. Parkway: *Platanus acerifolia* 15 gal., double row at 20'a.c. with a continuous turf berm.
3. Entry Corner Treatment: *Erythrina caffra* on corners as background for monument sign.

C. Loop Road Setback

1. *Alnus rhombifolia* (white alder) and *Pinus halepensis* (aleppo pine) 1/15 gal. per 20 lineal feet, random spacing, 50% each.
2. *Platanus acerifolia* (Lond plane) along each side of entry drives for accent.

D. Project Perimeter

1. *Tristania conferta* (Brisbane box) 1/15 gal. per 30 lineal feet.

RESOLUTION NO. 5860-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING INTERPRETATION OF USE NO. IOU-001-2016 AND CONDITIONAL USE PERMIT NO. CUP-072-2016 FOR PROPERTY LOCATED AT 14241 EUCLID STREET #C101-104, ASSESSOR'S PARCEL NO. 099-183-03.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on May 19, 2016, hereby approves (1) Interpretation of Use No. IOU-001-2016 determining that a billiard hall is a conditionally permitted use in Area III of Planned Unit Development No. PUD-104-81/86 Rev. 90, and (2) Conditional Use Permit No. CUP-072-2016 to permit operation of billiards hall on property located on the west side of Euclid Street, between Forbes Avenue and Business Center Parkway, at 14241 Euclid Street #C101-104, Assessor's Parcel No. 099-183-03.

BE IT FURTHER RESOLVED in the matter of Interpretation of Use No. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Huyenz Vuong for Duy Tan Billiards.
2. The applicant is requesting an Interpretation of Use and Conditional Use Permit approval to operate a 4,647 square foot billiard hall, Duy Tan Billiards, in a portion of a tenant space that was previously occupied by the CAN Restaurant & Club.
3. The City of Garden Grove has determined that this project is not subject to the California Environmental Quality Act ("CEQA") (Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15061(b)(3), 15301, and 15303 of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.).
4. The property has a General Plan Land Use Designation of Industrial/Commercial Mixed Use and is zoned Planned Unit Development No. PUD-104-81/86 Rev. 90. The site is improved with a commercial shopping center.
5. Existing land use, zoning, and General Plan designation of property within 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 May 19, 2016, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter at its meeting on May 19, 2016, 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 9.32.30, are as follows:

FACTS:

The property has a land use designation of Industrial/Commercial Mixed Use and is zoned Planned Unit Development No. PUD-104-81/86 Rev. 90. The site is located within Area III of Planned Unit Development No. PUD-104-81/86 Rev. 90 and is improved with a multi-tenant retail shopping center called the Euclid Retail Center. The center includes retail stores, restaurants, medical, and office professional uses.

The applicant proposes to operate a 4,647 square foot billiard hall within a portion of a tenant space that was previously occupied the CAN Restaurant & Club. The billiard hall will consist of seventeen (17) pool tables. The billiard hall will operate from 9:00 a.m. to 12:00 a.m., seven days a week.

"Billiard Hall" is not expressly listed as a permitted, conditionally permitted, or incidental use in Area III of the PUD. However, pursuant to Garden Grove Municipal Code section 9.32.030.D.7 and the provisions of the PUD, the Planning Commission may determine that a proposed use that is not expressly listed is nonetheless permitted or conditionally permitted within a zone if it is similar in scale and operational characteristics to other uses permitted in that zone, is consistent with the General Plan and the zone district, and is compatible with other permitted uses.

FINDINGS AND REASONS:

Interpretation of Use:

1. The proposed use is similar in scale and operational characteristics to other uses permitted in the zone.

The intent of Planned Unit Development No. PUD-104-81/86 Rev. 90 is to allow for a combination of industrial, research and development, office, and commercial uses. The proposed use will be located in Area III of the PUD, which allows for research and development, office, and commercial uses. The permitted office and commercial uses include, but are not limited to, administrative, professional, and business offices; barber/beauty shops; deli/coffee shops; financial institutions; health clubs; restaurants; and restaurants with live entertainment subject to a Conditional Use Permit. Currently, the businesses operating at the shopping center include medical offices, insurance and real estate offices, a pharmacy, a laundromat, a dry cleaners, restaurants, and restaurants with limited live entertainment in the form of a solo performer. The tenant space that the proposed billiard hall will occupy was formerly occupied by the CAN Restaurant & Club, which operated

primary as a nightclub since 1990. The CAN Restaurant & Club has since closed, and the proposed billiard will occupy 4,649 square feet of the tenant space. Subject to approval of a Conditional Use Permit, the proposed billiard hall use will be similar in scale, and will have similar operational characteristics as other existing uses. A billiard hall is a recreation-amusement type use that is similar to other commercial, entertainment, and service uses that are allowed in the zone.

The proposed billiard hall will operate from 9:00 a.m. to 12:00 a.m., seven days a week, which is within the allowable hours of operation for pool halls per Chapter 5.40 (Pool Rooms) of the Garden Grove Municipal Code, and which is consistent with the hours of operation of other businesses located in the center. Pursuant to the accompanying Conditions of Approval, it will not be allowed to operate with live entertainment, including karaoke, dancing, or a disc-jockey. Requiring a Conditional Use Permit to regulate the operation of the billiard hall will minimize potential negative impacts, and is consistent with the Conditional Use Permit requirement for pool halls located in other zones.

2. The proposed use is consistent with the intent of the General Plan and the zone district.

The intent of the Industrial/Commercial Mixed Use General Plan Land Use designation is to provide for a mix of industrial and commercial uses. Policy LU-1.3 of the General Plan Land Use Element seeks to encourage a wide variety of retail and commercial services, restaurant and cultural arts/entertainment, in the appropriate locations, while Goal L-6 of the Land Use Elements seeks to revitalize aging and underused commercial centers by encouraging a mix of retail shops and services that better meet the needs of the area's present and potential clientele (Policy LU-6.2). Also, Area III of PUD-104-81/86 Rev. 90 allows for research and development, office, and commercial uses. The office and commercial uses allowed include, but not limited to, administrative, professional, and business offices, barber/beauty shops, deli/coffee shops, financial institutions, health clubs, restaurants, and restaurants with live entertainment subject to a Conditional Use Permit.

The proposed billiard hall is a recreation-amusement type activity that is similar to other existing commercial, entertainment, and service uses in the zone. Commercial and entertainment uses are encouraged by the land use designation, and the PUD zone also allows live entertainment in conjunction with restaurants. The proposed billiard hall will be subject to a Conditional Use Permit to provide consistency with the CUP requirement for billiard halls located in other zones, and also to minimize any potential negative impacts to surrounding uses. Therefore, conditionally permitted a billiard hall is

consistent with the existing land use designation and the existing zone classification of the property.

3. The proposed use is compatible with other permitted uses.

Area III of PUD-104-81/86 Rev. 90 allows for research and development, office, and commercial uses. The office and commercial uses allowed include, but are not limited to, administrative, professional, and business offices, barber/beauty shops, deli/coffee shops, financial institutions, health clubs, restaurants, and restaurants with live entertainment subject to a Conditional Use Permit. The businesses currently located in the same shopping center as the proposed billiard hall include medical offices, insurance and real estate offices, a pharmacy, a laundromat, a dry cleaners, restaurants, and two (2) restaurants that operate with limited live entertainment in the form of a solo performer. The tenant space of the proposed billiard hall was previously occupied by a restaurant nightclub named the CAN Restaurant & Club, which has since closed. The tenant space will be divided in two (2) separate tenant spaces, and the billiard hall will occupy a 4,647 square feet tenant space. The proposed billiard hall can be classified as a recreation-amusement activity that is similar to other commercial, entertainment, and service activities. Commercial and entertainment uses are encouraged by the land use designation and the PUD zone.

The proposed billiard hall will be subject to a Conditional Use Permit in order to ensure compatibility and to minimize potential negative impacts with the surrounding uses. As conditioned, the billiard hall will be required to comply with the regulations of Chapter 5.40 (Pool Halls) of the Municipal Code; the establishment will not be allowed to have live entertainment or to sell or serve alcohol; and the business will operate from 9:00 a.m. to 12:00 a.m., seven days a week, which are typical hours of operation allowed for pool halls under Title 5.40 of the Municipal Code, and which are similar to the hours of operation for other businesses located in the same shopping center.

Conditional Use Permit:

1. The proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The subject site has a General Plan Land Use Designation of Industrial/Commercial Mixed Use and is zoned Planned Unit Development No. PUD-104-81/86 Rev. 90. The Industrial/Commercial Mixed Use General Plan Land Use designation allows for a mix of industrial and commercial uses. Policy LU-1.3 of the General Plan Land Use Element seeks to encourage a wide variety of retail and commercial services, restaurant and cultural arts/entertainment, in appropriate locations, while Goal L-6 of the Land Use

Elements seeks to revitalize aging and underused commercial centers by encouraging a mix of retail shops and services that better meet the needs of the area's present and potential clientele (Policy LU-6.2). The billiard hall is a type of recreation-amusement use that is similar to commercial, entertainment, and service uses common within the Industrial/Commercial Mixed Use Land Use Designation, in which commercial and entertainment uses are encouraged.

