



## A G E N D A

### GARDEN GROVE PLANNING COMMISSION

#### REGULAR MEETING

February 18, 2021

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

**In an effort to protect public health and prevent the spread of the Coronavirus (COVID-19), the Planning Commission members will be teleconferencing and the meeting recorded. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing [planning@ggcity.org](mailto:planning@ggcity.org) no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record and will be uploaded to the City's website. Members of the public are asked to consider very carefully before attending this meeting in person and are required to wear face masks and maintain a six foot distance from others. Please do not attend this meeting if you have traveled and/or have had direct contact with someone who has travelled to places experiencing high rates of infection or tested positive for COVID-19, or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.**

#### REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: COMMISSIONERS ARESTEGUI, CUNNINGHAM, LEHMAN, LINDSAY, PEREZ, RAMIREZ, SOEFFNER

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.

**Meeting Assistance:** Any person requiring auxiliary aids and services, due to a disability, should contact the Department of Community & Economic Development at (714) 741-5312 or email [planning@ggcity.org](mailto:planning@ggcity.org) 72 hours prior to the meeting to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center 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

#### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. SELECTION OF CHAIR AND VICE CHAIR
- B. ORAL COMMUNICATIONS – PUBLIC

- C. APPROVAL OF MINUTES: January 21, 2021
- D. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

D.1. MITIGATED NEGATIVE DECLARATION  
MITIGATION MONITORING AND REPORTING PROGRAM  
SITE PLAN NO. SP-096-2021  
CONDITIONAL USE PERMIT NO. CUP-200-2021  
TENTATIVE PARCEL MAP NO. PM-2020-174  
VARIANCE NO. V-032-2021

APPLICANT: EPD SOLUTIONS, INC  
LOCATION: SOUTH SIDE OF CHAPMAN AVENUE, WEST OF  
BROOKHURST STREET, AT 9852 CHAPMAN AVENUE

REQUEST: Site Plan approval to demolish a 76,000 square foot, vacant grocery store building (formerly Vons Pavilion), to construct an approximately 65,980 square foot shopping center, Pavilion Plaza West, in the form of a 3,500 square foot drive-thru restaurant pad building, a 11,200 square foot restaurant pad building, and a 51,280 square foot multi-tenant building. Also, Conditional Use Permit approval to operate and construct the drive-thru restaurant pad building, Variance approval to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement for any gross building footprint of structures at ground level to not exceed 40,000 square feet of contiguous floor area, and Tentative Parcel Map approval to subdivide the 7.03-acre (306,411 square feet) property into two (2) parcels to create a new 0.45-acre (9,459 square feet) parcel for the proposed drive-thru restaurant pad building. The site is in the NMU (Neighborhood Mixed Use) zone. In conjunction with the request, the Planning Commission will also consider the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

STAFF RECOMMENDATION: Adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Tentative Parcel Map No. PM-2020-174, and Variance No. V-032-2021, subject to the recommended Conditions of Approval.

E. ITEM(S) FOR CONSIDERATION

E.1. ACKNOWLEDGEMENT OF THE 2020 ANNUAL PROGRESS REPORT ON  
THE STATUS OF THE GENERAL PLAN AND HOUSING ELEMENT

F. MATTERS FROM COMMISSIONERS

G. MATTERS FROM STAFF

H. ADJOURNMENT

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

Meeting Minutes  
Thursday, January 21, 2021

CALL TO ORDER: 7:04 p.m.

ROLL CALL:

Chair Lehman  
Vice Chair Perez  
Commissioner Le  
Commissioner Lindsay  
Commissioner Ramirez  
Commissioner Soeffner

Absent: Lehman

PLEDGE OF ALLEGIANCE: Led by Commissioner Ramirez.

ORAL COMMUNICATIONS – PUBLIC – None.

November 19, 2020 MINUTES:

Action: Received and filed.  
Motion: Lindsay Second: Ramirez  
Ayes: (5) Le, Lindsay, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Lehman

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, GENERAL PLAN AMENDMENT NO. GPA-001-2021, AMENDMENT NO. A-030-2021, AND SITE PLAN NO. SP-093-2021 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF CHAPMAN AVENUE, EAST OF LORALEEN STREET AT 9312 CHAPMAN AVENUE.

Applicant: JULIE H. VU  
Date: January 21, 2021

Request: A request to develop a 20,500 square foot lot with a new multiple-family residential project consisting of a six (6) unit apartment building. The specific land use entitlement approvals requested include: (i) Amendment to rezone the property from R-1 (Single-Family Residential)

to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; (ii) General Plan Amendment to amend the General Plan Land Use Designation of the property from LDR (Low Density Residential) to MDR (Medium Density Residential) to facilitate the development of the residential project; and (iii) Site Plan to construct the six (6) unit apartment building along with associated site improvements. The site is located at 9312 Chapman Avenue (Assessor's Parcel No. 133-082-27). In conjunction with the request, the Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

Action: Resolution Nos. 6012-21 (GPA/A) and 6013-21 (SP) were approved.

Motion: Ramirez Second: Lindsay

Ayes: (5) Le, Lindsay, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Lehman

PUBLIC HEARING – SITE PLAN NO. SP-094-2021 AND CONDITIONAL USE PERMIT NO. CUP-197-2021 FOR PROPERTY LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF KNOTT STREET, AT 6911 GARDEN GROVE BOULEVARD.

Applicant: FREEWAY EXPRESS WASH, LLC  
Date: January 21, 2021

Request: Conditional Use Permit approval to convert a full-service car wash into a self-service automatic car wash, along with Site Plan approval to demolish an existing office building with an attached fueling canopy to allow the installation of self-service vacuum stations and equipment improvements in the car wash tunnel, which is being reversed for improved vehicular circulation. The site is in the PUD-105-73 (Planned Unit Development) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 – Existing Facilities and 15303 – New Construction or Conversion of Small Structures.

Action: Resolution No. 6014-21 was approved.

Motion: Lindsay Second: Ramirez

Ayes: (5) Le, Lindsay, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Lehman

PUBLIC HEARING – AMENDMENT NO. A-027-2020, CITY OF GARDEN GROVE, CITYWIDE.

Applicant: CITY OF GARDEN GROVE  
Date: January 21, 2021

Request: A request by the City of Garden Grove to amend the provisions of Title 9 (Zoning) of the Garden Grove Municipal Code pertaining to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) to conform to State Law. This project is exempt from review under the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Sections 15282(h) and 15061(b)(3).

Action: Resolution No. 6015-21 was approved.

Motion: Lindsay Second: Ramirez

Ayes: (5) Le, Lindsay, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Lehman

PUBLIC HEARING – SITE PLAN NO. SP-092-2021 AND TENTATIVE PARCEL MAP NO. PM-2018-122 FOR PROPERTY LOCATED ON A THROUGH-LOT WITH STREET FRONTAGES ON BOTH LAMPSON AVENUE AND SUNGROVE CIRCLE, WEST OF HASTER STREET, AT 12872 LAMPSON AVENUE.

Applicant: LIEU NGUYEN & HIEU TRAN  
Date: January 21, 2021

Request: Tentative Parcel Map and Site Plan approval for the subdivision of an existing property in order to construct two (2) new single-family residences at 12872 Lampson Street. The subdivision will split the existing 14,400 square foot property into two (2) parcels of 7,200, with one (1) parcel ultimately reduced to 6,916 square feet after a street dedication. The first home will be 3,182 square feet, with six (6) bedrooms, four (4) bathrooms, a kitchen, living room, family room, dining room, and a three-car garage. The second home will be 3,247 square feet, with four (4) bedrooms, four (4) bathrooms, a kitchen, family room, dining room, living room, and a two-car garage. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 – New Construction or Conversion of Small Structures and 15315 – Minor Land Divisions.

Action: Resolution No. 6016-21 was approved.

Motion: Lindsay Second: Perez  
Ayes: (5) Le, Lindsay, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Lehman

ITEM FOR CONSIDERATION - A request to modify the front building façade (west elevation) of the existing building located at 12936 Main Street to accommodate the establishment of a new coffee and tea shop, Phuc Long Coffee and Tea. The site is in the CC-2 (Civic Center Main Street) zone.

Action: Resolution No. 6017-21 was approved.

Motion: Perez Second: Lindsay  
Ayes: (5) Le, Lindsay, Perez, Ramirez, Soeffner  
Noes: (0) None  
Absent: (1) Lehman

MATTERS FROM COMMISSIONERS: Commissioner Soeffner asked for an update on the Cottage Industries project as restaurant leasing signs were posted. Staff stated that the developers were actively working on procuring tenants; update meetings occur bi-weekly with Staff and the developers; and proposed changes to some uses may require Planning Commission consideration.

Vice Chair Perez asked if this was the Commission's last meeting together. Staff responded that Commissioners are to remain seated until further notice, and that the next City Council meeting on January 26th would address Commission appointments.

MATTERS FROM STAFF:

UPDATE ON HOUSING ELEMENT PUBLIC OUTREACH: Staff provided an update on the Housing Element and RHNA (Regional Housing Needs Allocation), which covered an overview of the Housing Element, Sites Inventory, Strategies, Garden Grove Public Engagement Plan, Stakeholders, Surveys, types of Outreach Activities, a Chronology of the RHNA process, an OCCOG (Orange County Council of Governments) update, and a SCAG (Southern California Association of Governments) update on the appeal of the RHNA numbers allocations.

Vice Chair Perez thanked staff for accepting her community outreach suggestions for the Housing Element.

Staff introduced Intelligence Officer Pete Arellano of the Police Department, who is replacing Vince Vaicaro for all planning-related matters. Staff then mentioned the February 4<sup>th</sup> Planning Commission meeting would be cancelled, with the next scheduled meeting to be February 18<sup>th</sup>.

ADJOURNMENT: At 8:42 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, February 18, 2021, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Judith Moore, Recording Secretary



# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.1.	<b>SITE LOCATION:</b> South side of Chapman Avenue, west of Brookhurst Street, at 9852 Chapman Avenue
<b>HEARING DATE:</b> February 18, 2021	<b>GENERAL PLAN:</b> Residential/Commercial Mixed Use 2
<b>CASE NOS.:</b> Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174	<b>ZONE:</b> NMU (Neighborhood Mixed Use)
<b>APPLICANT:</b> EPD Solutions, Inc.	<b>APN:</b> 133-111-20
<b>PROPERTY OWNER:</b> SVAP II Chapman, LLC	<b>CEQA DETERMINATION:</b> Mitigated Negative Declaration

## **REQUEST:**

The applicant is requesting Site Plan approval to demolish a 76,000 square foot, vacant grocery store building (formerly Vons Pavilion), to construct an approximately 65,980 square foot shopping center, Pavilion Plaza West, in the form of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot multi-tenant commercial building. The applicant is also requesting Conditional Use Permit approval to operate and construct the drive-thru restaurant pad building, Variance approval to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement that the gross building footprint of a structure at ground level not exceed 40,000 square feet of contiguous floor area, and Tentative Parcel Map approval to subdivide the 7.03-acre (306,411 square feet) property into two (2) parcels to create a new 0.45-acre (19,459 square feet) parcel for the proposed drive-thru restaurant pad building.

## **BACKGROUND:**

The subject property is located on the west side of Brookhurst Street, south of Chapman Avenue, with frontage along Chapman Avenue. The site, approximately 7.03 acres (306,411 square feet), is currently developed with a 76,000 square foot, vacant grocery store building, formerly known as Vons Pavilion. The existing structure was originally built as a Zody's Department Store in 1960. According to Business Tax records, the Vons Pavilion grocery store began operating in 1985, but ceased operation in 2005. The subject site has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2 and is zoned NMU (Neighborhood Mixed Use). The property abuts NMU zoned properties. The Pavilion Plaza shopping center and

Southland Integrated Services medical building are located to the east of the subject site, the Sydney Plaza shopping center to the west, the Promenade shopping center to the north across Chapman Avenue, and a portion of the OCTA Pacific Electric Right of Way (ROW) to the south.

Vehicular access to the site is currently via two (2) common drive approaches along Chapman Avenue: one is shared with the Sydney Plaza shopping center and is located along the westernmost portion of the site, and the second is located along the easternmost portion of the site, shared with the Pavilion Plaza shopping center and Southland Integrated Services medical building. A Reciprocal Cross Easement Agreement (REA) is currently in place for this common access point between the properties.

The General Plan adopted the Residential/Commercial Mixed Use 2 Land Use designation in 2008 to help revitalize the areas that surround the shopping centers near the intersection of Brookhurst Street and Chapman Avenue. The City of Garden Grove adopted mixed-use zoning, including the NMU zone, in 2012. Consequently, the subject site was rezoned from C-1 (Neighborhood Commercial) to NMU to implement the General Plan Land Use designation of Residential/Commercial Mixed Use 2. The NMU zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. This zone allows for retail and service commercial businesses and moderate-density residential uses. Residential and commercial uses may be provided together as an integrated mixed-use development, or stand-alone commercial development. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development.

The applicant is proposing to demolish the existing 76,000 square foot building in order to construct a new, 65,980 square foot shopping center consisting of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot multi-tenant commercial building, with the supermarket Sprouts Farmers Market as the major tenant. Along with the request, approval of a Conditional Use Permit is required to operate and construct the drive-thru restaurant pad building. Additionally, the applicant is requesting approval of a Variance to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement for any gross building footprint of structures at ground level to not exceed 40,000 square feet of contiguous floor area. Lastly, the applicant is requesting Tentative Parcel Map approval to subdivide the 7.03-acre (306,411 square feet) property into two (2) parcels to create a new 0.45-acre (19,459 square feet) parcel for the proposed drive-thru restaurant pad building. The applicant is also proposing site improvements that include new parking and drive aisles, landscaping, and trash enclosures to comply with the requirements of Title 9 of the Municipal Code.

**PROJECT STATISTICS:**

	<b>Provided</b>	<b>Required</b>
<b>Total Project Area:</b>	7.03-acres (306,411 S.F.)	
Parcel 1	286,952 S.F. (6.59 Acres)	15,000 S.F.
Parcel 2	19,459 S.F. (0.45 Acres)	
<b>Building Size<sup>1</sup>:</b> Drive-thru Restaurant Pad Building Multi-tenant Building	3,500 S.F. 11,200 S.F. 51,280 S.F. <sup>1</sup>	40,000 S.F. Maximum/Building Structure (Variance Required <sup>2</sup> )
<b>Building Heights:</b> Drive-thru Restaurant Pad Building Multi-tenant Building	26'-0" 26'-0" 36'-8"	50 feet or 4 stories, whichever is less
<b>Building Setbacks:</b>		
North (front) to Drive-thru Restaurant	41'-0"	15'-0"
North (front) to Pad Building	32'-0"	
East (side) to Drive-thru Restaurant	108'-0"	0'-0"
East (side) to Multi-tenant Building	30'-6"	
South (rear)	28'-0"	0'-0"
West (side) to Pad Building	42'-0"	0'-0"
West (side) to Multi-tenant Building	57'-0"	
<b>Floor Area Ratio (FAR):</b>	0.2	0.5 Maximum
<b>Landscaping<sup>3</sup>:</b>	33,641 S.F. (11%)	30,164 S.F. (10%)
<b>Parking<sup>4,5</sup>:</b>	403 parking stalls <sup>4</sup> <u>5 drive-thru</u> <u>queuing<sup>5</sup></u> 408 spaces	407

<sup>1,2</sup> The Municipal Code requires for any gross building footprint of structures at ground level to not exceed 40,000 square feet of contiguous floor area. Variance approval required to allow the multi-tenant building to exceed the floor area requirement.

<sup>3</sup> The Municipal Code requires 10% of the total net developable site area to be landscaped, excluding the required setbacks.

<sup>4</sup> The development will provide 382 on-site parking spaces and 21 spaces located on adjacent properties per REA.

<sup>5</sup> Half the vehicle queuing length of the drive-thru lane is counted toward the required parking.

**DISCUSSION:****SITE PLAN:****Site Design and Circulation**

The applicant is proposing to demolish the existing 76,000 square foot building in order to construct a new, 65,980 square foot shopping center consisting of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot commercial multi-tenant building. The drive-thru restaurant pad building is proposed to be located on the northeast corner of the site fronting Chapman Avenue. The commercial multi-tenant pad building is proposed to be located on the northwest corner of the site, also fronting Chapman Avenue. The in-line commercial multi-tenant building will be located toward the rear on the south side of the site.

The subject shopping center will continue to be accessed via two (2) common existing drive approaches along Chapman Avenue: one is shared with the Sydney Plaza shopping center and is located along the westernmost portion of the site, and the second is located along the easternmost portion of the site, shared with the Pavilion Plaza shopping center and Southland Integrated Services medical building. On-site vehicular circulation is provided via two-way drive aisles leading from Chapman Avenue to access the proposed drive-thru restaurant pad building, the commercial multi-tenant pad building, and the multi-tenant commercial building located at the rear of the site. The subject site may also be reached from Brookhurst Street via the various shared driveways located in the Pavilion Plaza shopping center to the east. Therefore, the site will continue to maintain the same shared vehicular access with the adjacent properties. All on-site drive aisles have been designed to provide an effective circulation pattern, have been designed per the City's standard, and will provide the required drive aisle width to accommodate two-way vehicular traffic, as well as trash truck and emergency vehicle access. A Traffic Study was prepared for the project that reviewed the project's site access and circulation, including the queuing for the drive-thru building, and determined that the site design is adequate.

Section 9.18.090.070.C of Title 9 of the Municipal Code requires a pedestrian-oriented plaza in mixed-use zones. The purpose of the pedestrian-oriented plaza is to provide a place for passive recreation, public gathering, landscape amenities, display of public art, and similar uses that enhance the appearance and function of development and integrate multiple uses on a site. For a building that is constructed with orientation toward the street, the pedestrian-oriented plaza shall be in the form of a boulevard garden plaza along the front setback. The plaza shall be a pedestrian plaza that provides enhanced pedestrian circulation and connects the various uses and buildings on the site. Specifically, for sites at Brookhurst Street and Chapman Avenue, the Code requires NMU zoned properties to be designed to physically and/or visually connect pedestrian pathways to uses across the site. The minimum plaza area required for a parcel with a lot width of more than 300 feet is 1,500 square feet. The project is proposing a plaza area that is 1,570 square feet in size that fronts

Chapman Avenue, adjacent to the front 15'-0" setback. The plaza is located directly east of the commercial multi-tenant pad building and will be improved with amenities, such as patio tables and landscaped planters.

Section 9.18.100.030 of Title 9 of the Municipal Code requires for pedestrian walkways, and other pedestrian-oriented plaza design requirements for mixed use zones. Pedestrian walkways shall be provided and located on the site in a manner that allows easy and clearly identifiable pedestrian access from sidewalks at public rights-of-way to building entrances, publicly accessible amenity areas, and any required pedestrian-oriented plazas. Pedestrian walkways shall also provide access between building entrances and uses on the same site. The site is proposed to be developed with enhanced pedestrian walkways that connect the pedestrian plaza and public sidewalks through the parking areas toward all building entrances within the site. The walkways will be enhanced with high-quality materials and landscaping consisting of accent shrubs and groundcover to satisfy the requirements of the NMU zone.

Lastly, the site will be developed with five (5) trash enclosures to comply with the City's Standard Detail (B-502) for refuse storage enclosures.

### Parking

The applicant has not identified specific uses for all proposed buildings, however, the project has been designed to consist of 24,600 square feet for Sprouts Farmers Market, 3,500 square feet for a drive-thru restaurant, 21,574 square feet for general retail, and 16,401 square feet for restaurant uses. Since the general retail square footage exceeds 40,000 square feet, Section 9.18.140.030 (Parking Spaces Required) of Title 9 of the Municipal Code allows a reduced parking ratio of one (1) parking space per 225 square feet of gross floor area. Parking for all proposed restaurant square footage complies with Code requirements at one (1) parking space per 100 square feet of gross floor area. To prevent parking deficiencies in the future, a limit will be placed on restaurant uses that exceed 300 square feet of customer dining areas, and have more than 16 seats, to 60% maximum of the total proposed general retail and restaurant square footage due to its higher parking requirement per Code.

When drive-thru facilities are proposed, the City allows for half the vehicle queuing of the drive-thru to be counted toward the required parking. The total vehicle queuing count is 11 spaces for the proposed drive-thru pad building. Therefore, the project will provide five (5) vehicle queuing spaces to satisfy the required parking.

In addition, the property consists of a single parcel that has a Reciprocal Cross Easement Agreement (REA) with the Pavilion Plaza shopping center and Southland Integrated Services medical building located directly to the east. In October 2020, the REA was amended to allow 21 parking spaces to be placed on the adjacent properties to support the redevelopment of the subject site. The parking spaces are to be located along the eastern side of the shared drive aisle. Written documentation

has been provided demonstrating consent to the parking improvements by the property owners of the two adjacent properties.

Based on the parking requirements of the Municipal Code, a total of 407 parking spaces are required. The development will provide 382 on-site parking spaces, 21 spaces will be located on adjacent properties per the amended REA, and five (5) spaces in drive-thru queue will be counted toward the required parking count, resulting in a total of 408 parking spaces, which is a surplus of one (1) parking space. Therefore, the Project complies with parking requirements of the Municipal Code.

### Landscaping

The site has been designed to provide landscaping to comply with the requirements for mixed use zones under Municipal Code Section 9.18.120.030 (Landscaping Requirements). The Code requires a minimum of ten (10%) percent of the total net developable site area to be landscaped, excluding the landscaping provided in required setbacks, with the minimum landscaped area to be counted at 24 square feet. All areas not used for structures, parking spaces, drive aisles, refuse storage areas, or walkways are to be landscaped with adequate groundcover. The Code also requires one (1) site tree located in landscape planters for every four (4) parking spaces evenly distributed throughout the parking lot to shade the parking area.

The proposed project will provide new landscaping across the site, including setbacks and parking areas, with the exception of nine (9) palm trees located along the northern portion of the common drive aisle on the easternmost portion of the site. The existing pavers located in the common drive aisle will also remain. The site proposes 6,750 square feet of landscaping in the required front 15'-0" setback, and a total of 33,641 square feet, or eleven (11%) percent, of the net 301,641 square foot developable area, exceeding the requirements by one (1%) percent. The parking lot is required to provide 102 trees to satisfy requirement of one (1) tree per every four (4) parking spaces. The parking lot provides a total of 112 trees, which exceeds the minimum requirement by ten (10) trees.

The proposed shopping center landscaping is to comply with the landscaping requirements of Title 9 of the Municipal Code, including the City's Landscape Water Efficiency Guidelines. The Planning Division will review the type and location of all proposed plant materials, including irrigation methods, to ensure compliance with state and local water efficient requirements.

### Building Architecture

In mixed-use zoned properties, Title 9 of the Municipal Code encourages architectural character that creates visual interest and incorporates human-scale modulation to create a sense of identity throughout developments. The shopping center is proposed to be modern and contemporary in architectural style with varied finishes, colors, and design features, including corrugated and alpolic metal exterior paneling, cement plaster and smooth face CMU finishes, metal canopies, fabric awnings, and aluminum

storefronts. The buildings also have varied rooflines and varied elevation planes to break down the overall massing, allowing differentiation of materials and color. The building architecture is consistent with the requirements of Section 9.18.100.040 (Enhanced Building Design Standards), which requires designs with architectural character, building articulation, varied rooflines, interrupted building façade for lengths exceeding 75'-0", and enhanced storefronts. Additionally, the buildings within the shopping center will have consistent architecture, finishes, and colors, to provide a cohesive architectural design and identity.

### Signage

For consistency in signage within the shopping center, the conditions of approval require that a sign program be submitted for review and approval by the Planning Services Division. The sign program, and all future signage, shall comply with Chapter 9.20 (Sign Standards) of Title 9 of the Municipal Code.

### CONDITIONAL USE PERMIT:

Title 9 of the Municipal Code Section 9.18.020.030, Table 9.18-1 (Use Regulations for the Mixed Use Zones), requires Conditional Use Permit (CUP) approval for any use involving a drive-thru facility. All drive-thru facilities are required to have two-way driveways and meet minimum queuing distances. A single drive-thru lane is being proposed at the southeast corner of the new 19,459 square foot parcel that fronts Chapman Avenue, and runs along the northern portion of the pad building, terminating with an exit at the southwest corner of the parcel. A 3'-0" tall screen wall will be provided in the form of shrubs along the drive-thru, as required by Code, to prevent vehicle headlights from shining onto oncoming traffic.

The City's Standard Detail (B-312) for drive-thru restaurants requires a minimum distance of 80'-0" (or four vehicle car lengths) between the entrance of the drive-thru and the menu order board, and an additional 80'-0" (or four vehicle car lengths) between the menu order board and the pick-up window. The project exceeds said requirements. Drive-thru facilities typically provide a total of 160'-0" of queuing lane, or space for eight (8) vehicles. The project will provide a total of over 160'-0" of queuing lane, or space for eleven (11) vehicles. This extended queuing lane will ensure there are no vehicular circulation issues on or off site.

### VARIANCE:

The applicant is requesting Variance approval to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement for the gross building footprint of a structure at ground level not exceed 40,000 square feet of contiguous floor area. The in-line tenant building proposed to be located toward the rear of the property has a building footprint of 51,280 square feet, which exceeds the contiguous floor area limit in the NMU zone. Staff is supportive of the Variance. Proposed reasons supporting the five (5) Variance

findings required pursuant to State law and Garden Grove Municipal Code Section 9.32.030.D.6, are as follows:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other properties in the same zone or neighborhood.

The subject site is irregularly shaped and is adjacent to a portion of the OCTA Pacific Electric Right of Way (ROW) to the south. The ROW creates a challenge when developing the site due to the diagonal south property line. This condition differs from other NMU zoned properties in the City, which are rectangular in shape, rendering them less challenging to develop. Positioning one (1) contiguous 51,280 square foot building toward the rear of the lot with a storefront spanning across the width of the lot, as opposed to two (2) separate buildings with a smaller building footprint, creates a storefront that allows for improved vehicle circulation and more efficient parking layout, while creating a buffer between truck deliveries and customer vehicular and pedestrian circulation. The site's irregular shape creates constraints where breaking down the building footprint into two (2) buildings becomes unfeasible in relation to vehicular and pedestrian circulation. Moreover, additional driveways and walkways between the building footprints would result in additional constraints that decrease the overall building area. Therefore, due to the property's shape, compliance with the NMU zone's development standards for parking, setbacks and landscaping, the maximum contiguous floor area limit of 40,000 square feet for a single building results in a less viable development. The shape of the site is a unique condition that is not present in other sites within the same zone, or in the vicinity, of the project site, and constitutes an exceptional and extraordinary circumstance.

2. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

The City has NMU zoned properties at two (2) major intersections: Brookhurst Street/Chapman Avenue and Euclid Street/Katella Avenue. While the maximum contiguous floor area limit of 40,000 square feet for a single building footprint is only applicable to the NMU zone, shopping centers in the direct vicinity of the subject site, which are also zoned NMU, contain buildings that substantially exceed the 40,000 square foot floor area limit. For example, the Promenade shopping center to the north across Chapman Avenue, is zoned NMU and is developed with a single building with a footprint over 100,000 square feet, substantially exceeding the limit established in the zone's development standards. The Pavilion Plaza shopping center located to the east of the subject site, also zoned NMU, is developed with two (2) buildings exceeding a 40,000 square foot building footprint each. Similarly, at the southwest corner of Euclid Street and Katella Avenue, an NMU zoned shopping



center is developed with a building footprint over 100,000 square feet. Therefore, granting of a Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone.

3. The granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The granting of a Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the site. The granting of the Variance will allow for re-development of a blighted, underutilized property with a new development that complies with the NMU zone's development standards relating to parking, setbacks, and landscaping. Retaining the project's design with a building exceeding the maximum contiguous floor area limit of 40,000 square feet, would not generate any undesirable impacts on persons or properties in the site vicinity, particularly due to the existing buildings in the direct vicinity that exceed the footprint limitation. Reducing the building footprint to comply with the Municipal Code's contiguous area limit, would remove leasable area, severely impacting the viability of the shopping center. In addition, the proposed building continues to comply with the intent of the NMU zone by enhancing, revitalizing, and providing opportunities for new development in neighborhood commercial centers. Therefore, the granting of a Variance to deviate from the footprint limitation, would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the site.

4. The granting of such Variance will not adversely affect the City's General Plan.

The granting of a Variance would not adversely affect the General Plan vision for the site. The General Plan land use designation of the project site is Residential/Commercial Mixed Use 2. The Land Use designation of the site, and the applicable goals and policies of the General Plan, do not have a contiguous building floor area limit of 40,000 square feet. Rather, the Land Use designation limits the Floor Area Ratio (FAR) for commercial uses to 0.5. The proposed FAR of the shopping center is below the threshold at 0.2. Therefore, the proposed project is consistent with the General Plan. The project is the redevelopment a blighted and vacant 76,000 square foot building, formerly occupied by a Vons Pavilion supermarket. While the proposed project exceeds the 40,000 square feet contiguous floor area limit per Section 9.18.090.070.B of Title 9 of the Municipal Code, it is substantially smaller than the existing structure being demolished. Moreover, the project will comply with the City's Municipal Code requirements, thereby increasing compliance with General Plan guidance.

Approval of the Variance is consistent with several goals set forth in the General Plan. The project will further the City's General Plan Goal LU-1, which

strives to establish a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision. Policy LU-1.3 encourages a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations. Policy LU-1.4 also encourages active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas. Finally, Policy LU-1.7 encourages the design of new commercial developments as integrated centers, rather than as small individual strip developments. The proposed project consists of a variety of retail and commercial services that will be an integrated pedestrian-oriented shopping center. Therefore, granting of this Variance is in keeping with the spirit and intent of the General Plan.

5. The approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The proposed project includes one building that exceeds the 40,000 square feet contiguous floor area limit required for NMU zoned properties. Other shopping centers in the direct vicinity of the subject site, which are also zoned NMU, also contain buildings that substantially exceed the 40,000 square foot floor area limit. The granting of the Variance will allow for re-development of a blighted, underutilized property with a new development that complies with the NMU zone's development standards relating to parking, setbacks, and landscaping. The proposed project is conditioned to meet all other design standards of Title 9 of the Municipal Code, including but not limited to, parking, setbacks, and landscaping. In addition, pursuant to the Conditions of Approval, the rights granted the applicant pursuant to Variance No. V-032-2021 shall continue in effect for only so long as the site improvements authorized by Site Plan No. SP-096-2021 are constructed and continue to exist on the Site, and in the event the necessary building and other permit or permits for the 51,280 square foot commercial structure is/are not obtained within two (2) years of approval (or the length of any extension approved by the City), the structure is not constructed within the time allowed under such building permit(s), or such structure is demolished and not re-established within one year of demolition, Variance No. V-032-2021 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Therefore, the granting of the Variance will not give the property owner a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

#### TENTATIVE PARCEL MAP:

In accordance with the State Subdivision Map Act, the applicant is requesting approval of Tentative Parcel Map No. PM-2020-174 to subdivide the existing property

into two (2) lots for the purpose of constructing the drive-thru restaurant pad building on its own separate lot. The Tentative Parcel Map is in conformance with the City's General Plan, the zoning requirements, the City's Subdivision Ordinance, and the State's Subdivision Map Act for this site. Subdividing the subject lot into two parcels, complies with Title 9, Zoning Code NMU development standards for the minimum lot area requirement of 15,000 square feet and minimum lot width requirement of 75'-0". Parcel 1 is being proposed to be developed with a 51,280 square foot in-line commercial multi-tenant building toward the rear of the site and an 11,200 square foot commercial multi-tenant pad building fronting Chapman Avenue. Parcel 2 will be developed with a 3,500 square foot drive-thru pad building. A reciprocal vehicular access, parking, and maintenance agreement will be required to be recorded against both properties in perpetuity. The proposed parcel breakdown is as follows:

	<b>Lot Area</b>	<b>Lot Width</b>
<b>Parcel 1</b>	286,952 S.F. (6.59 Acres)	449.10'
<b>Parcel 2</b>	19,459 S.F. (0.45 Acres)	160.43'
<b>Combined Total</b>	306,411 S.F. (7.03 Acres)	-

#### Neighborhood Outreach Pamphlets:

The City recommended to the developer to conduct a neighborhood meeting early in the project process to gather community feedback on the proposed development. Due to the challenges of public gathering during the COVID-19 global pandemic, the developer mailed pamphlets to property owners within 300 feet of the project site in August 2020 to invite the community to participate in providing comments or submit any questions related to the project. The pamphlets were mailed on July 26<sup>th</sup>, 2020, with a deadline to receive comments by August 15<sup>th</sup>, 2020. One response was received in support of the project, expressing excitement for the development bringing a Sprouts Farmers Market to the community.

#### California Environmental Quality Act (CEQA):

The proposed project was reviewed and an Initial Study report and Mitigated Negative Declaration (IS/MND) was prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). Based on the Initial Study and supporting technical analyses, it was determined that all potentially adverse environmental impacts can be mitigated to a level of less than significant. On this basis, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) have been prepared. Copies of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are attached to this report along with a CD that contains a complete digital version of the environmental document with the corresponding technical studies.

The 20-day public comment period on the Mitigated Negative Declaration occurred from January 28, 2021 to February 17, 2021.

**RECOMMENDATION:**

Staff recommends that the Planning Commission hold a public hearing and take the following actions:

1. Adopt Resolution No. 6018-21 adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174, subject to the recommended conditions of approval.

*MP for Lee Marino*

Lee Marino  
Planning Services Manager

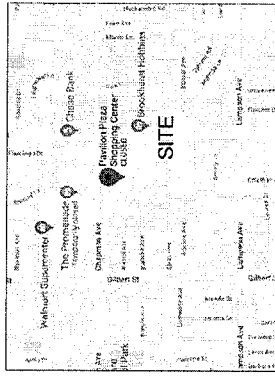


By: Mary Martinez  
Associate Planner

Attachment: Draft Initial Study/Mitigated Negative Declaration and  
Mitigation Monitoring and Reporting Program







**LOCATION MAP**

**PROJECT INFORMATION**

**SITE AREA**

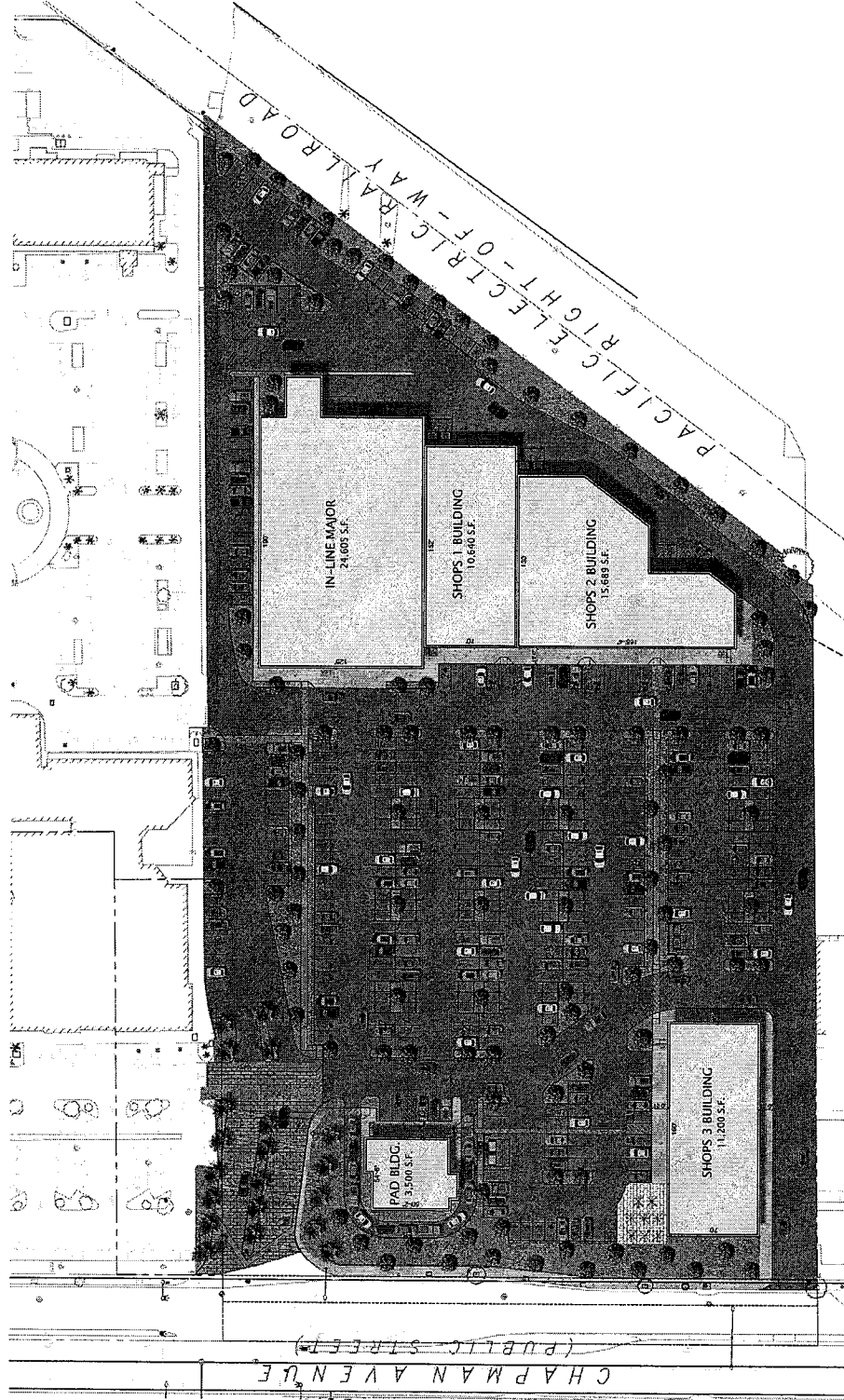
NET AREA ±7.07 AC ±307,803 SF

SITE BREAKDOWN	AREA	%
TOTAL AREA	307,803.00 SF	
15' LANDSCAPE BUFFER	6,750.00 SF	
CALCULATED TOTAL	301,053.00 SF	100 %
BUILDING AREA	65,634.00 SF	21 %
LANDSCAPE	33,641.00 SF	11 %
PARKING LOT	212,692.00 SF	68 %

RETAIL/RESTAURANT SPLIT	AREA	%
RETAIL	10,469.00 SF	39 %
RESTAURANT	15,400.00 SF	61 %
TOTAL	26,889.00 SF	100 %

PARKING REQUIREMENTS (Per City Municipal Code Table 9.1B-11)	
Use	Ratio Prepared SF Required
SPROUTS	3725 24,695 209 STALLS
UIJA	3725 10,660 47 STALLS
RETAIL	3725 10,469 47 STALLS
RESTAURANT	3700 16,400 154 STALLS
RESTAURANT D/T	3700 3,500 95 STALLS
TOTAL	3700 53,500 402 STALLS
MAXIMUM ALLOWABLE COMPACT (20%)	78 STALLS

PARKING PROVIDED 404 STALLS  
PARKING RATIO 6.16 %



**PAVILION PLAZA WEST**  
**GARDEN GROVE, CA**

**COLORED SITE PLAN**



DATE: 06/11/2020  
MCO JOB #: 20005.01

DATE: REVISIONS:

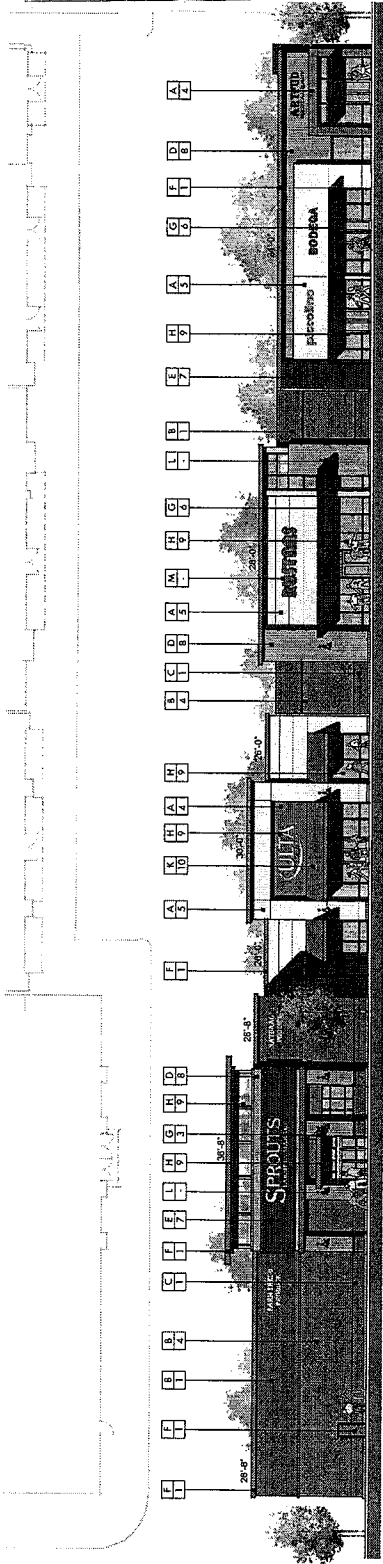
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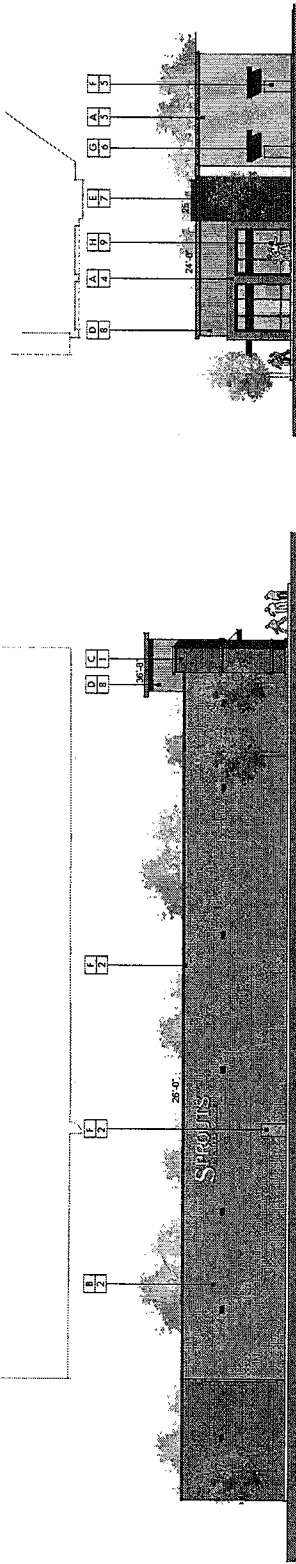
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A-02