2. The requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The proposed billiards hall would be located within a multi-tenant commercial shopping center in a commercial PUD area, with a major thoroughfare (Euclid Street) separating it from residential uses to the east. Currently, the businesses operating at the shopping center include medical offices, insurance and real estate offices, a pharmacy, a laundromat, a dry cleaner, restaurants, and restaurants with limited live entertainment in the form of a solo performer. Billiards hall and pool room businesses are subject to Chapter 5.40 of the Garden Grove Municipal Code, which requires persons engaging in such a business to obtain a permit from the Police Chief and to comply with specified building and operational requirements. Permitted hours of operation for the proposed billiard hall will be limited to 9:00 a.m. to 12:00 a.m., seven days a week, which is consistent with the hours allowed for pool halls under Chapter 5.40 of the Municipal Code. Alcoholic beverages will not allowed to be brought in, served, or sold on the premises. No live entertainment, including disc-jockey, dancing, karaoke, live bands, or gaming machines will be permitted. No sound from any amplified music may be audible from outside of the premises. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The site is improved with a multi-tenant commercial shopping center with sufficient parking that will serve the proposed business and the existing businesses. The proposed billiard hall will park at a retail rate, which is calculated at one (1) space per 250 square feet of floor area by the PUD. The billiard hall will occupy a former restaurant tenant space that was parked at a retail rate; therefore, additional parking is not required to accommodate the proposed billiard hall. The site is of adequate size to accommodate the proposed uses within the surrounding area. The site is improved with landscape planters that require maintenance.

4. The proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

The site is adequately served by driveways located on Euclid Street, Forbes Avenue, and Business Center Parkway. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Interpretation of Use No. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016 do possess characteristics that would indicate justification of the requests in accordance with Municipal Code Sections 9.32.30 (Interpretation of Use and Conditional Use Permits and).
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 Interpretation of Use No. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016.

EXHIBIT "A"

Interpretation of Use IOU-001-2016

Conditional Use Permit No. CUP-072-2016

14241 Euclid Street #C101-104

CONDITIONS OF APPROVAL

General Conditions

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. 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 the project applicant, Huyenz Vuong for Duy Tan Billiards, the current owner of the property, Euclid Real Estate Development, Inc., the future owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of a 4,647 square foot billiard hall as identified on the floor plan attached to this Conditions of Approval. Approval of this Conditional Use Permit 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.
4. Minor modifications to the approved site plan, floor 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 approved floor plan, site plan, or Conditions of Approval that would result in the intensification of the project or create impacts that have not been previously addressed, and which are 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.

Police Department

6. Applicant shall comply with Chapter 8.20 of the Garden Grove Municipal Code. There shall be no gaming tables or gaming machines on the premises at any time. No card games shall be permitted.
7. The hours of operation shall be permitted from 9:00 a.m. to 12:00 a.m., seven days a week. However, if problems arise where the hours of operation need to be reduced in order to minimize any problems, the operator shall change the hours of operation as prescribed by the Police Department.
8. There shall be no customers or patrons in or about the premises when the establishment is closed.
9. There shall be no live entertainment, dancing, karaoke, sport bar, or disc jockey entertainment permitted on the premises at any time. Amplified music from a jukebox may be permitted provided the sound emitted is not audible from outside the premises.
10. There shall be no more than seventeen (17) pool tables on the premises at any time. During the plan check process, the Building Division will determine the exact number of pool tables that shall be allowed on the premises based on complying with the occupancy requirements. If the number of pool tables are reduced, an addendum to the condition of approval shall be issued accordingly. The occupancy load (the maximum number of person allowed at any one time inside the establishment) shall be posted and clearly visible inside the business in a place accepted by the Fire Department per the code.
11. There shall be no incidental amusement devices on the premises at any time.
12. The use shall comply with all provisions of Title 5 Chapter 5.40 (Pool Rooms) of the Garden Grove Municipal Code.
13. Persons under the age of eighteen (18) years shall not be permitted inside the establishment unless accompanied by a parent.
14. All pool cues shall be located within a secure place, under the control of the owner/employees, and available to patrons through a checkout system.

15. There shall be one primary service counter area from which customers may check out cue sticks and balls, and pay for services.
16. The tenant space storefront, including windows and doors, shall remain clear, transparent, and unobstructed at all times in order to provide visibility into the tenant space from the outside. Any existing window tint film shall be removed to allow clear visibility into the tenant space.
17. The interior of the establishment shall provide adequate interior lighting to provide clear visibility into the tenant space at all times. Dim lighting will not be allowed. Adequate exterior lighting shall also be provided to the outdoor smoking area at all times when the business is open, during the hours of darkness.
18. Alcoholic Beverages shall not be brought into, served, or sold on the premises at any time.
19. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.

Building Services Division

20. The project shall comply with the California Building Code Standards.
21. The project shall provide the required number of plumbing fixtures to comply with Table 422.1 of the California Plumbing Code.

Fire Department

22. The applicant shall provide emergency lighting, illuminated exit signs, and shall indicate the occupancy type and occupancy load per room.
23. The applicant shall provide a five year certification for fire sprinklers.

Community and Economic Development Department

24. No outside storage or displays shall be permitted at any time.

Interpretation of Use No. IOU-001-2016 and
Conditional Use Permit No. CUP-072-2016
Conditions of Approval

25. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the business entrance, and shall also be visible to the public.
26. There shall be no uses or activities permitted of an adult-oriented nature as outlined in Garden Grove Municipal Code Section 9.16.20.070 (Adult Entertainment Uses).
27. There shall be no deliveries to or from the premises before 8:00 a.m. and after 10:00 p.m., seven days a week.
28. Litter shall be removed daily from the premises, including from adjacent public sidewalks, and all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.
29. All trash bins shall be kept inside the trash enclosure, with the gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least three (3) times a week.
30. Any property maintenance deficiencies subject to section 9.32.190 of Title 9 of the Municipal Code, shall be corrected by the property owner to the satisfaction of the Community and Economic Development Department prior to the final City clearance for this Conditional Use Permit.
31. The parking lot and all landscape areas shall be properly maintained. The applicant/property owner shall restripe all parking spaces, and shall re-slurry areas of the parking lot pavement that have deteriorated. The applicant/property owner shall also provide adequate landscaping in all landscape planers, and shall install additional landscaping along the street berm planter areas to prevent erosion of dirt into the parking spaces. All improvements to the parking lot and landscape area shall be completed concurrently as part of the building permits for the billiard hall tenant improvement.
32. Graffiti shall be removed from the premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours of notification or application.

33. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
34. No roof-mounted mechanical equipment, including exhaust vents, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
35. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Division. No advertising materials shall be placed thereon.
36. The outdoor patio area shall be used as a smoking area for the billiard hall. The applicant shall remove the solid metal sheet panel that is attached to the wrought iron gate in order to provide visibility directly into the patio area from the parking lot/walkway. The landscaping around the patio area shall be properly maintained at all times.
37. All signs shall comply with the City of Garden Grove sign requirements. Any modification to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
38. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
39. No window signage shall be allowed at any time.
40. The exterior of the premises, including adjacent public sidewalks and all parking lots under the control of the applicant, operator, or property owner, shall be illuminated during the hours of darkness the establishment is open at a minimum of two-foot candles on the parking lot surface, and with a minimum of one-foot candles of light during all other hours of darkness. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

41. The applicant shall obtain the appropriate health permit from the County of Orange, Health Care Agency, Environment, Health Division, for food items that are sold and served on the premises that require such a permit.
42. The applicant shall receive approval of a building permit prior to commencing any construction within the tenant space.
43. A copy of the decision approving Interpretation of Use No. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016 shall be kept on the premises at all times.
44. The permittee shall submit a signed letter acknowledging receipt of the decision approving Interpretation of Use NO. IOU-001-2016 and Conditional Use Permit No. CUP-072-2016, and his/her agreement with all conditions of the approval.
45. The Conditional Use Permit shall be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
46. 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 IOU-001-2016 and CUP-072-2016. 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. The City shall retain the right to select its counsel of choice in any action referred to herein.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.5. D.5	SITE LOCATION: South side of Garden Grove Boulevard and east of Fairview Street, at 13272 Garden Grove Boulevard
HEARING DATE: May 19, 2016	GENERAL PLAN: Light Commercial
CASE NO.: Conditional Use Permit No. CUP-073-2016	ZONE: C-2 (Community Commercial)
APPLICANT: Heaven's Gate Funeral Home, Inc.	CEQA DETERMINATION: Mitigated Negative Declaration
PROPERTY OWNER(S): Kellog Family, LLC	APN: 399-011-44 & 46

REQUEST:

The applicant is requesting Conditional Use Permit (CUP) approval to operate a new funeral home, within an existing approximately 19,460 square foot office building, which will include a mortuary and crematory.

DISCUSSION:

The applicant has requested to continue Conditional Use Permit No. CUP-073-2016 to the June 2, 2016, Planning Commission meeting, in order to have their representative, Mr. John Raggett, from the American Crematory Equipment Company, present to answer any questions related to the cremation process as well as the cremation unit. The American Crematory Equipment Company is the manufacturer of the cremation unit to be installed in the applicant's establishment. Attached is the applicant's request for continuance.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

1. Open the public hearing and continue Conditional Use Permit No. CUP-073-2016 to the June 2, 2016, Planning Commission meeting.



Karl Hill
Planning Services Manager



By: Chris Chung
Associate Planner

May 2, 2016

Heaven's Gate Funeral Home
7845 Westminster Blvd
Westminster, CA 92863

City of Garden Grove
Planning Service Division

Dear Chris,

We are writing to request to move the commission hearing date to move to June 2nd, 2016 instead of May 19th, 2016. We wish to have John Raggett who is the owner/manufacture of the cremation unit as well as a license cremation manager to be at the meeting. Unfortunately May 19th, 2016 he needs to have an outpatient surgery done in the morning, thus can't be at our meeting in the evening. His present is important to answer any questions or concerns about the cremation process as well as the cremation unit.

Thank you for your consideration.

Regards,

Chi Tang
Representative for Heaven's Gate Funeral Home

Zimbra

chrisc@ci.garden-grove.ca.us

Fw: Legwork Signature

From : stacey hua <huastacey@yahoo.com>

Wed, Apr 27, 2016 10:38 PM

Subject : Fw: Legwork Signature

📎 17 attachments

To : Chris Chung <chrisc@ci.garden-grove.ca.us>**Reply To :** stacey hua <huastacey@yahoo.com>

April 27, 2016

Dear Mr. Chris Chung,

We would like to ask for your help to disapprove the permit to operate a new funeral home—including mortuary and crematory—located at 13272 Garden Grove Blvd., Garden Grove, CA 92843, near the corner of Fairview and Garden Grove. The applicant's case number is Conditional Use Permit No. CUP-073-2016.

At the community meeting on April 13, 2016, the applicant, Heaven's Gate Funeral Home, proposed a plan to build a funeral home which will include a mortuary and a crematory. We would like your assistance in opposing the above proposal. The public hearing with the Planning Commission is scheduled on May 19, 2016 at 7pm. The meeting will take place at the Council Chamber of the Community Meeting Center, located at 11300 Stanford Avenue, Garden Grove, CA 92840.

We as a community adamantly oppose the proposal of building a new funeral home in our neighborhood. As you know, there are many schools and churches in this area, such as Riverdale Elementary School, Samueli Academy High School, Doig Intermediate School, Santiago High School, Shepherd's Grove Church, Formosan Presbyterian Church, Christ Cathedral Church, Orange View Church of Christ, and Wintersburg Presbyterian Church. The fears of dead bodies being stored behind our homes and the dangers of air pollution have caused tremendous stress and anxiety in the community, especially for our children. Many of the children have asked their parents if they can just move out of the area. This neighborhood has been our cherished home for decades and it is impossible for us to just pick up and leave.

We enjoy the peace and safe environment we currently have here in the community. We would like you, as our city planning commissioners, to honor and protect our rights for a safe and peaceful environment. As you know, the toxins in the crematory emissions will affect many citizens, especially our children in the surrounding homes and schools. Mercury is one of the poisonous chemicals released during cremation. When heated, it is released into the air as a colorless and odorless gas. As it is breathed in and accumulated in the human body, it permanently damages the brain, kidneys, and nervous system. Also, chronic exposure to mercury has been


documented and proven to cause fatigue, anorexia, weight loss, tremors, memory loss, insomnia, depression, and loss of vision.


In addition to mercury, there are many more toxic chemicals being emitted into the air during cremation, such as cadmium, dioxin, hydrogen chloride, sulfur oxide, nitrogen oxide, and chromium. These toxins and heavy metals—known for their potent toxicity, especially in environmental contexts—have devastating impact on human health. We vehemently want to avoid exposing our children to these toxins which will pose many serious health problems to them and future generations.


We as a community are asking you once again, as our city planning commissioners, to help protect our community. We would like to thank you in advance for your support. We believe that you will always do what is best for the people in this community, especially our children. Please treat them as your own children and provide them a peaceful neighborhood with toxin-free air to nurture their lives. We count on you to make the right decision, in the best interest of the children. In return, you have our gratitude and you can always count on our support so that you may continue to provide and protect all citizens in the community. We appreciate all your efforts to put a halt to the plan of a new funeral home in our neighborhood. Please find attached copies of the community's signatures in opposition to the funeral home.


Sincerely,


The communities of Garden Grove, Santa Ana, and Orange.


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
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
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We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Nguyen Lam Diem Le Trâm	1710 S. Townsend St. A. 2401 Marly NW Sinda Am CA 92706	Nguyen Lam Diem
LOANT NGUYEN TRAIU Chinh	1226 Jane ST GG CA 92740 13052 LARAMORE LI	Kera C. y Chinh
MIEN NGUYEN Mien Hoang	9098 Caladium fountain 10 El Prado Garden Grove	Meng Mien
Lynda Pham Xuan Nguyen	1714 21 1721 Garden Grove #407 12281 Anzio St. GG. CA 92840	Lynda Pham Xuan Nguyen
Loan Nguyen Mien Hoang	13062 Simon St. Garden Cove, CA 92843 13062 Simon St. GG CA 92843	Loan Mien Hoang
MAMIE NGUYEN R RICHTER	C. C. Newport PL 13102 ROBERTA	Mamie R Richter
Thomas Nguyen Loc Thu Ngo	13112 Fernside St 13112 Fernside St	Thomas Loc Ngo
Thomas Pham Long Nguyen	12932 Abbey Garden Grove 13252 Downie P. GG	Thomas Long Nguyen
Theresa Nguyen	13052 Downie Pl. Garden G.	Theresa
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Tho Nguyen	13252 Downie Garden Way	Tho
Men Nguyen	922 Rosita St, SA ⁹²⁷⁰³	Manly
Ana Guardado	12831 Aspenwood Ln G.G. 92840	Ana
DANH Bui	13201 HILTON LN G.G. 92843	Danh
DIHAN MAI	13201 HILTON LN G.G. 92843	Dihan
HOAN Bui	13201 HILTON LN G.G. 92843	Hoan
THOAI Bui	13201 HILTON LN G.G. 92843	Thoi
William Lawdermilk	13312 Downie Pl G.G. ⁹²⁸⁴³	William Lawdermilk
Carol Lawdermilk	13312 Downie Pl G.G. ⁹²⁸⁴³	Carol Lawdermilk
Cindy Linder	13312 Downie Pl G.G. ⁹²⁸⁴³	Cindy Linder
Mai Dinh	2418 Bobby Ln SA	Mai
Lung Vu	2418 Bobby Ln SA ⁹²⁷⁰⁶	Lung
Vui Nguyen	1224 W 18th St. SA ⁹²⁷⁰⁶	Vui
Vien TRAM	9098 Calcium Fountain	Vien Tram
SANG NGUYEN	1281 ANZIO ST, GARDEN GROVE, CA ⁹²⁶⁴⁰	Sang
THANH. LAI	13121 LEWIS ST	Thanh
Kim Loan	13121 LEWIS ST G	Loan
Brian Nguyen	13262 Downie Pl G.G.	Brian
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Leresita S. Damico	13392 Garden Grove Blvd. Garden Grove, CA 92843	
Andrian Damiz	1051 Laird St. Garden Grove, CA 92843	
Lucy Damico	2721 Laird St. Santa Ana, CA 92706	
Mary Aznar	13372 99 Blvd. 99 CA 92843	
Chau Aznar	Post Laramore Ln 99 92843	
Carmen Aznar	13372 99 Blvd 99 CA 92843	
Jeseca Aznar	13372 99 Blvd 99 CA 92843	
Gloria Maradeis	13372 99 Blvd 99 CA 92843	
Johnson Do	13081 Laramore Ln 99 CA 92843	
Rusty Jurado	13372 Garden Grove Blvd. 99 CA 92843	
Ronnie Jurado	13372 99 Blvd. 99 CA 92843	
Bay Van Do	12081 Laramore Ln 99 92843	
Chi Nguyen	13081 Laramore Ln 99 92843	
Brenda Aznar	13032 Laird St 99 92843	
Frederic Pichon	13032 Laird St 99 92843	
Tran Do	Post Laramore Ln 99 CA 92843	
Trung Nguyen	Post Laramore Ln 99 CA 92843	
Ashley N.	Post Laramore Ln 99 CA 92843	

Number of signatures on page 18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
MARISOL R	2226 Laramore Ln Santa Ana CA 92706	MARISOL RODRIGUEZ
GUADALUPE ANDORA	2226 Laramore Ln Santa Ana CA 92706	GUADALUPE ANDORA
SAIBO ROMERO	2800 WESTMINSTER AVE APT-113 SANTA ANA 92706	SAIBO R
Miguel Huertas	2214 West Edinger 92704 apt 7	
Immanuel Ponce	2800 Westminister av.	
VICTO ROMERO	2226 Laramore Ln Santa Ana CA 92706	
DAVID KACANA	2226 Laramore Ln Santa Ana CA	
Andres Hernandez	2226 Laramore	
Ngoc Tran	2214 Laramore Lane Santa Ana CA 92706	Ngoc Tran
KIM NUYEN	2214 Laramore Lane Santa Ana CA 92706	Kim
Ha HUYNH	2214 Laramore Ln Santa Ana 92706	HAXU HUYNH
Thu bang	2310 Laramore Ln Santa Ana CA 92706	Thu bang
Huong dang	2310 Laramore Ln Santa Ana CA 92706	Huong dang
Minh Tam Pham	13072 Laramore Ln Garden Grove	Minh Tam Pham
Tan Thich hu	2302 Laramore Ln Santa Ana 92706	Tan Thich hu
Nu Rui	2314 Laramore Ln Santa Ana CA 92706	Nu Rui
STACEY HUA	13111 Laramore Ln Garden Grove CA 92843	Stacey Hua
Daniel Han	13111 LARAMORE LN Garden Grove 92843	Daniel Han
Number of signatures on page		17