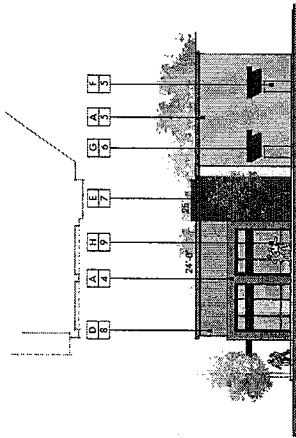
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IRVINE  
GLENDORA  
DENVER  
CLEVELAND



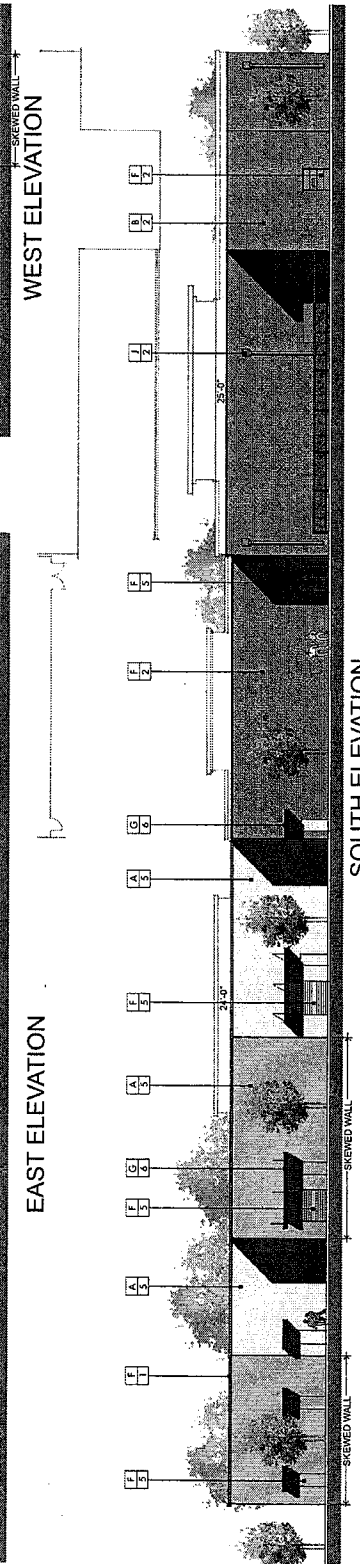
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

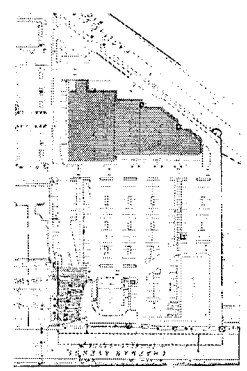
PAVILION PLAZA WEST  
GARDEN GROVE, CA

PROPOSED ELEVATION  
IN LINE MAJOR & SHOPS BUILDING

SCALE : 1'-0" = 1/16"

DATE:	08.11.2020
MOJ JOB #:	20.005.01
DATE:	
REVISIONS:	

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KEY PLAN  
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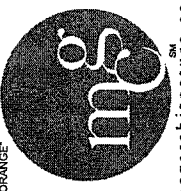
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- B SMOOTH FACE CMU
- C SPLIT FACE CMU
- D CORRUGATED METAL PANEL
- E APOLIC METAL PANELS
- F METAL DOOR/ ROLL-UP/METAL TRIM
- G METAL CANOPY
- H ALUMINUM STOREFRONT
- I ALUMINUM PANEL/DOWNSPOUT
- J FABRIC AWNINGS
- K WALL SCONES (TYP)
- L SIGNAGE BY: Others

COLORS:

- 1 PPG 1025-S "DARK ASH"  
BY: PPG Industries, Inc.
- 2 PPG 1007-4 "HOT STONE"  
BY: PPG Industries, Inc.
- 3 PPG 1227-7 "GREEN GLOSS"  
BY: PPG Industries, Inc.
- 4 PPG 1012-S "STEEPLE GRAY"  
BY: PPG Industries, Inc.
- 5 PPG 1211-1 "GOOD GRACE"  
BY: PPG Industries, Inc.
- 6 PPG 1011-7 "ONYX"  
BY: PPG Industries, Inc.
- 7 ALPOLIS WOOD TEXTURED  
METAL PANEL
- 8 CORRUGATED METAL PANEL  
S-CURVE ACRYLIC COATED  
GALVALUME  
BY: Benridge Manufacturing
- 9 ALUMINUM "CLEAR 417"  
BY: Kawneer
- 10 FABRIC AWNING "ORANGE"  
BY: Sunrella

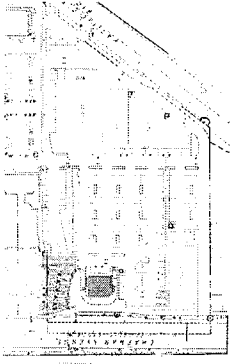
A-05

- CLEVELAND
- DENVER
- GLENDRRA
- IRVINE
- SAN FRANCISCO



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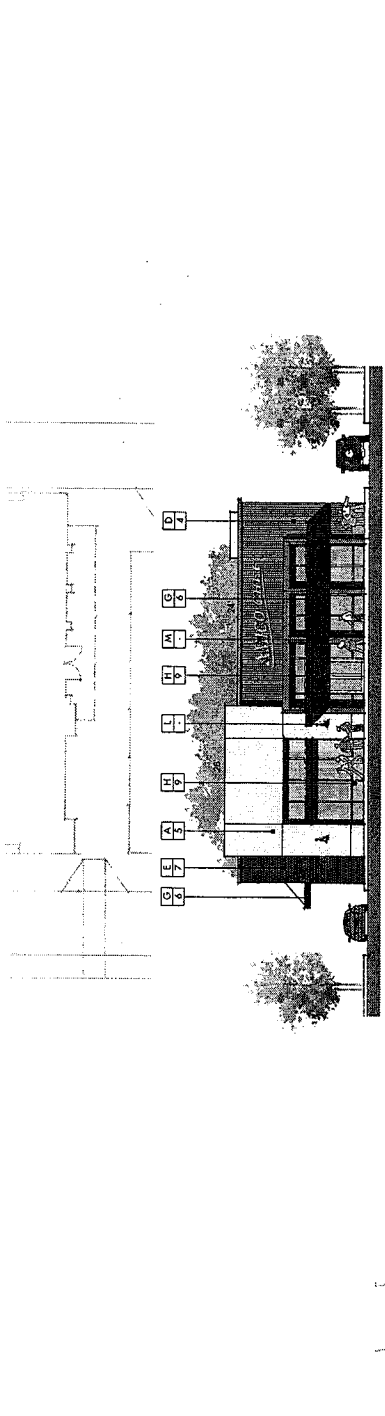


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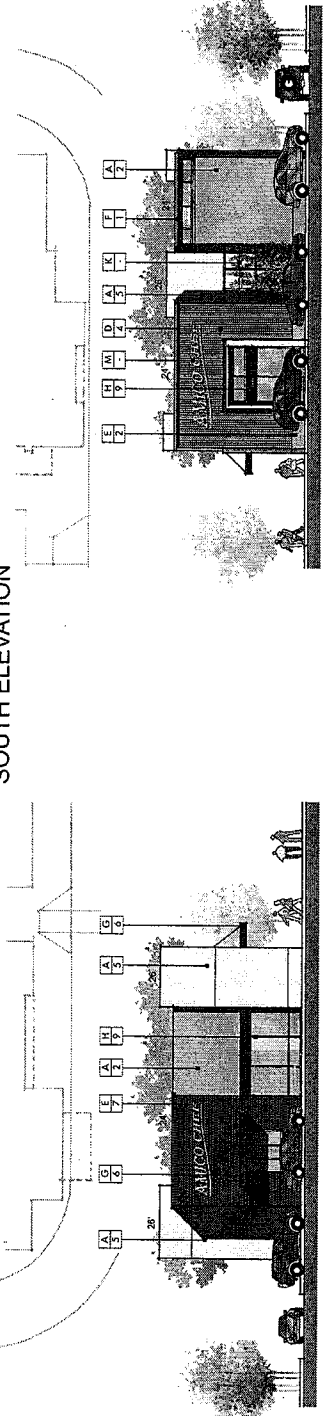
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- B** SMOOTH FACE CMU
- C** SPLIT FACE CMU
- D** CORRUGATED METAL PANEL
- E** APOLIC METAL PANELS
- F** METAL DOOR/ METAL TRIM
- G** METAL CANOPY
- H** ALUMINUM STOREFRONT
- I** ALUMINUM PANEL
- J** GREEN SCREEN
- K** WALL SCONES (TYP)
- L** SIGNAGE BY: Others

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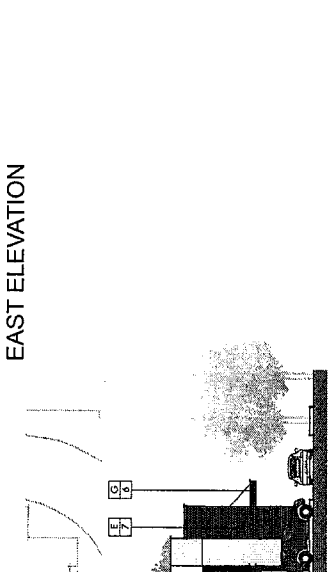
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- 3** PPG 1227-7 "GREEN GLOSS"  
BY: PPG Industries, Inc.
- 4** PPG 1012-5 "STEEPLE GRAY"  
BY: PPG Industries, Inc.
- 5** PPG 1211-1 "GOOD GRACE"  
BY: PPG Industries, Inc.
- 6** PPG 1011-7 "ONYX"  
BY: PPG Industries, Inc.
- 7** ALPOLIC WOOD TEXTURED METAL PANEL
- 8** CORRUGATED METAL PANEL  
S-CURVE ACRYLIC COATED GALVALUME  
BY: Barridge Manufacturing
- 9** ALUMINUM "CLEAR #17"  
BY: Kawneer
- 10** FABRIC AWNING "ORANGE"  
BY: Sunrella



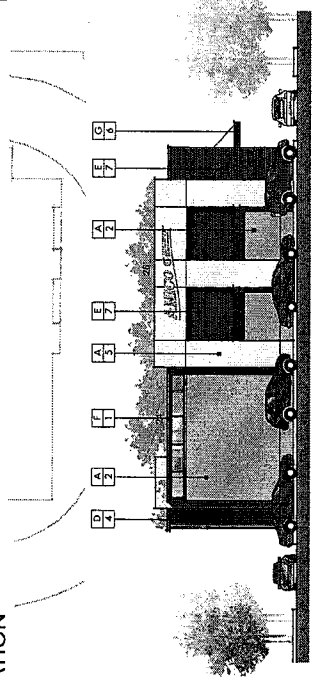
**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**



**NORTH ELEVATION**

**PAVILION PLAZA WEST**  
**GARDEN GROVE, CA**

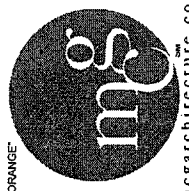
PROPOSED ELEVATION  
PAD BUILDING

SCALE : 1'-0" = 1/16"

DATE: 08.11.2020  
MCD JOB #: 20.095.01

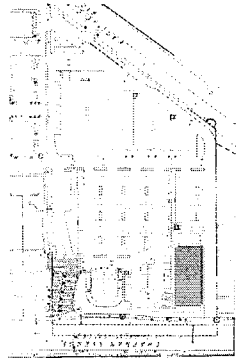
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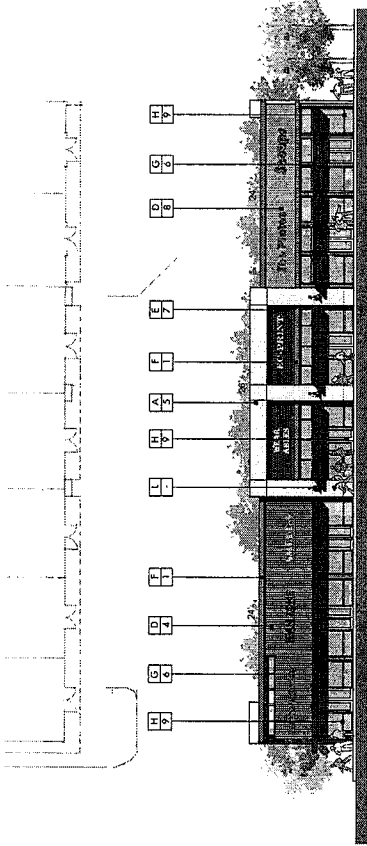


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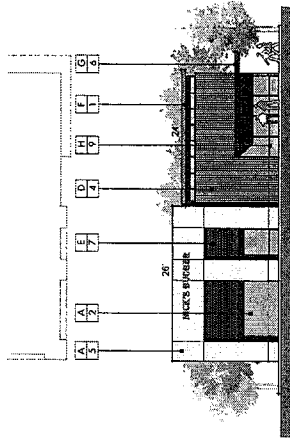
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- F METAL DOOR/METAL TRIM
- G METAL CANOPY
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- I ALUMINUM PANEL
- J FABRIC AWNINGS
- K WALL SCONES (TYP.)
- L SIGNAGE BY: Others

**COLORS:**

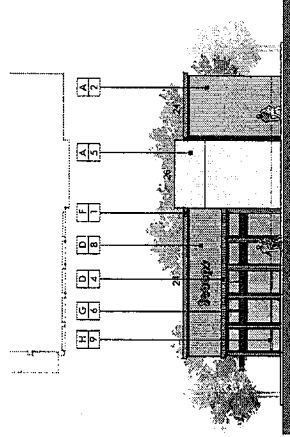
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BY: PPG Industries, Inc.
- 7 ALPOLIC WOOD TEXTURED METAL PANEL
- 8 CORRUGATED METAL PANEL S-CURVE ACRYLIC COATED GALVALUME
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BY: Kawneer
- 10 FABRIC AWNING "ORANGE"  
By: Sunbrella



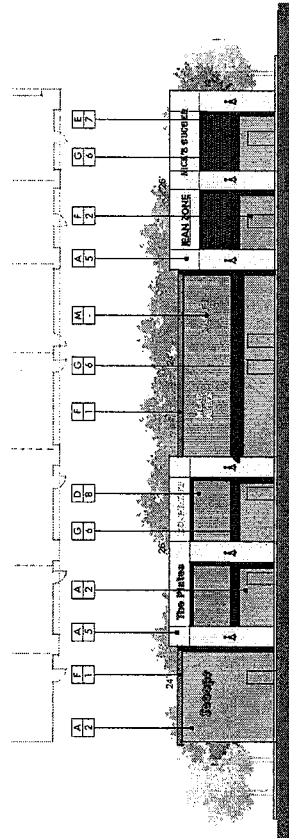
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**SOUTH ELEVATION**



**NORTH ELEVATION**



**WEST ELEVATION**

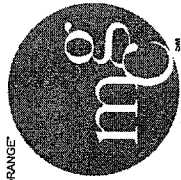
**PROPOSED ELEVATION**  
**SHOPS BUILDING**  
**PAVILION PLAZA WEST**  
**GARDEN GROVE, CA**

**SCALE: 1'-0" = 1/16"**

DATE: 06.11.2020  
MOG JOB #: 20.095.01

DATE: \_\_\_\_\_  
REVISIONS: \_\_\_\_\_

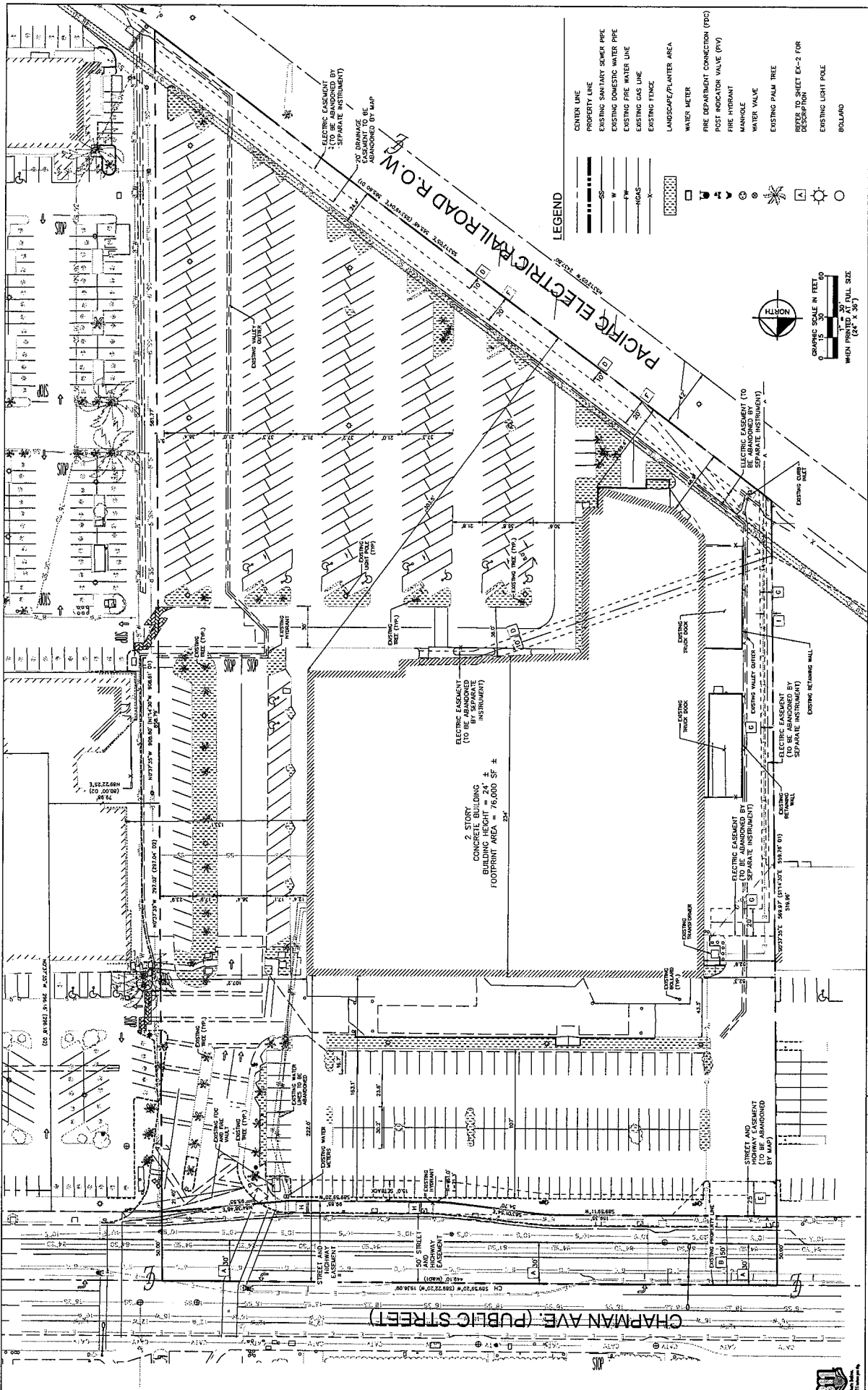
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A-07

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SHEET NUMBER  
**EX-1**

**EXISTING FACILITIES PLAN**

KIMLEY-HORN AND ASSOCIATES, INC.  
7655 THE CITY DRIVE, SUITE 200, DALLAS, TX 75248  
PHONE: 714-938-1000 FAX: 714-938-2468  
WWW.KIMLEY-HORN.COM

UNLICENSED PROFESSIONAL  
ENGINEER  
STATE OF CALIFORNIA  
NO. 95561  
DATE: 11/4/20

KHA PROJECT 1941330001	DATE 11/4/20	SCALE AS SHOWN
DESIGNED BY HS	CHECKED BY DVS	DRAWN BY HS
CHECKED BY HS	CREATED BY HS	
REVISIONS	DATE	BY

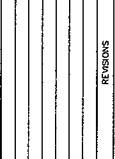
**PAVILION PLAZA WEST**  
PREPARED FOR  
**STERLING ORGANIZATION**

**TITLE EXCEPTIONS AND EASEMENTS**

- 1 WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT BROADCAST BY THE PUBLIC RECORDS.
- 2 AN EASEMENT IN FAVOR OF UNITED NATIONS FOR HUMAN SETTLEMENTS AND SERVICES CENTER IN LOS ANGELES COUNTY, 1989 AS INSTRUMENT NO. 87-126046 OF PUBLIC RECORDS.
- 3 AN EASEMENT IN FAVOR OF COUNTY OF ORANGE FOR STREET AND HIGHWAY PURPOSES BY DOCUMENT RECORDED MAY 14, 1956 IN BOOK 3245, PAGE 380, OF OPTICAL RECORDS.
- 4 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 5 AN EASEMENT IN FAVOR OF SOUTHWEST CALIFORNIA Edison COMPANY FOR PALE LINE BY DOCUMENT RECORDED MARCH 21, 1980 IN BOOK 5169, PAGE 463, OF OPTICAL RECORDS.
- 6 AN EASEMENT IN FAVOR OF SOUTHWEST CALIFORNIA Edison COMPANY FOR PALE LINES BY DOCUMENT RECORDED AUGUST 1, 1962 IN BOOK 6198, PAGE 472, OF OPTICAL RECORDS.
- 7 AN EASEMENT IN FAVOR OF CITY OF GARDEN GROVE FOR PUBLIC STREET AND HIGHWAY BY DOCUMENT RECORDED DECEMBER 3, 1989 IN BOOK 9163, PAGE 384, OF OPTICAL RECORDS.
- 8 AN EASEMENT IN FAVOR OF CITY OF GARDEN GROVE FOR STORM DRAIN PURPOSES BY DOCUMENT RECORDED SEPTEMBER 21, 1974 IN BOOK 1128, PAGE 117, OF OPTICAL RECORDS.
- 9 AN EASEMENT IN FAVOR OF SOUTHWEST CALIFORNIA Edison COMPANY, A CORPORATION FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS COMMUNICATIONS BY DOCUMENT RECORDED SEPTEMBER 14, 1985 AS INSTRUMENT NO. 85-391411, OF OPTICAL RECORDS.
- 10 AN EASEMENT IN FAVOR OF CITY OF GARDEN GROVE FOR PUBLIC STREET AND HIGHWAY BY DOCUMENT RECORDED SEPTEMBER 30, 1985 AS INSTRUMENT NO. 85-321213, OF OPTICAL RECORDS.
- 11 AN UNRECORDED LIEN RECORDED DECEMBER 12, 1985 AS DOCUMENT NO. 85-392617, OF OPTICAL RECORDS.
- 12 RECORDED EASEMENT BY DOCUMENT ENTITLED "GRANT OF RECREATIONAL CROSS AS DOCUMENT NO. 87-219268, OF OPTICAL RECORDS.
- 13 A RECREATIONAL CROSS, THIS EASEMENT, RECORDED APRIL 22, 1987 AS INSTRUMENT NO. 87-219268, OF OPTICAL RECORDS.
- 14 AN UNRECORDED LIEN RECORDED MAY 11, 1987 AS DOCUMENT NO. 87-265046, OF OPTICAL RECORDS.
- 15 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 16 A DEED OF TRUST RECORDED JULY 13, 2006 AS INSTRUMENT NO. 200600442725, OF OPTICAL RECORDS.
- 17 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 18 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 19 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 20 THIS ITEM HAS BEEN INTENTIONALLY DELETED.

**TITLE EXCEPTIONS AND EASEMENTS (CONTINUED)**

- 21-23 FILE COMPANY STATEMENTS.
- 24 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 25 EASEMENTS FOR WATER AND RIGHTS INCIDENTAL HERETO, TO THE CITY OF GARDEN GROVE BY DOCUMENT RECORDED MAY 7, 1986 IN BOOK 3002, PAGE 577, OF OPTICAL RECORDS.
- 26 AND RECORDED JUNE 14, 1956 IN BOOK 3245, PAGE 390, OPTICAL RECORDS (AFFECTS PARCEL 2 - NOT PLOTTED HEREON)
- 27 AND RECORDED JUNE 14, 1956 IN BOOK 3245, PAGE 390, OPTICAL RECORDS (AFFECTS PARCEL 2 - NOT PLOTTED HEREON AS [E])
- 28 AND RECORDED DECEMBER 24, 1956 IN BOOK 3250, PAGE 111, OPTICAL RECORDS (AFFECTS PARCEL 2 - NOT PLOTTED HEREON)
- 29 CONDOMINIUMS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 3018, PAGE 154, OF OPTICAL RECORDS.
- 30 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 31 AN OIL AND GAS LEASE RECORDED SEPTEMBER 19, 1969 IN BOOK 5984, PAGE 308, OF OPTICAL RECORDS.
- 32 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 33 AN OIL AND GAS LEASE RECORDED SEPTEMBER 26, 1969 IN BOOK 6098, PAGE 392, OF OPTICAL RECORDS.
- 34 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 35 EASEMENT FOR WATER RIGHTS AND RIGHTS INCIDENTAL HERETO, TO THE CITY OF GARDEN GROVE RECORDED IN BOOK 5895, PAGE 411, OPTICAL RECORDS.
- 36 EASEMENT FOR STORM DRAIN AND RIGHTS INCIDENTAL HERETO, AS GRANTED IN A DOCUMENT GRANTED TO THE CITY OF GARDEN GROVE RECORDED SEPTEMBER 21, 1974 IN BOOK 1128, PAGE 117, OPTICAL RECORDS.
- 37 RESTRICTIONS CONTAINED IN THE DEED RECORDED APRIL 22, 1987 AS INSTRUMENT NO. 87-219268, OF OPTICAL RECORDS.
- 38 THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- 39 CONDOMINIUMS, CONDITIONS, RESTRICTIONS RECORDED APRIL 22, 1987 AS INSTRUMENT 87-219268, OF OPTICAL RECORDS.
- 40 DOCUMENT ENTITLED "GRANT OF RECREATIONAL CROSS EASEMENT RECORDED APRIL 22, 1987 AS INSTRUMENT 87-219268, OF OPTICAL RECORDS.
- 41 RESTRICTIONS CONTAINED IN THE DEED RECORDED APRIL 22, 1987 AS INSTRUMENT 87-219268, OF OPTICAL RECORDS.



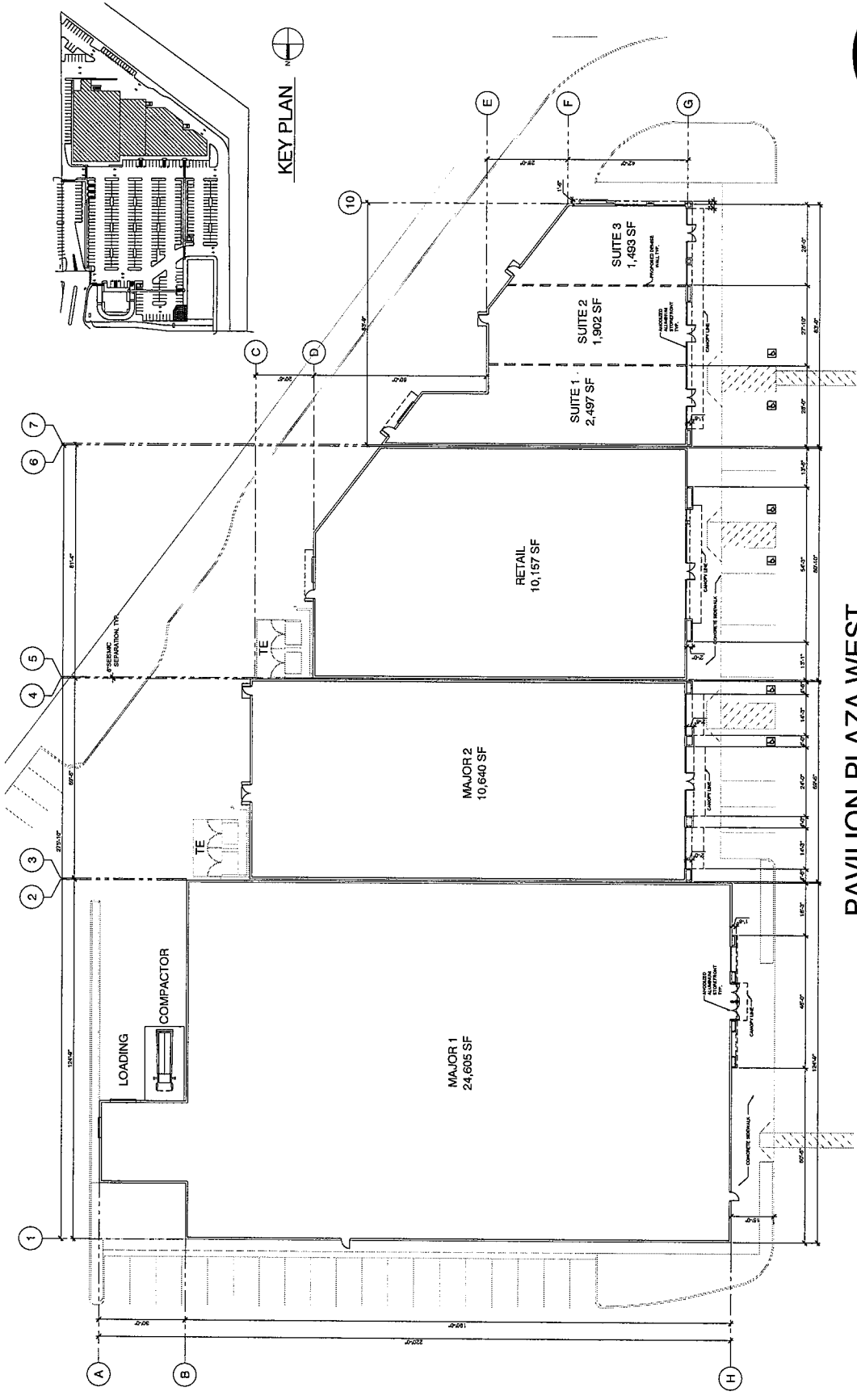
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 7800 CRENSHAW BLVD., SUITE 1000  
 LOS ANGELES, CALIFORNIA 90048  
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KHA PROJECT 194134001  
 DATE 11/1/20  
 SCALE AS SHOWN  
 DESIGNED BY HS  
 DRAWN BY GVS  
 CHECKED BY HS

**PAVILION PLAZA WEST**  
 PREPARED FOR  
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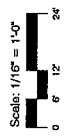
EXISTING FACILITIES PLAN



**PAVILION PLAZA WEST**  
**GARDEN GROVE, CA**

**IN-LINE MAJOR & SHOPS BLDG.**  
**FLOOR PLAN**

A-03



DATE: 06.11.2020  
 MCG JOB #: 20095.01

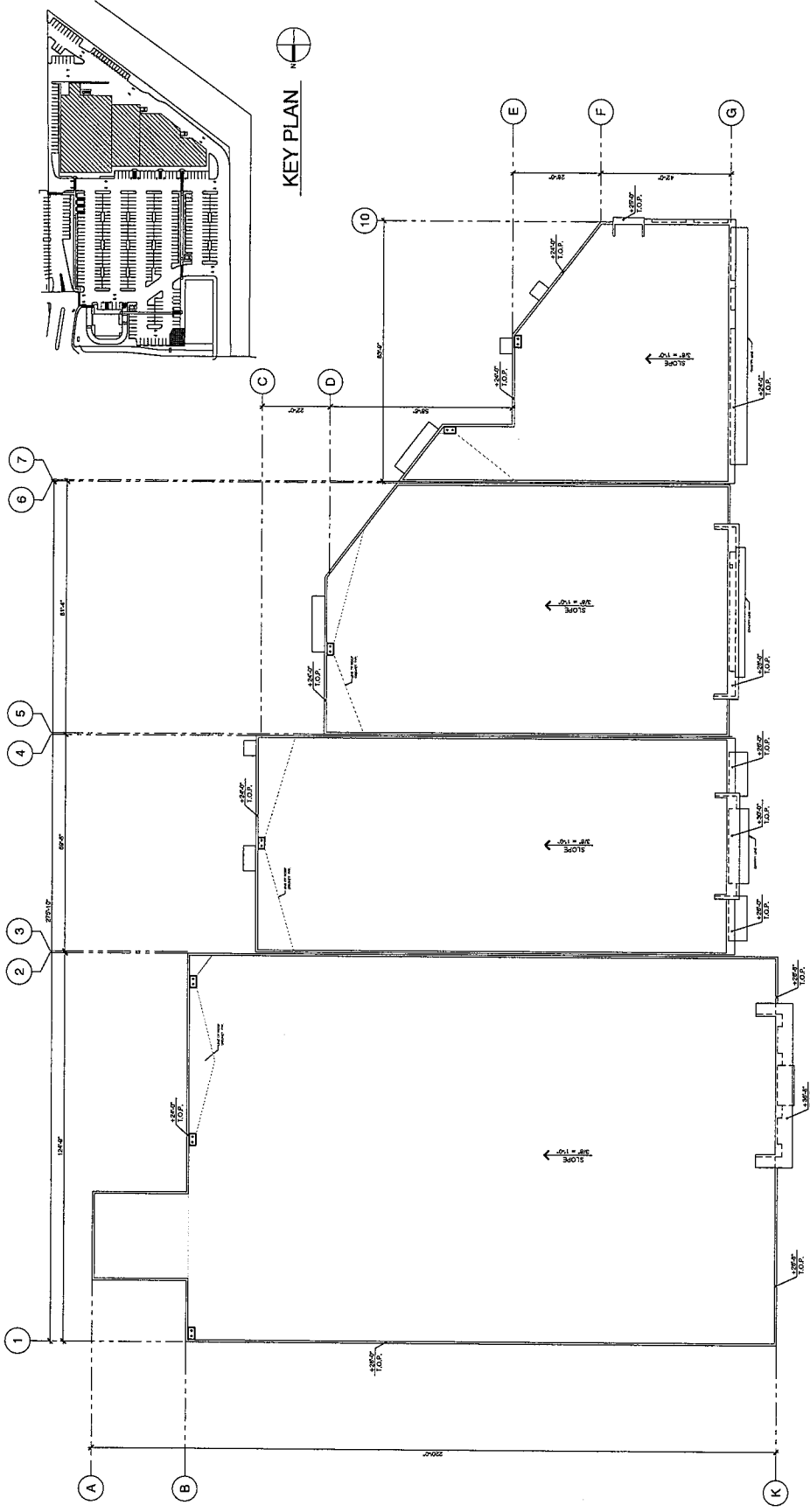
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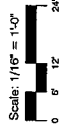
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 GLENORA  
 DENVER  
 CLEVELAND  
 SAN FRANCISCO



**PAVILION PLAZA WEST  
GARDEN GROVE, CA**

**IN-LINE MAJOR & SHOPS BLDG.  
ROOF PLAN**

A-04



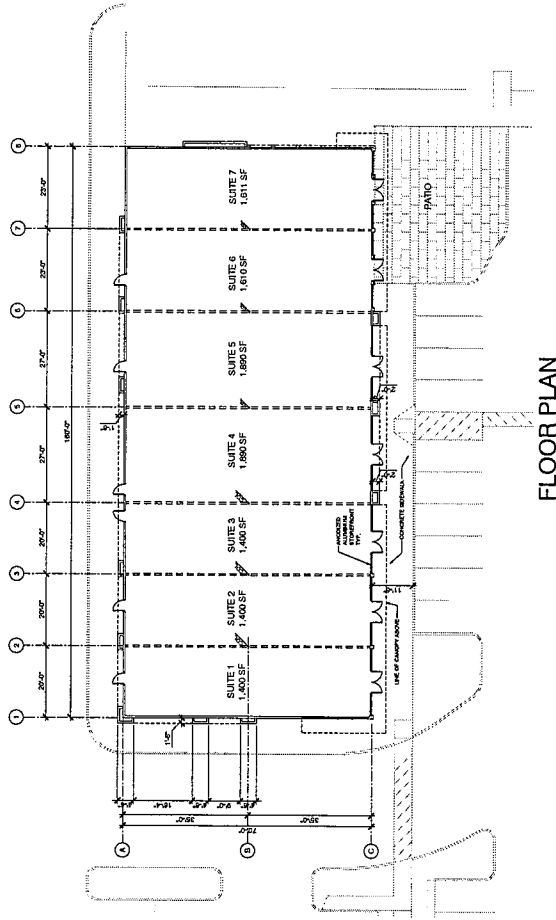
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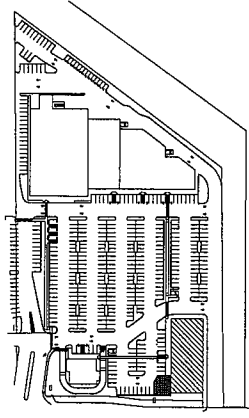
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SAN FRANCISCO



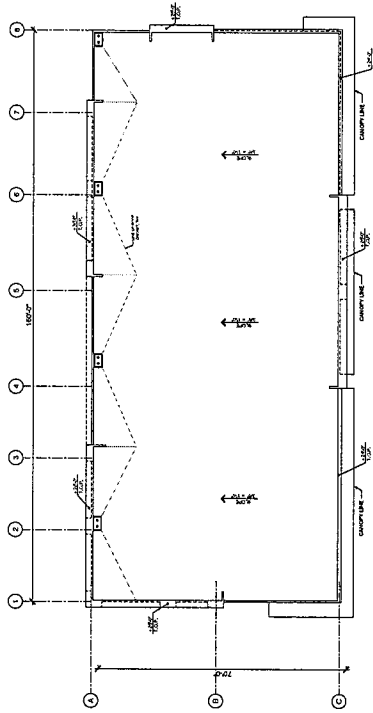
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FLOOR PLAN



KEY PLAN

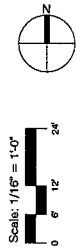


ROOF PLAN

PAVILION PLAZA WEST  
GARDEN GROVE, CA

SHOPS BUILDING  
FLOOR AND ROOF PLAN

A-06



Scale: 1/16" = 1'-0"

DATE: 06.11.2020  
MCG JOB #: 20065.01

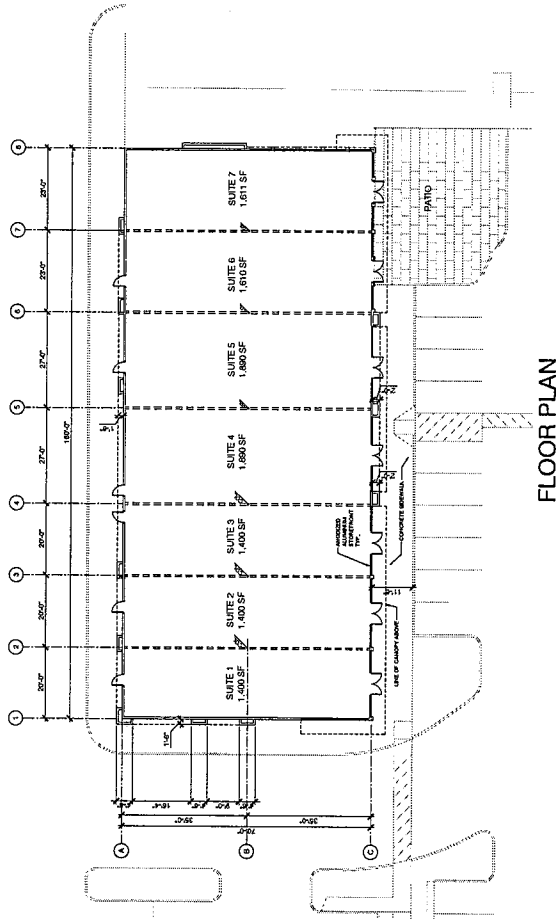
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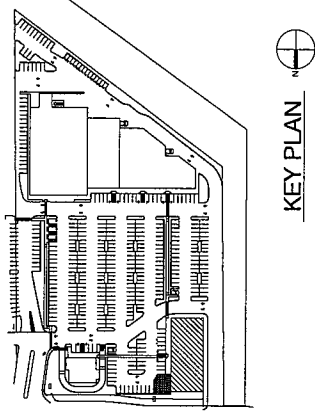


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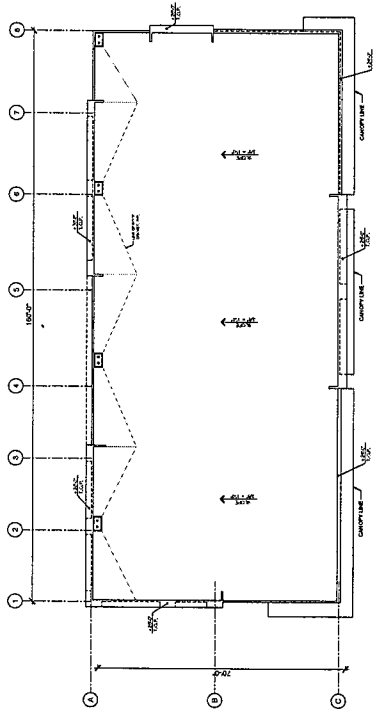
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FLOOR PLAN



KEY PLAN

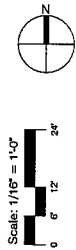


ROOF PLAN

PAVILION PLAZA WEST  
GARDEN GROVE, CA

SHOPS BUILDING  
FLOOR AND ROOF PLAN

A-06



Scale: 1/16" = 1'-0"

DATE: 08.11.2009

MOG JOB #: 20095.01

REVISIONS

DATE

BY

DESCRIPTION

DATE

BY

DESCRIPTION

DATE

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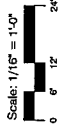
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PAVILION PLAZA WEST  
GARDEN GROVE, CA