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Trang Nguyen	13092 Laramore Ln	<i>Trang Nguyen</i>
TRANG NGUYEN	13092 LARAMORE LN	<i>Trang Nguyen</i>
Trang Nguyen	13062 LARA	<i>Trang Nguyen</i>
Steve Popov	2313 LARAMORE LN	<i>Steve Popov</i>
Brec Popov	2313 Laramore Ln	<i>Brec Popov</i>
Rob Darcy	2213 Laramore Ln	<i>Rob Darcy</i>
Paula Wirth	13031 Laird Dr	<i>Paula Wirth</i>
Stan Wirth	13031 Laird St	<i>Stan Wirth</i>
Katie Le	2710 Laird St	<i>Katie Le</i>
David Le	2710 Laird St	<i>David Le</i>
Yasmin Ortega	2202 Laramore Ln	<i>Yasmin Ortega</i>
Eusebio Solis	2202 Laramore Ln	<i>Eusebio Solis</i>
WYUNG-TRAN	2310 Laramore Ln	<i>WYUNG-TRAN</i>
THI DANG	2310 Laramore Ln	<i>THI DANG</i>
Mi Pham	2225 Laramore Ln	<i>Mi Pham</i>
VAM KIM Pham	2225 Laramore Ln	<i>VAM KIM Pham</i>
An Ha	2225 Laramore Ln	<i>An Ha</i>
Chieu Tran	2314 Laramore Ln	<i>Chieu Tran</i>
Number of signatures on page		17

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We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Calvin Tran	13091 Laramore Lane	<i>Calvin Tran</i>
Sally Tran	13091 Laramore Ln.	<i>Sally Tran</i>
Angel Tran	" LARAMORE LN	<i>Angel Tran</i>
Amy Trinh	13091 Laramore Lane	<i>Amy Trinh</i>
TAI DOING	13091 Laramore Lane	<i>Tai Doing</i>
tho maith	13091 Laramore Lane	<i>tho maith</i>
Tong Tran	13091 Laramore Ln	<i>Tong Tran</i>
Jenny Tran	13091 Laramore Ln	<i>Jenny Tran</i>
hanh Lieff	13091 mtz -	<i>hanh Lieff</i>
Henry Tran	13091 Laramore Ln	<i>Henry Tran</i>
VIET HOANG	13062 " "	<i>VIET HOANG</i>
THUY HOANG	" " "	<i>THUY HOANG</i>
Chen tran	" " "	<i>Chen tran</i>
Thong Hoang	" " "	<i>Thong Hoang</i>
Brian Hoang	" " "	<i>Brian Hoang</i>
SUSAN SHIGEMASA	13052 LARAMORE	<i>Susan Shigemasa</i>
ALAN SHIGEMASA	13052 LARAMORE	<i>Alan Shigemasa</i>
DAO PHAM	13072 LARAMORE LN	<i>DAO PHAM</i>
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
CHRISTINE NGUYEN	10031 LARSEN AVE, B GARDEN GROVE, CA 92843	<i>Christine Nguyen</i>
PHU-VU	12701 Adriana CA 92840	<i>Phu Vu</i>
LAI H HOANG	12622 Arletta Cir CA 92840	<i>Lai H Hoang</i>
HE NGUYEN	12622 Arletta Cir CA 92840	<i>He Nguyen</i>
TU PHAN	12181 SHERIDAN LN G.G. CA. 92840	<i>Tu Phan</i>
Mai Vu	11857 Parkview Ln G.G.	<i>Mai Vu</i>
TINA	12630 Westmire Ave # 2 GARDEN GROVE - CA - 92843	<i>Tina</i>
Mary Le	12181 DIANE ST Garden Grove CA 92840	<i>Mary Le</i>
THIEN NGUYEN	13062 ALLARD AVE GARDEN GROVE CA 92840	<i>Thien Nguyen</i>
VENNA NGUYEN	4302 Sun. Sunset AYSANANA Garden Grove, CA 92840	<i>Venna Nguyen</i>
LILLIAN BUI	12426 OERTLY DRIVE	<i>Lillian Bui</i>
HARRY T BUI	12426 OERTLY DR Garden Grove CA 92840	<i>Harry T Bui</i>
Ronald DeLuca	2369 LARAMORE LN SANTA ANA CA 92706	<i>Ronald DeLuca</i>
BOM NGUYEN	2218 LARAMORE Lane Santa Ana, CA 92706	<i>Bom Nguyen</i>
Linh Nguyen	2218 LARAMORE LN SANTA ANA CA 92706	<i>Linh Nguyen</i>
Martina Espinoza	2210 LARAMORE LN SP. 92706	<i>Martina Espinoza</i>

Number of signatures on page

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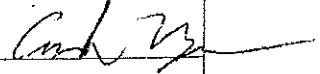
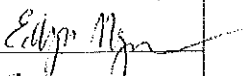
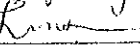


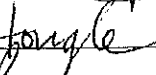
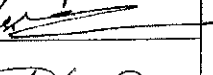
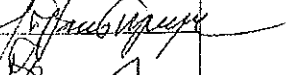
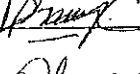
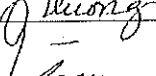
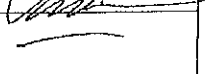
We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Ngoc Van Nguyen	13122 Hilton Ln SG	<i>[Signature]</i>
Thucan Dinh	2216 S ANTONIO ST	<i>[Signature]</i>
Duc Vu	11251 Parkview Ln #4	<i>[Signature]</i>
Hue Dinh	1243 Lux Ct 92843 2300 S Lewis St #31	<i>[Signature]</i>
Chien Nguyen	Bakersfield CA 92802	<i>[Signature]</i>
KIMHONG PHAM	11241 Gardenway Ln Garden Grove CA 92841	<i>[Signature]</i>
Kim Ma	13862 DUNKER AVE GARDEN GROVE 92840	<i>[Signature]</i>
Kim-Danh Tram	2409 Lori Lane Santa Ana, 92706	<i>[Signature]</i>
Joseph Tram	2409 Lori Lane Santa Ana, 92706	<i>[Signature]</i>
Ngoc van Nguyen	1101 Cynthia Cir Garden Grove, CA 92843	<i>[Signature]</i>
Nguyen Jacob	1117 N + HICKORY PL Santa Ana CA 92706	<i>[Signature]</i>
Liuh Yi Nguyen	2605 W 116 ST Santa Ana CA 92706	<i>[Signature]</i>
Ray Jones	2210 LAFAYETTE LIO S.A 92706	<i>[Signature]</i>
Maria Avaa	2709 Laurel St Santa Ana CA 92706	<i>[Signature]</i>
Maria Gomez	2709 Laurel St Santa Ana	<i>[Signature]</i>
Number of signatures on page		14

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Juan H. Leanos	2417 Bobby Ln Santa Ana	Juan H. Leanos
Theresa	" "	T. L.
Gemila	" "	G. L.
Camila	" "	A. L.
Raul	" "	R. H.
Rosario	2406 W. Bobby Ln	Rosario B. D.
Jacqueline	" "	J.
Guadalupe	" "	G.
Guadalupe	" "	G.
Lien Nguyen	2406 Marty Ln Santa Ana	Lien
Tao pham	2406 Marty Ln Santa Ana	Tao
GORDON BOB	2402 Marty Lane	Gordon Bob
Kenobin J. SMILES	2402 MARTY Lane	Kenobin J. Smiles
Luz Medina	2402 MARTY Lane	Luz Medina
Jaime Castillo	2313 W. MARTY W.	Jaime Castillo
MARIA CASTILLO	2313 W. MARTY W.	MARIA CASTILLO
EVA CASTILLO	2313 W. MARTY LN	EVANGELINA C.
JOSE CASTILLO	2313 W. MARTY LN	Jose Castillo
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Anh Nguyen	2302 Laramore Ln Santa Ana	
Edlyn Nguyen	2301 Laramore Ln, Santa Ana	
Tuan Tran	2301 Laramore Ln, Santa Ana	
Hoa T. Vo	(714) 750 0266	
Kathy Vu	2302 Laramore Ln Santa Ana	
Danny Chu	2302 Laramore Santa Ana	
HONG LE	(714) 725 4328	
PETER NGUYEN	131 SUNNINGDALE CIR	
TIFFANEE NGUYEN	131 No. SUNNINGDALE CIR	
DUY NGUYEN	13122 HILTON LN	
PHUONG HOANG	13122 HILTON LA	
NGOC NGUYEN	13122 HILTON LN	
Number of signatures on page		11

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
KEVIN DUONG	13017 BILFOUR CIR G.G.	
Scott Maplett	13028 Balfour cir G.G.	
MARIA GALLARDO	13023 BALFOUR CR. G.G.	
Yolanda Gallardo	13023 BALFOUR CR. G.G.	
Grisselda Cruz	13050 Balfour Cir G.G.	
Julia, Alex	13043 Balfour Cir	
KATH, DEBORA	13043 Balfour Cir	
Ana Fernandez	13036 Balfour Cir	
MINH D	13032 Balfour	
DUNG TRINH	13032 Balfour	
PATRICK NGUYEN	13462 G.G. BLVD.	
Paula Mourique	13462 G.G. Blvd.	
	13462 G.G. Blvd.	
John Veach	2716 N. Land	
Fran Veach	2716 N. Land	

Number of signatures on page

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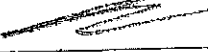
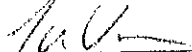
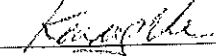
We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Barbara Stettler	2700 13252 Garden Grove GG CA 92843	
Keisha Lewis	13252 Garden Grove GG CA 92843	
Dwain Young	13252 Garden Grove GG CA 92843	
RAMONA DYOR	13252 Garden Grove GG, CA 92843	
ANITA L PRY	13252 Garden Grove GARDEN GROVE 92843	
Bonnie Doherty	13252 Garden Grove Garden Grove CA 92843	
KIRK BAIZ	13252 GARDEN GROVE BLVD 100, GARDEN GROVE CA 92843	
Kathy Ruby	13252 Garden Grove Garden Grove 92843	
Melissa Tully	13252 Garden Grove Blvd Garden Grove, CA 92843	
Marilyn Ah	13252 Garden Grove Blvd Garden Grove, CA 92843	
Rosario Espuosa	13252 Garden Grove Blvd Garden Grove CA 92843	
Barbara Nayar	13252 Garden Grove Blvd Garden Grove, CA 92843	
Rita Carrasco	13252 Garden Grove Blvd Garden Grove CA 92843	
VICTOR CAMARA	13311 GARDEN GROVE BLVD 92843	
Brian Hammett)	
KEVIN LEE PHAM	2229 LAMAR BLVD LD	


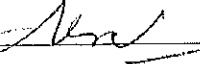
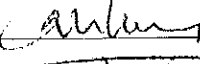
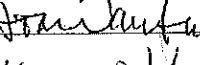
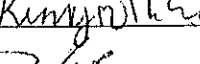
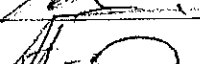
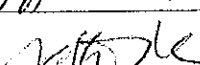
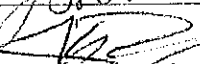
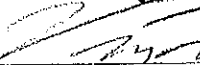
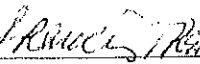

Number of signatures on page

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We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Rick Vu	13061 LARAMORE LN GGCA 92843	
Tu Vu	13061 Laramore Lane GGCA CA 92843	
KENNY VU	13061 LARAMORE LN GARDEN GROVE, CA 92843	
Number of signatures on page		3

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
TRAM, Chris	13181 HILTON LN Garden Grove, CA 92843	
HUO, THIET	13161 HILTON LN	
HOANG, TAN	GARDEN GROVE CA 92843 13162 HILTON LN. G. G. 92843	
Hoa Bui	13182 HILTON LN GARDEN GROVE, CA 92843	
KIM YEN THI VO	13192 HILTON LN G. G. CA 92843	
LIU VU	13262 DOWNEY PL G.G. CA 92843	
Hieu Bui	13201 HILTON LN GARDEN GROVE 92843	
Jessie Vu	13201 Hilton Ln Garden Grove, CA 92843	
KEN BUI	13201 HILTON LN Garden Grove CA 92843	
VIVIEN TRAN	13181 HILTON LN. G.G., CA 92843	
FRANCIS TRAN	13181 - HILTON LN G.G. CA 92843	
Number of signatures on page		11

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Melissa Tran	11036 Camellia Way GARDEN GROVE CA	
Tuyen Chu	2202 Seton St 92843 Santa Ana CA 92706	
Thommet Lee	11802 Roxbury Rd GARDEN GROVE CA 92840	
Duc Chu	1736 River Lane Santa Ana CA 92706	
Yanh Le	13108 Mendocino Ln GG 92843	
TRIN NGUYEN	13114 Newell St. GARDEN GROVE	
TARA LE	13162 STIMPED ST GG 92843	
Michelle Dung	10880 Acacia Parkway GARDEN GROVE CA 92840	
Thuy Linh Nguyen	9291 Lenore Dr GG	
Stephany Le	2262 RANCHERO AVE GARDEN GROVE CA 92843	
Mat Le	1736 River Lane Santa Ana ca 92706	
Cox Jonathon	51341 Lewis St. SANTA ANA	
Rosa Maria	18092 Baird Dr Orange CA	
Valenzuela Alejandro	13231 Siaman Ave .GG	
Number of signatures on page		15

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
NGU Duy Phat	13072 LARAIN ROAD GG CA 92843	[Signature]
DAVID Mai	2213 LORI LN, SANTA ANA CA, 92706	[Signature]
Stephanie Mai	2213 LORI Lane, SANTA ANA CA. 92706	[Signature]
Loan Do	2213 Lori Ln, Santa Ana, CA. 92706	[Signature]
Peter Mai	"	[Signature]
Kristen Do	"	[Signature]
Lucia Mai	"	[Signature]
DUOC TRAN	2310 Lori Ln, SA. 92706	[Signature]
TH NGUYEN	2221 Berra Santa Ana	[Signature]
Thi Nguyen	"	[Signature]
KIM ANH PHAM	2401 Lori Ln SA 92706	[Signature]
Lam Phuc Vu	2418 Bobby Lane Santa Ana CA 92706	[Signature]
Trang Thi Bich Tran	2418 Bobby Lane Santa Ana CA 92706	[Signature]
Lipida Brena	2401 Bobby Ln Santa Ana CA	[Signature]
Maria Tomc	225 Bobby Ln	[Signature]
Virginia Nelson	2309 Bobby Lane	[Signature]
Number of signatures on page		16

Zimbra

chrisc@ci.garden-grove.ca.us

Fw: 2nd set Twin Tower legwork Signatures

From : stacey hua <huastacey@yahoo.com>

Tue, May 03, 2016 10:07 AM

Subject : Fw: 2nd set Twin Tower legwork Signatures

 10 attachments

To : chrisc@ci.garden-grove.ca.us

Reply To : stacey hua <huastacey@yahoo.com>

Hi Mr. Chung,

Attached is the signatures from our seniors in the neighborhood. Thank you.


Stacey


On Monday, May 2, 2016 9:26 PM, Chieu Tran <chieut2004@yahoo.com> wrote:


Hi All,


Here is the list of 10pgs of Twin Tower signatures (180 people)


Regards,
Chieu

 **20160502_204716.pdf**
632 KB


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543 KB


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607 KB


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 **20160502_205346.pdf**


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 **20160502_205609.pdf**
534 KB

 **20160502_205720.pdf**
559 KB

 **20160502_205814.pdf**
532 KB

 **20160502_205910.pdf**
565 KB

 **20160502_210008.pdf**
545 KB

Set #2

From the Community Garden ~~Towers~~
 for seniors 3919 W Garden Grove Blvd #1
 4001 W Garden Grove Blvd
 Orange, CA 92668-4822

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Hwang Soon	3919 W G G #707	Soon Hwang
Sook Youn	3919 W. G G Rd. #710	Sook Youn
Jin A Kim	3919 W G G Rd. #712	Jin A Kim
Kwon S J	" " 711	Kwon S J
OCK J. KIM	" " 713	OCK J. KIM
김 옥 준	" " 714	김 옥 준
Yoon Jong Park	" " 716	Yoon Jong Park
박 지영	" " 715	박 지영
Eui Soon Lee	" " 705	Eui S
Young Lee	" " "	Young Lee
Sook Yoon	" " 601	Sook Yoon
Young C Kim	" " 601	Young C Kim
Byung R. Kim	" " 603	Byung Ran Kim
Young E Kim	" " 614	Kim
Kim Suk Yang	" " 514	Kyu
Sung Yang	" " 514	Sung
Hanna Park	" " 116	Hanna
Donna S. Kim	" " 603	Donna S. Kim