PAD BUILDING  
FLOOR AND ROOF PLAN

A-08

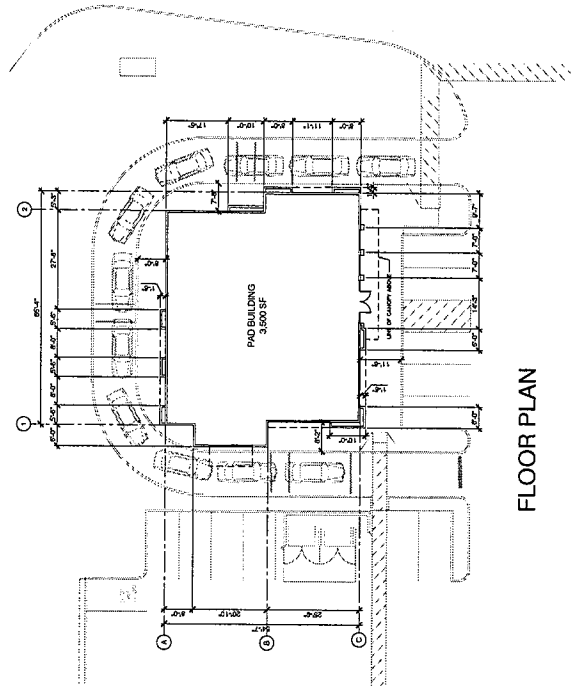


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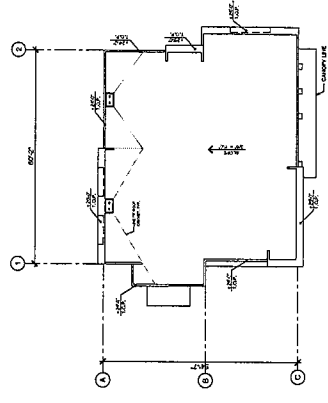
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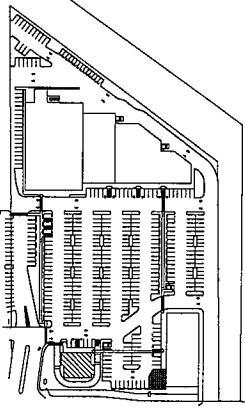
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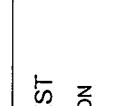
FLOOR PLAN



ROOF PLAN



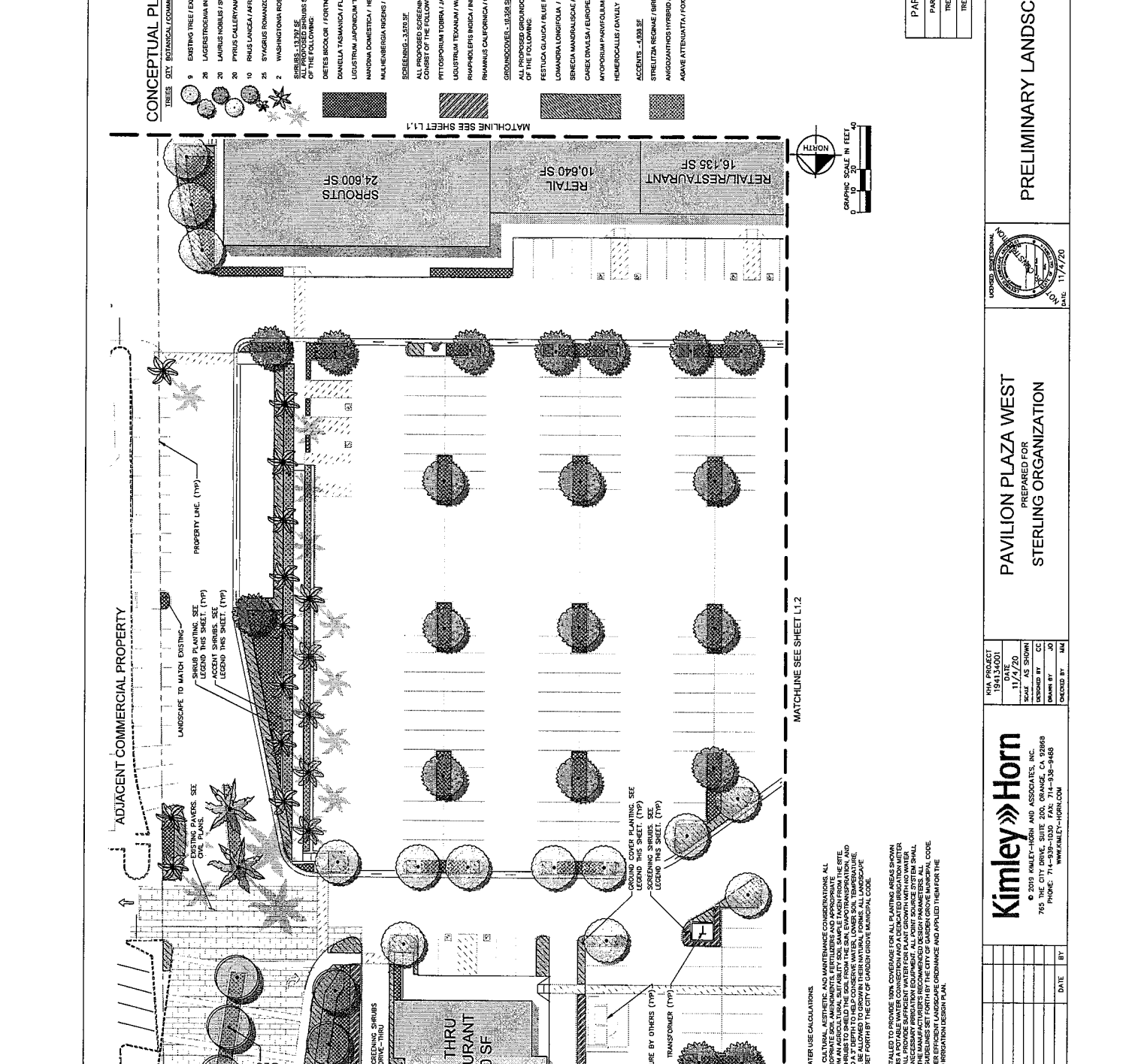
KEY PLAN



RVA PROJECT	194134001
DATE	11/17/20
SCALE	AS SHOWN
DESIGNED BY	CC
DRAWN BY	JO
CHECKED BY	MA

**Kimley»Horn**  
7500 BOULEVARD PARKWAY, SUITE 300, GARDEN GROVE, CA 95665  
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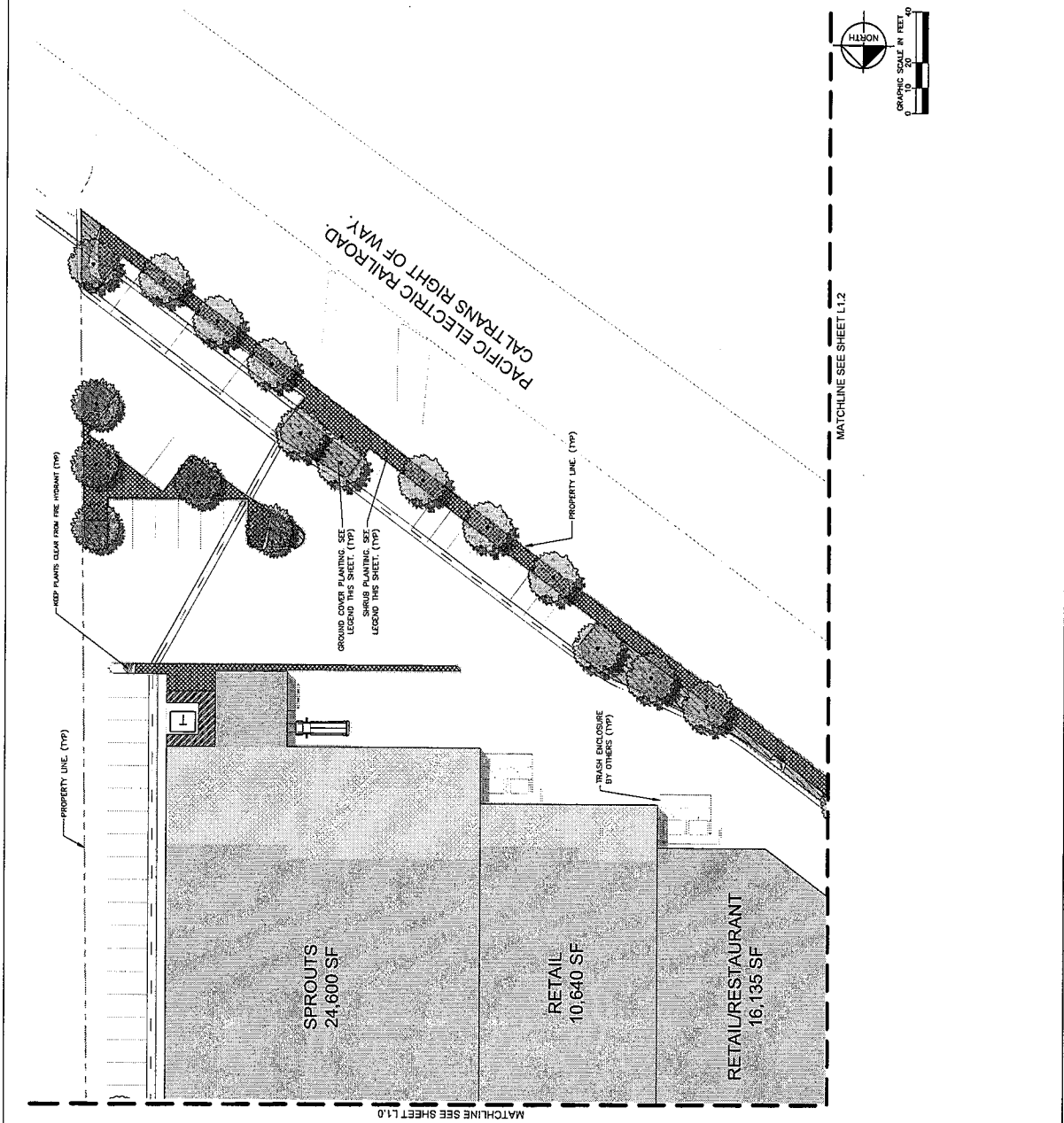


### CONCEPTUAL PLANTING SCHEDULE

TREES	QTY	BOTANICAL/COMMON NAME	WATER/USE
9		EXISTING TREE / EXISTING TREE TO REMAIN	
28		LAGERSTROEMIA INDICA / CRABE MYRTLE	M
20		LAVRUS ROBUSTA / SWEET BAY	L
10		PRUNUS GALENICA / BRADFORD FLOWERING PEAR	M
10		PRUNUS LANCA / AFRICAN SHAMU	L
25		STYRACIS TOMANZOIIFRANA / OLIVE PALM	L
2		WASHINGTONIA ROBUSTA / MEXICAN FAN PALM	L
SCREENING SHRUBS SHALL CONSIST OF THE FOLLOWING:			WATER/USE
DIETES IRIOCOLOR / FORTNIGHT LILY			L
DANIELLA TASMANICA / FLAX LILY			L
LEUCODENDRUM JAPONICUM / TEAFLAX / WAXLEAF PRIVET			M
MAONIA DOMESTICA / HEAVENLY BAMBOO			L
MILYBERGIA NIGERS / DEER GRASS			L
SCREENING SHRUBS SHALL CONSIST OF THE FOLLOWING:			
FITTOPHORUM TORIYA / JAPANESE CHEESEWOOD			M
LEUCODENDRUM JAPONICUM / WAXLEAF PRIVET			M
RHAPHIOLEPS INDICA / INDIAN HAWTHORN			L
RHAMNUS CALIFORNICA / COFFEEBERRY			L
GOMPHOCARPUS / FLYING DUTCHMAN			
ALL PROPOSED GROUNDERCOVER SHALL CONSIST OF THE FOLLOWING:			
FESTUCA GLAUCA / BLUE FESCUE			L
LOXANDRA LONGIFOLIA / DWARF MAY RUSH			L
SERCICA MANDRAUCALIS / BLUE CHALK STICKS			L
CAREX DIVULSA / EUROPEAN GRAY SEDGE			L
MYOPORUM PARFOLIOLUM / MYOPORUM			L
HEMEROCALLIS / DAYLILY			M
ACCENTS - 4.00X SE			
STREITZIA REGINAE / BIRD OF PARADISE			M
ANGIOSANTHUS HYBRIDUS / HANGAROO BIRD			L
AGAVE ATENUATA / FORTLA AGAVE			L

### LANDSCAPE NOTE

SEE SHEET L1.2 FOR PRELIMINARY ESTIMATED WATER USE CALCULATIONS.  
THE SELECTION OF PLANT MATERIALS IS BASED ON DRAINAGE, AESTHETICS AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL, AMENDMENTS, FERTILIZERS AND APPROPRIATE SOIL CONDITIONERS. MULCH SHALL BE APPLIED TO ALL PLANTING AREAS TO MAINTAIN SOIL MOISTURE AND PREVENT SOIL EROSION. ALL SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER, LOWER SOIL TEMPERATURE AND PREVENT SOIL EROSION. MULCH SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF GARDEN GROVE MUNICIPAL CODE. IRREGULAR BOUNDARIES SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF GARDEN GROVE MUNICIPAL CODE.  
AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE 100% COVERAGE FOR ALL PLANTING AREAS SHOWN. THE SYSTEM SHALL BE CONTROLLED BY A TIMER AND SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH AND WATER LOSS DUE TO WATER CONTROLLERS. IRRIGATION EQUIPMENT SHALL BE PROVIDED TO MAINTAIN THE SYSTEM. ALL IRRIGATION SYSTEMS SHALL BE DESIGNED AND INSTALLED TO FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF GARDEN GROVE MUNICIPAL CODE. ALL POINT SOURCE SYSTEMS SHALL BE INSTALLED TO FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF GARDEN GROVE MUNICIPAL CODE. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF GARDEN GROVE MUNICIPAL CODE. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE CITY OF GARDEN GROVE MUNICIPAL CODE.  
MICHAEL P. WADSETT, L.A. 9518



### CONCEPTUAL PLANTING SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	WATER USE
9		EXISTING TREE / EXISTING TREE TO REMAIN	
26		LACINSTRONIA INDICA / GRAPE MYRTLE	M
20		LAURUS NOBILIS / SWEET BAY	L
20		PIRUS CALIFORNICA 'BROGFORD' / BROGFORD FLOWERING PEAR	M
16		PIRUS LAURICA / AFRICAN SHIMAC	L
26		SYRGIUS ROMANOFFII / OLEEN PALM	L
2		WASHINGTONIA ROBUSTA / MEXICAN FAN PALM	L
		ALL PROPOSED SHRUBS SHALL CONSIST OF THE FOLLOWING:	WATER USE
		DIETES INCOLOR / FORTNIGHT LILY	L
		DIANELLA TASHANICA / FLAX LILY	L
		LEUCOSTRUM TEGANUM / WAXLEAF PRINCE	M
		MANISIA DOMESTICA / HEAVENLY BAMBOO	L
		MULHERRERIA RIGENS / DEER GRASS	L
		<b>SCREENING - 3.07X3.5E</b>	
		ALL PROPOSED SCREENING SHRUBS SHALL CONSIST OF THE FOLLOWING:	
		PIRISODORUM TORIKAI / JAPANESE CEDARWOOD	M
		LEUCOSTRUM TEGANUM / WAXLEAF PRINCE	M
		RHAPHIDOLEPS INDICA / INDIAN HAWTHORN	L
		RHAMNUS CALIFORNICA / COFFEEBERRY	L
		<b>GROUNDCOVER - 1.0.3.0E.3E</b>	
		ALL PROPOSED GROUNDCOVER SHALL CONSIST OF THE FOLLOWING:	
		FESTUCA GLAUCA / BLUE FESCUE	L
		LOMANRHA LONGIFOLIA / DWARF MAT RUSH	L
		SERICHA MANDALISCA / BLUE CHALK STICKS	L
		CAREX DIVALSA / EUROPEAN GREY SEDGE	L
		MYOPIRUM PARVIFOLIUM / MYOPIRUM	L
		HEMEROCALLIS / DAINTLY	M
		<b>ACCENTS - 1.1.0E.3E</b>	
		STREPTIZIA REGINAE / IRID OF PARADISE	M
		ANACARDIUM HYBRID / HANGAROD PALM	L
		AGAVE ATTENUATA / FOXTAIL AGAVE	L

KEEP PLANTS CLEAR FROM FIRE HYDRANT (TYP)

GROUPS GROUPS PLANTINGS. SEE LEGEND THIS SHEET. (TYP)

SHRUB PLANTING. SEE LEGEND THIS SHEET. (TYP)

PROPERTY LINE (TYP)

PACIFIC ELECTRIC RAILROAD CAL TRANS RIGHT OF WAY

PROPERTY LINE (TYP)

TRASH ENCLOSURE BY OTHERS (TYP)

SPROUTS 24,600 SF

RETAIL 10,640 SF

RETAIL/RESTAURANT 16,135 SF

MATCHLINE SEE SHEET L1.0

MATCHLINE SEE SHEET L1.2

DAVID J. KIMLEY  
MECHANICAL  
LICENSE NO. 10000  
STATE OF CALIFORNIA

**Kimley»Horn**

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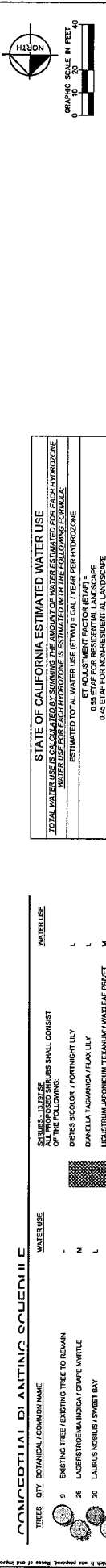
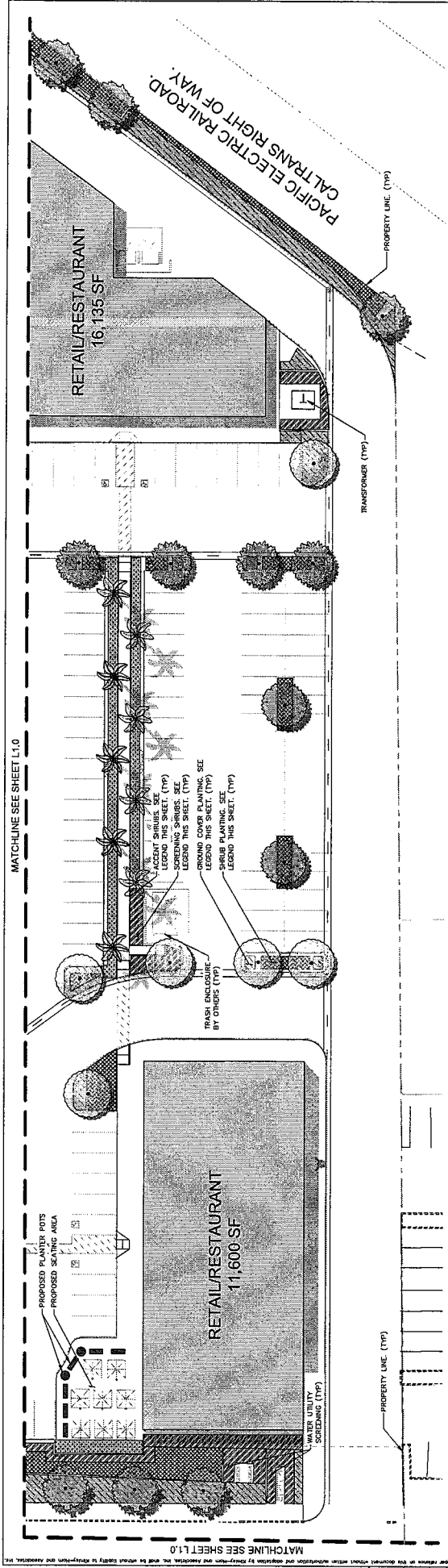
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DESIGNED BY: CC  
DRAWN BY: JD  
CHECKED BY: NH

SHEET NUMBER: L1.1

PRELIMINARY LANDSCAPE PLAN

DATE: 11/17/20

NO.	DATE	BY	REVISIONS



**CONCEPTUAL LANDSCAPE PLAN**

TREES	QTY.	BOTANICAL / COMMON NAME	WATER USE
9	1	EXISTING TREE / EXISTING TREE TO REMAIN	L
26	1	LAGERSTROEMIA INDICA / CRAPPE MYRTLE	M
20	1	LAURUS NOBILIS / SWEET BAY	L
20	1	PYRUS CALLERYANA / BRADFORD / BRADFORD FLOWERING PEAR	M
10	1	RNUS LANCEA / AFRICAN BUMBAC	L
25	1	SYAGRUS ROMANOFFIANA / QUEEN PALM	L
2	1	WASHINGTONIA ROBUSTA / INDIAN FAN PALM	L

SHRUBS - 3 TO 6 FEET	ALL PROPOSED SHRUBS SHALL CONSIST OF THE FOLLOWING:	WATER USE
1	DIETES BICOLOR / FORTNIGHT LILY	L
1	DANIELA FASMANICA / FLAX LILY	M
1	LOUSTRUM JAPONICUM / TEANUM / WAXLEAF PRICKET	M
1	MANISIA DOMESTICA / HEAVENLY BAMBOO	L
1	MULTIHERBIA RIBES / RIBES GRASS	L
1	SCISSURELLA / 3.50 FT	L

GROUNDCOVER - 10 TO 36 IN	ALL PROPOSED GROUNDCOVER SHALL CONSIST OF THE FOLLOWING:	WATER USE
1	PITTDORUM TORBA / JAPANESE CHEERWOOD	M
1	LOUSTRUM TEANUM / WAXLEAF PRICKET	M
1	RHAMPHOLIPS INDICA / INDIAN HAWTHORN	L
1	RHAMNUS CAMPORICA / COFFEEBERRY	L
1	ESCHSCHOLIA / 10.36 FT	L

ASCENTS - 4 TO 8 FEET	STRETTED REGIME / BRID OF PARADISE	WATER USE
1	ANDICANTHOS HYBRID / MANGROVE PALM	M
1	AGAVE ATTENUATA / FOXTAIL AGAVE	L

STATE OF CALIFORNIA ESTIMATED WATER USE	
TOTAL WATER USE IS CALCULATED BY SUMMING THE AMOUNT OF WATER ESTIMATED FOR EACH HYDROZONE WATER USE FOR EACH HYDROZONE IS ESTIMATED WITH THE FOLLOWING FORMULA:	
ESTIMATED TOTAL WATER USE (ETWU) = GAL/YEAR PER HYDROZONE	
ET ADJUSTMENT FACTOR (ETAF) = 0.85 ETAF FOR NON-RESIDENTIAL LANDSCAPE	
0.85 ETAF FOR EXISTING NON-RESIDENTIAL LANDSCAPE	
0.85 ETAF FOR EXISTING RESIDENTIAL LANDSCAPE	
PLANT FACTOR (PF) = 1.00 (IF PLANT SPECIES NOT LISTED IN THIS LIST)	
HYDROZONE AREA (HA) = (SQ. FT. OF LANDSCAPE) / (43,560 SQ. FT./ACRE)	
CONVERSION FACTOR (CONVERTS ACRES PER YEAR TO GALLONS PER SQUARE FOOT PER YEAR) = 0.82	
IRRIGATION EFFICIENCY (IE) = 0.75 (OVERHEAD SPRAY) 0.61 (DRIP)	
SPECIAL LANDSCAPE AREA (SLA) = SF OF EDIBLE PLANTS, RECREATIONAL AREAS, AREAS IRRIGATED WITH EVAPOTRANSPIRATION RATE (ETR) = QUANTITY OF WATER EVAPORATED FROM SOIL AND TRANSPIRED BY PLANTS OVER A SPECIFIED TIME	
ETWU = (ETWU) * (PF) * (HA) * (IE) * (ETAF) * (IE)	
MAWA = (ETWU) * (CONVERSION FACTOR) * (SUM OF SLA & HA) * (IE) * (ETAF) * (IE)	
HYDROZONE "A" (DRIP)	
ETWU (GAL/YEAR)	372,788.51
CONVERSION FACTOR	0.62
HYDROZONE "B" (TREE BUBBLER)	
ETWU (GAL/YEAR)	62,683.18
CONVERSION FACTOR	0.62
ESTIMATED TOTAL WATER ALLOWANCE (MAWA)	435,471.69
MAXIMUM APPLIED WATER ALLOWANCE (MAWA)	435,471.69
CONVERSION FACTOR	0.62
MAXIMUM APPLIED WATER ALLOWANCE (GAL/YEAR)	498,518.28
CONVERSION FACTOR	0.62
MAXIMUM APPLIED WATER ALLOWANCE PERCENT OF ESTIMATED TOTAL WATER USE	87.33%

**Kimley»Horn**  
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 7850 BULEY-HORN DRIVE, SUITE 100  
 FORT WORTH, TEXAS 76133  
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**PAVILION PLAZA WEST**  
 PREPARED FOR  
 STERLING ORGANIZATION

**PRELIMINARY LANDSCAPE PLAN**

SHEET NUMBER  
 L1.2

DATE  
 11/17/20

DESIGNED BY  
 CC

DRAWN BY  
 JD

CHECKED BY  
 HM

DECIDED BY  
 HM

REVISIONS

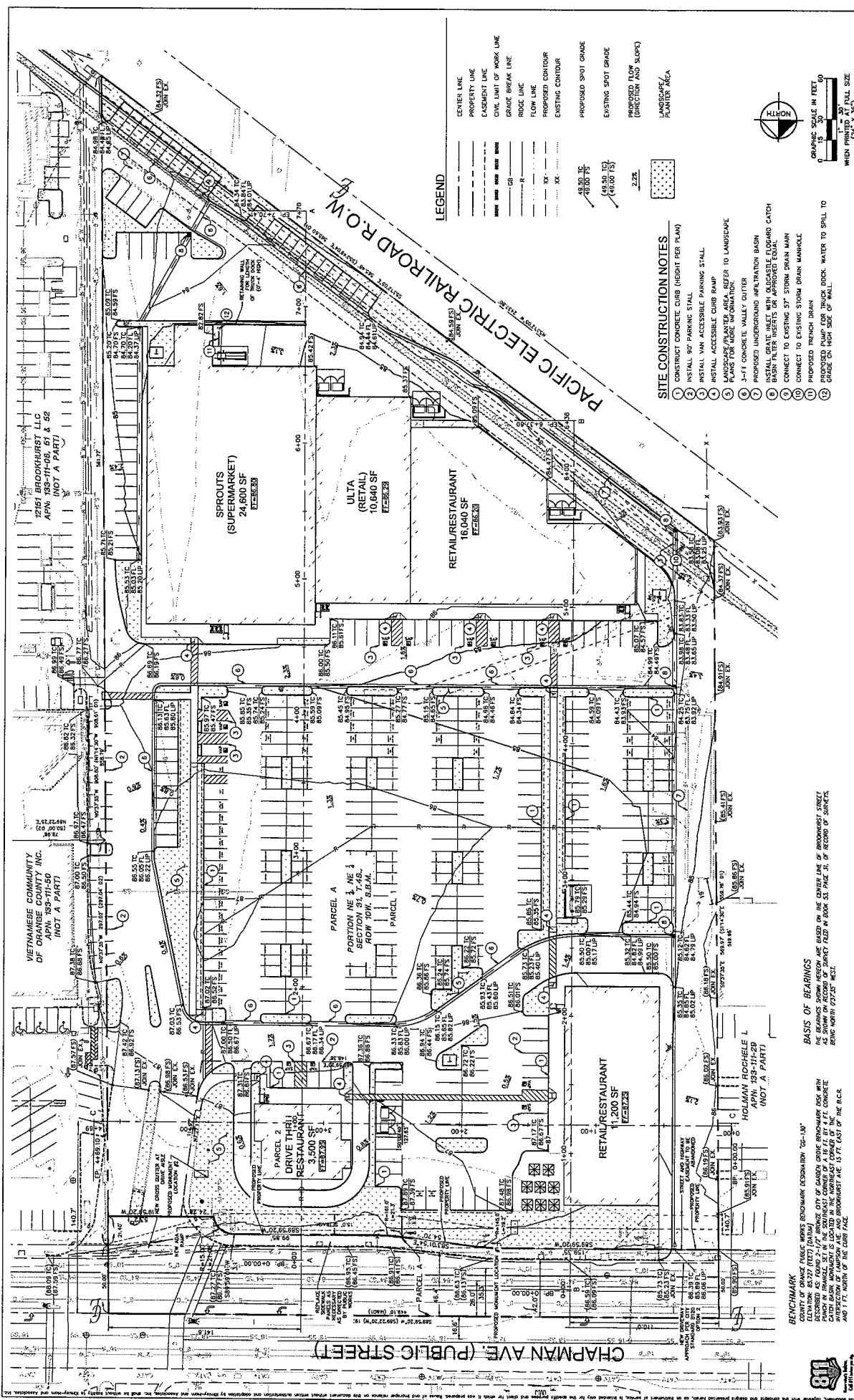
NO.

DATE

BT

DATE

BT



**LEGEND**

- CENTER LINE
- PROPERTY LINE
- EASEMENT LINE
- CIVIL LIMIT OF WORK LINE
- GRADE BREAK LINE
- RIDE LINE
- FLOW LINE
- PROPOSED CONTOUR
- EXISTING CONTOUR
- PROPOSED SPOT GRADE
- EXISTING SPOT GRADE
- PROPOSED PAVEMENT (DIRECTION AND SLOPE)
- LANDSCAPE/PLANTER AREA

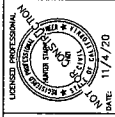
**SITE CONSTRUCTION NOTES**

1. CONSTRUCT CONCRETE CURB (HEIGHT PER PLAN)
2. INSTALL 8' BY PARKING STALL
3. INSTALL VAN ACCESSIBLE PARKING RAMP
4. LANDSCAPE PLANTER AREA REFER TO LANDSCAPE ARCHITECTURE DRAWING
5. 3'-4" CONCRETE VALLEY GUTTER
6. PROPOSED UNDERGROUND IRRIGATION BASIN
7. PROPOSED UNDERGROUND IRRIGATION BASIN FILTER INVERTS PER APPROVED LOCAL AGENCIES
8. CONNECT TO EXISTING 57" STORM DRAIN MAIN
9. PROPOSED TRENCH DRAIN
10. PROPOSED SPOT GRADE
11. PROPOSED SPOT GRADE
12. PROPOSED SPOT GRADE



SHEET NUMBER  
**C1.0**

**PRELIMINARY GRADING PLAN**



**PAVILION PLAZA WEST**  
PREPARED FOR  
**STERLING ORGANIZATION**

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11/4/20  
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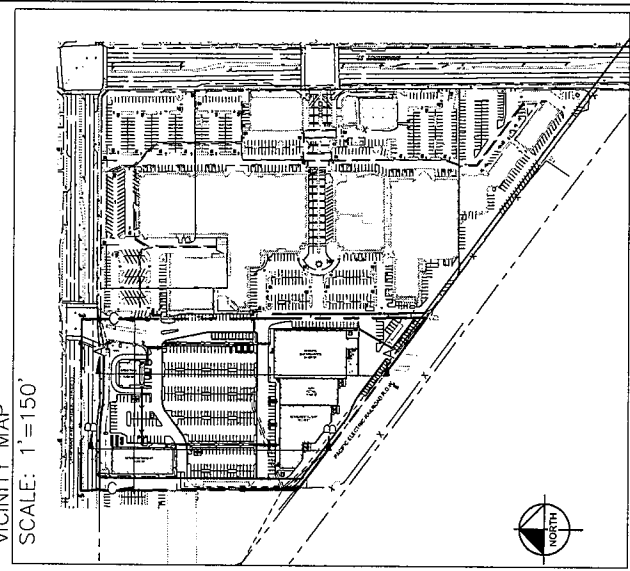
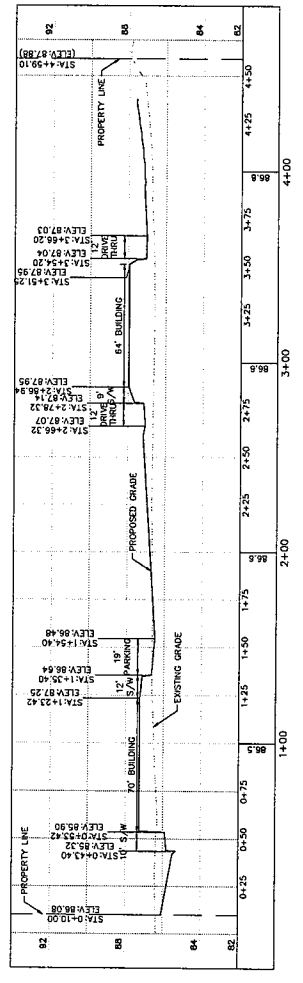
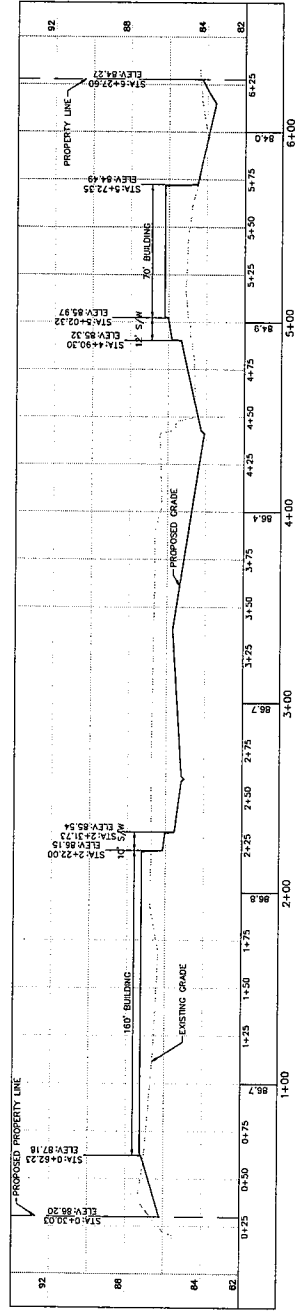
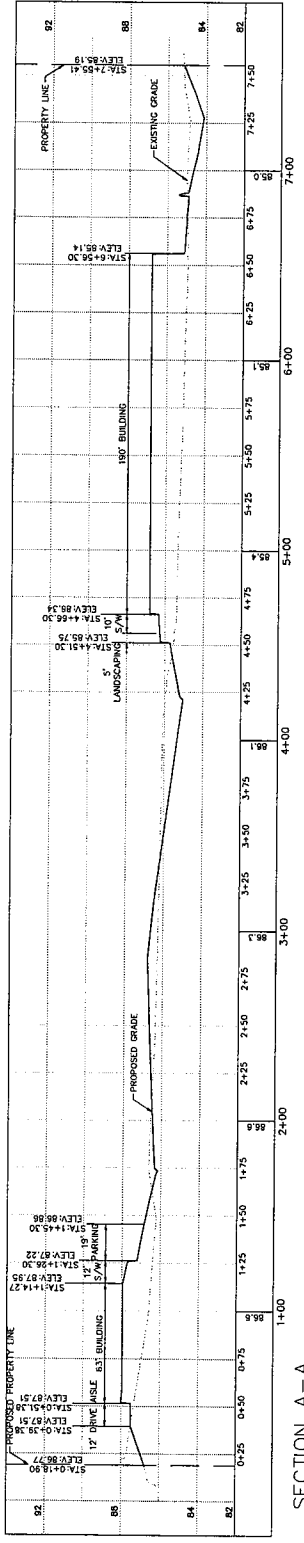
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**BASIS OF BEARINGS**  
THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF BROADWAY STREET  
AND BROADWAY STREET ARE LOCATED IN BOOK 31, PAGE 24, OF RECORD OF SURVEYS.  
BROADWAY NORTH 027237' N62.1°E.

**BENCHMARK**  
THE BENCHMARK IS A PUBLIC MONUMENT BENCHMARK DESIGNATION "06-10"  
LOCATED AT 85227 (DEET) (DANA)  
DESCRIBED AS FOUND 7-1/2" BRONZE CITY OF CHICAGO GRADE BENCHMARK DISK WITH  
CATCH BASIN MONUMENT IS LOCATED IN THE NORTHEAST CORNER OF THE  
AND 10 FT. NORTH OF THE CORNER LINE.



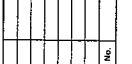


PRELIMINARY GRADING PLAN  
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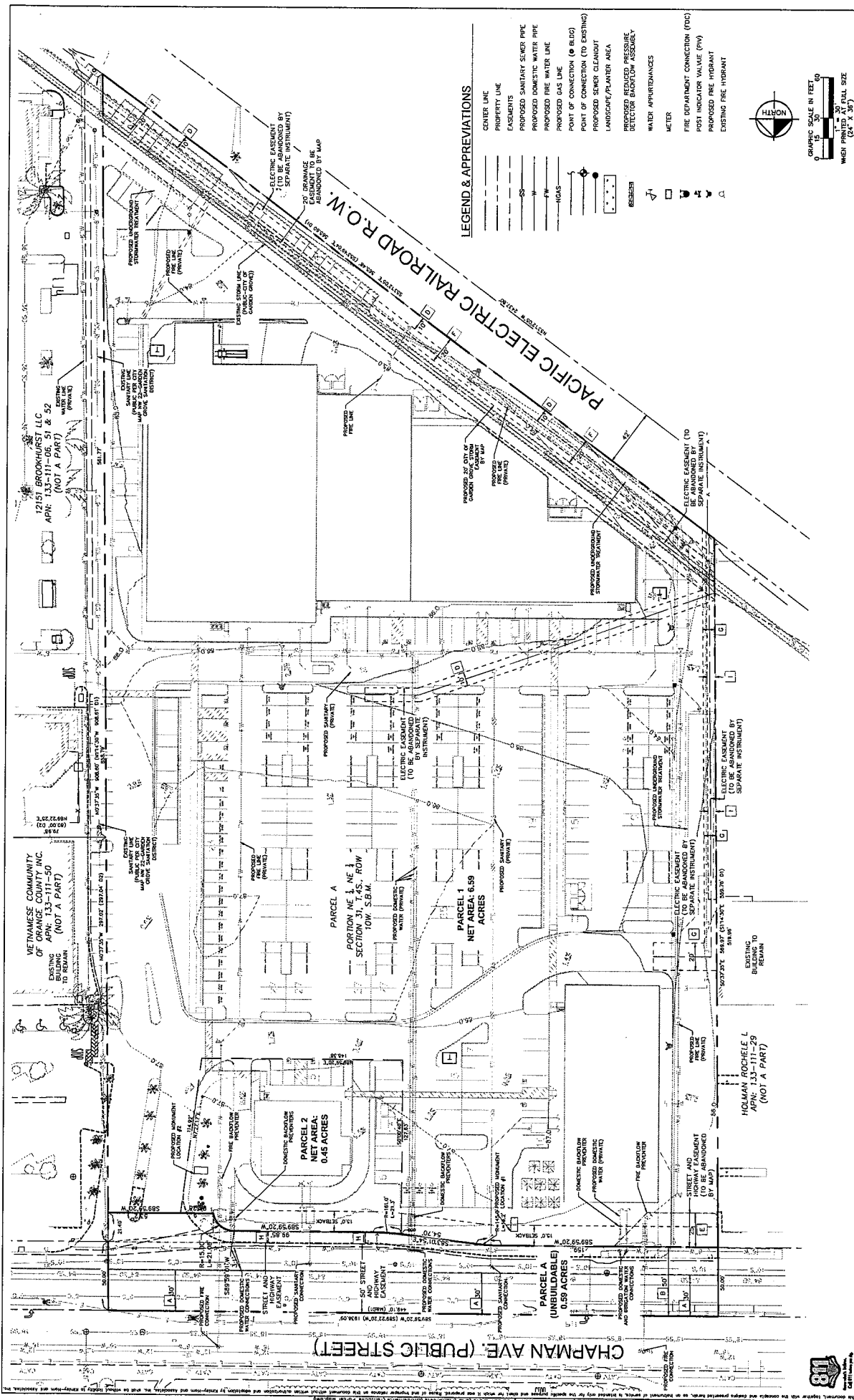
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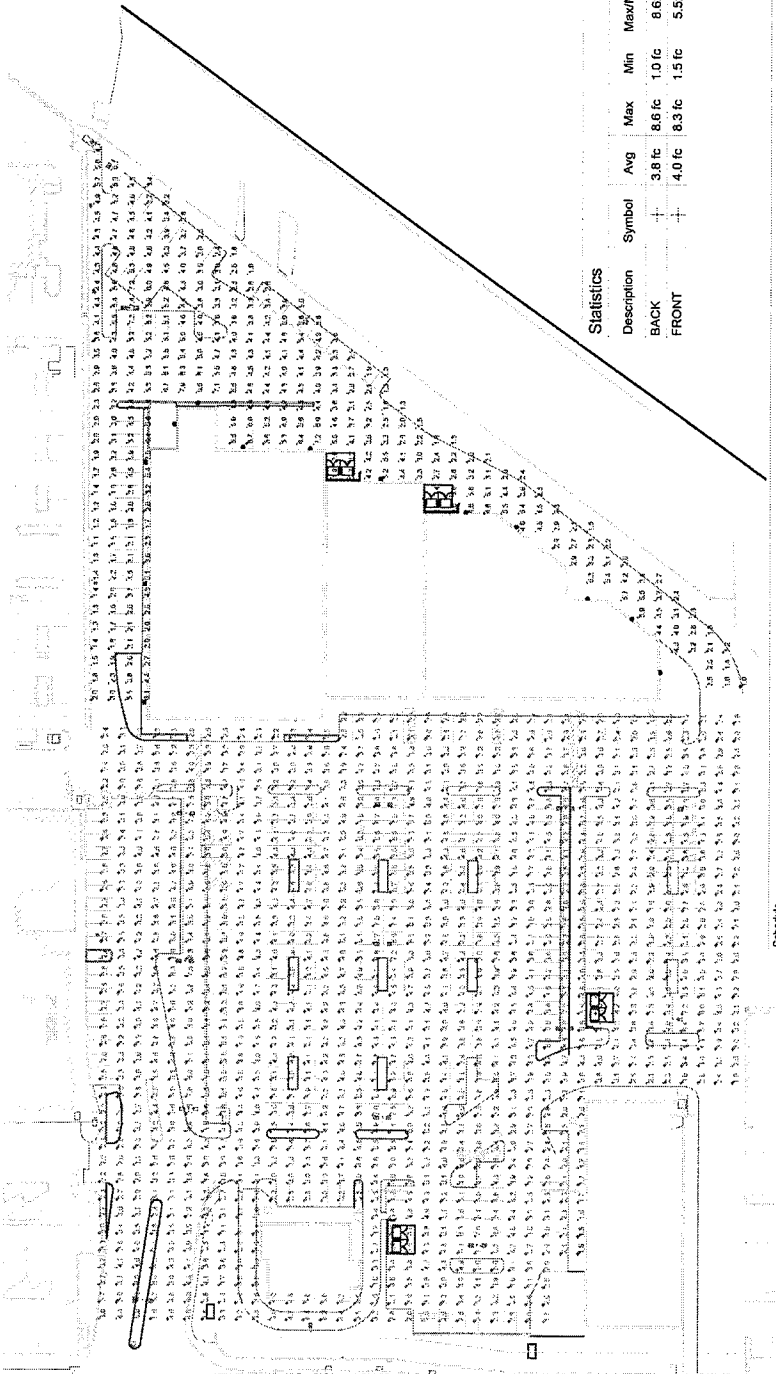






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KHA PROJECT 194134001 DATE 11/20/20 SCALE AS SHOWN DESIGNED BY JLS DRAWN BY DVS CHECKED BY JLS			
<b>TENTATIVE MAP NO. 2020-174</b>			
SHEET NUMBER <b>2 OF 2</b>			





**Statistics**

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
BACK	+	3.8 fc	8.6 fc	1.0 fc	8.6:1	3.8:1
FRONT	+	4.0 fc	8.3 fc	1.5 fc	5.5:1	2.7:1

Schedule	Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Fixtures	Lumens Per Lamp	Light Loss Factor	Weight
Ⓜ	A	A	11	Lithonia Lighting	DISCOLED P4-60K T4M 25 POLE + 2.2 BASE	POLE MOUNT	LED	1	DISCO_LED_P4_60K_T4M_W/021.0m	39142	0.95	842
Ⓜ	B	B	5	Lithonia Lighting	DISCOLED P4-60K T4M 25 POLE + 2.25 BASE	POLE MOUNT	LED	1	DISCO_LED_P4_60K_T4M_W/021.0m	37118	0.95	321
Ⓜ	C	C	13	Lithonia Lighting	WALLMOUNT LED 18" MOUNT 18" W/ WALL MOUNT	WALL MOUNT	LED	1	WALLMOUNT_LED_18" MOUNT_18" W/ WALL MOUNT	11554	0.95	87.694

**PAVILION PLAZA WEST  
GARDEN GROVE, CA**

**PHOTOMETRIC PLAN**

ES-01

DATE: 06.11.2020  
MCC JOB #: 20.095.01

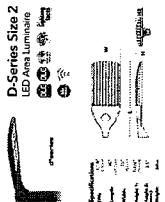
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**D-Series Size 2**  
LED Area Luminaire

**Specifications:**  
 • Input Voltage: 120V AC  
 • Power: 100W  
 • LED Type: Cree  
 • Beam Spread: 120°  
 • Mounting: Surface, Receiver  
 • Finish: White, Black

**EXAMPLE LED LUMINAIRE SCHEDULE**

Item	Description	Quantity	Unit
1	D-Series Size 2 LED Area Luminaire (White)	10	EA
2	D-Series Size 2 LED Area Luminaire (Black)	5	EA

**EXAMPLE LED LUMINAIRE SCHEDULE**

Item	Description	Quantity	Unit
1	D-Series Size 2 LED Area Luminaire (White)	10	EA
2	D-Series Size 2 LED Area Luminaire (Black)	5	EA

**WIDGES LED**  
Advanced LED Source

**Specifications:**  
 • Input Voltage: 120V AC  
 • Power: 100W  
 • LED Type: Cree  
 • Beam Spread: 120°  
 • Mounting: Surface, Receiver  
 • Finish: White, Black

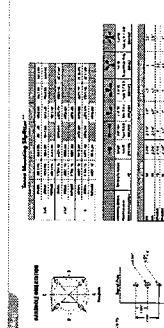
**EXAMPLE LED LUMINAIRE SCHEDULE**

Item	Description	Quantity	Unit
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2	WIDGES LED Area Luminaire (Black)	5	EA

**EXAMPLE LED LUMINAIRE SCHEDULE**

Item	Description	Quantity	Unit
1	WIDGES LED Area Luminaire (White)	10	EA
2	WIDGES LED Area Luminaire (Black)	5	EA

**Notes:**  
 1. All luminaires shall be installed in accordance with the manufacturer's instructions.  
 2. The luminaire shall be installed in a location that provides uniform illumination of the work area.  
 3. The luminaire shall be installed in a location that is accessible for maintenance.



**EXAMPLE LED LUMINAIRE SCHEDULE**

Item	Description	Quantity	Unit
1	WIDGES LED Area Luminaire (White)	10	EA
2	WIDGES LED Area Luminaire (Black)	5	EA

**EXAMPLE LED LUMINAIRE SCHEDULE**

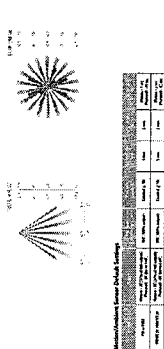
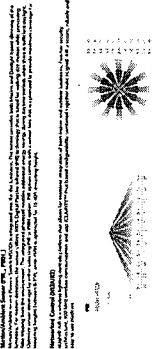
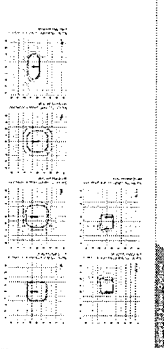
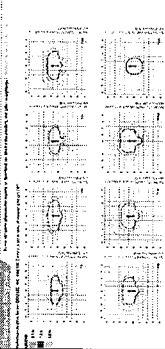
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2	WIDGES LED Area Luminaire (Black)	5	EA

**PAVILION PLAZA WEST**  
GARDEN GROVE, CA

**PROPOSED LIGHTING FIXTURE (Specifications)**

DATE: 08.11.2020  
 MCB JOB #: 20.095.01  
 DATE: \_\_\_\_\_

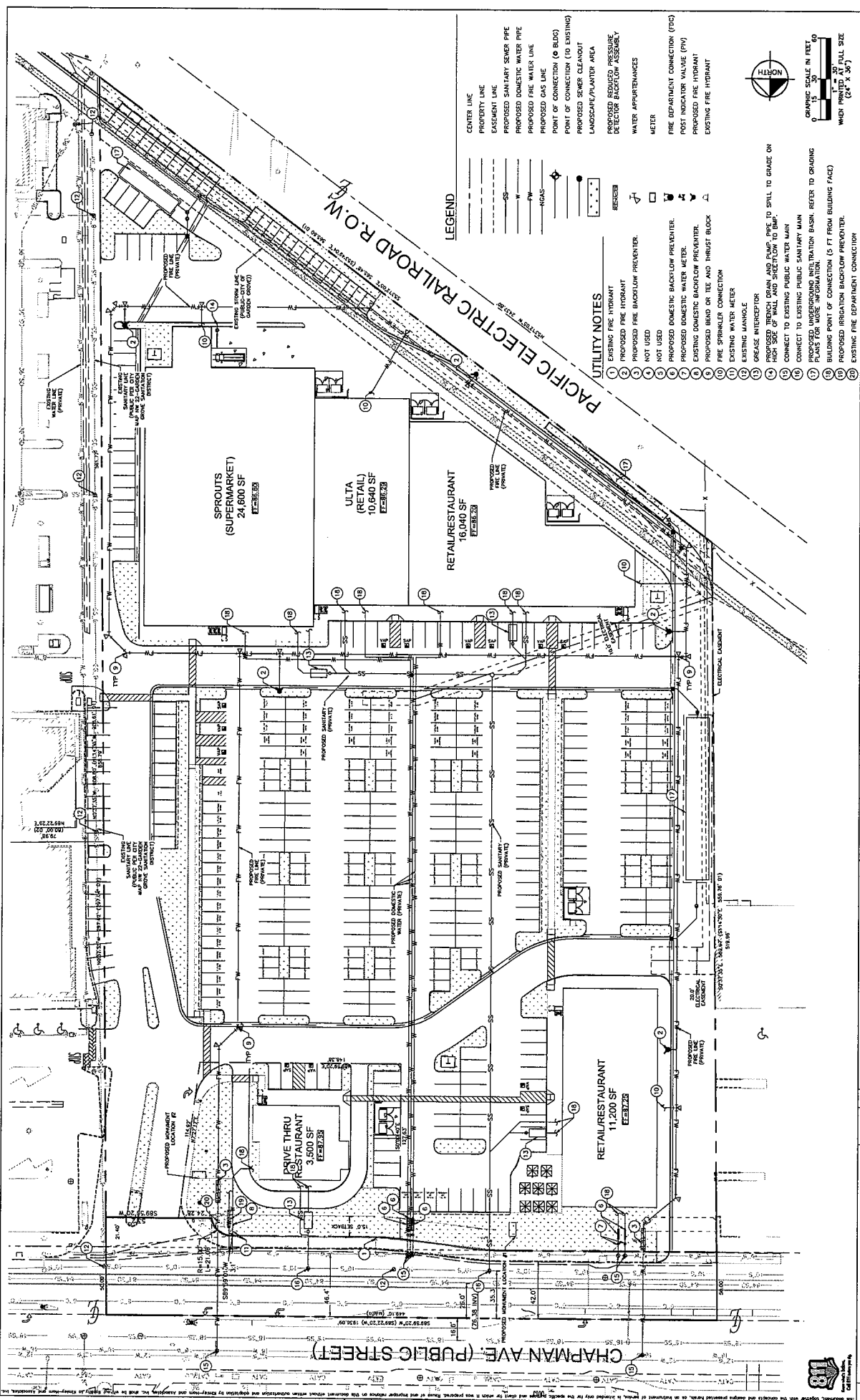
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**LEGEND**

- CORNER LINE
- EASEMENT LINE
- PROPOSED SANITARY SEWER PIPE
- PROPOSED DOMESTIC WATER PIPE
- PROPOSED FIRE WATER LINE
- PROPOSED GAS LINE
- POINT OF CONNECTION (TO EXISTING)
- PROPOSED SEWER CLEANOUT
- LANDSCAPE/PLANTER AREA
- PROPOSED REDUCED PRESSURE DETECTOR BACKFLOW PREVENTER
- WATER APPURTENANCES
- METER
- FIRE DEPARTMENT CONNECTION (FDC)
- POST INDICATOR VALVE (PIV)
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT

**UTILITY NOTES**

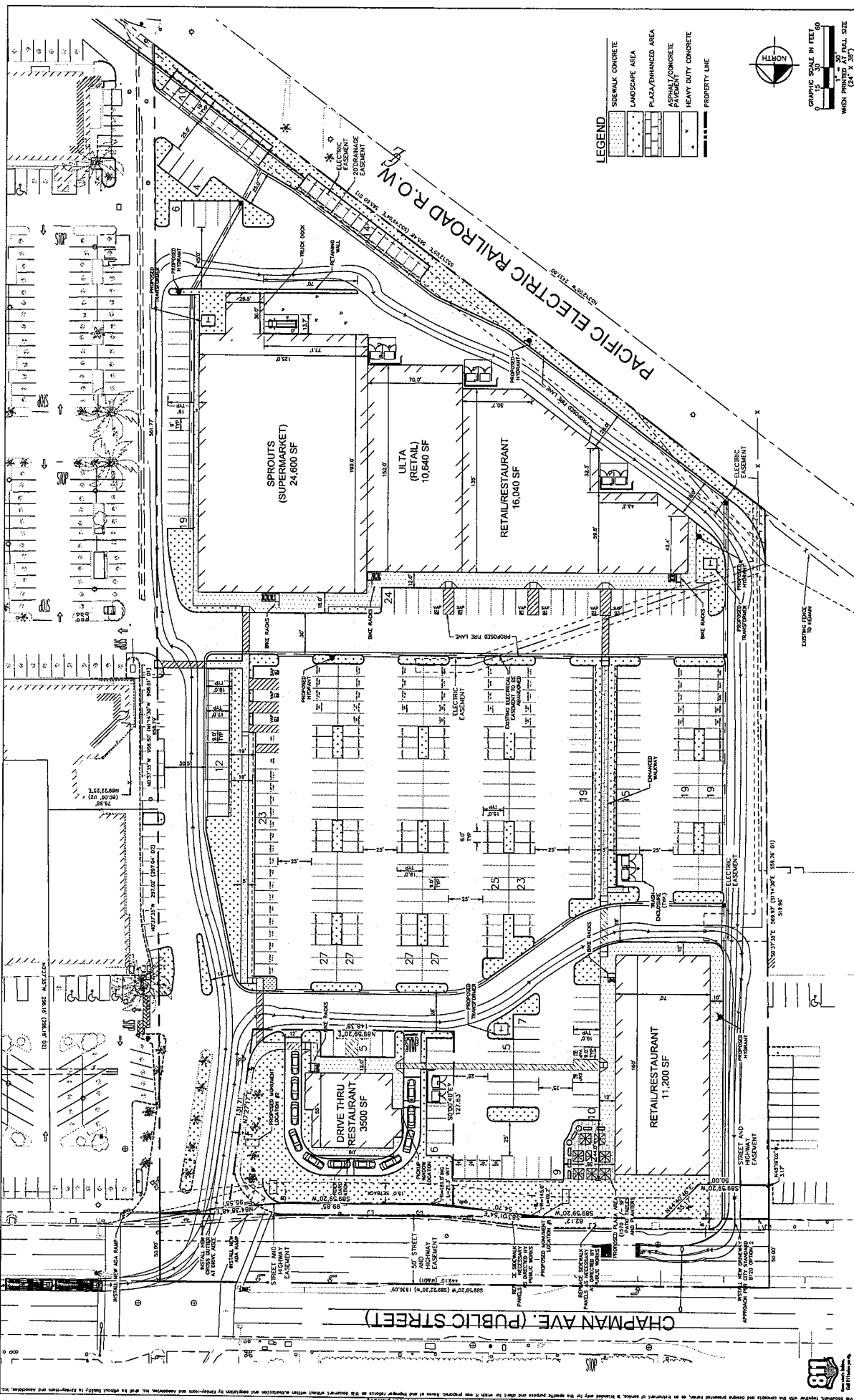
- 1 EXISTING FIRE HYDRANT
- 2 PROPOSED FIRE HYDRANT
- 3 PROPOSED FIRE BACKFLOW PREVENTER
- 4 NOT USED
- 5 PROPOSED DOMESTIC BACKFLOW PREVENTER
- 6 EXISTING DOMESTIC WATER METER
- 7 PROPOSED DOMESTIC BACKFLOW PREVENTER
- 8 PROPOSED BRASS OR TEE AND THRUST BLOCK
- 9 FIRE SPRINKLER CONNECTION
- 10 EXISTING WATER METER
- 11 EXISTING MANHOLE
- 12 GREASE INTERCEPTOR
- 13 EXISTING PUBLIC SANITARY MAIN
- 14 HIGH PRESSURE SANITARY MAIN TO BE SPILLED TO GRADE ON HIGH SIDE OF WALL AND SLOTTED TO DRAIN
- 15 CONNECT TO EXISTING PUBLIC SANITARY MAIN
- 16 PROPOSED UNDERGROUND RETENTION BASIN, REFER TO GRADING PLANS FOR MORE INFORMATION
- 17 BUILDING POINT OF CONNECTION (5 FT FROM BUILDING FACE)
- 18 PROPOSED IRRIGATION BACKFLOW PREVENTER
- 19 EXISTING FIRE DEPARTMENT CONNECTION



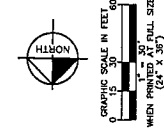
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<p>PROFESSIONAL SEAL          REGISTERED PROFESSIONAL ENGINEER          STATE OF CALIFORNIA          NO. 11717          DATE 11/1/20</p>																
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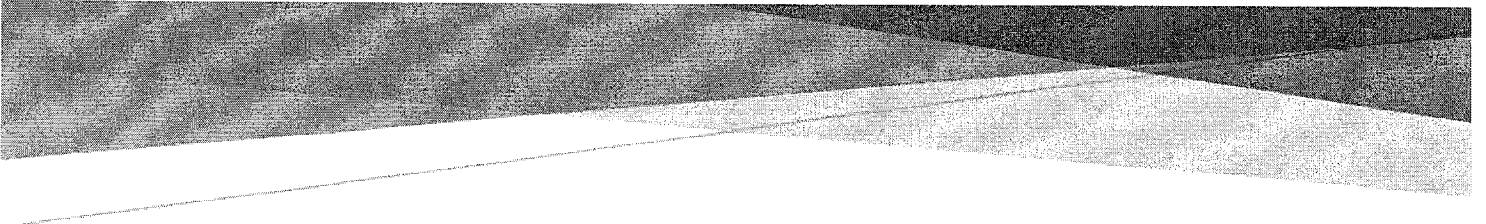
- LEGEND**
- SIDEWALK CONCRETE
  - LANDSCAPE AREA
  - PLAZA/FINISHED AREA
  - ASPHALT/CONCRETE PAVEMENT
  - HEAVY DUTY CONCRETE
  - PROPERTY LINE



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<p>DATE: 6/24/20</p> <p>SCALE: AS SHOWN</p> <p>DRAWN BY: DIS</p> <p>CHECKED BY: DIS</p>		<p>REGISTERED PROFESSIONAL            DATE: 6/24/20</p>	<p>GRAPHIC SCALE IN FEET          0 15 30 45 60          WHICH PRINTED AT FULL SIZE          (24" X 36")</p>



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# PAVILION PLAZA WEST

## INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

Lead Agency:  
City of Garden Grove  
Community and Economic Development Department  
11222 Acacia Parkway  
Garden Grove, CA 92840

Project Applicant:  
Sterling Organization  
302 Daturta Street, Suite 100  
West Palm Beach, FL 33401

Prepared by:  
Environment Planning Development Solutions, Inc.  
2 Park Plz., Suite 1120  
Irvine, CA 92614

January 2021

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## Appendix

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C	Geotechnical Engineering Report
D	Preliminary Hydrology Report
E	Water Quality Management Plan
F	Noise Impact Study
G	Traffic Impact Analysis

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# 1 INTRODUCTION

## 1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study has been prepared in accordance with the following:

- California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Sections 21000 et seq.); and
- California Code of Regulations, Title 14, Division 6, Chapter 3 (State CEQA Guidelines, Sections 15000 et seq.).

Pursuant to CEQA, this Initial Study has been prepared to analyze the potential for significant impacts on the environment resulting from implementation of the proposed project. As required by State CEQA Guidelines Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the City of Garden Grove, in consultation with other jurisdictional agencies, to determine if a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) is required for the project.

Based on the information herein, the City of Garden Grove determined that an MND is appropriate for the proposed project. This Initial Study/MND informs the City of Garden Grove decision-makers, affected agencies, and the public of potentially significant environmental impacts associated with the implementation of the project. A “significant effect” or “significant impact” on the environment means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (Guidelines §15382). As such, the document’s intent is to adhere to the following CEQA principles:

- Provide meaningful early evaluation of site planning constraints, service and infrastructure requirements, and other local and regional environmental considerations. (Pub. Res. Code §21003.1)
- Encourage the applicant to incorporate environmental considerations into project conceptualization, design, and planning at the earliest feasible time. (State CEQA Guidelines §15004[b][3])
- Specify mitigation measures for reasonably foreseeable significant environmental effects and commit the City of Garden Grove and the applicant to future measures containing performance standards to ensure their adequacy when detailed development plans and applications are submitted. (State CEQA Guidelines §15126.4)

### **Existing Plans, Programs, or Policies (PPPs)**

Throughout the impact analysis in this Initial Study, reference is made to requirements that are applied to all development on the basis of federal, state, or local law, and Existing Plans, Programs, or Policies currently in place which effectively reduce environmental impacts. Existing Plans, Programs, or Policies are collectively identified in this document as PPPs. Where applicable, PPPs are listed to show their effect in reducing potential environmental impacts. Where the application of these measures does not reduce an impact to below a level of significance, a project-specific mitigation measure is introduced. The City of Garden Grove will include these PPPs along with mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP) for the project to ensure their implementation.

## 1.2 DOCUMENT ORGANIZATION

This IS/MND includes the following sections:

### **Section 1.0 Introduction**

Provides information about CEQA and its requirements for environmental review and explains that an Initial Study/MND was prepared by the City of Garden Grove to evaluate the proposed project's potential to impact the physical environment.

### **Section 2.0 Environmental Setting**

Provides information about the proposed project's location.

### **Section 3.0 Project Description**

Includes a description of the proposed project's physical features and construction and operational characteristics.

### **Section 4.0 Discretionary Approvals**

Includes a list of the discretionary approvals that would be required by the proposed project.

### **Section 5.0 Environmental Checklist**

Includes the Environmental Checklist and evaluates the proposed project's potential to result in significant adverse effects to the physical environment.

### **Section 6.0 Document Preparers and Contributors**

Includes a list of the persons that prepared this IS/MND.

## 2 ENVIRONMENTAL SETTING

### 2.1 PROJECT LOCATION

The project site is located at 9852 Chapman Avenue, which is within the northwest portion of the City of Garden Grove. The site is on the south side of Chapman Avenue between Gilbert Street and Brookhurst Street.

Regional access to the project site is provided by State Route (SR) 22 and the Brookhurst Street exit. Local access to the site is provided from Brookhurst Street and Chapman Avenue, which are both arterial roadways. The project site and surrounding area is shown in Figure 1, *Project Location*.

The site is identified by Assessor's Parcel Number 133-111-20 and is located within the Anaheim United State Geological Survey (USGS) 7.5-Minute Quadrangle at an elevation of 88 feet above mean sea level (msl).

### 2.2 EXISTING PROJECT SITE

The project site encompasses approximately 7-acres and is developed with a vacant two-story high 75,890 square foot concrete block retail building that was formerly occupied by a Von's grocery that was developed in 1960 and has been vacant since the mid-2000s. The building is surrounded by asphalt paved drive lanes and parking areas, and associated landscaping. Access to the subject property is to the north from Chapman Avenue. The project site's existing conditions are shown in Figure 2, *Project Vicinity* and Figures 3A and 3B, *Site Photos*.

### 2.3 EXISTING LAND USES AND ZONING DESIGNATION OF THE PROJECT SITE

The project site has a General Plan land use designation of Residential/Commercial Mixed Use 2 (RC2), which allows a maximum Floor Area Ratio (FAR) of 0.50 for non-residential uses and up to 21 dwelling units per acre for residential uses.

The site is zoned as Neighborhood Mixed Use (NMU). Section 9.18.010.020 of the Garden Grove Municipal Code (GGMC) states that the NMU zoning district is intended for neighborhood commercial centers. The zone allows for retail and service commercial businesses and moderate-density residential uses. Stand-alone commercial uses are permitted. Also, residential and commercial uses may be provided together as an integrated mixed-use development.

### 2.4 SURROUNDING GENERAL PLAN AND ZONING DESIGNATIONS

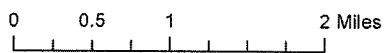
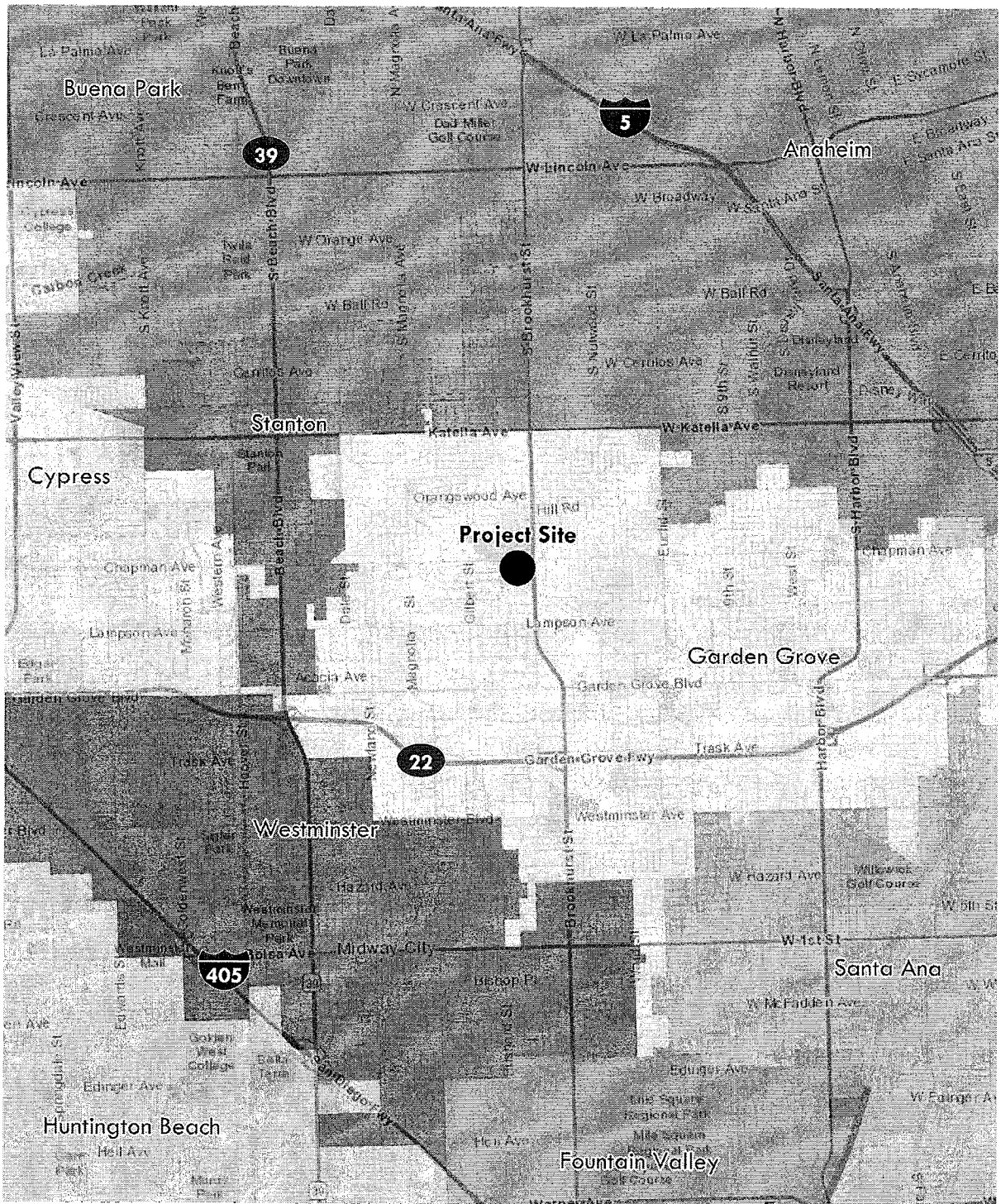
The project site is located within a fully developed and urbanized area. The project site is situated along a portion of Chapman Avenue that is a commercial corridor and includes: Walmart, 24-Hour Fitness, Marshalls, Ross Dress for Less, CVS, PetSmart, Party City, and Regal Cinemas.

Specifically, the site is bound to the north by Chapman Avenue, which is followed by the Promenade retail shopping center. Likewise, areas to the east and west of the site are developed with retail and restaurant uses. The area to the south of the site consists of a vacant railroad easement that is currently being used for vehicle storage. Areas beyond the railroad easement are developed with residential uses. The surrounding land uses are described in Table 1 along with the General Plan Land Use and zoning designations.

**Table 1: Surrounding Existing Land Use and Zoning Designations**

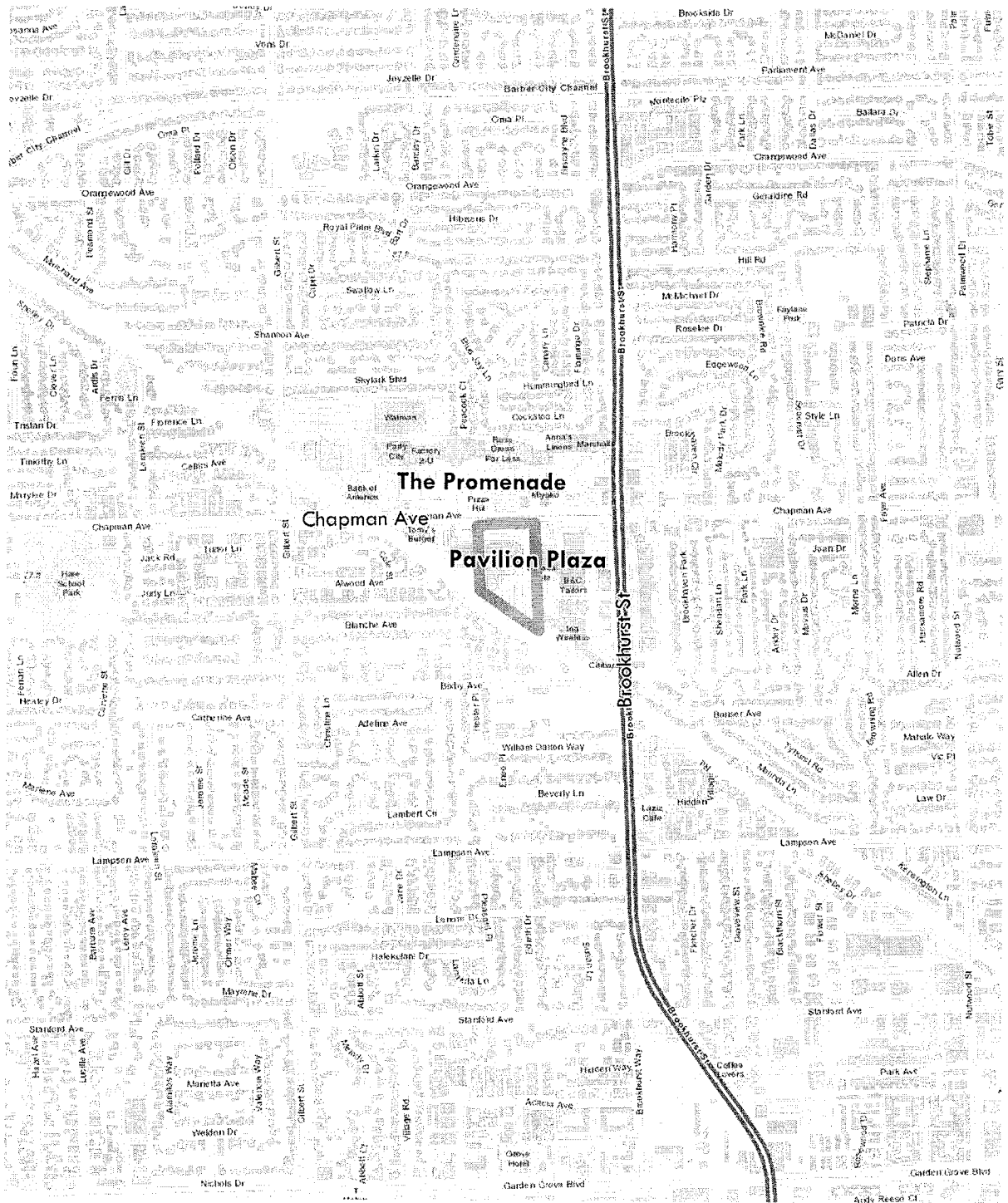
	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
<b>North</b>	Chapman Avenue, followed by the Promenade shopping center that includes fast food restaurants, retail shops, and movie theaters.	Residential/Commercial Mixed Use 2	Neighborhood Mixed Use (NMU)
<b>West</b>	The Pavilion Plaza shopping center that includes retail shops such as, CVS, Payless Shoes, fitness studios.	Residential/Commercial Mixed Use 2	Neighborhood Mixed Use (NMU)
<b>South</b>	Vacant lot and parking lot (located in former railroad easement) owned by the City of Garden Grove, followed by multi-family residential and a church.	Residential/Commercial Mixed Use 2 followed by Light Commercial (LC)	Neighborhood Mixed Use (NMU) followed by Multi-Family Residential (R3)
<b>East</b>	Sydney Plaza Retail Shopping Center that includes salons and restaurants	Residential/Commercial Mixed Use 2	Neighborhood Mixed Use (NMU)

# Regional Location



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# Local Vicinity



**Project Site**



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# Aerial View



 Project Site



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### 3 PROJECT DESCRIPTION

#### 3.1 PROJECT OVERVIEW

The proposed project would demolish the existing 75,890 square foot vacant building, pavement, and infrastructure on the project site, and construct a new 65,980 square foot commercial retail/restaurant shopping center. Figure 4, *Conceptual Site Plan*, illustrates the proposed site plan.

#### 3.2 PROJECT FEATURES

##### Development Summary

The proposed project would redevelop the project site with three commercial retail/restaurant building structures. This includes 1) a 51,280 square foot building that would be subdivided for commercial retail/restaurant uses (a Sprouts grocery, an ULTA beauty store, and other retail shops and/or restaurants); 2) a 11,200 square foot building that would be subdivided for retail/restaurant uses; and 3) a 3,500 square foot building drive-thru fast food restaurant. The new commercial retail store and/or restaurant space is detailed in Table 2.

**Table 2: Proposed Commercial Retail and Restaurant Uses**

Proposed Use	Square Footage	Building
Sprouts Grocery	24,600 square feet	Building 1
ULTA Retail Store	10,640 square feet	
Retail/Restaurant uses	16,040 square feet	
Retail/Restaurant uses	11,200 square feet	Building 2
Drive-Thru Restaurant	3,500 square feet	Building 3
<b>Total Square Footage</b>	<b>65,980 square feet</b>	

In addition, the project includes a 1,570 square foot plaza area with patio tables and planters that would be located adjacent to Chapman Avenue and the proposed 11,200 square foot retail/restaurant building. The central portion of the project site would be developed with vehicular circulation, parking, and landscape median areas that are detailed below.

##### Circulation and Parking

As depicted in Figure 4, *Conceptual Site Plan*, the Project site would be accessed by Chapman Avenue by two driveways that would be located adjacent to the easternmost and westernmost boundaries of the project site. Onsite vehicular circulation would be provided by two east-west aligned drive isles that would be 28-feet and 30-feet in width, and by six north-south aligned drive aisles that would be 25-feet in width.

The proposed truck circulation, as shown on Figure 4, directs trucks from Chapman Avenue, around the outside of the proposed parking area to the receiving area for each store. The truck drive aisle around the buildings would range from 28 to 45 feet in width. Additionally, pedestrian circulation would be provided by an 8-foot-wide sidewalk along Chapman Avenue that connects to the onsite pedestrian walkways that would provide connection between each of the proposed buildings.

The project would provide surface parking pursuant to the City's Municipal Code Section 9.18-11, and includes spaces reserved for clean air vehicles and electric vehicle charging stations. In addition, the project includes five bicycle racks at building entrances to encourage bicycle transportation. Table 3 shows the vehicular parking and charging stations proposed by the project.

**Table 3: Proposed Vehicular Parking and Charging Stations**

Type of Parking	Quantity	Percentage
Standard Parking Spots	274	67.15%
Compact Parking Spots	80	19.6%
Handicap Accessible Parking Spots	13	3.18%
Clean Air/Van Pool/Electric Vehicle Spots	9	2.2%
Standard Electric Vehicle Charging Stations	23	5.64%
Standard Accessible Electric Vehicle Charging Stations	1	0.25%
Van Accessible Electric Vehicle Charging Stations	1	0.25%
Accessible EVCS +1	2	0.49%
Half Drive Through Queue	5	1.22%
<b>Total Parking Spots Provided</b>	<b>408</b>	<b>100%</b>

### Architectural Design

The proposed buildings would be one-story and have rooflines that would vary between 24 feet and 36-feet 8-inches in height. The Sprouts store entrance would have the tallest roofline and is the largest store, which anchors the shopping center. Figure 5, *Exterior Elevations*, illustrate the proposed exterior elevations of the proposed buildings.

The proposed retail buildings would be designed with modern architectural elements, which includes multi-level rooflines, varying setbacks and an earth tone color scheme. The buildings would incorporate smooth face and split face concrete block finishes, cement plaster finishes, corrugated metal panels, wood textured metal panels, metal roof lined trim, aluminum framed store front windows, metal canopies, fabric awnings, and logo signage by the retail tenants. The earth tone color scheme includes greys, brown, off-white, and green.

### Landscaping

Landscaping proposed as part of the project would consist of a 15-foot wide (total area 5,018 square feet) landscape buffer along Chapman Avenue and approximately 33,282 square feet of landscaping that would be located throughout the parking area, adjacent to the proposed buildings, and along the railroad right-of-way, as shown on Figure 6, *Landscaping Plan*. The landscaping would consist of ornamental trees, shrubs, and groundcovers, as shown in Figure 8, *Conceptual Landscape Plan*. The landscape plan is consistent with the City's Municipal Code Section 9.16.040.070, which provides landscaping requirements and Municipal Code Chapter 40: Water Conservation Program. In addition, the 15-foot-wide landscaped setback along Chapman Avenue would include two monument signs to identify the shopping center.

### Lighting

Outdoor lighting included as part of the project would be typical of commercial retail/restaurant uses and would consist of wall-mounted lighting as well as pole-mounted lights within the parking area and along the interior drive isles. All of the project's outdoor lighting would be directed downward and shielded to minimize off-site spill. The location of all exterior lighting would comply with lighting standards established in the City's Municipal Code Sections 9.18.100.020 and 9.18.140.070.

### Infrastructure Improvements

#### Roadway

As part of development of the driveways to the site, the project includes improvements to provide a new 8-foot wide sidewalk and 15-foot wide landscape setback area along the Chapman Avenue right-of-way adjacent to the site.

*Water and Sewer*

The proposed project would install onsite water lines that would connect to the existing 6-inch and 16-inch water lines in Chapman Avenue. The project would also install new onsite sewer lines that would connect to the existing 10-inch sewer line in Chapman Avenue.

*Drainage*

The new onsite drainage would convey runoff to underground storm water infiltration tanks that would be installed on the site, which have been designed to capture, infiltrate, and treat flows from the 85<sup>th</sup> percentile storm as required by the Orange County Drainage Area Management Plan (DAMP). During large storm events, flows over the 85<sup>th</sup> percentile storm would discharge into the existing 57-inch storm drain that is adjacent to the railroad alignment and the southern boundary of the project site, which is consistent with the existing drainage pattern on the site.

### 3.3 CONSTRUCTION

Construction activities include demolition of the existing structures, pavement, and the existing utility infrastructure; grubbing, hauling demolition debris off-site, grading, excavation and re-compaction of soils; utility and infrastructure installation; building construction; pavement; and architectural coatings. The site has approximately 3 to 5 feet of fill material across the site that would be removed, recompacted and utilized for engineered fill to support building foundations. Approximately 3,000 cubic yards of soils would be exported off-site.

Construction activities are anticipated to last a total of 14 consecutive months, and would occur within the hours allowable by the City of Garden Grove Municipal Code Section 8.47.060, which states that construction shall occur only between the hours of 7:00 a.m. and 10:00 p.m.