Number of signatures on page

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Rosa Kwak	3919 Garden Grove Blvd # 813 Orange, CA 92668	R Kwak
Sunny Park	3919 Garden Grove Blvd # 813 Orange, CA 92668	Sunny Park
HUI KANG	"	HUI KANG
Sarah Joh	"	Sarah Joh
Ae Kim	"	Ae Kim
Oak Kang	"	Oak Kang
SANG HEE	"	Sang Hee
Joy Kim	"	Joy Kim
Lee Soon Bin	"	Lee Soon Bin
Sun Ae Kim # 815	"	Sun Ae Kim
Sung Joon CHOI	801	Sung Joon CHOI
MAL SUN SON	1206 "	MAL SUN SON
MIN HWAN SONG	3919 W GG #701	MIN HWAN SONG
OK BOON SONG	" " #701	OK BOON SONG
THAN NOK	" " #702	THAN NOK
YUNG PARK	" #703	YUNG PARK
BAEK PARK	" #703	BAEK PARK
YOK	" " 706	YOK
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Hai SOON CHOI	3919 GRD. ERV. BLV. ¹⁴¹⁵	<i>[Signature]</i>
Young Joo KIM	" " 1414 ⁰⁹⁴²⁸⁶⁸	<i>[Signature]</i>
NADAMOTO	" " 1419	<i>[Signature]</i>
OK SAM CHOI	" " 1408	<i>[Signature]</i>
Keunsook Song	" " 1413	<i>[Signature]</i>
Mary Lee	" " 1407	<i>[Signature]</i>
Young Soo Kwon	" " 1405	<i>[Signature]</i>
Chong Yup Yoo	" " 1404	<i>[Signature]</i>
Tae Hae Lee	" " 1401	<i>[Signature]</i>
HYUN ZH SIN	" " 1403	<i>[Signature]</i>
Haeju Lee	" " 1416	<i>[Signature]</i>
Youngsook KIM	" " 1308	<i>[Signature]</i>
Keungha C. KIM	" " 1308	<i>[Signature]</i>
IN S KIM	" " 1306	<i>[Signature]</i>
WON SOON KIM	" " 1306	<i>[Signature]</i>
Bong S Lee	" " 1301	<i>[Signature]</i>
Gum Young Lee	" " 1301	<i>[Signature]</i>
Atam Young K.	" " 1316	<i>[Signature]</i>
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
김 목주	4001 W Garden Grove VI orange CA 92868	김 목주
김 종순	" " " " " "	김 종순
조 옥순	4001 Garden Grove #601 orange CA 92868	조 옥순
홍 영분	3919 G.G. CA 92868 #1063	홍 영분
박 소옥	4001 W G.G. #603	박 소옥
Park Youngsook	4001 W Garden Grove #605	Youngsook Park
Youngsook Kim	4001 W Garden Grove #607	Youngsook Kim
John Kim	4001 W Garden Grove #607	John Kim
SAW CHAN	4001 W Garden Grove #611	SAW CHAN
JAE WON CHANG	3919 W Garden Grove #709	JAE WON CHANG
SOON D. KIM	409 1/2 " "	SOON D. KIM
김민준	4001 W G.G. #408	김민준
김민준	4001 " " #306	김민준
Chung Jim Kim	" " " "	Chung Jim Kim
Choo Ta Choo	4001 G.G. #303	Choo Ta Choo
Sammy Yoo	4001 G.G. #310	Sammy Yoo
Sung Ok Shin	4001 G.G. 312	Sung Ok Shin
김영희	4001 G.G. 412	김영희
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
CHANG S. CHOI	3718 GARDEN GROVE BLVD ORANGE, CA 92660	<i>[Signature]</i>
Lee - Sang Mal	"	<i>[Signature]</i>
TAE SOON A YANG	"	<i>[Signature]</i>
OCK JONG KIM	"	<i>[Signature]</i>
Suk - Ho Park	"	<i>[Signature]</i>
SANG W. KIM	"	<i>[Signature]</i>
Wook Hee Kim	"	<i>[Signature]</i>
Wook Ri Park	"	<i>[Signature]</i>
Soon & Won	"	<i>[Signature]</i>
Nam J. Kwi	"	<i>[Signature]</i>
M. Ahn. Sin Se	"	<i>[Signature]</i>
SOON JALEE	"	<i>[Signature]</i>
Yong Jo Yim	"	<i>[Signature]</i>
Jae R. Yoo	"	<i>[Signature]</i>
Pil Jung Chang	"	<i>[Signature]</i>
Sun Ki Chang	"	<i>[Signature]</i>
Juntrou H	"	<i>[Signature]</i>
John Hong	"	<i>[Signature]</i>
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Kwan's Ja Choi	3919 Garden Grove BL #462 Orange, CA 92868	
Im Suk Han	4153	Im Suk Han
Hui Hee Lee	3919 Garden Grove 4163 Orange, CA 92868	
Myong Kya Lee	"	Myong Kya Lee
Hee Cha Lee	"	Myong Kya Lee
Choi Pil S	3919 W Garden Grove Blvd 1202 Orange 92868	
Choi Jae H	"	
Hwa Sup Kim	"	Hwa Sup Kim
Jung Ho Nam	"	Jung Ho Nam
Kim, Daeyoung	"	
Jung x Wang	"	
Tan Ok Kim	1204 "	T O K
OK Yul You	1205 "	OK YOO
Young TE HUANG	1309 "	
WON JA KWANG	1308 "	
IN SUK KIM	1304 " "	
SI KYANG KIM	1304 "	
Young H. Lee	305	Young H. Lee
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
GLORIA SO	4001 W GARDEN GROVE BL #401 Orange CA 92868	Gloria So
KENNY SO	4001 W Garden Grove Blk #401 Orange CA 92868	Kenny So
許志強	4001 W Garden Grove Orange CA 92868 #406	許志強
CHONG HONG	4001 W G.G. 405	Chong Hong
SUNG SUP KANG	4001 W G.G. 410	Kang Sup Kang
Sung Lim	4001 W G.G. W 402	Sung Lim
HAM JINOK	4001 W G.G. # 103	YSK
HAM JINOK	4001 W G.G. # 103	HJK
YOUNG YUON	4001 W G.G. # 202	KWON
YOUNG YUON	" " # 509	YOUNG
TAK SU AN	" " # 508	TAK SU AN
LA ORMA CHU	# 505	LA ORMA CHU
SAE WOOK CHU	# 505	SAE WOOK CHU
OK	" " # 506	PARK
OK	" " # 506	PARK
Duck H CHU	# 507	Duck H CHU
Grace Shin	# 516	Grace Shin
Grace Park	# 503	Park
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Song Ki Cha	#806	Song Ki Cha
Idyene Lee	#807	Idyene Lee
LEE H. DONG Sookja Lee	#1006 1001	Lee H Sookja Lee
Sook Yol Kim	1005	Sook Yol Kim
JK Joo Jung	1007	JK Joo Jung
Jong Soon Jung	10011	중순
CHOI Hwa Pak	1004	Choi Hwa Pak
Yan Hui Fok 하수영	1004 1012	Yan Hui Fok 하수영
JAMES B KIM	1003	김정복
Julie W Kim	1003	김정복
Kim Dan Kim	1002	Kim Dan Kim
YONG	1104	Yong
SONG SHIN	1102	Song Shin
KYUYAYUN	1112	KYUYAYUN
Liche Park	1105	Liche Park
EUN MO CHANG	1108	Eun Mo Chang
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Duke Whang	4001 Garden Grove Blvd #904 Garden Grove, CA 92647	Duke Whang
Hyung Whang	"	Hyung Whang
Jeon Kook	" #P12	Jeon Kook
Kim Soon Kim	" 911	Kim Soon Kim
Jong Nak Choi	" 902	Jong Nak Choi
Won Hye Choi	" 902	Won Hye Choi
IN HYOUNG LEE	" 903	IN HYOUNG LEE
Yong Han	" 908	Yong Han
Dai Sook Cho	" 909	Dai Sook Cho
Ida Syn	" 907	Ida Syn
Kenneth Syn	" 907	Kenneth Syn
김 중희	" 910	김 중희
MYUNG COE	4001 Garden Grove Blvd #901 Garden Grove, CA 92647	Myung C. Coe
Soon Ja Jah	"	Soon Ja Jah
Bong Ahn Choi	" W 801	Bong Ahn Choi
Sam Mi	" D12	Sam Mi
Kiel	" 810	Kiel
	" W 809	Myung Ja Park
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
June Chung	3919 W. G. A ⁹²⁵⁰⁸ Orange, CA	<i>June Chung</i>
Eul soon Hwang	"	<i>Eul soon Hwang</i>
Bok Sun Lee	"	<i>Bok Sun Lee</i>
Young Chun	3917 Garden	<i>Young Chun</i>
Pak Chung	" # 1410	<i>Pak Chung</i>
Donna Choi	" # 309	<i>Donna Choi</i>
Chung Choi	" 1315	<i>Chung Choi</i>
Han Hama	" 1016	<i>Han Hama</i>
Yang Hser	"	<i>Yang Hser</i>
Hak Bing Choi	" 1315	<i>Hak Bing Choi</i>
Soun de Koga	" "	<i>Soun de Koga</i>
Suzie Koh	4001 " # 205	<i>Suzie Koh</i>
Hwang, Mi soon	3919 W. Garden ⁹²⁵⁰⁸ # 501	<i>Mi soon Hwang</i>
Ranman	3919 " " "	<i>Ranman</i>
Lee, Jae Won	" # 704	<i>Lee, Jae Won</i>
Mi T. Oh	" E 807	<i>Mi T. Oh</i>
Son Ja Lee	210 E	<i>Son Ja Lee</i>
Yun S. Mook	1002 E	<i>Yun S. Mook</i>
Number of signatures on page		18

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
Duc Linh	13462 El Prado, Garden Grove, CA 92840	
TUONG HOANG	13462 EL PRADO # D	
CHUNG PHUN	13462 EL PRADO # D GARDEN GROVE CA, 92840	
Tracy Vu	13441 EL PRADO # D Garden Grove CA, 92840	
Hanh Tran	13441 EL PRADO # D GARDEN GROVE CA - 92840	
LAN BUI	13432 El Prado Garden Grove CA 92840	
HENRY HOANG	13442 El Prado Garden Grove CA 92840 GARDEN GROVE CA 92840	
Nam Le	13401 EL PRADO AVENUE	
LIEU LE	13401 EL PRADO AVENUE GARDEN GROVE CA 92840	
MARIA TRAN	13442 El Prado H C Garden Grove CA 92840	
CHAN TRAN	13401 EL PRADO # B GARDEN GROVE CA 92840	
KIM DUNG HO	13401 EL PRADO # B GARDEN GROVE CA 92840	
Auyen Tran	13472 EL PRADO # D GARDEN GROVE CA 92840	
THU NU	13421 EL PRADO # A	
Pham Pham	13421 EL PRADO # A	
MON	13431 El Prado Garden - Grove, CA 92840	
Hang	13431 El Prado Garden Grove CA 92840	
Tracy Vi DO	13432 EL PRADO APT D GARDEN GROVE CA 92840	