**Table 4: Construction Schedule**

<b>Construction Phase</b>	<b>Working Days</b>
Demolition	20
Site Preparation	10
Grading	20
Building Construction	230
Paving	20
Architectural Coatings	20

### 3.4 DISCRETIONARY APPROVALS AND PERMITS

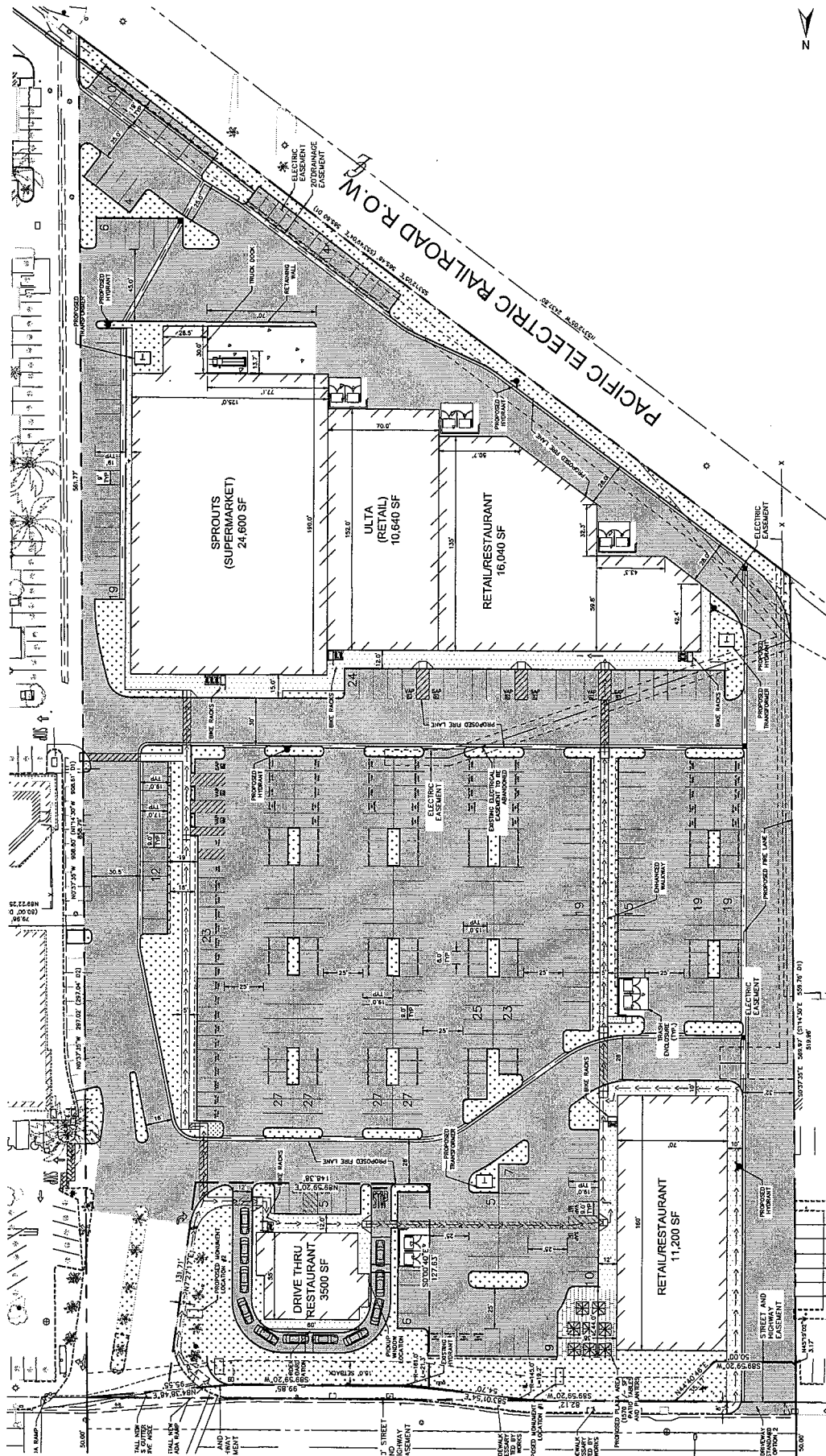
The following discretionary approval and permits are anticipated to be necessary for implementation of the proposed project:

**CITY OF GARDEN GROVE**

- Conditional Use Permit for the restaurant drive through.
- Variance to the maximum structure footprint requirement per Municipal Code Section 9.18.090.070.B.
- Site Plan Approval
- Grading Permits
- Building Permit
- Water Quality Management Plan (WQMP) and Storm Water Storm Water Pollutant and Prevention Plan (SWPPP) approval
- Signage Program

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# Conceptual Site Plan



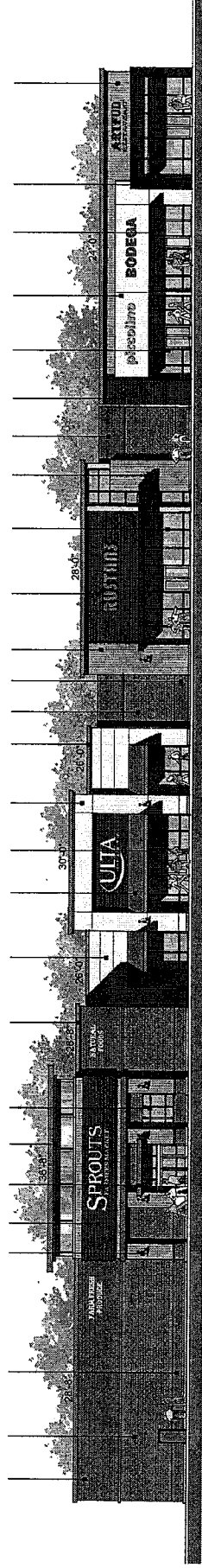
Pavilion Plaza West MND

Figure 4

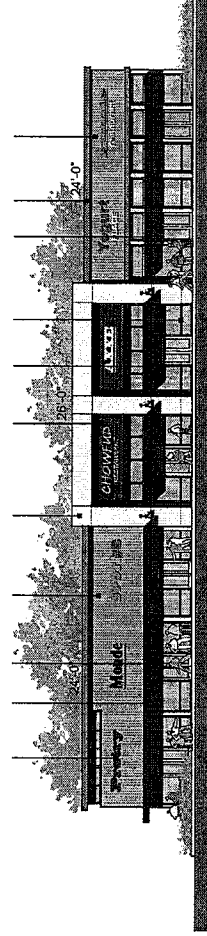
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# Project Elevations



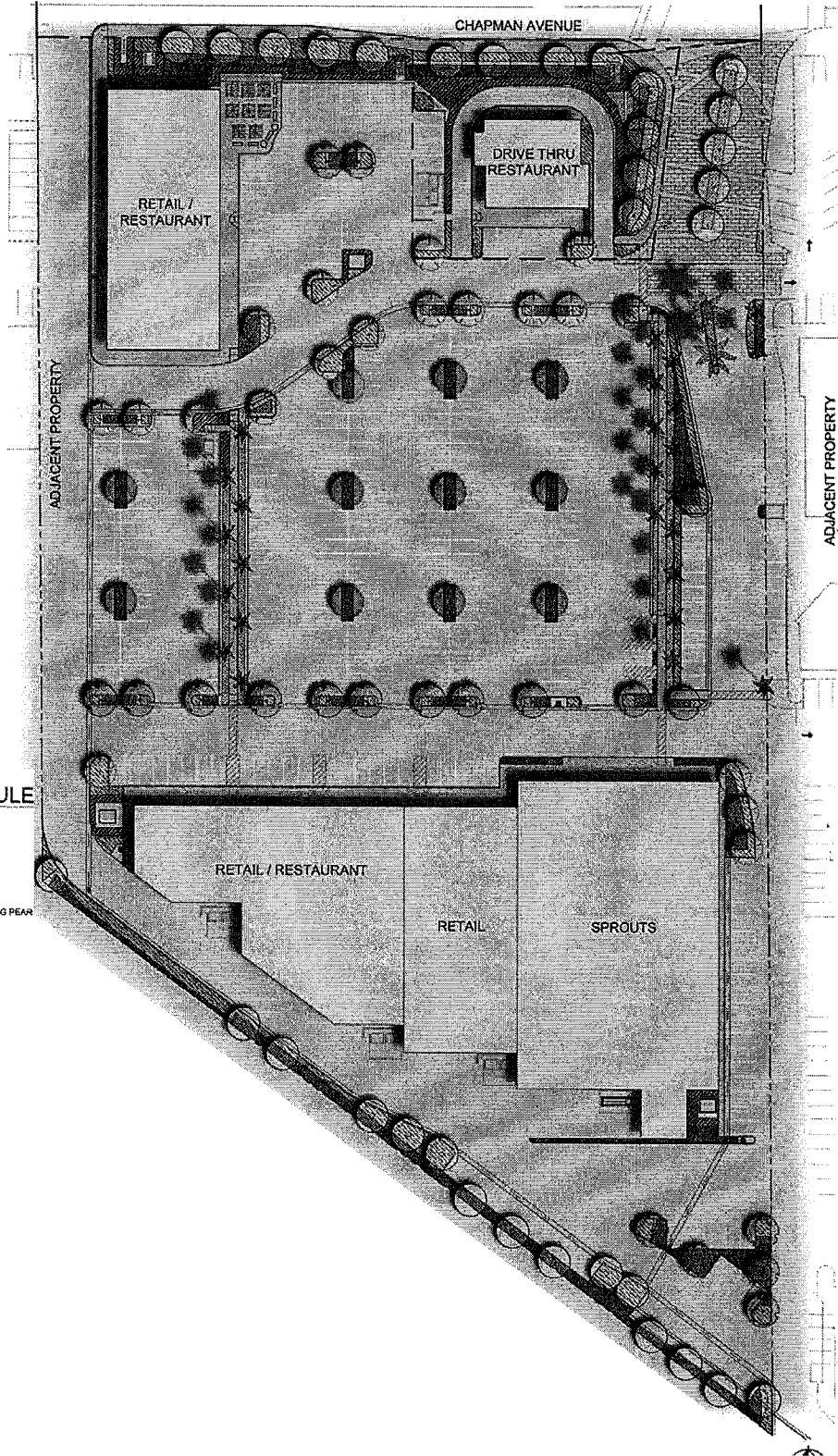
(IN-LINE MAJOR AND SHOPS)  
NORTH ELEVATION



(SHOPS BLDG 1)  
EAST ELEVATION

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# Conceptual Landscaping Plan



## CONCEPTUAL PLANTING SCHEDULE

TREES	BOTANICAL / COMMON NAME
	EXISTING TREE / EXISTING TREE TO REMAIN
	LAGENSTROEMIA INDICA / CRAPE MYRTLE
	LAURUS NOBILIS / SWEET BAY
	PYRUS CALLERYANA 'BRADFORD' / BRADFORD FLOWERING PEAR
	RHUS LANCEA / AFRICAN SUMAC
	SYAGRUS ROMANZOFFIANA / QUEEN PALM
	WASHINGTONIA ROBUSTA / MEXICAN FAN PALM
SHRUBS - 13,797 SF ALL PROPOSED SHRUBS SHALL CONSIST OF THE FOLLOWING:	
	DIETES BICOLOR / FORTNIGHT LILY
	DIANELLA TASMANICA / FLAX LILY
	LIGUSTRUM JAPONICUM 'TEKANUM' / WAXLEAF PRIVET
	HANDRIA DOMESTICA / HEAVENLY BAMBOO
	MILAHENBERGIA RIGENS / DEER GRASS
SCREENING - 3,670 BF ALL PROPOSED SCREENING SHRUBS SHALL CONSIST OF THE FOLLOWING:	
	PITTIOSPORUM TOBIRA / JAPANESE CHEESEWOOD
	LIGUSTRUM 'TEKANUM' / WAXLEAF PRIVET
	RHAMNUS INDICA / INDIAN HAWTHORN
	RHAMNUS CALIFORNICA / COFFEEBERRY
GROUNDCOVER - 10,358 SF ALL PROPOSED GROUNDCOVER SHALL CONSIST OF THE FOLLOWING:	
	FESTUCA GLAUCA / BLUE FESCUE
	LOMANDRA LONGIFOLIA / DWARF MAT RUSH
	SENECIA MANDRALISCAE / BLUE CHALK STICKS
	CAREX DIVULSA / EUROPEAN GREY SEDGE
	MYOPORUM PARVIFOLIUM / MYOPORIUM
	HEMEROCALLIS / DAYLILY
ACCENTS - 4,938 SF	
	STRELITZIA REGINAE / BIRD OF PARADISE
	ANIGOZANTHOS HYBRID / KANGAROO PAW
	AGAVE ATTENUATA / FOXTAIL AGAVE

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## 4 ENVIRONMENTAL CHECKLIST

This section includes the completed environmental checklist form. The checklist form is used to assist in evaluating the potential environmental impacts of the proposed project. The checklist form identifies potential project effects as follows: 1) Potentially Significant Impact; 2) Less Than Significant with Mitigation Incorporated; 3) Less Than Significant Impact; and, 4) No Impact. Substantiation and clarification for each checklist response is provided in Section 5 (Environmental Evaluation). Included in the discussion for each topic are standard condition/regulations and mitigation measures, if necessary, that are recommended for implementation as part of the proposed project.

### 4.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (☒) would be potentially affected by this project, involving at least one impact that is "Less Than Significant Impact with Mitigation Incorporated" as indicated by the checklist on the following pages.

#### Environmental Factors Potentially Affected

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forest Resources	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input checked="" type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and 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/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

**4.2 DETERMINATION**  
(To be completed by the Lead Agency) on the basis of this initial evaluation

<input type="checkbox"/>	I find that the proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> 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 <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> 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 <b>ENVIRONMENTAL IMPACT REPORT</b> 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 <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ For \_\_\_\_\_

**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 cites 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 account of the whole 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: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less 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 analysis 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 effects 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 mitigation 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 selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

4.3 ENVIRONMENTAL CHECKLIST QUESTIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS.</b> Except as provided in Public Resources Code Section 21099 would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Have a substantial adverse effect on a scenic vista?**

**No Impact.** Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in 2 ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or “vista” of the scenic resource. Important factors in determining whether a proposed project would block scenic vistas include the project’s proposed height, mass, and location relative to surrounding land uses and travel corridors.

The City’s General Plan does not identify any scenic vistas within the City, and the project site and surrounding areas are urbanized, have generally flat topography, and do not contain any sensitive scenic vistas. As described in Section 2.4, *Surrounding General Plan and Zoning Regulations*, the project site is located within a completely urban and developed area. Specifically, the Promenade retail shopping center is located across Chapman Avenue from the site. Lands to the east and west of the site are developed with retail and restaurant uses, and the area to the south of the site consists of a vacant railroad easement that is currently being used for vehicle storage. In addition, the project area is generally flat with limited topography and views of and around the project site are limited to the commercial roadway corridor that includes one- and two-story retail commercial buildings, associated signage, parking lots, parked cars, sidewalks, and ornamental landscaping.



Development of the retail commercial uses would be consistent with the existing development along the Chapman Avenue corridor. The height of the buildings would be between 24 feet and 36-foot 8-inches in height, would be consistent with the height of the existing two-story high building on the site and the Promenade retail shopping center that is located across Chapman Avenue from the site and the Pavilion Plaza that is adjacent to the site.

In addition, the project includes an 8-foot-wide sidewalk and a 15-foot-wide landscaped setback along Chapman Avenue, and views along the road corridor would continue to be of retail commercial uses, surface parking lots, and vehicles. The proposed buildings would not project into the street corridor, and corridor views would not be hindered. As there are no identified scenic vistas within the vicinity of the site and views of the development around the project site would remain the same, the project would not result in an adverse effect on a scenic vista. No mitigation measures are required.

**b) Substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No Impact.** The California Department of Transportation's (Caltrans) Landscape Architecture Program administers the Scenic Highway Program contained in the California Streets and Highways Code, Sections 260–263. State Highways are classified as either Officially Listed or Eligible. There are no officially designated state scenic highways in the vicinity of the project (Caltrans 2020). The closest State-designated scenic highway is a portion of State Route 91 (SR-91), which is located approximately 13 miles from the project site. Therefore, the proposed project does not have the potential to damage resources within a State-designated scenic highway. No mitigation measures are required.

**c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

**Less Than Significant Impact.** The project site is surrounded by developed areas that consist of an arterial roadway and retail commercial that includes one and two-story buildings. As shown on Figure 3, the project site contains a vacant two-story high 75,890 square foot concrete block retail building that was formerly occupied by a Von's grocery store. The building is surrounded by asphalt paved drive lanes, parking areas, and associated landscaping.

As described in the previous response, the site is located within a commercial retail corridor that contains one- and two-story buildings with associated parking, signage, and landscaping. The visual character of the surrounding commercial areas is mixed with older and newer construction and a variety of architectural styles but are mostly modern in theme.

**Construction.** Construction of the project could impact the visual quality of the project area with construction activities and equipment, but this would be temporary (a total of 14 consecutive months as listed in Table 4). During construction, the appearance of the project site would be altered by the removal of existing structure, equipment, paving, and landscaping. Construction activities (i.e. site preparation, grading, and the staging of construction equipment and materials) would be publicly visible to pedestrians and motorists on Chapman Avenue. However, construction-related activities, materials, waste, and staging would be obscured from public view by installing temporary construction fencing. Given the temporary nature of construction activities and the use of construction fencing to reduce potential impacts, visual impacts resulting from construction activities would be

less than significant. No mitigation measures are required.

**Operation.** The project would alter the existing views of the site by removing the vacant building, pavement, and landscaping and developing it to provide a new commercial shopping center. As described in the Project Description and shown in Figure 5, Exterior Elevations, the commercial structures would have a modern contemporary style. The buildings would incorporate multi-level rooflines, smooth face and split face concrete block finishes, cement plaster finishes, corrugated metal panels, wood textured metal panels, metal roof lined trim, aluminum framed store front windows, metal canopies, fabric awnings, and logo signage by the retail tenants. Additionally, the project would have an earth tone color scheme that includes greys, brown, off-white, and green. The project would also provide a consistent landscaping theme throughout the site that includes ornamental trees, shrubs, and ground covers.

Although the project includes one 51,280 square foot linear building and two smaller buildings, the project's structures would have varying roof heights, slanted roofs with decorative tile, building and window recesses and projections, and other architectural features that would reduce the visual scale of the proposed 51,280 square foot structure. Additionally, the proposed structures would be located at a 15-foot minimum setback from the 8-foot-wide sidewalk, providing a visual buffer between the street and the proposed commercial uses. Given the existing visual character of the project site and the proposed structures and architecture, development of the project would alter, but not degrade the existing visual character or quality of the project site and its surroundings.

**General Plan.** The project site has a General Plan land use designation of Residential/Commercial Mixed Use 2 (RC2). According to the General Plan Land Use Element, the RC2 General Plan land use designation allows a Floor-to-Area Ratio (FAR) of up to 0.50 for non-residential uses. The proposed project would develop approximately 65,980 square feet of commercial retail/restaurant uses on the 7.62-acre (331,927 square feet) site, which would result in a FAR of 0.20, and be within the allowable FAR.

**Zoning.** The project site is zoned as Neighborhood Mixed Use (NMU). Section 9.18.010.020(C) of the GGMC states that the NMU zoning district allows for retail and service commercial businesses and is intended to enhance, revitalize, and provide opportunities for new neighborhood commercial centers. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation.

The proposed project would redevelop the vacant commercial site to enhance, revitalize, and provide opportunities for a new neighborhood commercial center and includes a Sprouts grocery, ULTA beauty store, a fast-food drive-thru restaurant, and other retail/restaurant uses. As shown in Table AES-1, the proposed project would meet the NMU zoning standards with exception of the 40,000 square foot allowable maximum building footprint. The project requests a variance from this zoning requirement. As described previously the project includes one 51,280 square foot linear building and two smaller buildings. The project's structures would have varying roof heights, slanted roofs with decorative tile, building and window recesses and projections, and other architectural features that would reduce the visual scale of the proposed 51,280 square foot structure. In addition, the building would serve multiple tenants, and having multiple storefronts would reduce the visual scale of the proposed structure. Furthermore, the project would reduce the visual bulk and mass of the existing vacant two-story high 75,890 square foot building on the site and is compatible with the surrounding development, which as described previously, consists of commercial retail uses. Therefore, the proposed variance for the maximum structure footprint would result in a less than significant impact related to scenic quality.

**Table AES-1: Development Standards for the Neighborhood Mixed Use Zone**

Standard	NMU Zone Standard	Proposed Project
Minimum Lot Area	15,000 square feet	304,920 square feet
Minimum Width	75 feet	410 feet
Maximum FAR	0.5	0.20
Front Setback	15 feet	15 feet
Maximum Height	50 feet	36-feet 8-inches
Maximum Structure Footprint	40,000 square feet of contiguous floor area	51,280 square feet
Pedestrian-Oriented Plaza	1,500 square feet	1,570 square feet

Overall, the proposed project would be consistent with development standards required by the RC2 General Plan land use designation and would not conflict with applicable zoning in such a manner that would result in an impact to scenic quality. Furthermore, the project would reduce the visual bulk and scale of the existing building on the site and would increase the visual cohesion between the project site and the surrounding retail commercial area. Hence, the proposed project would not degrade the visual character of the project site and surrounding area; and impacts would be less than significant. No mitigation measures are required.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less Than Significant Impact.** The project site is located within a developed urban area. Existing sources of light in the vicinity of the project site include: street lights, parking lot lighting, building illumination, security lighting, signage lighting, landscape lighting, and lighting from building interiors that pass-through windows.

**Construction.** Although construction activities would occur primarily during daylight hours, construction activities could extend into the evening hours, as permitted by the City's Municipal Code Chapter 8.47, Noise Control. Any construction-related illumination would be used for safety and security purposes and would be shielded and directed toward work activity areas and to prevent light encroachment into adjacent areas. In addition, construction may include nighttime security lighting; however, this would be similar to the existing security lighting on adjacent uses and streetlights. Furthermore, the construction related lighting would be temporary (a total of 14 consecutive months as listed previously in Table 4). Therefore, construction of the project would not create a new source of substantial light that would adversely affect day or nighttime views in the area, and light impacts associated with construction would be less than significant. No mitigation measures are required.

**Operation.** The project would include the provision of nighttime lighting for security purposes throughout the parking areas and around all of the buildings. In addition, new lighting would occur from the lighted monument signs, lighted building signs, and from interior lighting that passes through the storefront windows. Implementation of the project would contribute additional sources to the overall ambient nighttime lighting conditions. However, the project is located within an urban area that includes various sources of nighttime lighting and all outdoor lighting would be hooded or appropriately angled away from adjacent land uses. The project would comply with GGMC Section 9.18.100.020 that states that all onsite lighting shall be stationary and directed away from adjoining properties and public right-of-ways and GGMC Section 9.18.140.070 related to parking area standards, which states that lighting of parking areas shall be designed with automatic

timers (photovoltaic cells) and be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

Because the project area is within an already developed area with various sources of existing nighttime lighting, and the project would be required to comply with the City's lighting regulations that would be verified by the City's Building and Safety Division during the permitting process, the lighting increase that would be generated by the project would not adversely affect day or nighttime views in the area. Overall, lighting impacts would be less than significant. No mitigation measures are required.

Reflective light (glare) can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. Generally, darker or mirrored glass would have a higher visible light reflectance than clear glass. Buildings constructed of highly reflective materials from which the sun reflects at a low angle can cause adverse glare. However, the project would not use highly reflective surfaces, or glass sided buildings. Although the commercial buildings would contain storefront windows, portions of the windows would be covered by metal canopies, fabric awnings, and logo signage by the retail tenants. Also, the windows would be separated by smooth face and split face concrete block finishes, cement plaster finishes, corrugated metal panels, wood textured metal panels that would limit the potential of glare. In addition, as described previously, onsite lighting would be angled down and shielded, which would avoid the potential on onsite lighting to generate glare. Therefore, the project would not generate substantial sources of glare, and impacts would be less than significant. No mitigation measures are required.

### **Existing Plans, Programs, or Policies**

**PPP AES-1:** As required by the GGMC Sections 9.18.100.020 and 9.18.140.070, lights provided to illuminate any parking facility or paved area shall be designed with automatic timers (photovoltaic cells), shall be maintained, and shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate areas beyond the property line.

### **Mitigation Measures**

None.

### **Sources**

California Department of Transportation (Caltrans). 2020. *List of eligible and officially designated State Scenic Highways*. Accessed: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code (GGMC). Accessed at: <https://www.qcode.us/codes/gardengrove/>

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**2. AGRICULTURE AND FORESTRY**

**RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, 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.** The project site is developed for urban uses and located in an area that is completely developed for urban uses. The project site and vicinity is void of agricultural uses. The California Department of Conservation Important Farmland mapping identifies the project site as Urban and Built-Up land (CDC 2020). No areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project or converted to a non-agricultural use. Thus, no impact would occur, and no mitigation measures are required.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** As described in the previous response, the project area is void of any agricultural uses. The project site is zoned for Neighborhood Mixed Use (NMU) uses and is surrounded by areas zoned as NMU. No agricultural zoning is located in the vicinity of the project area and no parcels within the project vicinity have Williamson Act contracts (DLRP 2020). Therefore, implementation of the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Thus, no impact would occur, and no mitigation measures are required.

**c) 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 project site is developed for urban uses and located in an area that is completely developed for urban uses. The project site and vicinity is void of forest land or timberland. In addition, the project site is zoned as NMU and surrounded by areas zoned as NMU. Therefore, the project would not conflict with existing forest land, timberland, or zoning for forest or timberland uses. Thus, no impact would occur, and no mitigation measures are required.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** As described in the previous response, the project area is void of any forest land and is not zoned for forest uses. Thus, the project would not result in the loss of forest land or conversion of forest land to non-forest uses. No impact would occur, and no mitigation measures are required.

**e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

**No Impact.** As described in the previous responses, the project area does not include and is not near any farmland or forest land or land zoned for either farm or forest uses. No other changes to the existing environment would occur from implementation of the proposed project that could result in conversion of farmland to nonagricultural use or forest land to non-forest use. Thus, no impact would occur, and no mitigation measures are required.

**Existing Plans, Programs, or Policies**

None.

**Mitigation Measure**

None.

**Sources**

California Department of Conservation (DOC) Important Farmland Finder, 2020. Accessed:  
<https://maps.conservation.ca.gov/dlrp/ciff/>

California Department of Conservation Division of Land Resource Protection Williamson Act Maps (DLRP 2020). Accessed at: [http://www.conservation.ca.gov/dlrp/Pages/qh\\_maps.aspx](http://www.conservation.ca.gov/dlrp/Pages/qh_maps.aspx)

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the CalEEMod Emissions Summary, prepared by Vince Mirabella (AQ 2020), included as Appendix A.

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** The project site is located in the South Coast Air Basin (SCAB), which is under the jurisdictional boundaries of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. In preparation of the AQMP, SCAQMD and SCAG uses regional growth projections to forecast, inventory, and allocate regional emissions from land use and development-related sources.

As described in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD’s CEQA Air Quality Handbook (1993), for purposes of analyzing consistency with the AQMP, if a proposed project would result in growth that is substantially greater than what was anticipated, then the proposed project would conflict with the AQMP. On the other hand, if a project’s density is within the anticipated growth of a jurisdiction, its emissions would be consistent with the assumptions in the AQMP, and the project would not conflict with SCAQMD’s attainment plans. In addition, the SCAQMD considers projects consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

The proposed project is a redevelopment project on a site that has been previously used for a



75,890 square foot Von's grocery store. The proposed project would remove the vacant building and develop 65,980 square feet of new commercial retail/restaurant uses on the site. The project site has a General Plan land use designation of Residential/Commercial Mixed Use 2 (RC2), which allows a FAR of up to 0.50 for non-residential uses. The proposed project would develop approximately 65,980 square feet of commercial retail uses on the 7.62-acre (331,927 square feet) site, which would result in a FAR of 0.20, and be within the allowable FAR. Also, the site is zoned as Neighborhood Mixed Use (NMU). Section 9.18.010.020 of the GGMC states that the NMU zoning district is intended for neighborhood commercial centers and implements the RC2 land use designation. As the project would be consistent with the allowable density of the RC2 land use designation, the project would be consistent with and would not conflict with or obstruct implementation of the AQMP.

In addition, as described in Response b) below, emissions generated by construction and operation of the proposed project would not exceed thresholds (as detailed in Tables AQ-1 through AQ-4), and therefore, the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation. Therefore, impacts related to conflict with the AQMP from the proposed project would be less than significant. No mitigation measures are required.

**b) 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?**

**Less Than Significant Impact.** The SCAB has a non-attainment status for not meeting federal ozone standards, federal carbon monoxide standards, and state and federal particulate matter standards. Any development in the SCAB, including the proposed project, could cumulatively contribute to these pollutant violations. The methodologies from the SCAQMD CEQA Air Quality Handbook are used in evaluating project impacts. SCAQMD has established daily mass thresholds for regional pollutant emissions, which are listed in Table AQ-1. The SCAQMD's CEQA Air Quality Handbook methodology describes that any project that result in daily emissions that exceed any of these thresholds would have both an individually (project-level) and cumulatively significant air quality impact. If estimated emissions are less than the thresholds or reduced to below the thresholds with implementation of mitigation, impacts would be considered less than significant.

**Table AQ-1: SCAQMD Regional Daily Emissions Thresholds<sup>1</sup>**

Pollutant	Construction (lbs/day)	Operations (lbs/day)
NO <sub>x</sub>	100	55
VOC	75	55
PM <sub>10</sub>	150	150
PM <sub>2.5</sub>	55	55
SO <sub>x</sub>	150	150
CO	550	550
Lead	3	3

**Construction**

The proposed project would redevelop the project site with a new 65,980 square foot commercial retail/restaurant shopping center. However, the CalEEMod Emissions Summary prepared for the

<sup>1</sup> Regional thresholds are from the SCAQMD Air Quality Significance Thresholds, March 2015.

project assumed a slightly greater build out of 66,800 square feet; and therefore, assumes slightly more construction emissions would result from the project, which provides a conservative analysis of potential impacts.

Construction activities associated with the proposed project would generate pollutant emissions from the following: (1) demolition and removal of the existing onsite improvements and hauling demolition debris off-site; (2) grading and excavation; (3) construction workers traveling to and from project site; (4) delivery and hauling of construction supplies to, and debris from, the project site; (5) fuel combustion by onsite construction equipment; (6) building construction; application of architectural coatings; and paving. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring.

It is mandatory for all construction projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from construction activities. Rule 403 requirements include, but are not limited to: applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas. Compliance with Rule 403 was accounted for in the construction emissions modeling for the project. In addition, implementation of SCAQMD Rule 1113 that governs the VOC content in architectural coating, paint, thinners, and solvents, was accounted for in the construction emissions modeling for the project.

As shown in Table AQ-2, CalEEMod results indicate that construction emissions generated by the proposed project would not exceed SCAQMD regional thresholds. Therefore, emissions from construction activities would be less than significant, and no mitigation is required.

**Table AQ-2: Construction Emissions Summary**

Year	Emissions (lbs/day)					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2021 Maximum Daily Emissions	5.4	60.8	28.4	0.1	12.2	3.3
2022 Maximum Daily Emissions	33.8	20.2	21.1	0.0	2.5	1.3
<b>Overall Maximum Daily Emissions</b>	<b>33.8</b>	<b>60.8</b>	<b>28.4</b>	<b>0.1</b>	<b>12.2</b>	<b>7.0</b>
SCAQMD Regional Threshold	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: AQ 2020, Appendix A.

### Operation

As described previously, the proposed project would redevelop the project site with a new 65,980 square foot commercial retail/restaurant shopping center. However, the CalEEMod Emissions Summary prepared for the project assumed a slightly greater build out of 66,080 square feet; and therefore, assumes slightly more operational emissions would result from the project, which provides a conservative analysis of potential impacts.

Operation of the proposed commercial retail/restaurant uses would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products. However, vehicular emissions would generate a majority of the operational emissions from the

project. Operational emissions associated with the proposed project were modeled using CalEEMod and are presented in Table AQ-3.

**Table AQ-3: Summary of Peak Operational Emissions**

Operational Activity	Emissions (lbs/day)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Source	1.6	0.0	0.0	0.0	0.0
Energy Source	0.3	2.3	1.9	0.2	0.2
Mobile Source	4.3	14.4	34.4	9.2	2.5
<b>Total Maximum Daily Emissions</b>	<b>6.2</b>	<b>16.7</b>	<b>36.4</b>	<b>9.4</b>	<b>2.7</b>
SCAQMD Regional Threshold	55	55	550	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: AQ 2020, Appendix A.

As shown, the proposed project would result in long-term regional emissions of the criteria pollutants that would be below the SCAQMD's applicable thresholds. Therefore, operation of the project would not result in a cumulatively considerable net increase of any criteria pollutant impacts, and operational impacts would be less than significant. No mitigation measures are required.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** The SCAQMD's *Final Localized Significance Threshold Methodology* (SCAQMD 2008) recommends the evaluation of localized NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> construction-related impacts to sensitive receptors in the immediate vicinity of the project site. Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. Such an evaluation is referred to as a localized significance threshold (LST) analysis. According to the SCAQMD's *Final Localized Significance Threshold Methodology*, "off-site mobile emissions from the project should not be included in the emissions compared to the LSTs" (SCAQMD 2008). SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> pollutants for each of the 38 source receptor areas (SRAs) in the SCAB. The project site is located in SRA 17, Central Orange County.

**Construction**

The localized thresholds from the mass rate look-up tables in SCAQMD's *Final Localized Significance Threshold Methodology* document, were developed for use on projects that are less than or equal to 5-acres in size or have a disturbance of less than or equal to 5 acres daily. As the project site is 7.62-acres and grading would occur over a 20-day period, the CalEEMod Emission Summary (Appendix A) determined that the proposed project would disturb a maximum of 2.5 acres per day.

Table AQ-4 identifies the localized impacts at the nearest receptor location in the vicinity of the project, which is a residence located approximately 100 meters from the southern boundary of the project site. Also, individuals such as workers could be located anywhere along the project boundary and be exposed to air pollutants for durations from 1 to 8 hours. Therefore, a distance of 25 meters was applied to estimate the impacts to worker receptors (25 meters is the shortest distance from source to receptor contained in the SCAQMD emission lookup tables). As shown, project construction-source emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria

pollutant. Thus, implementation of the project would not result in a localized air quality impact, and no mitigation is required.

**Table AQ-4: Localized Significance Summary of Construction**

Year	Emissions (lbs/day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
2021 Maximum Daily Emissions	60.8	21.9	10.7	6.9
2022 Maximum Daily Emissions	15.6	16.4	0.8	0.8
<b>Overall Maximum Daily Emissions</b>	<b>60.8</b>	<b>21.9</b>	<b>10.7</b>	<b>6.9</b>
SCAQMD Localized Threshold	149	984	29	8
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: AQ 2020, Appendix A.

Additionally, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD's standard construction practices (Rules 402 and 403, as included as PPP AQ-1 and PPP AQ-2). Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during construction, and impacts would be less than significant. No mitigation measures are required.

**d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**No Impact.** The proposed project would not emit other emissions, such as those generating objectionable odors, that would affect a substantial number of people. The threshold for odor is identified by SCAQMD Rule 402, Nuisance, which states:

*A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.*

The type of facilities that are considered to result in other emissions, such as objectionable odors, include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities.

The proposed project would implement commercial retail development that does not involve the types of uses that would emit objectionable odors affecting a substantial number of people. In addition, odors generated by the project are required to be in compliance with SCAQMD Rule 402, which would prevent nuisance odors.

During construction, emissions from construction equipment, architectural coatings, and paving activities may generate odors. However, these odors would be temporary, intermittent in nature, and would not affect a substantial number of people. The noxious odors would be confined to the

immediate vicinity of the construction equipment. Also, the short-term construction-related odors would cease upon the drying or hardening of the odor-producing materials. Therefore, impacts associated with other emissions, such as odors, would not adversely affect a substantial number of people. No mitigation is required.

### **Existing Plans, Programs, or Policies**

**PPP AQ-1: Rule 402.** The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

**PPP AQ-2: Rule 403.** The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.

**PPP AQ-3: Rule 1113.** The project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.

### **Mitigation Measures**

None.

### **Sources**

Air Quality, Greenhouse Gas, and Energy Impact Analysis. Prepared by Vince Mirabella (AQ 2020).

South Coast Air Quality Management District Final Localized Significance Threshold Methodology (SCAQMD 2008). Accessed: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:				
a) Have 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Have 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 Game or U.S. Fish and Wildlife Service?**

**No Impact.** The City's General Plan Conservation Element describes on page 10-3 that biological resources are almost nonexistent in the City due to the urban nature of the City and surrounding areas. Consistent with this, the project site is located within an urbanized area and currently developed with a vacant building that used to be a grocery store. Other than the building, the site includes paved surfaces and a few scattered ornamental trees. No endangered, rare, threatened,

or special status plant species (or associated habitats) or wildlife species designated by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS) occur on the site.

The proposed project would redevelop the project site with new commercial retail/restaurant uses, which includes installation of new ornamental landscaping. As no sensitive species or habitats are located within the urban and developed area, implementation of the project would not result in a substantial adverse effect, either directly or through habitat modifications, on any sensitive species, significant impacts would not occur. No mitigation measures are required.

**b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?**

**No Impact.** Riparian habitats are those occurring along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors. As described above, the project site is developed and does not contain any natural habitats, including riparian. Additionally, the project is located within a developed urban area. The project site is adjacent to a concrete railroad right-of-way that does not include any riparian habitat or other sensitive natural community. No riparian habitat or other sensitive natural communities occur adjacent to the project site. Additionally, the project site and adjacent areas are not included in any local or regional plans, policies, and regulations that identify riparian habitat or other sensitive natural community. Therefore, no impact would occur, and no mitigation measures are required.

**c) Have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal, pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact.** Wetlands are defined under the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, and bogs. As detailed previously, the project site is developed; and it does not contain any wetlands. In addition, the adjacent areas, including the concrete railroad right-of-way does not contain wetlands. Therefore, the redevelopment of the project site would not result in impacts to wetlands.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less than Significant with Mitigation Incorporated.** Wildlife corridors are areas where wildlife movement is concentrated due to natural or anthropogenic constraints and corridors provide access to resources such as food, water, and shelter. Animals use these corridors to move between different habitats, provide avenues for wildlife dispersal, migration, and contact between other populations. The project site is not located within a designated wildlife corridor or linkage. The project site is completely developed and does not provide function for wildlife movement. Additionally, the surrounding area is developed and urban. There are no rivers, creeks, or open drainages near the

site that could function as a wildlife corridor. Thus, implementation of the project would not result in impacts related to wildlife movement or wildlife corridors.

However, the project area contains scattered ornamental trees that could be used for nesting by common bird species that are protected by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season that occurs between February 1 and September 15. The provisions of the MBTA prohibits disturbing or destroying active nests. Therefore, Mitigation Measure BIO-1 has been included to require that if commencement of demolition, construction, or vegetation clearing occurs between February 1 and September 15, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to commencement of activities to confirm the absence of nesting birds. With implementation of Mitigation Measure BIO-1, potential impacts to nesting birds would be less than significant.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No Impact.** There are no local biological related policies or ordinances, such as a tree preservation policy or ordinance that is applicable to the project. Trees in the public right-of-way in the City are protected under Chapter 11.32 of the GGMC, which regulates the planting, maintenance, and removal of trees in public locations in the City. The project site contains scattered ornamental trees that are on private property and not subject to the City ordinance. Therefore, implementation of the project would not conflict with local policies or ordinances protecting trees and no impact would occur. No mitigation measures are required.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** As previously discussed, the project site is developed and within an urban and developed area. The site is not within the area of an adopted Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, implementation of the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur, and no mitigation measures are required.

**Existing Plans, Programs, or Policies**

The MBTA and the California Fish and Game Code Sections 3503.5, 3511, and 3515 as implemented through Mitigation Measure BIO-1.

**Mitigation Measures**

**Mitigation Measure BIO-1: Migratory Bird Treaty Act.** In the event that vegetation and tree removal activities occur within the active breeding season for birds (February 1–September 15), the project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.



The nesting survey shall include the project site and areas immediately adjacent to the site that could potentially be affected by project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 ft for raptors and 300 ft for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

Prior to commencement of grading activities and issuance of any building permits, the City Community and Economic Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that pre-construction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

### **Sources**

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed at: <https://www.qcode.us/codes/gardengrove/>

United States Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory, 2020. Accessed: <https://www.fws.gov/wetlands/data/mapper.html>

U.S. Fish and Wildlife Service Migratory Bird Treaty Act. Accessed at: <https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the Phase I Environmental Assessment Report (Phase I 2017), included as Appendix B; and the Geotechnical Engineering Report prepared by Terracon Consultants, Inc. (Geo 2020), included as Appendix C.

**a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

**No Impact.** The project site does not contain any historical resources. CEQA defines a historical resource as something that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources; (2) listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project’s Lead Agency (PRC Section 21084.1 and CEQA Guidelines Section 15064.5[a]).

The California Register defines a “historical resource” as a resource that meets one or more of the following criteria: (1) associated with events that have made a significant contribution to the broad patterns or local or regional history of the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California, or national history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

There are no documented historic resources on or within the vicinity of the project site. As described in the Phase I Environmental Site Assessment that was prepared for the project site (Phase I 2017), the project site was used for agricultural uses between 1935 and the late 1950s. In 1960, a building permit was issued to construct a new 60,900 square foot retail building; and in 1985, a building permit was issued to construct an 11,000 square foot addition and to remodel the building.

The Phase I Environmental Site Assessment identifies the following previous tenants on the subject property, which are not related to any historic events on the site: Hartfield Stores, Inc. (1960),

Zody's Department Store (1962-1970), Besco Jewelers (1966), Hartfield-Zody's Department Store (1968), H.R.T. Industries (1983), and Vons Companies Inc., Pavilions (1985- mid-2000's).

Although the existing building was constructed 60 years ago, which is of historic era (50 years of age or greater), the building was modified in 1985, and consists of a typical cement block building. The project site is not listed in any register of resources and does not meet the CEQA criteria related to a historic resource. Additionally, the site is not associated with events, persons, or architecture that would meet the California Register criteria of a historic resource. Therefore, the project would not result in impacts to historic resources, and no mitigation is required.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less than Significant with Mitigation Incorporated.**

**Construction**

The project site has been disturbed by previous agricultural and development activities. As detailed by the Geotechnical Engineering Report the site has approximately 3 to 5 feet of fill material across the site that would be removed, recompacted and utilized for engineered fill. The project would not excavate beyond the limits of the fill material.

However, the Geotechnical Engineering Report describes that fill soil consists of silty sand, which were also identified in the 50-foot-deep borings. Therefore, it is likely that the fill soils are native soils that were excavated and recompacted. As a result of the previous onsite soils disturbance, there is reduced potential for the project to impact prehistoric resources. However, undiscovered resources could exist in the previously excavated and compacted fill soils.

Therefore, Mitigation Measure CUL-1 has been included to provide procedures to be followed in the unlikely event that potential archaeological resources are discovered during grading, excavation, or construction activities. Mitigation Measure CUL-1 requires that work in the vicinity of a find be halted until the find can be assessed for significance by a qualified archaeologist to determine the appropriate treatment and documentation of the discovery (California Code of Regulations [CCR], Title 14, Chapter 3, Section 15064.5(f)). Mitigation Measure CUL-1 would reduce potential impacts to undiscovered archaeological resources to a less than significant level.

**Operation**

At the completion of project construction, the project would not result in further disturbance of native soils on the project site. Therefore, operation of the project would not result in a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines. No mitigation would be required.

**c) Disturb any human remains, including those interred outside of formal cemeteries?**

**No Impact.** The project site has not been previously used as a cemetery. Thus, human remains are not anticipated to be uncovered during project construction. In addition, California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains. Specifically, California Health and Safety Code Section 7050.5 requires that if human remains are discovered, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the

excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Compliance with existing law would ensure that significant impacts to human remains would not occur.

### **Existing Plans, Programs, or Policies**

**PPP CUL-1: Human Remains.** In the event that human remains are encountered on the project site, work within 50 ft of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. Prior to the issuance of grading permits, the City shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

### **Mitigation Measures**

**Mitigation Measure CUL-1: Archaeological Resources.** Construction plans and specifications shall state that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the Orange County List of Qualified Archaeologists has evaluated the find to determine whether the find constitutes a "unique archaeological resource," as defined in Section 21083.2(g) of the California Public Resources Code. Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g). Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all project grading and construction plans include specific requirements regarding Public Resources Code Section 21083.2(g) and the treatment of archaeological resources as specified above.

### **Sources**

Geotechnical Engineering Report, April 2020. Prepared by Terracon Consultants, Inc. (Geo 2020).

Phase I Environmental Site Assessment Report (Phase I 2017), Prepared by Partner Engineering and Science, Inc., 2017

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. ENERGY.</b> Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the CalEEMod Emission Summary prepared by Vince Mirabella (AQ 2020), included as Appendix A.

**a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Less Than Significant Impact.** As the project site is developed with a 75,890 square foot building that was previously used as a grocery store, it is connected to the existing utility infrastructure, which includes electrical and natural gas services. The Southern California Gas Company provides natural gas to the project site and surrounding area. Additionally, Southern California Edison currently provides electricity services to the project site and surrounding area. The proposed project would install onsite electrical and natural gas infrastructure that would connect to the existing off-site lines.

**Construction**

During construction of the proposed project, energy would be consumed in three general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Based on these uses of energy during construction activities, the proposed buildings and the associated infrastructure would not be expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. Construction does not involve any unusual or increased need for energy. In addition, the extent of construction activities that would occur is limited to a total of 14-months (as listed previously in Table 4), and the demand for construction-related electricity and fuels would be limited to that time frame.

The proposed project would redevelop the project site with a new 65,980 square foot commercial retail/restaurant shopping center. However, the energy modeling prepared for the project assumed a slightly greater build out of 66,080 square feet; and therefore, assumes slightly more energy would be needed for construction of the project. This provides a conservative analysis of potential

impacts. Based on these conservative assumptions, the energy modeling shows that project construction electricity usage over the 14-month construction period is estimated to use 15,118 gallons of diesel fuel, as shown in Table E-1.

**Table E-1: Estimated Construction Equipment Diesel Fuel Consumption**

Activity	Equipment	Project Number	Project Hours per day	Default Horsepower	Default Load Factor	Days of Construction	Total Horsepower-hours	Fuel Rate (gal/hp-hr)	Fuel Use (gallons)
Demolition	Concrete/Industrial Saws	1	8	81	0.73	20	9,461	0.023965	227
	Excavator	3	8	158	0.38	20	28,819	0.019763	570
Site Preparation	Rubber Tired Dozers	2	8	247	0.4	20	31,616	0.020461	647
	Rubber Tired Dozer	3	8	247	0.4	10	23,712	0.020461	485
Grading	Crawler Tractor	4	8	212	0.43	10	29,171	0.022173	647
	Excavators	1	8	158	0.38	20	9,606	0.019763	190
Building Construction	Graders	1	8	187	0.41	20	12,267	0.021143	259
	Rubber Tired Dozers	1	8	247	0.4	20	15,808	0.020461	323
Paving	Crawler Tractor	3	8	212	0.43	20	43,757	0.022173	970
	Crane	1	7	231	0.29	230	107,854	0.014896	1,607
Architectural Coating	Forklifts	3	8	89	0.2	230	98,256	0.019105	1,877
	Tractors/Loaders/Backhoes	3	7	97	0.37	230	173,349	0.023965	4,154
Architectural Coating	Welders	1	8	46	0.45	230	38,088	0.023965	913
	Generator Set	1	8	84	0.74	230	114,374	0.023965	2,741
Architectural Coating	Pavers	2	8	130	0.42	20	17,472	0.021525	376
	Paving Equipment	2	8	132	0.36	20	15,206	0.018334	279
Architectural Coating	Rollers	2	8	80	0.38	20	9,728	0.019412	189
	Air Compressor	1	6	78	0.48	20	4,493	0.023965	108
Fuel Consumption rates derived from the ARB OFFROAD2017 - Orion Web Database								Total	15,118
Source: AQ 2020, Appendix A.									

Table E-2 shows that construction workers would use approximately 15,571 gallons of fuel to travel to and from the project site, and haul trucks and vendor trucks would use approximately 15,805 gallons of diesel fuel.

**Table E-2: Estimated Construction Vehicle Trip Related Fuel Consumption**

Construction Source	Gallons of Diesel Fuel	Gallons of Gasoline Fuel
Haul Trucks	6,693	0
Vendor Trucks	9,112	0
Worker Vehicles	0	15,571
<b>Construction Vehicles Total</b>	<b>15,805</b>	<b>15,571</b>

Source: AQ 2020, Appendix A.

The combination of the construction equipment fuel listed in Tables E-1 and E-2 would result in a total of 30,923 gallons of diesel fuel and 15,571 gallons of gasoline fuel that would be used during construction of the proposed project, as shown in Table E-3. Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment as part of the City's construction permitting process to ensure that equipment would not use fuel inefficiently. In addition, CARB regulations and CCR Title 13, Motor Vehicles, section 2449(d)(3) limits idling times of construction vehicles to no more than 5 minutes, which avoids unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Because project construction activities would comply with these existing regulations, as ensured through the City's permitting process, it would not use fuel in a wasteful,

inefficient, and unnecessary manner. Thus, no impacts related to wasteful, inefficient, or unnecessary construction energy usage would occur, and no mitigation measures are required.

**Table E-3: Total Construction Fuel Consumption**

Construction Source	Gallons of Diesel Fuel	Gallons of Gasoline Fuel
Construction Vehicles	15,805	15,571
Off-road Construction Equipment	15,118	0
Construction Total	30,923	15,571

Source: AQ 2020, Appendix A.

### Operation

Once operational, the project would generate demand for electricity, natural gas, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of the buildings, water heating, operation of electrical systems and plug-in appliances, and outdoor lighting, and the transport of electricity, natural gas, and water to the residences where they would be consumed. This use of energy is typical for urban development, no additional energy infrastructure would be required to be built to operate the project, and no operational activities would occur that would result in extraordinary energy consumption.

As described previously, the project proposes development of a 65,980 square foot commercial retail/restaurant shopping center. However, the energy modeling prepared for the project assumed a slightly greater build out of 66,080 square feet; and therefore, assumes slightly more energy would be needed for operation of the project and provides for a conservative analysis of energy consumption. As detailed in Table E-4, operation of the proposed project is estimated to result in the annual use of approximately 174,647 gallons of fuel, approximately 2,267,933 kilowatt-hour (kWh) of electricity, and approximately 8,523,043 thousand British thermal units (kBtu) of natural gas.

**Table E-4: Estimated Annual Operational Energy Consumption**

<b>Mobile</b>	Annual Vehicle Miles Traveled: 4,310,442 Gallons of Fuel: 174,647
<b>Electricity</b>	2,267,933 kWh
<b>Natural Gas</b>	8,523,043 kBtu

Source: AQ 2020, Appendix A.

The proposed project would be required to meet the current Title 24 energy efficiency standards, as included in GGMC Section 18.04.010. The City's administration of the Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. Typical Title 24 measures include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; and incorporation of skylights, etc. In complying with the Title 24 standards, impacts to peak energy usage periods would be minimized, and impacts on statewide and regional energy needs would be reduced. Thus, operation of the project would not use large amounts of energy or fuel in a wasteful manner, and no operational energy impacts would occur. No mitigation measures are required.

### b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**No Impact.** The proposed project would be required to meet the Calgreen energy efficiency standards in effect during permitting of the project, which are included in the GGMC as Section 18.04.010 and herein as PPP E-1. The City's administration of the requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. As such, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would not occur. No mitigation measures are required.

#### **Existing Plans, Programs, or Policies**

**PPP E-1. CalGreen Compliance:** The project is required to comply with the CalGreen Building Code as included in the City's Municipal Code Section 18.04.010 to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.

#### **Mitigation Measures**

None.

#### **Sources**

CalEEMod Emissions Summary. Prepared by Vince Mirabella (AQ 2020).



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. GEOLOGY AND SOILS.</b> Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on the Geotechnical Engineering Report prepared by Terracon Consultants, Inc. (Geo 2020), included as Appendix C.

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. **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?**

**No Impact.** The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone. As described by the Geotechnical Engineering Report (GEO 2020) prepared for the proposed project, there are no known active faults traversing the site or the City of Garden Grove. Thus, the proposed project would not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault that is delineated on an Alquist-Priolo Earthquake Fault Zoning Map, and impacts would not occur. No mitigation measures are required.

ii. **Strong seismic ground shaking?**

**Less Than Significant Impact.** As with all of Southern California, the project site is subject to strong ground motion resulting from earthquakes on nearby faults. The principal seismic hazard that could affect the site is ground shaking resulting from an earthquake occurring along several major active or potentially active faults in southern California. The closest active fault is the Newport-Inglewood Fault Zone that is approximately 6 miles to the southwest of the project site (USGS 2020). Movement along this fault, or other regional faults could result in seismic ground shaking on the project site. The amount of motion expected at the project site can vary from none to forceful depending upon the distance to the fault and the magnitude of the earthquake. Greater movement can be expected at sites located closer to an earthquake epicenter.

However, structures built in the City are required to be built in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), as included in the GGMC in Chapter 18.12 Building Codes and Regulations (and herein as PPP GEO-1), which regulates all building and construction projects within the City and implements a minimum standard for building design and construction that includes specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. The Geotechnical Engineering Report (included as Appendix C) prepared for the project site provides CBC seismic structural design criteria that are specific to the onsite soils and potential seismic ground shaking that includes: excavation, re-compaction, and foundation systems.

Because the project would be required to be constructed in compliance with the CBC and the GGMC, which would be verified through the City's plan check and permitting process and included as PPP GEO-1, the project would result in a less than significant impact related to strong seismic ground shaking. No mitigation measures are required.

iii. **Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** Soil liquefaction is a phenomenon in which saturated, cohesionless soils layers, located within approximately 50 feet of the ground surface, lose strength due to cyclic pore water pressure generation from seismic shaking or other large cyclic loading. During the loss of stress, the soil acquires "mobility" sufficient to permit both horizontal and vertical movements. Soil properties and soil conditions such as type, age, texture, color, and consistency, along with historical depths to ground water are used to identify, characterize, and correlate liquefaction susceptible soils.

Soils that are most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands that lie below the groundwater table within approximately 50 feet below ground surface. Lateral spreading is a form of seismic ground failure due to liquefaction in a subsurface layer.

The Geotechnical Engineering Report (Geo 2020) for the proposed project, describes soils encountered at the project site generally consisted of sand with varying amounts of silt with interbedded layers of clay with varying amounts of silt and sand to an approximate depth of 78 feet below the ground surface (bgs). Also, the onsite borings identified groundwater at approximately 25.5 feet bgs and that nearby well data indicates that high groundwater in the vicinity of the project site has been recorded at 20 feet bgs.

The Geotechnical Engineering Report included an analysis of the potential effects related to liquefaction, which identified that seismically induced settlement of saturated and unsaturated sands is estimated to range between 3 and 4 inches, and that the differential seismic induced settlement would be approximately 1 inch on the site. In order to reduce the potential liquefaction related settlement, the Geotechnical Engineering Report states that project construction should include removal and re-compaction of the upper 3 feet of the site soils and utilization of post-tensioned slabs or equivalent foundation systems in compliance with the CBC, which would reduce the potential of liquefaction related settlement to a less than significant level.

As described in the previous response, the project would be required to be constructed in compliance with the CBC and the GGMC, as included as PPP GEO-1, which would be verified through the City's plan check and permitting process. Thus, the project would be required to implement re-compaction of soils and foundation systems in compliance with the CBC, and potential impacts related to liquefaction would be reduced to a less than significant level. No mitigation measures are required.

#### iv. Landslides?

**No Impact.** Landslides and other slope failures are secondary seismic effects that are common during or soon after earthquakes. Areas that are most susceptible to earthquakes induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits.

As described above, the project site is located in a seismically active region subject to strong ground shaking. However, the project site is flat and does not contain any hills or any other areas that could be subject to landslides. In addition, the site is located in a flat and developed area. Therefore, the project would not cause potential substantial adverse effects related to slope instability or seismically induced landslides. No mitigation measures are required.

#### b) Result in soil erosion or the loss of topsoil?

**Less Than Significant Impact.** The project site is largely impervious, as it is generally covered by pavement or the building structure. However, small areas of landscaping exist within the parking area and along the site boundary. During construction, the project would redevelop the site for commercial retail and restaurant uses, which would include areas of landscaping that would surround the proposed structures and be located along the site boundary, similar to the areas of

landscaping that currently exist. The new paved areas and landscaping from the project would not result in soil erosion or the loss of topsoil.

In addition, Section 6.40.050 of the GGMC states that all new development and significant reconstruction within the City, such as the project, shall be undertaken in accordance with the County Drainage Area Management Plan (DAMP). The DAMP requires construction sites implement control practices that address erosion and sedimentation (DAMP Section 8.0). Additionally, the Statewide National Pollutant Discharge Elimination System (NPDES) Permit for General Construction Activity requires implementation of a Storm Water Pollution Prevention Plan (SWPPP), by a Qualified SWPPP Developer. The SWPPP is required to be consistent with the County DAMP, address site-specific conditions related to sources of sediment, and implement erosion control and sediment control Best Management Practices (BMPs) to reduce or eliminate sediment during construction. Adherence to a City approved SWPPP, as included as PPP WQ-1, which would be verified prior to the issuance of a demolition or grading permit would ensure that potential erosion associated with construction activities would be minimized, and impacts would be less than significant. No mitigation measures are required.

- c) **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- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less Than Significant Impact.** As described above, the project site is flat, and does not contain nor is adjacent to any slope or hillside area. The project would not create slopes. Thus, on or off-site landslides would not occur from implementation of the project. Also, as previously described, potential effects related to liquefaction would be avoided by removal and re-compaction of the upper 3 feet of soils and utilization of post-tensioned slabs or equivalent foundation systems in compliance with the CBC, and impacts related to liquefaction would be less than significant.

Lateral spreading, a phenomenon associated with seismically induced soil liquefaction, is a display of lateral displacement of soils due to inertial motion and lack of lateral support during or post liquefaction. It is typically exemplified by the formation of vertical cracks on the surface of liquefied soils, and usually takes place on gently sloping ground or level ground with nearby free surface such as drainage or stream channel. As described previously, the Geotechnical Engineering Report describes that onsite soils consist of sand with varying amounts of silt with interbedded layers of clay and varying amounts of silt and sand, and that groundwater is approximately 25.5 feet bgs, as a result the site could be subject to seismic related lateral spreading. Also, as described previously, the Geotechnical Engineering Report states that project construction should include removal and re-compaction of the upper 3 feet of the site soils and utilization of a post-tensioned slabs or equivalent foundation systems in compliance with the CBC. As included as PPP GEO-1, would require specific CBC compliant engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that project structures would withstand effects related to ground movement, including lateral spreading. Thus, impacts would be less than significant with respect to lateral spreading, and no mitigation measures are required.

Soils collapse could occur if buildings or other improvements are built on low-strength foundation materials (including imported fill) or if improvements straddle the boundary between different types of subsurface materials (e.g., a boundary between native material and fill). Soils susceptible to seismically induced collapse typically include dry loose sands. As described previously, the Geotechnical Engineering Report testing results indicate that removal and re-compaction of the upper 3 feet of the site soils and utilization of a post-tensioned slabs or equivalent foundation

systems in compliance with the CBC. Thus, with compliance with the CBC, as included as PPP GEO-1, would reduce potential impacts to a less than significant level and no mitigation measures are required.

**d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

**Less Than Significant Impact.** Expansive soils contain certain types of clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experiences, such as Southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

The Geotechnical Engineering Report describes soils encountered at the project site generally consisted of sand with varying amounts of silt, and interbedded layers of clay with varying amounts of silt and sand to an approximate depth of 78 feet bgs. Due to the soil's general consistency of sand, the onsite soils are not considered to be expansive. However, as described previously, the project would include removal and re-compaction of the upper 3 feet of the site soils and utilization of a post-tensioned slabs or equivalent foundation system in compliance with the CBC and as included as PPP GEO-1, which would ensure that project structures would withstand the effects related to ground movement, including expansive soils. Thus, impacts would be less than significant, and no mitigation measures are required.

**e) Have 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?**

**No Impact.** The project would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils. Furthermore, the proposed project would connect to existing public wastewater infrastructure. Therefore, the project would not result in any impacts related to septic tanks or alternative wastewater disposal methods, and no mitigation measures would be required.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less than Significant Impact with Mitigation Incorporated.  
Construction**

The surficial geologic units mapped at the site consists of Quaternary age recent alluvium (GEO 2020). These deposits typically do not contain significant vertebrate fossils within the uppermost layers; however, older Quaternary deposits may exist below the recent alluvium, which have the potential to yield fossils.

As described previously, the project site has been disturbed by previous agricultural and development activities. As detailed by the Geotechnical Engineering Report the site has approximately 3 to 5 feet of fill material across the site that would be removed, recompacted and utilized for engineered fill. These upper layer fill materials are recent alluvium that have a low paleontological sensitivity rating, and the project would not excavate beyond the limits of the fill material. Therefore, no resources are anticipated to be unearthed.

However, Mitigation Measure PAL-1 has been included to provide procedures to be followed in the unlikely event that grading encroaches into older Quaternary deposits and/or potential paleontological resources are discovered during grading or excavation activities. Mitigation Measure PAL-1 requires that work shall cease within 50 feet of a find until a qualified paleontologist has evaluated the find in accordance with federal and state regulations. Mitigation Measure PAL-1 would reduce potential impacts to undiscovered paleontological resources to a less than significant level.

**Operation.** At the completion of project construction, the project would not result in further disturbance of native soils on the project site. Therefore, operation of the project would not result in a substantial adverse change in the significance of a unique paleontological resource or site or unique geologic feature. No mitigation would be required.

### **Existing Plans, Programs, or Policies**

**PPP GEO-1: California Building Code.** The project is required to comply with the California Building Code as included in the City's Municipal Code Chapter 18.12 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading plans and specifications as a condition of project approval.

**PPP WQ-1: SWPPP:** Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) in accordance with the County Drainage Area Management Plan (DAMP). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other DAMP requirements to comply with the National Pollutant Discharge Elimination System (NPDES) regulations to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Garden Grove staff or its designee to confirm compliance.

### **Mitigation Measures**

**Mitigation Measure PAL-1: Paleontological Resources.** Construction plans and specifications shall state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities. Prior to commencement of grading activities, the Director of the City Community and Economic Development Department, or designee, shall verify that all project grading and construction plans specify federal, state, and local requirements related to the unanticipated discovery of paleontological resources as stated above.

**Sources**

City of Garden Grove Municipal Code. Accessed: <https://www.qcode.us/codes/gardengrove/>

Geotechnical Engineering Report, April 2020. Prepared by Terracon Consultants, Inc. (Geo 2020).

Orange County Drainage Area Management Plan. Accessed:  
<http://www.ocwatersheds.com/documents/damp>

U.S. Geological Survey U.S. Quaternary Fault Mapping (USGS 2020). Accessed:  
<https://usgs.maps.arcgis.com/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**8. GREENHOUSE GAS EMISSIONS.**

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the CalEEMod Emissions Summary Sheet prepared by Vince Mirabella (AQ 2020), included as Appendix A.

**GHG Thresholds**

Global climate change (GCC) describes alterations in weather features (e.g., temperature, wind patterns, precipitation, and storms) that occur across the Earth as a whole. GCC is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas (GHG) emissions on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact.

The principal GHGs of concern contributing to the greenhouse effect are CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). GHGs are produced by both direct and indirect emissions sources. Direct emissions include consumption of natural gas, heating and cooling of buildings, landscaping activities and other equipment used directly by land uses. Indirect emissions include the consumption of fossil fuels for vehicle trips, electricity generation, water usage, and solid waste disposal. The large majority of GHG emissions generated from commercial projects are related to vehicle trips.

The City of Garden Grove has not adopted a numerical significance threshold to evaluate GHG impacts. However, the SCAQMD has proposed interim numeric GHG significance thresholds that are based on capture of approximately 90 percent of emissions from residential or commercial development, which is 3,000 metric tons carbon dioxide equivalent (MTCO<sub>2</sub>e) per year (SCAQMD 2008). The 3,000 metric ton threshold is based on the Executive Order S-3-05 year 2050 goal. Achieving the Executive Order’s objective would contribute to worldwide efforts to cap CO<sub>2</sub> concentrations at 450 ppm, thus stabilizing global climate.

In addition, SCAQMD methodology for project’s construction are to average them over 30-years and then add them to the project’s operational emissions to determine if the project would exceed the 3,000 metric ton threshold. This approach is widely used by cities in the South Coast Air Basin, including the City of Garden Grove. Therefore, for purposes of examining potential GHG impacts from implementation of the proposed project, the threshold of 3,000 MTCO<sub>2</sub>e is utilized herein to determine if GHG emissions from this project would be significant.



**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Less Than Significant Impact.**

**Construction.** During construction, temporary sources of GHG emissions include use of heavy-duty construction equipment onsite, use of construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. The combustion of fossil-based fuels creates GHGs such as CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.

The proposed project would redevelop the project site with a new 65,980 square foot commercial retail/restaurant shopping center. The CalEEMod Emissions Summary prepared for the project assumed a slightly greater build out of 66,080 square feet; and therefore, assumes slightly more construction emissions would result from the project, which provides a conservative analysis of potential impacts. As shown on Table GHG-1, the project has the potential to generate a total of approximately 25 MTCO<sub>2e</sub> per year from construction emissions amortized over 30 years per SCAQMD methodology.

**Table GHG-1: Construction Generated Greenhouse Gas Emissions**

<b>Activity</b>	<b>Annual GHG Emissions (MTCO<sub>2e</sub>)</b>
Construction in 2021	628
Construction in 2022	118
Total Construction Emissions	746
<b>Total Construction Emissions Amortized Over 30 years</b>	<b>25</b>

Source: AQ 2020, Appendix A.

**Operation.** Operation of the proposed commercial retail/restaurant uses would result in GHG emissions from vehicle trips, electricity and natural gas consumption, water transport (the energy used to pump water), and solid waste generation. GHG emissions from electricity consumed by the commercial uses would be generated off-site by fuel combustion at the electricity provider. GHG emissions from water transport are also indirect emissions resulting from the energy required to transport water from its source. The large majority of GHG emissions generated from the project would be from vehicle trips.

As described previously, the proposed project would redevelop the project site with a new 65,980 square foot commercial retail/restaurant shopping center. However, the CalEEMod Emissions Summary prepared for the project assumed a slightly greater build out of 66,080 square feet; and therefore, assumes slightly more operational emissions would result from the project, which provides a conservative analysis of potential impacts. The estimated operational GHG emissions that would be generated from implementation of the proposed project are shown in Table GHG-2 along with the amortized construction emissions.

**Table GHG-2: Total Project Generated Greenhouse Gas Emissions**

<b>Activity</b>	<b>Annual GHG Emissions (MTCO<sub>2e</sub>)</b>
Project Operational Emissions	
Area	0
Energy	1,009
Mobile	1,773
Waste	28
Water	53
Total	2,863
Project Construction Emissions	25
<b>Total Construction and Operation</b>	<b>2,888</b>
<b>Significance Threshold</b>	<b>3,000</b>
<b>Project Exceeds Threshold?</b>	<b>No</b>

Source: AQ 2020, Appendix A.

As shown on Table GHG-2, the project would result in approximately 2,888 MTCO<sub>2e</sub> per year, which would be below the threshold of 3,000 MTCO<sub>2e</sub> per year. Therefore, impacts related to greenhouse gas emissions would be less than significant and no mitigation is required.

In addition, the project would install CALGreen/Title 24 compliant insulation, appliances, HVAC systems, and other such infrastructure as included in the GGMC as Section 18.04.010 (and PPP E-1) that would be ensured to meet state requirements through the City's building permitting processes, which would provide for energy efficient infrastructure and limited GHG emissions.

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**No Impact.** The proposed project would redevelop the site with commercial retail/restaurant uses that would comply with state programs that are designed to be energy efficient. The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As described in the previous response, the project would not exceed the GHG emissions threshold that is based on the Executive Order S-3-05 year 2050 goal. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO<sub>2</sub> concentrations at 450 ppm, thus stabilizing global climate. In addition, the project would comply with regulations imposed by the state and the SCAQMD that reduce GHG emissions, as described below:

- Global Warming Solutions Act of 2006 (AB 32) is applicable to the project because many of the GHG reduction measures outlined in AB 32 (e.g., low carbon fuel standard, advanced clean car standards, and cap-and-trade) have been adopted and implementation activities are ongoing. The low carbon fuel standard requires carbon content of fuel sold in California to be 10 percent less by 2020. The advanced clean car standards are regulations for car manufacturers; and cap-and-trade refers to a policy tool where emissions from a certain region or sector (e.g., electricity generation, petroleum refining, cement production) are limited to a certain amount and can be traded or provides flexibility on how the emitter can comply. The project would redevelop the project site for new commercial retail/restaurant uses that would not conflict with the content of fuel being used for vehicular trips to and from the project site, car standards, or cap-and-trade.

- Pavley Fuel Efficiency Standards (AB 1493) establishes fuel efficiency ratings for new passenger cars and light trucks. The project would develop commercial retail/restaurant uses that would not conflict with fuel efficiency standards for vehicles.
- Title 24 California Code of Regulations (Title 24) establishes energy efficiency requirements for new construction that address the energy efficiency of new (and altered) residences and commercial buildings. Title 24 is included in the GGMC as Section 18.04.010 (and PPP E-1), which would provide efficient energy and water consumption. The City's administration of the requirements includes review of the energy conservation measures during the permitting process, which ensures that all requirements are met.
- Title 17 California Code of Regulations (Low Carbon Fuel Standard [LCFS]) requires carbon content of fuel sold in California to be 10 percent less by 2020. Because the LCFS applies to any transportation fuel that is sold or supplied in California, all vehicles trips generated by the project within the state would comply with LCFS.
- California Water Conservation in Landscaping Act of 2006 (AB 1881) provides requirements to ensure water efficient landscapes in new development and reduced water waste in existing landscapes. The project is required to comply with AB 1881 landscaping requirements (included in the GGMC in Section 9.16.040.070 and pursuant to the Title 24 regulations in GGMC Section 18.04.010), which would be verified by the City during the project permitting process.

Additionally, the City currently does not have an adopted Climate Action Plan. Overall, implementation of the project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, impacts would not occur, and no mitigation measures are required.

### **Existing Plans, Programs, or Policies**

**PPP E-1: CalGreen Compliance.** As listed previously in Section 6, *Energy*.

### **Mitigation Measures**

No mitigation measures related to greenhouse gas emissions are required.

### **Sources**

CalEEMod Emissions Summary. Prepared by Vince Mirabella (AQ 2020).

South Coast Air Quality Management District Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Thresholds (SCAQMD 2008). Accessed: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b><u>9. HAZARDS AND HAZARDOUS MATERIALS.</u></b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the Phase I Environmental Assessment Report (Phase I 2017), included as Appendix B.

**a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less Than Significant Impact.** A hazardous material is defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and any material that regulatory agencies have a reasonable basis for believing would be injurious to

the health and safety of persons or harmful to the environment if released into the home, workplace, or environment. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment.

### **Construction**

The proposed construction activities would involve the transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. In addition, hazardous materials would be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state requirements, which the project construction activities are required to strictly adhere to. These regulations include: the federal Occupational Safety and Health Act and Hazardous Materials Transportation Act; Title 8 of the California Code of Regulations (CalOSHA), and the state Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. As a result, the routine transport, use or disposal of hazardous materials during construction activities of the project would be less than significant. No mitigation measures are required.

### **Operation**

Operation of the project includes activities related to the commercial retail and restaurant uses, which involve use of hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. These types of materials are not acutely hazardous and would only be used and stored in limited quantities within the project area. The normal routine use of these hazardous materials products pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the project. Therefore, the project would not result in a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste, and impacts would be less than significant. No mitigation measures are required.

### **b) Create 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?**

#### **Less Than Significant Impact.**

**Construction -Accidental Releases.** While the routine use, storage, transport, and disposal of hazardous materials in accordance with applicable regulations during construction activities would not pose health risks or result in significant impacts; improper use, storage, transportation and disposal of hazardous materials and wastes could result in accidental spills or releases, posing health risks to workers, the public, and the environment. To avoid an impact related to an accidental release, the use of best management practices (BMPs) during construction are implemented as part of a Stormwater Pollution Prevention Plan (SWPPP) as required by the National Pollution Discharge Elimination System General Construction Permit (and included as PPP WQ-1). Implementation of an SWPPP would minimize potential adverse effects to workers, the public, and the environment. Construction contract specifications would include strict on-site handling rules and BMPs that include, but are not limited to:

- Establishing a dedicated area for fuel storage and refueling and construction dewatering activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;

- Avoiding overtopping construction equipment fuel tanks;
- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

**Asbestos-Containing Materials.** The use of asbestos-containing materials (a known carcinogen) and lead paint (a known toxin) was common in building construction prior to 1978 (the use of asbestos-containing materials in concrete products was common through the 1950s). Asbestos is a carcinogen and is categorized as a hazardous air pollutant by the federal Environmental Protection Agency (EPA). Federal asbestos requirements are found in the Code of Federal Regulations (CFR) Title 40, Part 61, Subpart M, and are enforced in the project area by the SCAQMD. SCAQMD Rule 1403 establishes survey requirements, notification, and work practice requirements to prevent asbestos emissions from emanating during building renovation and demolition activities.

The Phase I Environmental Assessment Report identified suspected asbestos containing materials throughout the building interior. As a result, asbestos surveys and abatement would be required prior to demolition of the existing building pursuant to the existing SCAQMD, Cal/OSHA, and Section 19827.5 of the California Health and Safety Code requirements.

SCAQMD Rule 1403 requires notification of the SCAQMD prior to commencing any demolition or renovation activities that involve asbestos containing materials. Rule 1403 also sets forth specific procedures for the removal of asbestos and requires that an onsite representative trained in the requirements of Rule 1403 be present during the stripping, removing, handling, or disturbing of asbestos-containing materials. Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with asbestos-containing materials. With compliance with AQMD Rule 1403, potential impacts related to asbestos being released into the environment would be less than significant. No mitigation measures are required.

**Lead Based Paint.** Based on the age of the existing building on the site, it is possible that lead-based paint may be present. Pursuant to existing regulations, a lead-based paint survey shall be completed prior to any activities with the potential to disturb suspected lead based painted surfaces. The regulations specify actions to manage and control exposure to lead-based paint (per the Code of Federal Regulations Title 29, Section 1926.62 and California Code of Regulations Title 8 Section 1532.1) that cover the demolition, removal, cleanup, transportation, and disposal of lead-containing material. The regulations outline the permissible exposure limit, protective measures, monitoring and compliance to ensure the safety of construction workers exposed to lead-based materials. In addition, Cal/OSHA's Lead in Construction Standard requires the project to develop and implement a lead compliance plan when lead-based paint would be disturbed during construction. The plan must describe activities that could emit lead, methods for complying with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA requires 24-hour notification if more than 100 square feet of lead-based paint would be disturbed. With compliance to the Cal/OSHA requirements, potential impacts related to lead-based paint being released into the environment would be less than significant. No mitigation measures are required.

**Operation**

Operation of the proposed commercial retail and restaurant uses involve use and storage of common hazardous materials such as paints, solvents, cleaning products, fuels, lubricants, adhesives, sealers, and pesticides/herbicides. Normal routine use of these typical commercially used products pursuant to existing regulations would not result in a significant hazard to the environment, residents, or workers in the vicinity of the project. No mitigation measures are required.

**c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less Than Significant Impact.** The closest existing school to the project site is the Brookhurst Elementary School, which is located approximately 0.30 mile away from the project site at 10242 Bixby Avenue. As described in response a), construction and operation of the project would involve the use, storage, and disposal of small amounts of hazardous materials on the project site. These hazardous materials would be limited and used and disposed of in compliance with federal, state, and local regulations, which would reduce the potential for accidental release into the environment near the school. In addition, the proposed commercial retail and restaurant uses would not involve the use or handling of acutely hazardous materials.

Also, the emissions that would be generated from construction and operation of the project were evaluated in the air quality analysis presented in Section 3, and the emissions generated from the project would not cause or contribute to an exceedance of the federal or state air quality standards. Thus, the project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste near the school, and impacts would be less than significant. No mitigation measures are required.

**d) Be located on a site which is included on a list of hazardous materials 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 Phase I Environmental Site Assessment did not identify the project site or any properties in the nearby area as included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Phase I 2017). In addition, a search of the California Department of Toxic Substances Control EnviroStor database did not identify the project site or any area within the project vicinity as a hazardous materials site. Thus, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from implementation of the project. No mitigation measures are required.

**e) For a project 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 result in a safety hazard or excessive noise for people residing or working in the project area?**

**No Impact.** The proposed project is not within an airport land use plan and is not within 2 miles of an airport. The closest airport to the project site is the Los Alamitos Army Air Field, which is located approximately 5.2 miles east of the project site. In addition, the Fullerton Municipal Airport is located approximately 5.8 miles to the north of the site, and John Wayne Airport is located approximately 9 miles southeast of the project site. Therefore, the proposed project would not result in an impact to an airport land use plan and would not result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur, and no mitigation would be required.

**f) Impair implementation of an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** The proposed project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Construction**

The proposed construction activities, including equipment and supply staging and storage, would occur within the project site, and would not restrict access of emergency vehicles to the project site or adjacent areas. The installation of new driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed project would not require closure of Chapman Avenue. Any temporary lane closures needed for utility connections or driveway access construction would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014), as incorporated into a Traffic Management Plan for the project that the City requires for receipt of construction permits. The Traffic Management Plan would ensure that substantial traffic queuing along Chapman Avenue would not occur and that all construction equipment would be staged on site. Thus, implementation of the project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access or evacuation impacts to a less than significant level. No mitigation measures are required.

**Operation**

Direct access to the project site would be provided from Chapman Avenue by two driveways. The project driveways and internal access would be required through the City's permitting procedures to meet the City's design standards to ensure adequate emergency access and evacuation. The project is also required to provide fire suppression facilities (e.g., hydrants and sprinklers). The fire department would review the development plans as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), included in GGMC Section 18.32.020. As such, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant. No mitigation measures are required.

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**No Impact.** The project site is within an urbanized residential area of the City of Garden Grove. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas. According to the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. As a result, the proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. No mitigation measures are required.

**Existing Plans, Programs, or Policies**

**PPP WQ-1: SWPPP.** As listed below in Section 10, *Hydrology and Water Quality*.

**PPP HAZ-1: Asbestos Containing Materials.** Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Department that an asbestos



survey has been conducted pursuant to SCAQMD Rule 1403. If asbestos is found, the project applicant shall follow all procedural requirements and regulations of SCAQMD Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.

**PPP HAZ-2: Lead Based Paint.** Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Department that a lead-based paint survey has been conducted. If lead-based paint is found, the project applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. Cal-OSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.

### **Mitigation Measures**

None.

### **Sources**

California Department of Forestry and Fire Protection (CAL FIRE). 2020. Fire Hazard Severity Zone Map. Accessed:  
<https://forestwatch.maps.arcgis.com/apps/Styler/index.html?appid=5e96315793d445419b6c96f89ce5d153>

California Department of Toxic Substances Control EnviroStor database (EnviroStor 2020). Accessed: <https://www.envirostor.dtsc.ca.gov/public/>

Phase I Environmental Site Assessment Report (Phase I 2017), Prepared by Partner Engineering and Science, Inc., 2017

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>10. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on the Preliminary Hydrology Study, prepared by Kimley Horn, included as Appendix D and the Water Quality Management Plan, prepared by Kimley Horn., included as Appendix E.

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

## Less Than Significant Impact.

### Construction

Implementation of the proposed project includes demolition of the existing building, pavement, and infrastructure, site preparation, construction of new buildings, and infrastructure improvements. Demolition of existing structures, grading, stockpiling of materials, excavation, construction of new structures, and landscaping activities would expose and loosen sediment and building materials, which would have the potential to mix with stormwater and urban runoff and degrade surface and receiving water quality.

Additionally, construction generally requires the use of heavy equipment and construction-related materials and chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. In the absence of proper controls, these potentially harmful materials could be accidentally spilled or improperly disposed of during construction activities and could wash into and pollute surface waters or groundwater, resulting in a significant impact to water quality. However, Section 6.40.050 of the GGMC states that all new development and significant redevelopment within the City shall be undertaken in accordance with the County Drainage Area Management Plan (DAMP), including any conditions and requirements established related to the reduction or elimination of pollutants in storm water runoff from the project site, which are verified prior to the issuance of a grading permit and/or building permit by the City.

The DAMP requires construction sites to implement BMPs that address control of construction related pollutants discharges, including erosion/sediment control, onsite hazardous materials, and waste management (DAMP Section 8.0). Additionally, the Statewide NPDES Permit for General Construction Activity requires implementation of a SWPPP, by a Qualified SWPPP Developer. The SWPPP is required to be consistent with the County DAMP; address site-specific conditions related to construction; identify the sources of sediment and other pollutants that may affect the quality of storm water discharges during construction; and implement erosion control and sediment control BMPs to reduce or eliminate sediment, pollutants adhering to sediment, and other non-sediment pollutants in water discharges during construction. Typical erosion control methods that are designed to minimize potential pollutants entering stormwater during construction include:

- Prompt revegetation of proposed landscaped areas;
- Perimeter gravel bags or silt fences to prevent off-site transport of sediment;
- Storm drain inlet protection (filter fabric gravel bags and straw wattles), with gravel bag check dams within paved roadways;
- Regular sprinkling of exposed soils to control dust during construction and soil binders for forecasted wind storms;
- Specifications for construction waste handling and disposal;
- Contained equipment wash-out and vehicle maintenance areas;
- Erosion control measures including soil binders, hydro mulch, geotextiles, and hydro seeding of disturbed areas ahead of forecasted storms;
- Construction of stabilized construction entry/exits to prevent trucks from tracking sediment on City roadways;
- Construction timing to minimize soil exposure to storm events; and
- Training of subcontractors on general site housekeeping.

Adherence to a City approved SWPPP, included as PPP WQ-1, which would be verified prior to the issuance of a demolition and/or grading permit would ensure that potential water quality degradation associated with construction activities would be minimized, and impacts would be less than significant. No mitigation measures are required.

**Operation**

The proposed project includes operation of commercial retail and restaurant uses. Potential pollutants associated with the proposed uses include various chemicals from cleaners, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. If these pollutants discharge into surface waters, it could result in degradation of water quality.

However, operation of the proposed project would be required to comply with the requirements of the County DAMP and would be required to implement a Water Quality Management Plan (WQMP) (included as PPP WQ-2) that includes Low Impact Development (LID) features and BMPs to limit the potential for pollutants to enter surface water, such as storm water runoff. The WQMP has been completed and is included as Appendix E. The purpose of a WQMP is to reduce discharge of pollutants by reducing or eliminating sources of pollutants, capture pollutants, and manage site runoff volumes and flow rates through application of appropriate LID features and BMPs. The WQMP is required to include implementation of non-structural, structural, source control and treatment control BMPs that have been designed to protect water quality. As described in the project description, the project would install drainage features to convey runoff to underground storm water infiltration tanks that would be installed on the site, which have been designed to capture, infiltrate, and treat flows from the 85th percentile storm as required by the DAMP. The additional types of BMPs that would be implemented as part of the project WQMP are listed in Table WQ-1.

**Table WQ-1: Types of BMPs Incorporated into the Project WQMP**

Type of BMP	Description of BMPs
LID Site Design	<u>Optimize the site layout:</u> The site has been designed so that runoff from impervious surfaces would flow to either landscaped areas or an underground infiltration tank for treatment by infiltration.
	<u>Use pervious surfaces:</u> Landscaping is incorporated into the project design to increase the amount of pervious area and onsite retention of stormflows.
Source Control	<u>Storm Drain Stenciling:</u> All inlets/catch basins would be stenciled with the words "Only Rain Down the Storm Drain," or equivalent message.
	<u>Design and construct trash and waste storage areas to reduce pollution introduction.</u>
	<u>Need for future indoor &amp; structural pest control:</u> The buildings would be designed to avoid openings that would encourage entry of pests.
	<u>Landscape/outdoor pesticide use:</u> Landscape plans would accomplish all of the following: <ul style="list-style-type: none"> <li>• Design landscaping to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to storm water pollution.</li> <li>• Consider using pest-resistant plants, especially adjacent to hardscape.</li> <li>• To ensure successful establishment, select plants appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency, and plant interactions</li> </ul>
	<u>Roofing, gutters and trim:</u> The architectural design would avoid roofing, gutters, and trim made of copper or other unprotected metals that may leach into runoff.

Type of BMP	Description of BMPs
	<u>Sidewalks and parking lots:</u> Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris from pressure washing would be collected to prevent entry into the storm drain system. Wash water containing any cleaning agent or degreaser would be collected and discharged to the sanitary sewer and not discharged to a storm drain.
<b>Treatment Control</b>	<u>Biofiltration Systems:</u> The underground infiltration tank system proposed for the project would detain runoff, filter it prior to discharge.

As described previously, a WQMP is required to be approved prior to the issuance of a building or grading permit. The project's WQMP would be reviewed and approved by the City to ensure it complies with the DAMP regulations. In addition, the City's permitting process would ensure that all LID features in the WQMP would be implemented with the project. Overall, implementation of the WQMP pursuant to the existing regulations (included as PPP WQ-2) would ensure that operation of the proposed project would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality; and impacts would be less than significant. No mitigation measures are required.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Less Than Significant Impact.** The project site currently consists of 92 percent impervious surfaces (8 percent pervious). The pervious areas consist of small areas of landscaping. The project site does not currently provide for groundwater recharge. In the existing condition, a series of valley gutters directs runoff to a catch basin that discharges stormwater directly to a 57-inch storm drain that is to the south of the site.

After completion of project construction, the site would be 89 percent impervious and 11 percent pervious (WQMP 2020), which is an increase of 3 percent pervious surface area. Additionally, stormwater runoff would be conveyed to underground storm water infiltration tanks that have been designed to capture, treat, and infiltrate flows. Therefore, the project would increase infiltration compared to the existing condition; and therefore, would not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

In addition, groundwater within the project region is managed by the Orange County Water District (OCWD). To ensure the Basin is not overdrawn, OCWD monitors water levels and recharges the Basin with local and imported water. Continued management of the groundwater basin by OCWD will ensure that substantial depletion of groundwater supplies would not occur. Thus, impacts related to the groundwater recharge would not occur. No mitigation measures are required. The evaluation of water supplies needed for the project is provided in Section 19, *Utilities and Service Systems*.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i. result in substantial erosion or siltation on- or off-site;**

**Less Than Significant Impact.** The project site does not include a stream, river, creek, or other water body.

**Construction.**

Construction of the proposed project would require demolition of the existing building foundations and floor slabs and pavement, that would expose and loosen building materials and sediment, which has the potential to mix with storm water runoff and result in erosion or siltation off-site. However, the project site does not include any slopes, which reduces the erosion potential.