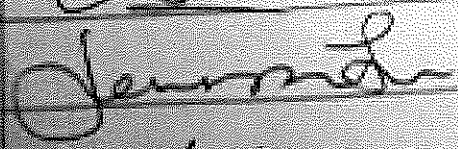


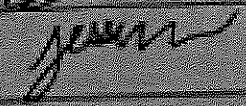













Number of signatures on page

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
LESA - TRAN	13431 EL PRADO AVE. APT #A GARDEN GROVE,	
HOANG MEN	13431 EL PRADO AVE. APT #A GARDEN GROVE	
TONY - TRAN	13431 EL PRADO AVE. APT #A GARDEN GROVE	
CAUH DANG	13431 EL PRADO AVE #B GARDEN GROVE	
Anthony Nguyen	13431 El Prado Ave #B Garden Grove, CA	
TAM VU	13441 EL PRADO AVE. #B GARDEN GROVE, CA 92840	
LE VU	13441 EL PRADO AVE. #B GARDEN GROVE, CA 92840	
DAN VU	13441 EL PRADO AVE. #B GARDEN GROVE, CA 92840	
Lang Le	13441 EL PRADO AVE #C Garden Grove CA 92840	
Cat Nguyen	13441 EL PRADO AVE #C Garden Grove CA 92840	
Ling Nguyen	13441 EL PRADO AVE #C Garden Grove CA 92840	
Tiffany Lu Ho	13431 El. Prado Ave #B Garden Grove CA 92840	
Linh Tran	13431 El. Prado Ave Apt D Garden Grove CA 92840	
Minh Pham	13441 EL PRADO AVE APT A GARDEN GROVE CA 92840	
Van Nguyen	13441 EL PRADO AVE APT A GARDEN GROVE CA 92840	
Van Nguyen	13402 El Prado Ave Garden Grove CA	
Cam Nguyen		
LIÊN PHUN	13462 Garden Grove CA El Prado Ave #C	

Number of signatures on page

We, the undersigned, petition Council to oppose the building of a funeral home in our neighborhood

Name	Address	Signature
JOEL Salduvar	13242 Sieman Ave	
JENNIFER LE	13252 SIEMON AVE GG	
Raul Diaz	13241 Sieman Ave GG	
Jason Vu	12681 Annette Circle bb	
Jessy Vu	12681 Annette Circle GG	
JOHNNY LU	12681 ANNETTE CIR SE	
Vickie Pham	2651 AURELIA, GG	
Jason Pham	4505 MAURELIE GG	
Quyen Pham	2134 S. Glenmarke St, Santa CA	
Phillip Pham	18571 Spinnaker St	
Michelle Pham	12571 Spinnaker St.	
Jasmine Vu	12681 Annette Circle	
Reagan Nguyen	14072 Goldenwest	
Andrew Catelan	12662 Adrian Cir.	
KENNETH NGUYEN	10935 LOTUS DR. GG	
Thuy Duong	10935 Lotus Dr. GARDEN GROVE	
Patricia Rasmussen Le	270 LAIRD ST CAMP AUB, CA 92006	
Peter Le	13252 SIEMON AVE GARDEN GROVE, CA	

Oppose Mortuary and Cremation located near Fairview St and Garden Grove CA residential



Chieu Tran

Santa Ana, CA

217

Supporters

April 25, 2016

Dear Mr. Chairman John O'Neill, Mr. Mayor Bao Nguyen, and Mr. Chris Chung;

We would like to ask for your help to disapprove the permit to operate a new funeral home—including mortuary and crematory—located at 13272 Garden Grove Blvd., Garden Grove, CA 92843, near the corner of Fairview and Garden Grove. The applicant's case number is Conditional Use Permit No.CUP-073-2016.

At the community meeting on April 13, 2016, the applicant, Heaven's Gate Funeral Home, proposed a plan to build a funeral home which will include a mortuary and a crematory. We would like your assistance in opposing the above proposal. The public hearing with the Planning Commission is scheduled on May 19, 2016 at 7pm. The meeting will take place at the Council Chamber of the Community Meeting Center, located at 11300 Stanford Avenue, Garden Grove, CA 92840.

We as a community adamantly oppose the proposal of building a new funeral home in our neighborhood. As you know, there are many schools and churches in this area, such as Riverdale Elementary School, Samueli Academy High School, Doig Intermediate School, Santiago High School, Shepherd's Grove Church, Formosan Presbyterian Church, Christ Cathedral Church, Orange View Church of Christ, and Wintersburg Presbyterian Church. The fears of dead bodies being stored behind our homes and the dangers of air pollution have caused

tremendous stress and anxiety in the community, especially for our children. Many of the children have asked their parents if they can just move out of the area. This neighborhood has been our cherished home for decades and it is impossible for us to just pick up and leave.

We enjoy the peace and safe environment we currently have here in the community. We would like you, as our city representatives, to honor and protect our rights for a safe and peaceful environment. As you know, the toxins in the crematory emissions will affect many citizens, especially our children in the surrounding homes and schools. Mercury is one of the poisonous chemicals released during cremation. When heated, it is released into the air as colorless and odorless gas. As it is breathed in and accumulated in the human body, it permanently damages the brain, kidneys, and nervous system. Also, chronic exposure to mercury has been documented and proven to cause fatigue, anorexia, weight loss, tremors, memory loss, insomnia, depression, and loss of vision.

In addition to mercury, there are many more toxic chemicals being emitted into the air during cremation, such as cadmium, dioxin, hydrogen chloride, sulfur oxide, nitrogen oxide, and chromium. These toxins and heavy metals—known for their potent toxicity, especially in environmental contexts—have devastating impact on human health. We vehemently want to avoid exposing our children to these toxins which will pose many serious health problems to them and future generations.

We as a community are asking you once again, as our city representatives, to help protect our community. We would like to thank you in advance for your support. We believe that you will always do what is best for the people in this community, especially our children. Please treat them as your own children and provide them a peaceful neighborhood with toxin-free air to nurture their lives. We count on you to make the right decision, in the best interest of the children. In return, you have our

gratitude and you can always count on our support so that you may continue to provide and protect all citizens in the community. We appreciate all your efforts to put a halt to the plan of a new funeral home in our neighborhood.

Sincerely,

The communities of Garden Grove, Santa Ana, and Orange.

This petition will be delivered to:

Chairman of Planning Commission

John O'Neill

Mayor Pro Tem

Steve Jones

City Council Member

Christopher Phan

City Council Member

Phat Bui

City Council Member

Kris Beard

Planning Commission Member

Michael Barker

Planning Commission Member

Andrew Kanzler

Planning Commission Member

Connie Margolin

Planning Commission Member

Mark Paredes

Planning Commission Member

Linda Zamora

Associate Planning

Chris Chung

Mayor of Garden Grove, CA

Bao Nguyen

1st District Supervisor

Andrew Do

City Manager

Scott C. Stiles

US Congress

Lou Correa

Representative

Loretta Sanchez

Supporters

Top-rated Most recent

Many cities/counties have minimum distances between funeral homes and residential homes for a reason. Funeral Homes should NOT be allowed to share walls or property lines with residential properties.

Kirk Fujiwara, Foothill Ranch, CA

2 weeks ago

[Report](#)

9

I totally agree with

Mr. Chieu about this petition, and believe that everyone in our community would spend his or her time to review and help him with it. The funeral home which including mortuary & crematory should NOT be in nearby the resident. Personally, I would oppose the proposal of building a new funeral home in my neighborhood as well.

K.T

Kenny Tran, Westminster, CA

2 weeks ago

[Report](#)

9

Knowing this area has

home of dead bodies plus cremation, nobody would want to move in and reside here, not only that issues, this Funeral Home would also affect on the human lives, social lives, and psychological behaviors - mental stress who live nearby Funeral Home and deal it everyday. I hope as a Mayor city of Garden Grove would understand the burden / the pain of the residents who live right next door house of dead bodies, and cremation. We Do NOT want this funeral home to be built here in our resident properties... and I would think, you would do the same as to against it as if it was built in your properties area. Please oppose Funeral Home which is going to be built here in our resident area. Thank you for your understanding!

Chieu Tran, Santa Ana, CA

1 week ago

[Report](#)

8

I don't want my community to be exposed to toxic chemicals. This is too close to many schools and homes.

Elizabeth Dang, Santa Ana, CA

1 week ago

[Report](#)

6

I'm

signing because I lived no more than a quarter mile from here. We have plenty of morts already in the area. No need for another one. If it affects our health then there shouldn't be one there as there is a big residential community next to where the planned mortuary would be located.

Huynh LE, Garden Grove, CA

1 week ago

[Report](#)

5

I do not want to get sick

from the toxins being emitted from the mortuary and live next to a cremation

stacey hua, Garden Grove, CA

3 days ago

[Report](#)

4

I oppose it, it is right next

to my back yard.

Daniel Hua, Garden Grove, CA

3 days ago

[Report](#)

4

Keep this funeral

home away from residential zones.

Geoff Palmer, Mission Viejo, CA

3 days ago

[Report](#)

4

Mortuary and

Cremation facilities should be situated in rural areas far away from existing residential

development and community schools.

Kai Hu, Fountain Valley, CA

4 days ago

[Report](#)

4

I believe that this is an important topic because it affects the community directly. The safety and peace of our local community needs to be a priority.

Thuy Tran, Santa Ana, CA

4 days ago

[Report](#)

4

The hazardous pollutions involved with crematory should not be in residential. This will also affect home values.

Tawan Robinson, Cerritos, CA

4 days ago

[Report](#)

4

If this were going up near my home and where my children attend school and church, I would want help from the surrounding communities as well.

Christopher Bodda, Lakewood, CA

5 days ago

[Report](#)

4

I don't want the Mortuary and Crematory closed to residential area

Hang Nguyen, garden grove, CA

5 days ago

[Report](#)

4

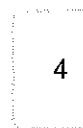
I'm signing this because the thought of having dead bodies decomposing near elementary schools can freak out the little

kids and scare the people that pass the place . I don't think its safe

Aileen Dinh, Garden Grove, CA

7 days ago

[Report](#)



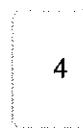
I wouldn't want this

next to my home either.