The NPDES Construction General Permit and Orange County DAMP require preparation and implementation of a SWPPP by a Qualified SWPPP Developer for the proposed construction activities (included as PPP WQ-1). The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities.

In addition, a Qualified SWPPP Practitioner (QSP) is required to ensure compliance with the SWPPP through regular monitoring and visual inspections during construction activities. The SWPPP would be amended and BMPs revised, as determined necessary through field inspections, in order to protect against substantial soil erosion, the loss of topsoil, or alteration of the drainage pattern. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP WQ-1) would prevent construction-related impacts related to potential alteration of a drainage pattern or erosion from development activities. With implementation of the existing construction regulations that would be verified by the City during the permitting approval process, impacts related to alteration of an existing drainage pattern during construction that could result in substantial erosion, siltation, and increases in stormwater runoff would be less than significant. No mitigation measures are required.

**Operation.**

The project site currently consists of 94.4 percent impervious surfaces (5.6 percent pervious). After completion of project construction, the site would be 88.0 percent impervious and 12.0 percent pervious (WQMP 2020), which is an increase of 6.4 percent pervious surface area. The impervious areas would not be subject to erosion and the pervious areas would be landscaped with groundcovers that would inhibit erosion.

The proposed project would maintain the existing drainage pattern. In the existing condition, a series of valley gutters directs runoff to an existing catch basin in the southwest corner of the site. Runoff enters the catch basin and discharges directly to an existing 57-inch storm drain line that parallels the southern boundary of the site. With implementation of the project, stormwater runoff would be conveyed to underground storm water infiltration tanks that would be installed on the site, which have been designed to capture, treat, and infiltrate flows.

As shown in Table WQ-2, the project runoff conditions would decrease by 10.45 cfs from predevelopment conditions because the impervious surface area would decrease by 3 percent, which would reduce the potential of onsite soils being eroded.

**Table WQ-2: 100-Year Storm Water Flow Comparison**

	Pervious Area	Impervious Area	100-Year Flow (cfs)	Flow Reduction (cfs)
Existing Condition	17,134 SF	288,205	33.41	10.45
Proposed Condition	36,584 SF	268,755	22.96	

Source: Appendix D

SF= square feet

cfs = cubic feet per second

Additionally, the DAMP requires new development projects to prepare a WQMP (included as PPP WQ-2) that is required to include BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs. The WQMP has been completed and is included as Appendix E. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City to ensure that the site-specific design limits the potential for erosion and siltation. Overall, the proposed drainage system and adherence to the existing regulations would ensure that project impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant. No mitigation measures are required.

- ii. **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;**

**Less Than Significant Impact.** The project site does not include, and is not adjacent to, a stream or river. Implementation of the project would not alter the course of a stream or river.

### Construction

Construction of the proposed project would require demolition of the existing building, including foundations, floor slabs, and utilities systems. These activities could temporarily alter the existing drainage pattern of the site and change runoff flow rates. However, as described previously, implementation of the project requires a SWPPP (included as PPP WQ-1) that would address site specific drainage issues related to construction of the project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP WQ-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to potential alteration of a drainage pattern or flooding on or off-site from development activities. Therefore, construction impacts would be less than significant. No mitigation measures are required.

### Operation

As described previously, the proposed project would result in a 3 percent increase of pervious surfaces that would result in a decrease of stormflows. Also, the project would maintain the existing drainage pattern and convey runoff to underground storm water infiltration tanks that would be installed on the site, which have been designed to capture, infiltrate, and treat flows pursuant to the DAMP requirements. As part of the permitting approval process, the proposed drainage design and engineering plans would be reviewed by the City to ensure that the proposed drainage would accommodate the appropriate design flows. Overall, the proposed drainage system and adherence to the existing DAMP regulations would ensure that project impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant. No mitigation measures are required.

iii. **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; or**

**Less Than Significant Impact.** As described previously, the project site does not include, and is not adjacent to, a stream or river. Implementation of the project would not alter the course of a stream or river.

**Construction**

As described in the previous response, construction of the proposed project would require demolition and excavation activities that could temporarily alter the existing drainage pattern of the site and could result in increased runoff and polluted runoff if drainage is not properly controlled. However, implementation of the project requires a SWPPP (included as PPP WQ-1) that would address site specific pollutant and drainage issues related to construction of the project and include BMPs to eliminate the potential of polluted runoff and increased runoff during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP WQ-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to increases in run-off and pollution from development activities. Therefore, impacts would be less than significant. No mitigation measures are required.

**Operation**

As described previously, the proposed project would result in a 3 percent decrease of impervious surfaces that would reduce runoff. Also, the project would manage storm flows with underground storm water infiltration tanks that have been designed to accommodate the 85<sup>th</sup> percentile stormwater volumes pursuant to the DAMP requirements.

As part of the permitting approval process, the proposed drainage design and engineering plans would be reviewed by the City to ensure that the proposed drainage would accommodate the appropriate design flows. Additionally, the City permitting process would ensure that the drainage system specifications adhere to the DAMP regulations, which would ensure that pollutants are removed prior to discharge. Overall, with compliance to the existing regulations as verified by the City's permitting process, project impacts related to the capacity of the drainage system and polluted runoff would be less than significant. No mitigation measures are required.

iv. **impede or redirect flood flows?**

**Less Than Significant Impact.** According to the Federal Emergency Management Agency (FEMA) Map 06059C0137J, the project site is not within a flood zone (FEMA 2020). As detailed in the previous responses, implementation of the project would result in a 3 percent increase of permeable surfaces on the site and runoff volumes would be reduce with implementation of the project. In addition, the 85<sup>th</sup> percentile storm water flows (as required by the DAMP) would be accommodated by underground storm water infiltration tanks. Therefore, the project would not result in impeding or redirecting flood flows by the addition of the impervious surfaces. As detailed previously, the City's permitting process would ensure that the drainage system specifications adhere to the DAMP regulations, and compliance with existing regulations would ensure that impacts would be less than significant. No mitigation measures are required.



**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**No Impact.** According to the Federal Emergency Management Agency (FEMA) Map 06059C0137J, the project site is not within a flood zone (FEMA 2020). Thus, the project site is not located within a flood hazard area that could be inundated with flood flows and result in release of pollutants. Impacts related to flood hazards and pollutants would not occur from the project. No mitigation measures are required.

Tsunamis are generated ocean wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The proposed project is approximately 6 miles from the ocean shoreline. Based on the distance of the project site to the Pacific Ocean, the project site is not at risk of inundation from tsunami. Therefore, the proposed project would not risk release of pollutants from inundation from a tsunami. No impact would occur, and no mitigation is required.

Seiching is a phenomenon that occurs when seismic ground shaking induces standing waves (seiches) inside water retention facilities (e.g., reservoirs and lakes). Such waves can cause retention structures to fail and flood downstream properties. The project site is not located adjacent to any water retention facilities. For this reason, the project site is not at risk of inundation from seiche waves. Therefore, the proposed project would not risk release of pollutants from inundation from seiche. No impact would occur, and no mitigation is required.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant Impact.** As described previously, use of BMPs during construction implemented as part of a SWPPP as required by the NPDES Construction General Permit and PPP WQ-1 would serve to ensure that project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Thus, construction of the project would not conflict or obstruct implementation of a water quality control plan.

Also, as described previously, new development projects are required to implement a WQMP (per PP WQ-2) that would comply with the Orange County DAMP. The WQMP and applicable BMPs are verified as part of the City's permitting approval process, and construction plans would be required to demonstrate compliance with these regulations. Therefore, operation of the proposed project would not conflict with or obstruct a water quality control plan.

In addition, as detailed previously, groundwater within the project region is managed by OCWD. To ensure the Basin is not overdrawn, OCWD monitors water levels and recharges the Basin with local and imported water. Continued management of the groundwater basin by OCWD will ensure that substantial depletion of groundwater supplies would not occur. Thus, impacts related to water quality control plan or sustainable groundwater management plan would be less than significant. No mitigation measures are required.

**Existing Plans, Programs, or Policies**

**PPP WQ-1: Stormwater Pollution Prevention Plan:** Prior to grading permit issuance, the project developer shall have a SWPPP prepared by a QSD (Qualified SWPPP Developer) pursuant to the Orange County DAMP. The SWPPP shall incorporate all necessary BMPs and other DAMP

requirements to comply with NPDES regulations to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City staff, or designee, to confirm compliance.

**PPP WQ-2: WQMP.** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Division. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. The WQMP shall comply with GGMC Section 6.40.050, the Orange County DAMP, and the Santa Ana Region, Regional Water Quality Control Board (RWQCB) requirements in effect at the time permitting.

### **Mitigation Measures**

None.

### **Sources**

City of Garden Grove Municipal Code. Accessed at: <https://www.qcode.us/codes/gardengrove/>

City of Garden Grove 2015 Urban Water Management Plan. Accessed:  
<https://ggcity.org/pdf/pw/finalgardengroveuwpjune2016.pdf>

Preliminary Hydrology Study. Prepared by Kimley Horn.

Water Quality Management Plan. Prepared by Kimley Horn.

Federal Emergency Management Agency (FEMA). 2020. Flood Insurance Rate Map (FIRM) Map No. 06059C0137J. Accessed: <https://msc.fema.gov/portal/home>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**11. LAND USE AND PLANNING.** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**a) Physically divide an established community?**

**No Impact.** The project site is currently developed with a vacant building that was previously used as a grocery store. The site is situated along a portion of Chapman Avenue that is a commercial corridor and includes: Walmart, 24-Hour Fitness, Marshalls, Ross Dress for Less, CVS, PetSmart, Party City, and Regal Cinemas.

The project site is bound to the north by Chapman Avenue, which is followed by the Promenade retail shopping center. Areas to the east and west of the site are developed with retail and restaurant uses. The area to the south of the site consists of a vacant railroad easement that is currently being used for vehicle storage.

The proposed project would redevelop the site to provide a variety of commercial retail/restaurant uses that would total 65,980 square feet. The proposed Sprouts Grocery, ULTA beauty store, and other retail and restaurants would be consistent with the existing neighborhood commercial and restaurant uses surrounding the site. Therefore, the change of the project site from a vacant grocery store building to new commercial retail and restaurant uses would not physically divide an established community. In addition, the project would not change roadways or install any infrastructure that would result in a physical division. Thus, the proposed project would not result in impacts related to physical division of an established community. No mitigation measures are required.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**No Impact.**

**General Plan**

The project site has a General Plan land use designation of Residential/Commercial Mixed Use 2 (RC2). According to the General Plan Land Use Element, the RC2 General Plan land use designation allows a FAR of up to 0.50 for non-residential uses. The proposed project would develop approximately 65,980 square feet of commercial retail/restaurant uses on the 7.62-acre (331,927 square feet) site, which would result in a FAR of 0.20, and be within the allowable FAR. Therefore, the project would be consistent with the proposed land use designation, and impacts would not occur. No mitigation measures are required.

**Zoning**

The project site is zoned as Neighborhood Mixed Use (NMU). Section 9.18.010.020(C) of the GGMC states that the NMU zoning district is intended for neighborhood commercial centers. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding development. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation.

The proposed project would serve local neighborhood needs and includes a Sprouts grocery, ULTA beauty store, a fast food drive-thru restaurant, and other retail/restaurant uses. Also, the proposed project is compatible with the surrounding development, which as described previously, consists of commercial retail uses. Therefore, the proposed project would be consistent with the NMU zoning district, and the proposed project would not conflict with any applicable zoning regulations adopted for the purpose of avoiding or mitigating an environmental effect. No impacts would occur, and no mitigation measures are required.

**Existing Plans, Programs, or Policies**

None.

**Mitigation Measures**

None.

**Sources**

City of Garden Grove General Plan. Accessed: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed: <https://www.qcode.us/codes/gardengrove/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**12. MINERAL RESOURCES.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**a) 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.** In 1975, the California Legislature enacted the Surface Mining and Reclamation Act which, among other things, provided guidelines for the classification and designation of mineral lands. Areas are classified based on geologic factors without regard to existing land use and land ownership. The areas are categorized into 4 Mineral Resource Zones (MRZ):

- MRZ-1:** An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2:** An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- MRZ-3:** An area containing mineral deposits, the significance of which cannot be evaluated.
- MRZ-4:** An area where available information is inadequate for assignment to any other MRZ zone.

The mapping by the California Geological Survey indicates that the project site is located within an area designated as MRZ-3, which is an area where the significance of mineral deposits is not evaluated. In addition, the project site is not designated/zoned for the extraction of mineral deposits and no active mining operations exist in the City.

The project site is developed with a vacant building that was previously used as a grocery store and has no history of mining. In addition, the site is located within a commercial retail area that does not include mining. Therefore, implementation of the project would not cause the loss of availability of mineral resources valuable to the region or state, and no impact would occur. No mitigation measures are required.

**b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on the general plan, specific plan or other land use plan?**

**No Impact.** The project site and the surrounding vicinity are highly urbanized, and they are not in or near a mining site identified by the City's General Plan. The site has a general plan land use

and zoning designation for commercial and/or residential uses. No mineral extraction activities occur on the project site, and it is not located within an area known to contain locally important mineral resources. Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan as a result of project implementation. No impacts would occur. No mitigation measures are required.

### **Existing Plans, Programs, or Policies**

None.

### **Mitigation Measures**

None.

### **Sources**

City of Garden Grove General Plan. Accessed: <https://ggcity.org/planning/general-plan>

California Geological Survey (CGS). 1994. Open File Report 94-15: Generalized Mineral Land Classification of Orange County, California. Plate 1. Accessed: [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR\\_94-15/OFR\\_94-15\\_Plate\\_1.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_94-15/OFR_94-15_Plate_1.pdf)

California Department of Conservation Mineral Land Classification Map Anaheim Quadrangle. Accessed: [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR\\_143/PartIII/Plate\\_3-18.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_143/PartIII/Plate_3-18.pdf)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. NOISE.</b> Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the Noise Impact Study, 2020. Prepared by MD Acoustics, LLC, included as Appendix F.

**Noise Element of the General Plan**

The City’s General Plan Noise Element includes a compatibility matrix (Table 7-1) to determine if new land uses are compatible with the existing noise environment. The table identifies noise environments that are less than 60 dBA CNEL to be normally compatible with low density and single-family residential uses; and noise environments that are less than 70 dBA CNEL to be normally compatible with commercial retail/restaurant development, such as the proposed project.

**Municipal Code**

GGMC Section 8.47.040 outlines the City’s exterior noise limits as it relates to stationary noise sources. The residential and commercial limits are listed below:

- Residential Uses: 55 dBA between 7:00 a.m. and 10:00 p.m.  
50 dBA between 10:00 p.m. and 7:00 a.m.
- Commercial Uses: 70 dBA anytime

GGMC Section 8.47.050(C) states that the following criteria be used whenever the ambient noise level exceeds the City’s standards:

1. The noise standard for a cumulative period of more than 30 minutes in any hour;
2. The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour;
3. The noise standard plus 10 dB(A) for a cumulative period of more than five minutes in any hour;
4. The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any

- hour; or
5. The noise standard plus 20 dB(A) for any period of time.

Based on these criteria and GGMC Section 8.47.040 that identifies an ambient base noise level of 55 dBA for residential uses during the daytime hours (7:00 a.m. to 10:00 p.m.) when construction activity would take place. Therefore, the base anytime maximum noise level limit (such as during construction activities) is equal to 75 dBA Leq for residential uses.

Also, for commercial uses, GGMC Section 8.47.040 identifies an ambient base noise level of 70 dBA during the daytime hours (7:00 a.m. to 10:00 p.m.) when construction activity would take place. Therefore, the base anytime maximum noise level limit (such as during construction activities) is equal to 90 dBA Leq for commercial uses.

GGMC Section 8.47.060(d) Construction of Buildings and Projects, states that it is unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hour of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria established in GGMC Section 8.47.050(b), is caused discomfort or annoyance unless such operations are of an emergency nature.

#### **Federal Transit Administration**

The *Transit Noise and Vibration Impact Assessment* (2018) provide thresholds for increases in ambient noise from vehicular traffic based on increases to ambient noise. An impact would occur if existing noise levels at noise-sensitive land uses (e.g. residential, etc.) are less than 60 dBA Ldn and the project creates an increase of 3 dBA or greater project-related noise level increase; or if existing noise levels range from 60 to 65 dBA Ldn and the project creates 2 dBA or greater noise level increase. Noise level increase of 1 dBA or less would not result in an impact

#### **Caltrans Transportation and Construction Vibration Guidance Manual**

The City does not have vibration standards that are applicable to the proposed project, hence, California Department of Transportation's (Caltrans) Transportation and Construction Vibration Guidance Manual guidelines are used as a screening tool for assessing the potential for adverse vibration effects related to structural damage and human perception.

Caltrans identifies a building damage vibration level threshold for older residential structures of 0.3 in/sec PPV; and a distinctly perceptible human annoyance vibration level threshold of 0.04 in/sec PPV at nearby sensitive receiver locations.

#### **Existing Noise Levels**

As described previously, the project site is located within a commercially developed area and the closest sensitive noise receptors are the residences located to the south/southwest of the site. The Noise Impact Study evaluates the closest receptor locations listed below:

- R1: Receptor 1 is the closest residential unit located approximately 150 feet south/southwest of the site.
- R2: Receptor 2 is the commercial use adjacent to the east of the site.
- R3: Receptor 3 is the commercial use adjacent to the west of the site.



- R4: Receptor 4 is the commercial use 125 feet north of the site, across Chapman Avenue.
- R5: Receptor 5 is the proposed outside plaza/patio on the site.
- R6: Receptor 6 is the church located approximately 300 feet south of the site.

Existing noise volumes in the project vicinity are largely generated by vehicular noise along the arterial roadways. Due to reduced traffic conditions resulting from COVID-19 related state-wide lockdown, the City's traffic count data is used to identify the typical existing noise environment. The noise from Chapman Avenue and Brookhurst Street traffic was modeled using the FHWA Traffic Noise Model and the City traffic counts from 2018 with a 1% growth rate each year to project 2020 average daily traffic (ADT).

The estimated ADT in 2020 is 19,382 for Chapman Avenue and 23,870 for Brookhurst Street. Based on this, the existing noise levels on the site where proposed outside plaza/patio area would be located are 67 dBA Leq in the daytime, 59 dBA Leq at night, and 68 dBA Ldn. In addition, the average noise levels at the closest receptor locations range from 52 dBA Leq and 65 dBA Leq in the daytime and between 45 dBA Leq and 59 dBA Leq in the nighttime, as shown on Table N-1.

**Table N-1 Existing Ambient Noise Levels at Closest Receptors**

Receptor	Existing Ambient Noise Level (dBA, Leq)	
	Day	Night
1	52	45
2	60	53
3	58	52
4	64	58
5	65	59
6	53	47

Source: Noise Impact Study, Appendix F.

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

#### **Less Than Significant Impact.**

##### **Construction**

Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. Construction is expected to occur in the following stages: demolition, excavation and grading, building construction, architectural coating, paving. Noise levels for the loudest equipment used for construction is provided in Table N-2.

**Table N-2: Construction Equipment Noise Levels**

Equipment	Noise Levels (dBA) at 50 Feet
Compactors (Rollers)	73 - 76
Front Loaders	73 - 84
Backhoes	73 - 92
Tractors	75 - 95
Scrapers, Graders	78 - 92
Pavers	85 - 87
Trucks	81 - 94
Concrete Mixers	72 - 87

Equipment	Noise Levels (dBA) at 50 Feet
Concrete Pumps	81 - 83
Cranes (Movable)	72 - 86
Cranes (Derrick)	85 - 87
Pumps	68 - 71
Generators	71 - 83
Compressors	75 - 86
Saws	71 - 82
Vibrators	68 - 82

Source: Noise Impact Study, Appendix F.

Per GGMC Section 8.47.060(d), construction activities are limited to occur between the hours of 7:00 a.m. and 10:00 p.m., within 500 feet of a residential area. The proposed project's construction activities would occur pursuant to these regulations, which is included as PPP N-1.

The construction noise from the proposed project would occur over a 14-month period and be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. During operation of construction equipment, power levels vary between one or two minutes of full power operation followed by three or four minutes at lower power settings which results in a range of noise levels. The construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators.

As shown on Table N-3, construction noise at the closest residence (R1) would range from 57.4 to 70.6 dBA Leq, which would not exceed the 75 dBA Leq threshold for residential uses. Table N-2 also shows that construction noise at the adjacent commercial uses would range from 56.0 dBA to 76.1 dBA, which would not exceed the 90 dBA Leq threshold for commercial uses. Therefore, construction impacts would be less than significant, and no mitigation measures are required.

**Table N-3: Construction Noise Levels at the Nearest Receptors**

Construction Phase	R1 Residential	R2 Commercial	R3 Commercial	R4 Commercial
Demo	70.6	76.1	75.2	69.2
Site Preparation	70.3	75.9	74.9	68.9
Grading	68.2	73.7	72.8	66.8
Building Construction	70.1	75.6	74.7	68.6
Paving	70.2	75.7	74.8	68.8
Architectural Coating	57.4	63.0	62.0	56.0

Source: Noise Impact Study, Appendix F.

## Operation

**Traffic Noise.** Development of the proposed project would result in operation of a new commercial retail/restaurant shopping center, which would generate approximately 4,121 daily vehicular trips (as detailed in Table T-3 in Section 17, *Transportation*). The estimated 2020 ADT of Chapman Ave is 19,382. The project generated increase of 4,121 daily trips would result in 23,503 total ADT (as shown in Table N-4). The FHWA Traffic Noise Prediction Model identified that a noise level increase of less than 1 dB would occur, which is imperceptible; and is therefore less than significant. No mitigation measures are required.

**Table N-4: Average Daily Traffic Increase**

Existing ADTs	Project ADTs	Total Combined ADTs
19,382	4,121	23,503

Source: Noise Impact Study, Appendix F.

**Traffic Noise to On-Site Receptors.** Traffic noise from Chapman Avenue with implementation of the project was estimated by the Noise Impact Study using the FHWA Traffic Noise Model, which determined that noise levels at the proposed outdoor plaza/patio would remain at 68 dBA Ldn (average noise level over a 24-hour period), which is consistent with the existing condition and would be within the General Plan Noise Element normally acceptable range of 70 dBA CNEL for commercial uses. Therefore, noise impacts to the proposed outdoor plaza/patio from traffic would be less than significant. No mitigation measures are required.

**Onsite Operational Noise.** The Noise Impact Study modeled the onsite noise that would be generated by operation of the project that includes: idling cars, doors closing, starting engine noise, shopping carts, HVAC units, delivery noise, trash compactor noise, and drive-thru speaker noise. As shown on Table N-5, the noise generated by the project in combination with the existing ambient noise volumes would result in noise levels that range between 47 to 66 dBA Leq at the receptors R1 – R6, as shown on Figure N-1, which would be below the City's Municipal Code noise limits for both daytime and nighttime.

**Table N-5: Project Operational Noise Levels**

Receptor – Land Use	Project Noise Level (dBA, Leq)		Combined Existing and Project Noise Levels (dBA, Leq)		Daytime / Nighttime Noise Limit (dBA, Leq)	dBA Change from Project Operation	
	Day	Night	Day	Night		Day	Night
1 - Residential	50	42	54	47	55 / 50	2	2
2 - Commercial	63	58	65	59	70 / 70	5	6
3 - Commercial	60	54	62	56	70 / 70	4	4
4 - Commercial	51	46	64	58	70 / 70	0	0
5 - Commercial	59	54	66	60	70 / 70	1	1
6 - Church	45	40	54	48	65 / 65	1	1

Source: Noise Impact Study, Appendix F.

In addition, Table N-5 shows that operation of the project would result in a maximum ambient noise increase of 5 dBA during the daytime and 6 dBA during the nighttime at the adjacent commercial use; a maximum ambient noise increase of 2 dBA at the closest residential unit; and a maximum ambient noise increase of 1 dBA at the church. The increases in noise volumes at the commercial uses would be noticeable, but within the City's Municipal Code noise limits. The increased noise volumes at the residential units and church would be below 3 dBA and would not be noticeable. Therefore, operation of the project would result in a less than significant impact, and no mitigation measures are required.

#### b) Generation of excessive groundborne vibration or groundborne noise levels?

##### Less Than Significant Impact.

##### Construction

Construction activities associated with the proposed project would require the operation of off-road equipment and trucks that are known sources of vibration. Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in

strength with distance.

Since neither the Municipal Code nor the General Plan provide a quantifiable vibration threshold, guidance from the *Transportation and Construction Vibration Guidance Manual*, prepared by Caltrans in 2013, has been utilized for this analysis, which defines the threshold of perception from transient sources such as off-road construction equipment at 0.25 inch per second peak particle velocity (PPV). Table N-6 shows the vibration levels shown in vibration velocity in decibels (VdB) that are produced from some common construction equipment that would likely be utilized during construction of the proposed project.

**Table N-6: Vibration Source Levels for Construction Equipment**

Equipment	Peak Particle Velocity at 25 feet (inches/second)	Average Vibration Level (VdB or Lv) at 25 feet
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drill	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Source: Noise Impact Study, Appendix F.

From the list of equipment shown in Table N-6, a vibratory roller with a vibration level of 0.210 inch-per-second PPV at 25 feet would be the source of the highest vibration levels of all equipment utilized during construction activities for the proposed project. This would remain below the 0.25 inch-per-second PPV threshold, as detailed above.

In addition, as shown in Table N-7, the vibration at the closest residential structure would not be perceptible and would be barely perceptible at the adjacent commercial uses. Thus, impacts would be less than significant, and no mitigation measures would be required.

**Table N-7: Construction Vibration at Closest Receptors**

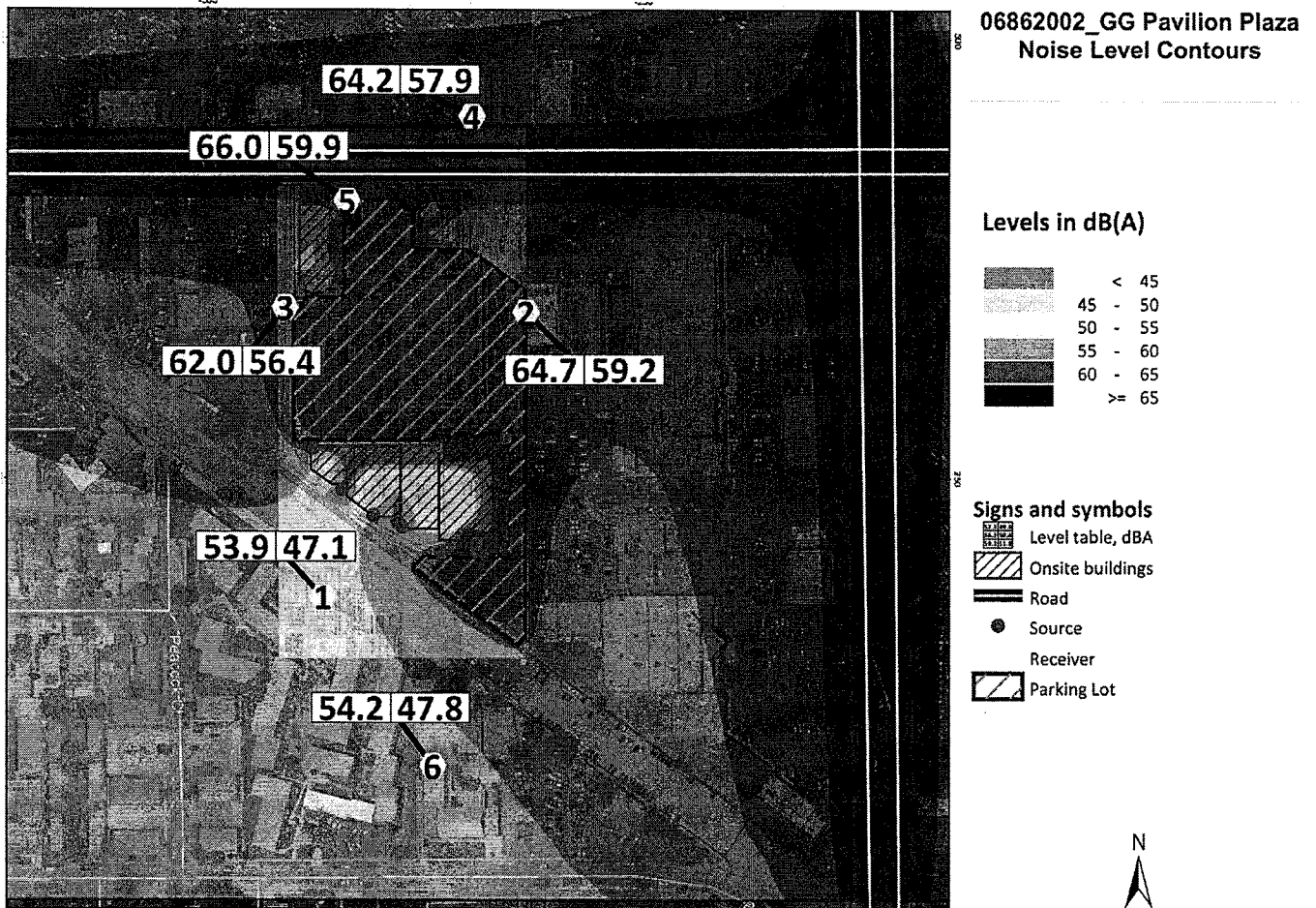
Receptor	Distance (feet)	PPV (in/sec)	Perceptible?	Building Damage? (0.1 in/sec)
1 - Residential	150	0.012	No	No
2 - Commercial	25	0.089	Barely	No
3 - Commercial	25	0.089	Barely	No
4 - Commercial	125	0.015	No	No

Source: Noise Impact Study, Appendix F.

### Operation

Operation of the proposed commercial uses would include heavy trucks for deliveries and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, typical vibration levels for the heavy truck activity at normal traffic speeds would be approximately 0.006 in/sec PPV, based on the FTA Transit Noise Impact and Vibration Assessment. Truck movements on site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receivers would be less than the vibration threshold of 0.08 in/sec PPV for fragile historic buildings and 0.04 in/sec PPV for human annoyance, and therefore, would be less than significant.

# Receiver Locations and Project plus Ambient Noise Levels



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- c) **For a project located within the vicinity of a private airstrip or 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 proposed project is not within an airport land use plan and is not within 2 miles of an airport. The closest airport to the project site is the Los Alamitos Army Air Field, which is located approximately 5.2 miles east of the project site. In addition, the Fullerton Municipal Airport is located approximately 5.8 miles to the north of the site, and John Wayne Airport is located approximately 9 miles southeast of the project site. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels related to an airport or airstrip. No impact would occur, and no mitigation would be required.

#### **Existing Plans, Programs, or Policies**

**PPP N-1: Construction Noise.** Project construction activities shall occur in compliance with Municipal Code Section 8.47.060(d), which restricts construction within 500 feet of residential uses, such as the project site, to between 7:00 a.m. and 10:00 p.m.

#### **Mitigation Measures**

None.

#### **Sources**

City of Garden Grove General Plan. Accessed: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed: <https://www.qcode.us/codes/gardengrove/>

Noise Impact Study, 2020. Prepared by MD Acoustics, LLC.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**14. POPULATION AND HOUSING.**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**a) Induce substantial unplanned population growth in an area, either directly or indirectly?**

**Less Than Significant Impact.**

**Construction.** Construction of the project would provide short-term jobs over an approximately 14-month period. Many of the construction jobs would be temporary and would be specific to the project. This workforce would include a variety of craftspeople, such as cement finishers, ironworkers, welders, carpenters, electricians, painters, and laborers. It is anticipated that the project-related construction labor force would already be located in the project vicinity, and workers would not be expected to relocate their places of residence as a consequence of working on the project. Therefore, the project would not be expected to induce substantial population growth or demand for housing through increased construction employment. No mitigation measures are required.

**Operation.** The project would remove the 75,890 square foot building that was previously a grocery store and construct a new 65,980 square foot commercial retail/restaurant shopping center. As described previously, the project site has a General Plan land use designation of Residential/Commercial Mixed Use 2 (RC2) that allows a FAR of up to 0.50 for non-residential uses. The proposed project would develop approximately 65,980 square feet of commercial retail/restaurant uses on the 7.62-acre (331,927 square feet) site, which would result in a FAR of 0.20, and be within the allowable FAR. Therefore, the development on the project site is within the planned growth within the City’s General Plan, and unplanned growth would not occur.

In addition, the project would result in long-term jobs. It is anticipated that the labor force would already be located in the project vicinity, and workers would not be expected to relocate their places of residence as a consequence of working on the project site. In 2019, the City of Garden Grove had a labor force of 81,900 and the County of Orange (County) had a labor force of 1,623,400, with approximately 2,500 and 45,100 people unemployed, respectively. The average 2019 unemployment rate was 2.4 percent for the City and 2.8 percent for the County. This identifies that available local and regional labor pool exists to serve the long-term employment needs of the proposed project. It is unlikely that a substantial number of employees would need to be relocated from outside the region to meet the need for employees, and impacts would be less than significant.



In addition, the proposed project is located in an urbanized area of the City that is already served by the existing roadways and infrastructure systems. No infrastructure would be extended or constructed to serve areas beyond the project site, and indirect impacts related to growth would not occur from implementation of the proposed project. Therefore, potential impacts related to inducement of unplanned population growth, either directly or indirectly, would be less than significant. No mitigation measures are required.

**b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The project site is currently developed with a vacant building that was previously used as a grocery store. No people or housing currently exists on the project site, and displacement of housing and people would not occur as a result of project implementation. Therefore, the proposed project would not result in an impact related to the displacement of housing or people, and no mitigation would be required.

**Existing Plans, Programs, or Policies**

None.

**Mitigation Measures**

None.

**Sources**

California Employment Development Department Labor Force and Unemployment Rate for Cities and Census Designated Places. Accessed: <https://www.labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html#CCD>

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**15. PUBLIC SERVICES.**

a) Would the project result in 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 could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for:**

- Fire protection?**
- Police protection?**
- Schools?**
- Parks?**
- Other public facilities?**

**Fire Protection – Less Than Significant Impact.** Fire protection and emergency medical services in the City has historically been provided by the Garden Grove Fire Department. However, on August 16, 2019, the Orange County Fire Authority (OCFA) took over fire suppression, emergency medical, rescue and fire prevention, and hazardous materials coordination services for the City of Garden Grove through a contract for services. As detailed in the City’s 2019 adopted budget, the OCTA fire services would provide an increase in paramedic services improving response times. Within urban areas, such as the project site, the OCFA standard of coverage provides for a minimum response time of 12 minutes 80 percent of the time. Currently, county-wide response times range between five to seven minutes (OCFA 2020).

Fire protection services within the City are provided from the City’s 7 fire stations. Four of the fire stations are located within 3 miles of the site, and the closest of which is 0.7 mile from the site. The existing stations within 3 miles of the site include:

- Fire Station 82 is located at 11805 Gilbert Street, which is 0.7 mile from the project site. This station is currently staffed with 3 Fire Captains, 3 Fire Apparatus Engineers, 6 Firefighters, 6 Emergency Transportation Techs, and has an ambulance and a fire engine.
- Fire Station 80 is located at 14162 Forsyth Lane, which is 2.4 miles from the project site. This station is currently staffed with 3 Fire Captains, 3 Fire Apparatus Engineers, 6 Firefighters, 6 Emergency Transportation Techs, and has an ambulance and a fire engine.
- Fire Station 81 is located at 11261 Acacia Parkway, which is 2.4 miles from the project site. This station is currently staffed with 3 Fire Captains, 3 Fire Apparatus Engineers, 6 Firefighters, 6 Emergency Transportation Techs, and has an ambulance and a fire engine.
- Fire Station 86 is located at 12232 West Street, which is 2.6 miles from the project site. This station is currently staffed with 3 Fire Captains, 3 Fire Apparatus Engineers, 6 Firefighters, 6 Emergency Transportation Techs, and has an ambulance and a fire engine.

The proposed project would remove the vacant commercial building and develop three new commercial buildings on the site. The new buildings would include new fire prevention infrastructure pursuant to current code requirements. The City has adopted the California Fire Code (Title 24, Part 9 of the California Code of Regulations) in Section 18.32.020 of the City Municipal Code, which regulates new structures related to safety provisions, emergency planning, fire-resistant construction, fire protection systems, and appropriate emergency access throughout the site. In addition, Section 18.32.050 of the City's Municipal Code requires that approved automatic sprinkler systems are installed and maintained as part of the project. The project's adherence to the existing fire code requirements would be verified as part of the City's regular permitting process.

As the site is within an area that is currently served by Fire Station 82 that is 0.7 mile from the site, there are three other City fire stations within 3 miles of the site, OCFA would be able to continue to respond within the 12-minute standard of coverage 80 percent of the time, and average response times would continue to range between five to seven minutes. Additionally, the project would be constructed pursuant to existing California Fire Code regulations that would be verified during the City's permitting process. Therefore, the project would not result in the need for new or physically altered Fire Department facilities that could cause significant environmental impacts. Therefore, the project would result in less than significant impacts related to fire protection services and no mitigation measures are required.

**Police Protection – Less Than Significant Impact.** The Garden Grove Police Department provides police services to the project area. The Police Department headquarters is located at City Hall, 11301 Acacia Parkway, which is approximately 2.5 miles from the project site. The City's adopted budget for the 2020-2021 shows that the City has 182 sworn officer positions and 70 non-sworn Police Department positions, which totals 252 total staffing allocated to the Police Department.

Redevelopment of the project site would result in commercial retail/restaurant uses and related people, goods, and money. Crime and safety issues during project construction may include: theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism. During operation, the project is anticipated to generate a typical range of police service calls, such as theft, vehicle break-ins, disturbances, and vandalism. Security concerns would be addressed by providing low-intensity security lighting throughout the parking areas and buildings. Also, pursuant to the City's existing permitting process, the Police Department would review the project's site plans to ensure that design measures are incorporated appropriately to provide a safe environment.

Because the existing building on the project site is vacant, operation of the new retail stores and restaurants would generate an increase in the goods and population on the project site, and an incremental increase in demands for law enforcement services. However, the project would include security systems and lighting and the site is located within a commercial area that already receives City law enforcement services. Due to the redevelopment nature of the project site that is 2.5 miles from the Police Department headquarters, within an area that is already served, the increase would not be significant when compared to the current demand levels.

Law enforcement personnel are anticipated to be able to respond in a timely manner to emergency calls from the project site. In addition, the response to calls for law enforcement services from the project site would not require construction or expansion of the Police Department headquarters facilities. Therefore, the project would not result in the need for, new or physically altered police protection facilities, and substantial adverse physical impacts associated with the provision of new or expanded facilities would be less than significant. No mitigation measures are required.

**Schools – No Impact.** The project site is located within the service area of the Garden Grove Unified School District (GGUSD), which serves a 28-square mile area with 68 schools. The proposed project does not include any residential uses that would increase population growth, generate an increased demand for school facilities, or require the construction of school facilities.

As detailed in Section 14, *Population and Housing*, although the project is anticipated to increase employment on the site, it is anticipated that the commercial retail and restaurant labor force needed would already be located in the project vicinity, and workers would not be expected to relocate their places of residence as a consequence of working on the project. Thus, the project would not generate an increase in school-aged children that would require the need for new or expanded public school services within the GGUSD. No impacts would occur, and no mitigation measures are required.

**Parks – No Impact.** According to the City's Parks, Recreation, and Open Space Element, the City currently maintains 14 parks and uses 5 public schools as additional park facilities through joint-use agreements with the GGUSD, totaling 157.1 acres of parkland throughout the City.

As described previously and detailed in Section 14, *Population and Housing*, although the project is anticipated to increase employment on the site, it is anticipated that the commercial retail and restaurant labor force needed would already be located in the project vicinity, and workers would not be expected to relocate their places of residence and use local park facilities as a consequence of working on the project.

While it is possible that project employees may visit parks and use facilities during breaks or after work hours, such visitation would not significantly affect park performance or maintenance and would not require the expansion of parks within the City. Therefore, no impacts would occur, and no mitigation measures are required.

**Other Services – No Impact.** As described previously, although the project is anticipated to increase employment on the site, it is anticipated that the commercial retail and restaurant labor force needed would already be located in the project vicinity, and workers would not be expected to relocate their places of residence and need other public services (such as public libraries and post offices, etc.) as a consequence of working on the project. Therefore, the project would not result in the need for new or physically altered facilities to provide other services, the construction of which

could cause significant environmental impacts. No impacts would occur, and no mitigation measures are required.

**Existing Plans, Programs, or Policies**

None.

**Mitigation Measures**

None.

**Sources**

City of Garden Grove Adopted Budget 2020-2021. Accessed:  
<https://ggcity.org/sites/default/files/19-21-adopted-budget.pdf>

City of Garden Grove Fire Department. Accessed: <https://ggcity.org/fire/garden-groveorange-county-fire-authority-transition>

City of Garden Grove Municipal Code. Accessed: <https://www.qcode.us/codes/gardengrove/>

City of Garden Grove Police Department Website. Accessed: <https://ggcity.org/police>

Orange County Fire Authority (OCFA 2020). About Us.  
<https://www.ocfa.org/AboutUs/FAQs.aspx>

Orange County Fire Authority Standards of Coverage. Accessed:  
[https://www.ocfa.org/Uploads/Orange%20County%20Fire%20Authority%20SOC\\_FINAL.pdf](https://www.ocfa.org/Uploads/Orange%20County%20Fire%20Authority%20SOC_FINAL.pdf)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**16. RECREATION.**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would be accelerated?**

**No Impact.** As described previously, although the project is anticipated to increase employment on the site, it is anticipated that the commercial retail and restaurant needed labor force would already be located in the project vicinity, and workers would not be expected to relocate their places of residence and use local park and recreation facilities as a consequence of working on the project. While it is possible that project employees may visit parks and recreation facilities during breaks or after work hours, such visitation would not result in substantial physical deterioration of the facility. Therefore, no impacts would occur, and no mitigation measures are required.