Yvonne Bach, Villa Park, CA

1 week ago

[Report](#)



Unbelievable! This mortuary and crematory is gonna be built on the other side of a row of people's backyard walls! I count at least 5 elderly/nursing homes within 2 minutes of walking time from the crematory site. There are also numerous schools and churches within short walking distances. You see the picture here?

The Crematory Association of North America says the average crematory burns 400 bodies per year--that's about 1 a day. Each cremation releases on average 3 grams of mercury vapor--that's 1200 grams per year--or 2.6 pounds each year! That's MERCURY VAPOR--the most toxic form of mercury and easily absorbed into people, animals, and plants. It causes all kinds of serious health problems in the short and long term not to mention air pollution. Where am I getting all these numbers and information? At the website:

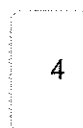
no2crematory.wordpress.com.

See for yourself folks. Scary stuff.

Joseph Tran, Santa Ana, CA

1 week ago

[Report](#)



I wouldn't want my

school to be around a mortuary because of all the chemicals that would be released.

Ana Roman, Garden Grove, CA

1 week ago

[Report](#)

This is disturbing to the community

4

Giselle Acosta, Santa Ana, CA

1 week ago

[Report](#)

4

this is

way too close for comfort. Releasing Mercury into the air, dead bodies stored in our backyards, and breathing in ashes are things I don't want for my community. There's a place for everything, but this is not a place for a mortuary and crematory.

Abigail Truong, Garden Grove, CA

1 week ago

[Report](#)

4

im not trying to breath

dead ppl bishh

Anahi Vargas, Garden Grove, CA

1 week ago

[Report](#)

4

The various air pollutants

that will be given off from building a crematory will be detrimental to public safety and public health. If not from burning bodies, then the natural decomposition of human bodies would produce foul odors and pollutants. I don't quite understand the mindset that was adopted in order to greenlight the plans for a crematory to be built near a place where children, elderly, and families are thriving. Such plans should be overlooked in order to preserve the prosperous and lively future of OC and to dismiss the likelihood of a decrepitated and somber one.

long hoang, Garden Grove, LA

1 week ago

[Report](#)

4

Too close to residential

houses in the area.

Dara Mounivong, Westminster, CA

1 week ago

[Report](#)

4

This is a terrible location for a funeral home. It's near The Outlets of Orange and Christ Cathedral, along with schools everywhere in this dense area. At a tourist perspective, adding a funeral home among these is hardly inviting. While other cities are spending tax dollars beautifying the community, Garden Grove is doing the exact opposite.

Diem Pascarella, Irvine, CA

1 week ago

[Report](#)

4

I have a child and

another on the way who has CHD. I don't need my children's health to be even more at risks!

Metrina Nguyen, Garden Grove, CA

1 week ago

[Report](#)

4

Please support us

and protect our health, and community by disapproving a crematory to share a 6 foot wall with our neighborhood. Your support is much appreciated.

Kiet Le, Santa Ana, CA

1 week ago

[Report](#)

4

I live in the

neighborhood and don't think a mortuary should be built so close to neighborhoods of single family homes.

Jennifer Le, Garden Grove, CA

1 week ago

[Report](#)

4

It's too close to my house

Binh Chu, Santa Ana, CA

1 week ago

[Report](#)

4

I agree with

Mr. Chieu about this petition, funeral homes should not be allowed to be in nearby the resident properties.

Tommy Nguyen, Fountain Valley, CA

1 week ago

[Report](#)

4

Please disapprove

the permit to operate a new funeral home—including mortuary and crematory—located at 13272 Garden Grove Blvd., Garden Grove, CA 92843, near the corner of Fairview and Garden Grove. This operation would bring adverse effects to the life of the children of this community and the life of the surrounding neighborhood. AIR POLLUTION from the TOXINS released during the cremation process is a serious health issue and a major environmental concern for all people of this Orange County, especially the people of this community. The thoughts of having a funeral home burning dead bodies right around your neighborhood make children and even adults anxious, nervous, fearful, and depress. A crematorium should not be placed in a residential area with schools nearby. WE would like the Representatives of this city, this Orange County, this state to protect the children, our next generation, and last but not least, protect our environment, our health.

Jenny Tran, Westminster, CA

2 days ago

[Report](#)

3

Love.

John Nguyen, Midway City, CA

4 days ago

[Report](#)

3

I'm signing this petition

because our family is opposed the city of granting the permit to operate a new funeral home, including mortuary and crematory-located at 13272 Garden Grove Blvd.

Jeanne Thai, Garden Grove, CA

5 days ago

[Report](#)

3

I grew up in the

neighborhood

Cesar Sanchez, Garden Grove, CA

6 days ago

[Report](#)

3

This is not a place for a cemetery. There are so so many other places in the vastness that is Orange County for them to find a suitable location for a cemetery.

David Tran, Santa Ana, CA

1 week ago

[Report](#)

3

Pollution is BAD!!!!

Monique Ruelas, Santa Ana, CA

1 week ago

[Report](#)

3

Benefit for residence

Hung Mai, Garden Grove, CA

1 week ago

[Report](#)

3

I grew up here, my

parents lives there, my children and family gather right around the location every weekend. There's enough pollution from the freeway already, we do not need to add more chemical pollution to the area. Thank you.

Jenny Vu, Villa Park, CA

1 week ago

[Report](#)

3

I oppose the operation of

a crematory adjacent to homes, elderly/nursing homes, schools, and churches!

Joseph Tran, Santa Ana, CA

1 week ago

[Report](#)

3

I'm signing because there's other places you can look for to burry bodies. Garden grove isn't in the best place to put them we're already bad enough, please don't make it worse.

To Nguyen, Garden Grove, CA

1 week ago

[Report](#)

3

I'm signing because I don't want to be in a world full of pollution and for those who have asthma like me have a much harder time breathing.

Narcisa Morelos, Santa Ana, CA

1 week ago

[Report](#)

3

We don't want children from elementaries near there to suffer from breathing in the pollutions that yall will provide them

Steven Tran, Garden Grove, CA

1 week ago

[Report](#)

3

That's really close... too close.

Brandon Lam, Garden Grove, CA

1 week ago

[Report](#)

3

I'm signing because I live in this area. It is not safe for the people living around let alone the environment. Students especially won't do well while learning in school that they are burning dead people just around the corner from us

Tiffany Zamora, Santa Ana, CA

1 week ago

[Report](#)

3

The toxic poison that will be released in the air due to cremation will put my children and family at risk and I will not stand by this. This is not a place for dead bodies to lay to rest. It is our home.

Katarina Zavala, Santa Ana, CA

1 week ago

[Report](#)

3

I've been a resident of Orange County for 20+ yrs attending Santiago H.S. I have friends and family living across the streets from these schools. I work in Santa Ana. There are so many air pollutant cities out there that you hear on the new every day of residence being exposed to deadly odorless toxins emitted causing residents all sorts of health problems. We are a beautiful community, please keep it that way.

tracy pham, Stanton, CA

1 week ago

[Report](#)

3

I don't want to drop my kids off at their grandparents place next to a funeral home

Kim Nguyen, Orange, CA

1 week ago

[Report](#)

3

I have kids and I would not want their health to be compromised.

Kim Cao, Garden Grove, CA

1 week ago

[Report](#)

3

I grew up in that area. I

went to Riverdale. I still consider it home.

Tony Vu Vu, Fountain Valley, CA

1 week ago

[Report](#)

3

I am oppose
to cremation

near our residential area.

Michael Chu, Santa Ana, CA

1 week ago

[Report](#)

3

I grew up in
this

neighborhood and am raising my kids up here as well.

Charlene Le, Garden Grove, CA

1 week ago

[Report](#)

3

I totally
agree with

Mr. Chieu about this petition.

Hoang Le, Fountain Valley, CA

1 week ago

[Report](#)

3

No Haven's
Gate

Funeral Home

Erickson Nguyen, Santa Ana, CA

2 weeks ago

[Report](#)

3

Address
given is my

school address for Santiago High School. I am a teacher a this school and I oppose the mortuary because ot is too close to Santiago and too close to where my mom lives, just across the street from the proposed mortuary

Sherri Foster, Garden Grove, CA

2 days ago

[Report](#)

2

Too close to my home

Elaine Blomberg, Garden Grove, CA

2 days ago

[Report](#)

2

please disapprove

the permit to operate a new funeral home.

tony lieu, Garden Grove, CA

2 days ago

[Report](#)

2

Funeral Home

should be built in cemetery at all times, especially with mortuary and crematory sites must be set in a delicate site for folks that are RIP. Please DO NOT make our residential neighborhoods become a cemetery site.

Paulina Vu, Santa Ana, CA

3 days ago

[Report](#)

2

Funeral homes do

not belong in residential area. It is not safe for anyone living nearby. I would not want this in my community.

David Lliles, Ontario, CA

2 hours ago

[Report](#)

1

Thank you to a local

member of our neighborhood who brought this to my attention. Whomever in the mortuary's team who was supposed to notify local neighbors who might be impacted by this clearly did not do their job correctly. I live on Lori Ln and have lived here my entire life. This will be my parent's

home for the remainder of their lives and quite possibly, might be the neighborhood I raise my children in. I say NO to this, there are countless locations within the area where they could build their funeral home. Select a more commercialized area, I cannot imagine my neighbors on the other street having to share a wall and backyard with a funeral home. It is truly inconsiderate of these people's comfort, health, and peace of mind.

Stephanie Lucero, Santa Ana, CA

1 day ago

[Report](#)



I want to live longer.

Leslie Valencia, Santa Ana, CA

2 days ago

[Report](#)