**b) 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 project would redevelop the project site for commercial retail and restaurant uses and does not include a park or recreation facility. Also, as described previously, although the project is anticipated to increase employment on the site, it is anticipated that the commercial retail and restaurant needed labor force would already be located in the project vicinity, and substantial additional users of the existing park and recreation facilities in the City would not occur. Therefore, the proposed project would not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. No impacts would occur, and no mitigation measures are required.

**Existing Plans, Programs, or Policies**

None.

**Mitigation Measures**

None.

**Sources**

City of Garden Grove Municipal Code. Accessed at: <https://www.qcode.us/codes/gardengrove/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>17. TRANSPORTATION.</b> Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on the Traffic Impact Analysis (TIA) prepared by EPD Solutions, 2020 (EPD 2020) included as Appendix G, and the CalEEMod Emissions Summary, prepared by Vince Mirabella (AQ 2020), included as Appendix A.

**Traffic Thresholds**

Senate Bill (SB) 743 was signed by Governor Brown in 2013 and required the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating Transportation impacts. SB743 specified that the new criteria should promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks and a diversity of land uses. The bill also specified that delay-based Level of Service (LOS) could no longer be considered an indicator of a significant impact on the environment. However, an LOS traffic analysis was prepared, as requested by the City, to identify if the proposed project would in an impact related to the General Plan identified LOS thresholds, which is included for informational and public disclosure purposes.

**General Plan LOS Threshold:** As described in the City of Garden Grove General Plan Circulation Element, LOS D is the lowest acceptable Level of Service (LOS) for peak hour intersection volumes in the City. Thus, the LOS threshold is LOS D. As detailed in the TIA prepared for the project, an impact would occur if the project causes:

- An intersection operating at an acceptable LOS D or better to degrade to an unacceptable LOS E or F; or
- Increase of 0.01 or greater at an intersection already operating at unacceptable LOS E or F.

**VMT Threshold:** CEQA Guidelines Section 15064.3 - Determining the Significance of Transportation Impacts, provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT. The City of Garden Grove Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment was adopted by the City in



July of 2020 and provides screening thresholds to identify projects that would have a less than significant impact on VMT, which include being within a Transit Priority Area, being within a low traffic analysis zone (TAZ) or being a local-serving retail project.

### **Traffic Study Area and Existing Conditions**

**Arterial Roadways:** The project site is adjacent to Chapman Avenue, which provides access to the site. In addition, Brookhurst Street is an arterial roadway that provides access to the project vicinity. The characteristics of each roadway are discussed below:

- **Chapman Avenue** is classified as a Primary Arterial and as a Designated Truck Route in the City's General Plan Circulation Element. Chapman Avenue is a four-lane divided roadway except at the project site where it is a six-lane divided roadway with a posted speed limit of 40 miles per hour (MPH). There are sidewalks on both sides of the roadway. Transit service is provided along Chapman Avenue by OC Bus Route 54 with service every 15 minutes during the peak hour.
- **Brookhurst Street** is classified as a Major Arterial and as a Designated Truck Route in the City's General Plan Circulation Element. Brookhurst Street is a six-lane divided roadway with a posted speed limit of 45 MPH. There are sidewalks on both sides of the roadway. Transit service is provided along Brookhurst Street by OC Bus Route 35 with service every 20 minutes during the peak hour.

**Study Area Intersections:** The following 11 intersections (shown on Figure T-1) are included in the traffic study area:

1. Brookhurst Street/Orangewood Avenue
2. Magnolia Street/Chapman Avenue
3. Gilbert Street/Chapman Avenue
4. Promenade Lane/Chapman Avenue
5. Covey Way/Chapman Avenue
6. Brookhurst Street/Chapman Avenue
7. Nutwood Street/Chapman Avenue
8. Euclid Street/Chapman Avenue
9. Brookhurst Street/Pavilion
10. Brookhurst Street/Bixby Avenue
11. Brookhurst Street/Lampson Avenue

At the time the Traffic Impact Analysis was prepared for the project, local schools and business were temporarily closed because of the COVID 19 pandemic. As a result, existing traffic counts could not be collected because traffic volumes would have been artificially low due to the stay-at-home order. Thus, 2017 and 2018 traffic volumes that were collected by the City were utilized. Existing 2020 volumes were developed by applying a growth rate of 1 percent per year<sup>2</sup> to account for growth occurring between the count data and 2020.

As shown in Table T-1, all of the study intersections currently operate at satisfactory a LOS D or better during the weekday a.m. and p.m. peak hours. The volume/capacity (v/c) ratios shown in the following tables identify the degree of saturation of an intersection and the sufficiency of an intersection to accommodate the vehicular demand, which is identified as LOS. A v/c ratio between 0.81 and 0.90 equates to an LOS of D.

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<sup>2</sup> As determined by the City based on average traffic volume growth.

**Table T-1: Existing Peak Hour Levels of Service**

Intersection	AM Peak		PM Peak	
	V/C	LOS	V/C	LOS
1. Brookhurst St/Orangewood Ave	0.539	A	0.552	A
2. Magnolia St/Chapman Ave	0.780	C	0.822	D
3. Gilbert St/Chapman Ave	0.518	A	0.626	B
4. Promenade Ln/Chapman Ave	0.321	A	0.442	A
5. Covey Way/Chapman Ave	0.315	A	0.429	A
6. Brookhurst St/Chapman Ave	0.678	B	0.722	C
7. Nutwood St/Chapman Ave	0.602	B	0.562	A
8. Euclid St/Chapman Ave	0.829	D	0.754	C
9. Brookhurst St/Pavillion Way	0.346	A	0.479	A
10. Brookhurst St/Bixby Ave	0.425	A	0.464	A
11. Brookhurst St/Lampson Ave	0.529	A	0.622	B

Source: EPD 2020, Appendix G.

- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

#### Construction

**Less Than Significant Impact.** Construction activities associated with the project would generate vehicular trips from construction workers traveling to and from the project site and delivery and hauling of construction supplies to, and debris and soil export from, the project site. As shown in Table T-2, the demolition phase of construction would generate the most trips.

**Table T-2: Construction Vehicle Trips**

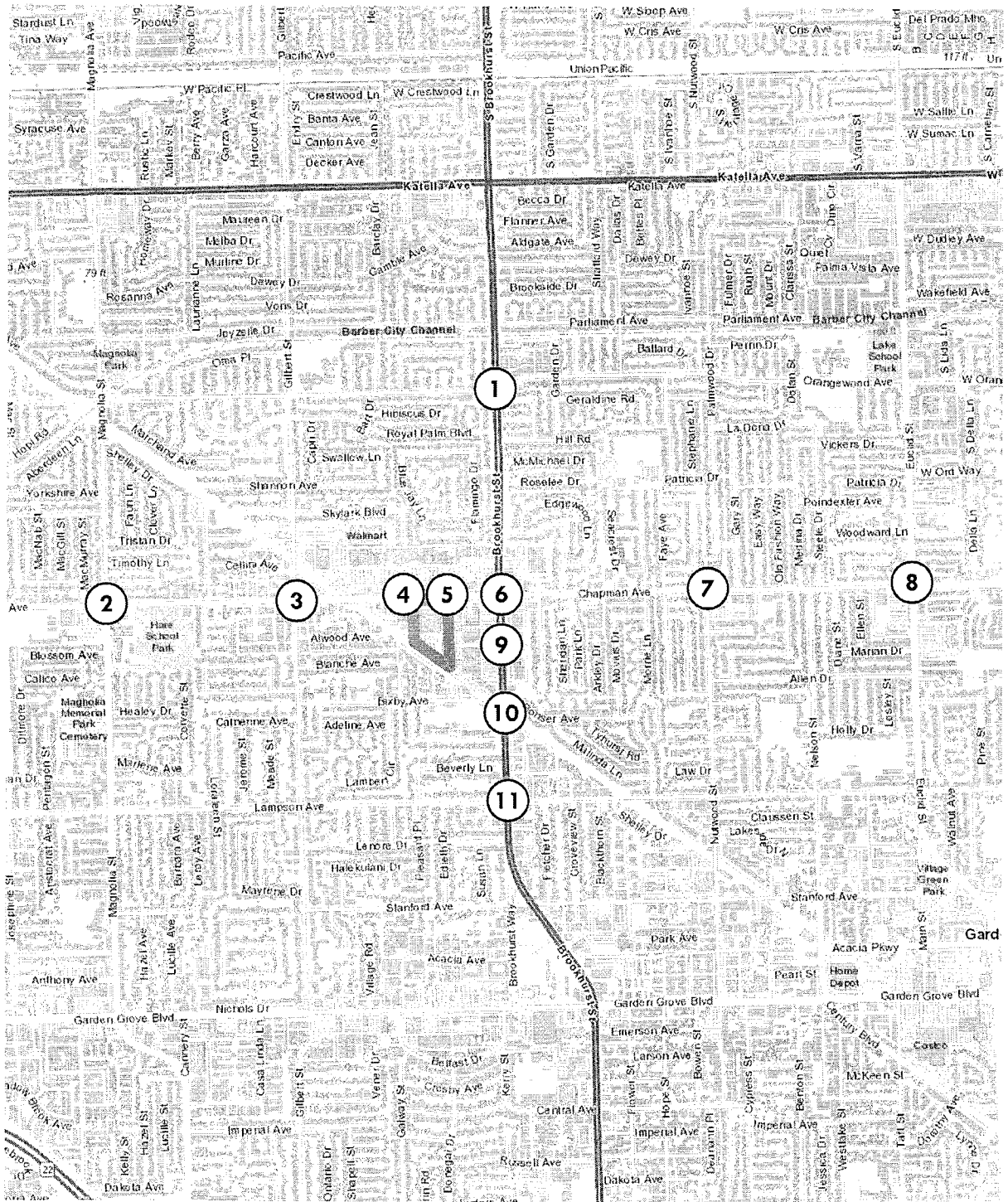
Activity	Trips per Day		Total Trips
	Worker	Vendor	Haul
Demolition	15	0	1,815
Site Preparation	18	0	0
Grading	15	0	375
Building Construction	123	11	0
Paving	15	0	0
Architectural Coating	25	0	0

Source: AQ 2020, Appendix A.

As detailed in Table 4, *Construction Schedule*, of the Project Description, demolition would occur over 20 working days. The total haul of 1,815 trips over the 20-day demolition period equates to approximately 91 truck haul trips per day, plus 15 worker trips per day. Grading activity would require a total of 375 trips that would also occur over a 20-day work period, which would result in approximately 19 truck haul trips per day plus 15 worker trips per day. The greatest number of construction trips would occur during the building construction phase.

As shown on Table T-2, building construction would generate 123 worker trips, plus 11 vendor trips per day, which would result in a total of 134 trips per day that would occur during the 230 working day building construction phase of project development. Should all of the workers and vendors arrive and leave the site during the AM and PM peak hours, the 123 worker trips would result 62

# Traffic Study Intersections



 **Project Site**



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inbound trips during the AM peak hour and 62 outbound trips during the PM peak hour; and the 11 vendor trips would result in 3 inbound and 3 outbound trips during the AM peak hour, and 3 inbound and 3 outbound trips during the PM peak hour. In total, the maximum construction traffic would consist of 65 inbound trips and 3 outbound trips during the AM peak hour, and 3 inbound trips and 65 outbound trips during the PM peak hour. The construction related trips would generally travel from SR-22 and Brookhurst Street to Chapman Avenue to access the project site.

As detailed below, operation of the project would result in 4,121 new daily trips, with 181 a.m. peak hour trips, and 315 p.m. peak hour trips. The 134 trips per day, with 68 trips in the AM and PM peak hours during maximum construction activities would be much less than what would occur during operation, which result in a less than significant impact. Therefore, the fewer trips during construction would also be less than significant. No mitigation measures are required.

### Operation

**Less Than Significant Impact.** The proposed project would redevelop the project site with a new 65,980 square foot commercial retail/restaurant shopping center. However, the Traffic Impact Analysis assumed a slightly greater build out of 66,080 square feet; and therefore, assumes slightly more traffic would result from the project, which provides a conservative analysis of potential traffic impacts.

The project trip generation was calculated using trip rates from the Institute of Transportation Engineers, *Trip Generation 10<sup>th</sup> Edition*, 2017. As shown in Table T-3, development of 66,310 square feet of retail and commercial development would generate approximately 4,121 daily trips including 181 trips during the AM peak hour and 315 trips during the PM peak hour.

**Table T-3: Project Trip Generation**

Land Use	Units	Daily	AM Peak Hour			PM Peak Hour			
			In	Out	Total	In	Out	Total	
<b>Proposed Project Trip Rate</b>									
Supermarket <sup>1</sup>	TSF	106.78	2.29	1.53	3.82	4.71	4.53	9.24	
Shopping Center <sup>2</sup>	TSF	37.75	0.58	0.36	0.94	1.83	1.98	3.81	
Quality Restaurant <sup>3</sup>	TSF	83.84	-	-	-	5.23	2.57	7.80	
Fast-Food Restaurant with Drive-Through Window <sup>4</sup>	TSF	470.95	20.50	19.69	40.19	16.99	15.68	32.67	
<b>Proposed Project Trip Generation</b>									
Sprouts Supermarket	24.605	TSF	2,627	56	38	94	116	111	227
ULTA Retail	10.64	TSF	402	6	4	10	19	21	40
Retail (AM)/Restaurant (Daily, PM) <sup>5</sup>	27.335	TSF	2,292	16	10	26	143	70	213
Restaurant Pass-By Trips (43% PM) <sup>6</sup>			-986	-	-	-	-61	-30	-91
Drive Through Restaurant	3.5	TSF	1,648	72	69	141	59	55	114
Restaurant Pass-By Trips (49% AM 50% PM) <sup>6</sup>			-824	-35	-34	-69	-30	-28	-58
Total Trip Generation			5,159	115	87	202	246	199	445
Internal Capture <sup>7</sup>			-1,038	-12	-9	-21	-72	-58	-130
<b>Total Net Trip Generation</b>			<b>4,121</b>	<b>103</b>	<b>78</b>	<b>181</b>	<b>174</b>	<b>141</b>	<b>315</b>

Source: EPD 2020, Appendix G.

TSF = Thousand Square Feet

<sup>1</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation, 10<sup>th</sup> Edition*, 2017. Land Use Code 850 - Supermarket.

<sup>2</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation, 10<sup>th</sup> Edition*, 2017. Land Use Code 820 - Shopping Center.

<sup>3</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation, 10<sup>th</sup> Edition*, 2017. Land Use Code 931 - Quality Restaurant.

<sup>4</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation, 10<sup>th</sup> Edition*, 2017. Land Use Code 934 - Code Fast-Food Restaurant with Drive-Through Window.

<sup>5</sup> Undefined in the site plan so AM Trips utilized the Shopping Center Rate and the Daily and PM Trips utilized the Quality Restaurant rate to capture the higher potential impact of both uses.

<sup>6</sup> Pass-By Trip Percentage from the Institute of Transportation Engineers, *Trip Generation Handbook*, 3rd Edition, 2014.

<sup>7</sup> Internal Capture calculation for the Supermarket and Restaurants (no credit taken for retail shopping center) from the Transportation Research Board, NCHRP Report 684, *Enhancing Internal Trip Capture Estimation for Mixed-Use Developments*, 2011.

**Existing Plus Project.** An intersection operations analysis was conducted using the Intersection Capacity Utilization (ICU) methodology that calculates the v/c ratios at a signalized intersection. The calculations of the existing plus project weekday a.m. and p.m. peak hour conditions with operation of the proposed project are shown in Table T-4. As indicated, all study intersections are forecast to continue to operate at a satisfactory LOS D or better (a v/c ratio of less than 0.90) during the weekday a.m. and p.m. peak hours with the addition of project traffic. Therefore, impacts would be less than significant in the existing plus project condition, and no mitigation measures are required.

**Table T-4: Existing Plus Project Conditions**

Intersection	Existing				Existing plus Project				Change in V/C		Impact?	
	AM Peak		PM Peak		AM Peak		PM Peak				AM	PM
	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS				
1. Brookhurst St/ Orangewood Ave	0.539	A	0.552	A	0.546	A	0.560	A	0.007	0.008	No	No
2. Magnolia St/ Chapman Ave	0.780	C	0.822	D	0.785	C	0.836	D	0.005	0.014	No	No
3. Gilbert St/ Chapman Ave	0.415	A	0.475	A	0.420	A	0.484	A	0.005	0.009	No	No
4. Promenade Ln/ Chapman Ave	0.321	A	0.442	A	0.334	A	0.455	A	0.013	0.013	No	No
5. Covey Way/ Chapman Ave	0.315	A	0.429	A	0.351	A	0.462	A	0.036	0.033	No	No
6. Brookhurst St/ Chapman Ave	0.678	B	0.722	C	0.692	B	0.747	C	0.014	0.025	No	No
7. Nutwood St/ Chapman Ave	0.602	B	0.562	A	0.609	B	0.573	A	0.007	0.011	No	No
8. Euclid St/ Chapman Ave	0.829	D	0.754	C	0.834	D	0.768	C	0.005	0.014	No	No
9. Brookhurst St/ Pavillion Way	0.346	A	0.479	A	0.384	A	0.499	A	0.038	0.020	No	No
10. Brookhurst St/Bixby Ave	0.425	A	0.464	A	0.428	A	0.472	A	0.003	0.008	No	No
11. Brookhurst St/ Lampson Ave	0.529	A	0.622	B	0.532	A	0.631	B	0.003	0.009	No	No

Source: EPD 2020, Appendix G.

**Opening Year 2023 Plus Project.** Forecast traffic volumes for the Opening Year conditions were developed by applying a growth rate of 1 percent per year<sup>3</sup> to the existing condition volumes to escalate counts from the count data to 2023 and adding traffic from three cumulative development projects. A trip generation analysis for the cumulative projects (those identified by the City as approved and not yet built and those under review) was prepared.

As shown in Table T-5, all of the intersections would operate at LOS D or better (a v/c ratio of less than 0.90) in the Opening Year plus Project Condition. Therefore, impacts would be less than significant, and no mitigation measures are required.

<sup>3</sup> ibid

**Table T-5: Opening Year (2023) Plus Project Conditions**

Intersection	Opening Year				Opening Year plus Project				Change In V/C		Impact?	
	AM Peak		PM Peak		AM Peak		PM Peak				AM	PM
	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS				
1. Brookhurst St/ Orangewood Ave	0.553	A	0.574	A	0.560	A	0.582	A	0.007	0.008	No	No
2. Magnolia St/ Chapman Ave	0.804	D	0.859	D	0.809	D	0.873	D	0.005	0.014	No	No
3. Gilbert St/ Chapman Ave	0.426	A	0.494	A	0.431	A	0.502	A	0.005	0.008	No	No
4. Promenade Ln/ Chapman Ave	0.329	A	0.474	A	0.338	A	0.487	A	0.009	0.013	No	No
5. Covey Way/ Chapman Ave	0.323	A	0.448	A	0.348	A	0.489	A	0.025	0.041	No	No
6. Brookhurst St/ Chapman Ave	0.697	B	0.749	C	0.711	C	0.773	C	0.014	0.024	No	No
7. Nutwood St/ Chapman Ave	0.619	B	0.585	A	0.625	B	0.596	A	0.006	0.011	No	No
8. Euclid St/Chapman Ave	0.853	D	0.788	C	0.858	D	0.801	D	0.005	0.013	No	No
9. Brookhurst St/ Pavillion Way	0.355	A	0.498	A	0.381	A	0.518	A	0.026	0.020	No	No
10. Brookhurst St/Bixby Ave	0.436	A	0.483	A	0.439	A	0.491	A	0.003	0.008	No	No
11. Brookhurst St/ Lampson Ave	0.544	A	0.646	B	0.546	A	0.655	B	0.002	0.009	No	No

Source: EPD 2020, Appendix G.

As described previously, sidewalks currently exist on both sides of Chapman Avenue and Brookhurst Street. The proposed project would provide for pedestrian circulation by constructing a new 8-foot-wide sidewalk along Chapman Avenue, which would connect to the onsite pedestrian walkways that provide pedestrian access between each of the proposed buildings. The project would provide for pedestrian circulation; and therefore, impacts related to pedestrian facilities would not occur.

Bicycle lanes are located along both sides of Brookhurst Street. The project does not involve changes to the existing bicycle lanes and includes installation of five bicycle racks at store/restaurant entrances to encourage bicycle transportation. As a result, the project would not result in impacts related to bicycle circulation.

Transit service is provided along Chapman Avenue by OC Bus Route 54 with service every 15 minutes during the peak hour; and service along Brookhurst Street is provided by OC Bus Route 35 with service every 20 minutes during the peak hour. The existing bus services would provide efficient transportation to and from the site for both employees and customers and has the potential to reduce vehicle miles traveled. In addition, because the project is located along existing bus routes and within an existing commercial corridor it would not result in the need to expand the existing transit service area. Overall, impacts related to transit services would not occur from implementation of the proposed project.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less Than Significant Impact.** The City of Garden Grove Traffic Impact Analysis Guidelines for VMT was adopted by the City in July of 2020 and provides screening thresholds to identify projects that would have a less than significant impact on VMT, which include meeting specific criteria within

a Transit Priority Area, being within a low traffic analysis zone (TAZ), or being a local serving retail project. As described below, the project is located within a Transit Priority Area and consists of a local serving retail project. The project's consistency with the screening thresholds is detailed below.

**Transit Priority Area.** The City's VMT screening thresholds identify that projects in a Transit Priority Area, which are locations within 0.5 mile of an existing major transit stop (an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods) or an existing stop along a high-quality transit corridor would have a less than significant impact on VMT. However, the City guidelines state that the project may not meet the screening threshold if the following project or location specific criteria are not met:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate or high-income residential units.

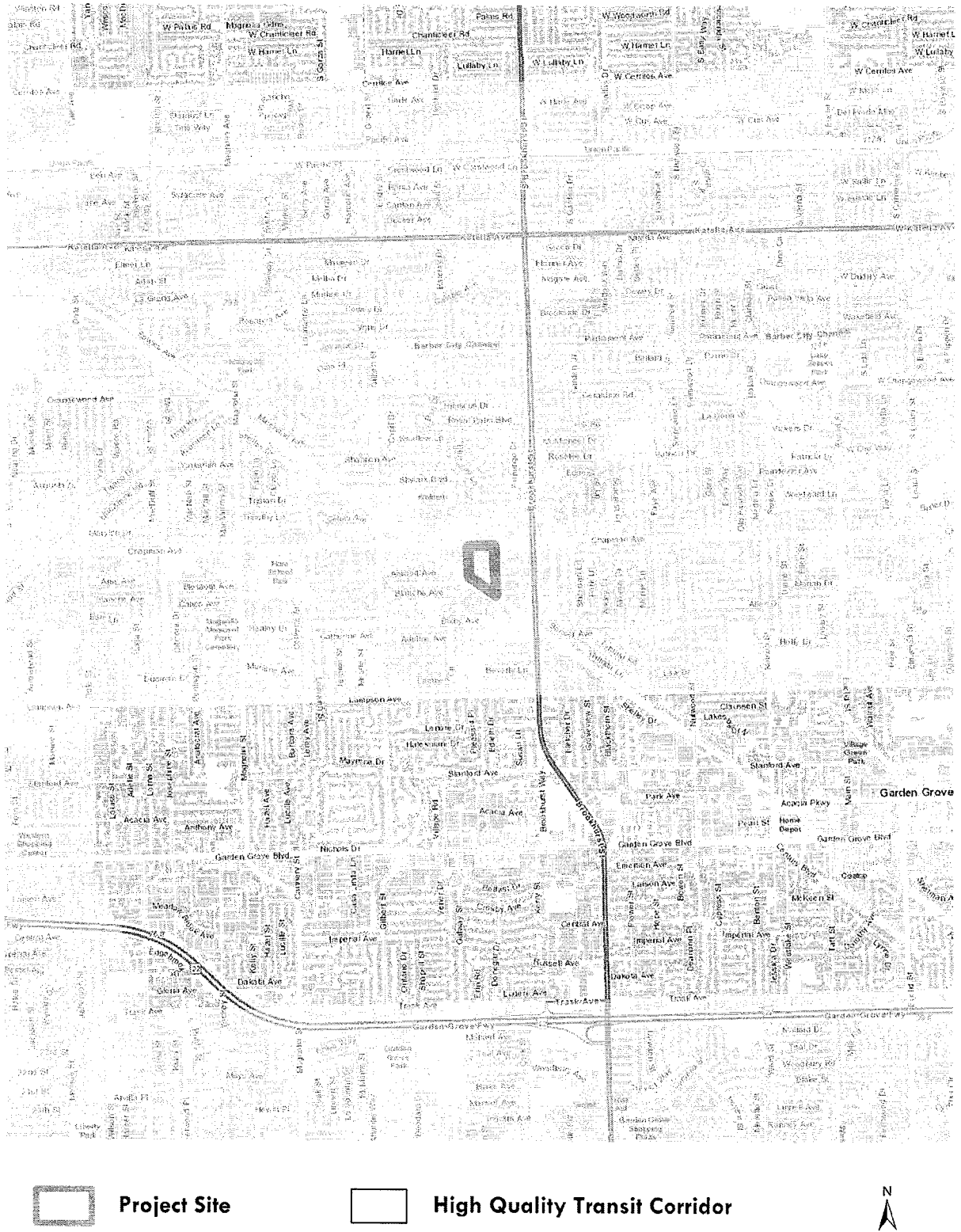
As shown in Figure T-2, the project site is located in a high-quality transit corridor. The proposed project does not involve removing affordable residential units, is consistent with the Sustainable Communities Strategy, existing zoning designation, General Plan land use designation (as detailed previously herein), and does not include more parking than required. However, the project does have a FAR of less than 0.75. Therefore, the project meets some, but not all, of the Transit Priority Area screening criteria.

**Local Serving Retail Projects.** The City's VMT screening thresholds identify that "local-serving retail development tends to shorten trips and reduce VMT". The screening thresholds specifies that retail development includes stores smaller than 50,000 square feet, such as gas stations, banks, restaurants, and shopping centers.

The project site is zoned as Neighborhood Mixed Use and has a General Plan land use designation of Residential/Commercial Mixed Use. These uses are intended to serve the local area. To further demonstrate the local-serving nature of the project, the existing locations of the two anchor tenants (Sprouts Market and ULTA Beauty) were examined. As shown in Figure T-4 there are two Sprouts Markets within an approximately 5-mile radius of the project and there are two ULTA Beauty stores within an approximately 4-mile radius of the project. These existing stores would remain in operation with implementation of the proposed project.

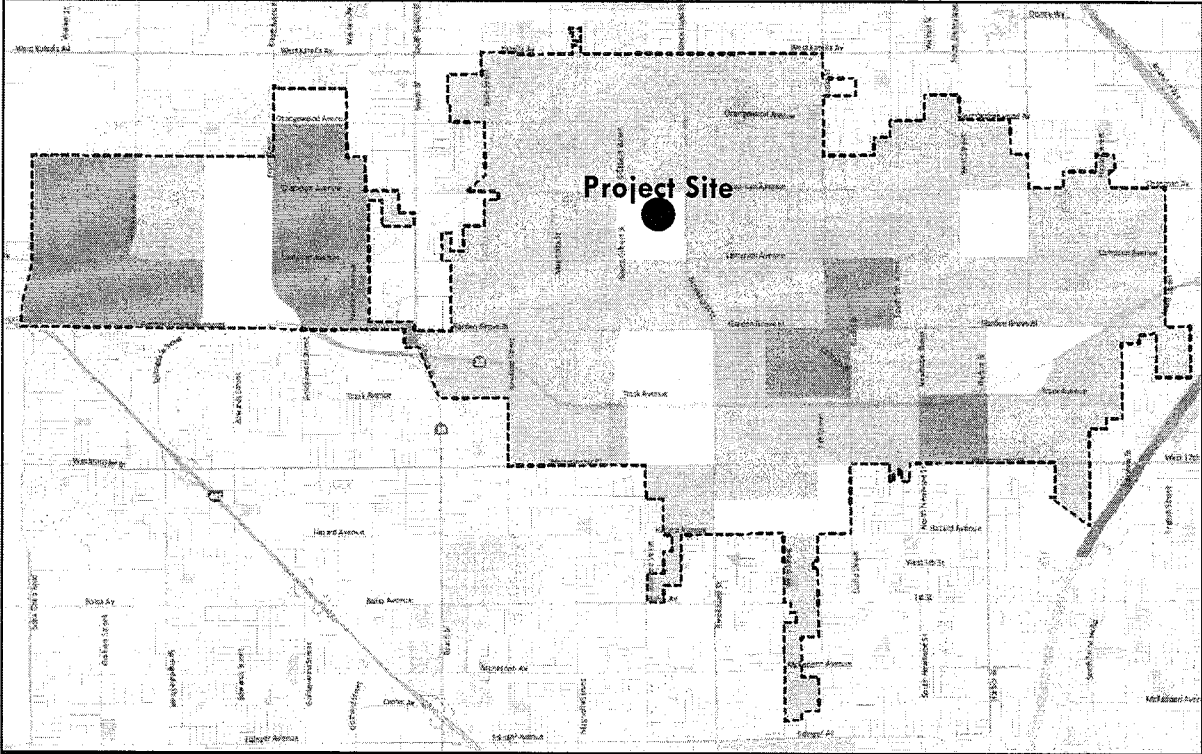


# High Quality Transit Corridor







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# Low VMT Generating Traffic Analysis Zones

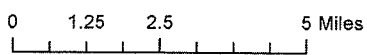
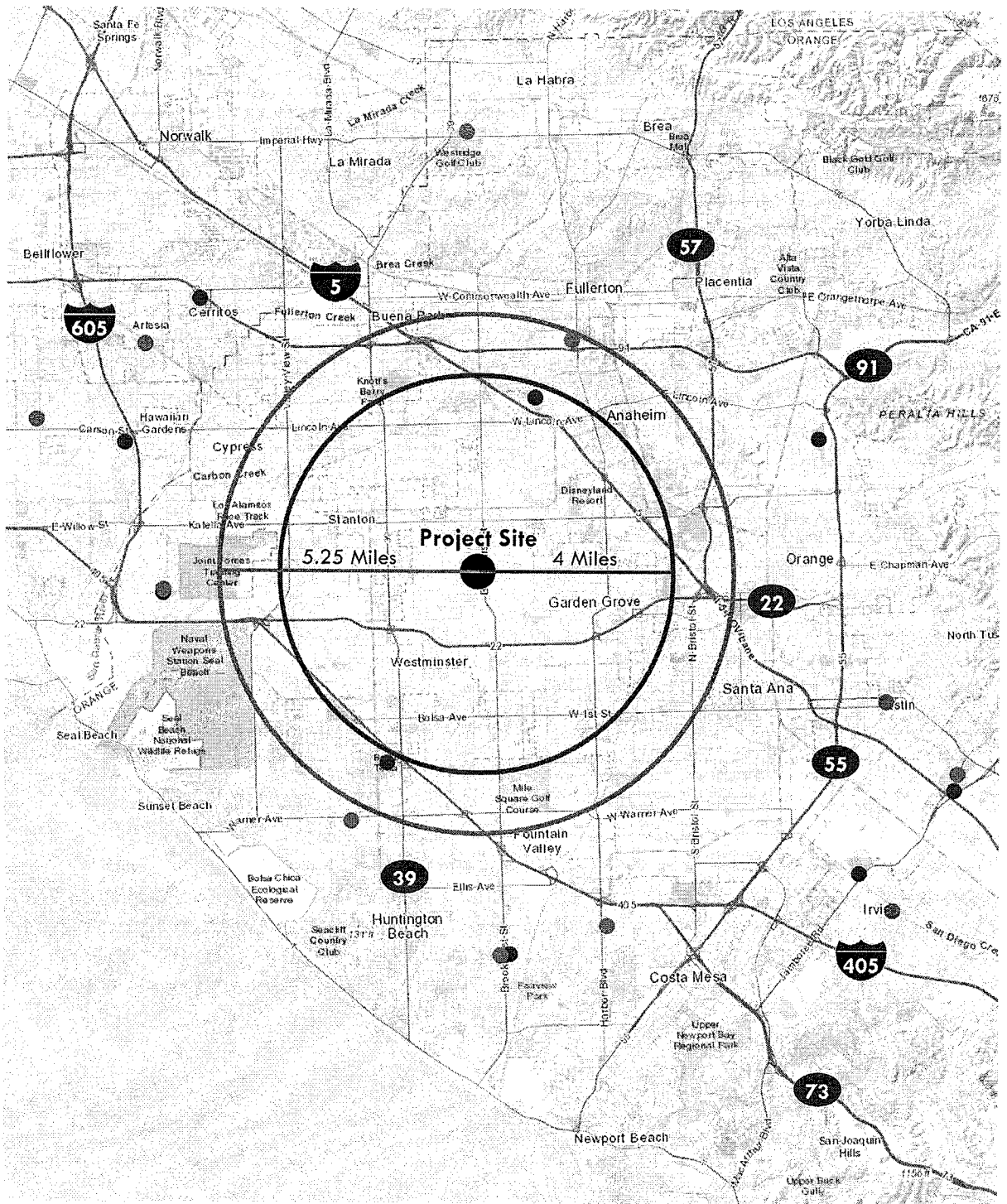


Source: Fehr & Peers

	City Boundary
	<-15% below County Average
	0 to -15% below County Average
	Higher than County Average

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# Location of Similar Retail Stores



● Sprouts Farmers Market ● Ulta Beauty



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Customers would likely travel to the closest store, therefore the farthest that customers would travel to either anchor store would likely be 2.5 miles to visit the two anchor stores, which is the midpoint between the existing and proposed Sprouts Market locations. Furthermore, the proposed project would redevelop a 75,890 square foot building to multiple smaller retail/commercial buildings, with the largest retail space 24,600 square feet. Based on the City's VMT screening thresholds, the site zoning, and General Plan land use designation, the retail/commercial uses are reasonably considered locally serving. Therefore, because the project is local serving, the project would result in a less than significant impact on VMT and no mitigation is required.

**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less Than Significant Impact.** The project includes development of commercial retail and restaurant uses. The project includes community type uses and does not include any incompatible uses, such as farm equipment.

**Circulation.** The proposed project area would be accessed from two driveways on Chapman Avenue. Onsite vehicular circulation would be provided by two east-west aligned drive isles that would be 28-feet and 30-feet in width, and by six north-south aligned drive isles that would be 25-feet in width. Also, truck circulation, as shown on Figure 4, directs trucks from Chapman Avenue, around the outside of the proposed parking area to the receiving area for each store. The truck drive isle around the buildings would be between 28 and 45 feet in width. Pedestrian circulation would be provided by an 8-foot-wide sidewalk along Chapman Avenue that connects to the onsite pedestrian walkways that would provide connection between each of the proposed buildings.

The project would also not increase any hazards related to a design feature. The City's construction permitting process includes review of project plans to ensure that no potentially hazardous transportation design features would be introduced by the project. For example, the onsite circulation plan would be reviewed to ensure fire engine accessibility and turn around area is provided to the fire code standards. As a result, impacts related to vehicular circulation design features would be less than significant, and no mitigation measures are required.

**Queuing.** As shown in Figure 4, *Conceptual Site Plan*, the proposed 3,500 square foot drive-thru restaurant is located adjacent to the eastern driveway access to the site. Therefore, a queuing analysis for the fast-food drive-through was prepared. The mean arrival rate ( $\lambda$ ) during the morning and evening peak hours was determined from the project trip generation as 72 vehicles during the a.m. peak hour and 59 vehicles during the p.m. peak hour. The average completion time (T) is the time that it takes for a car to enter the drive through, place the order, pick up the food and depart, was identified by the 2019 QSR Magazine Drive-Thru Study, as 238.84 seconds during breakfast and 258.28 seconds during dinner.

Based on this information the TIA determined that the average queue would be fewer than 5 vehicles during both the morning and evening peak periods, and the 90th percentile queue during the a.m. and p.m. peak periods would be 11 vehicles and 10 vehicles, respectively. The project site plan provides space for 11 vehicles to queue within the drive-through lane. Therefore, the drive-through would accommodate the 90th percentile queue. In addition, all queuing to the drive through would remain within the project site 100 percent of the time. Therefore, impacts related to queuing would be less than significant. No mitigation measures related to queuing would be required.

**d) Result in inadequate emergency access?**

**Less than Significant Impact.****Construction**

The proposed construction activities, including equipment and supply staging and storage, would occur within the project site, and would not restrict access of emergency vehicles to the project site or adjacent areas. The installation of new driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed project would not require closure of Chapman Avenue. Any temporary lane closures needed for utility connections or driveway access construction would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014), as incorporated into a Traffic Management Plan for the project that the City requires for receipt of construction permits. The Traffic Management Plan would ensure that substantial traffic queuing along Chapman Avenue would not occur and that all construction equipment would be staged on site. Thus, implementation of the project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access impacts to a less than significant level. No mitigation measures are required.

**Operation**

Operation of the project would also not result in inadequate emergency access. The project driveways and internal access would be required through the City's permitting procedures to meet the City's design standards that provides adequate turning space for passenger cars, fire trucks, and delivery trucks. The project is also required to provide fire suppression facilities (e.g., hydrants and sprinklers). The fire department would review the development plans as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), included in GGMC Section 18.32.020. As a result, impacts related to inadequate emergency access would not occur. No mitigation measures are required.

**Existing Plans, Programs, or Policies**

City of Garden Grove General Plan Circulation Element LOS thresholds discussed previously.

**Mitigation Measures**

None.

**Sources**

Traffic Impact Analysis prepared by EPD Solutions, 2020.



<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**18. TRIBAL CULTURAL RESOURCES.**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |   |                          |                                     |                                     |                          |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

The discussion below is based on the Phase I Environmental Assessment Report (Phase I 2017), included as Appendix B; and the Geotechnical Engineering Report prepared by Terracon Consultants, Inc. (Geo 2020), included as Appendix C.

**AB 52**

The project would be required to comply with Assembly Bill 52 (AB 52) regarding tribal consultation. Chapter 532, Statutes of 2014 (i.e., AB 52), requires that Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register or included in a local register of historical resources (PRC Section 21074). AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource falling outside the definition stated above nonetheless qualifies as a “tribal cultural resource.”

In compliance with this requirement, the City of Garden Grove sent AB 52 notification letters 9 contacts at the following 8 tribes on June 23, 2020:

- Gabrielino-Tongva Tribe
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino/Tongva Nation
- Juaneno Band of Mission Indians- Acjachemen Nation

- Torres Martinez Desert Cahuilla Indians
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Soboba Band of Luiseno Indians
- Gabrieleno Band of Mission Indians – Kizh Nation

The Gabrieleno Band of Mission Indians – Kizh Nation responded requesting consultation, provided information on the general project area's tribal cultural significance, and requested Native American monitoring.

**a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

**Less Than Significant Impact.** As detailed previously in Section 5, *Cultural Resources*, the project site was used for agricultural purposes prior to its development for commercial uses, which was in operation between 1960 and the mid-2000's. The project site does not include cultural resources listed/eligible for listing in the Register of Historical Resources, or in local registers. Therefore, the project would not result in impacts to historic resources that are listed or eligible for listing, and no mitigation is required.

**b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

**Less Than Significant Impact with Mitigation Incorporated.** The project site is developed with a commercial building. As described previously in Section 5, *Cultural Resources*, and detailed by the Geotechnical Engineering Report, the site has approximately 3 to 5 feet of fill material across the site that are likely native soils that were excavated and recompacted. As a result of the previous onsite soils disturbance, there is reduced potential for the project to impact tribal cultural resources. However, undiscovered resources could exist in the previously excavated and compacted fill soils.

Therefore, Mitigation Measure CUL-1, as listed previously in Section 5, *Cultural Resources*, has been included to provide procedures to be followed in the unlikely event that potential archaeological resources are discovered during grading, excavation, or construction activities. In addition, to avoid potential impacts to unknown buried tribal cultural resources that could be located in native fill or previously undisturbed native soils, Mitigation Measure TCR-1 has been included to provide for Native American resource sensitivity training, to provide monitoring of ground disturbing activities, and to prescribe activities should any inadvertent discoveries of tribal cultural resources be unearthed by project construction activities. Mitigation Measures CUL-1 and TCR-1 would reduce potential impacts to tribal cultural resources to a less than significant level.

Additionally, as described previously and included as PPP CUL-1, California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, with implementation of Mitigation Measure TCR-1 and the existing regulations, impacts to TCRs would be less than significant.

### **Existing Plans, Programs, or Policies**

**PPP CUL-1: Human Remains.** California Health and Safety Code Section 7050.5. Listed previously in Section 5, Cultural Resources.

### **Mitigation Measures**

**Mitigation Measure CUL-1: Archaeological Resources.** Listed previously in Section 5, *Cultural Resources*.

**Mitigation Measure TCR-1: Native American Monitoring.** The project's grading and construction plans and specifications shall state that, prior to commencement of any ground disturbing activities, a Native American monitor approved by the Gabrielino Band of Mission Indians – Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 (the "Tribe" or the "Consulting Tribe") shall be retained for the proposed project. A copy of the executed contract shall be submitted to the City of Garden Grove Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribe shall be contracted to conduct a Native American Indian Sensitivity Training for construction personnel prior to the start of construction activities. The training session shall include a handout and shall focus on how to identify Native American resources encountered during earthmoving activities and the procedures to be followed if resources are discovered.

The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities of native soils or native fill. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site having the potential to impact Tribal Cultural Resources are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.

In the event that Tribal Cultural Resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a qualified archaeologist in cooperation with a Tribal monitor approved by the Consulting Tribe to determine if the potential resource meets the CEQA definition of historical (CEQA Guidelines 15064.5(a)) and/or unique resource (Public Resources Code Section 21083.2(g)), and/or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a) (Public Resources Code section 21074(c), Public Resources Code section 21083.2(h)). Construction activities could continue in other areas.

If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If the find is considered a "historical resource," a "unique archaeological resource," or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a), the archaeologist, in cooperation with a Native American monitor, shall pursue either preservation in place or recovery, salvage and treatment of the resource. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resources Code

Section 21083.2 and CEQA Guidelines 15064.5 and 15126.4. If a resource, as defined above, is not Native American in origin, cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the project applicant's expense. All recovered and salvaged resources shall be identified and permanently preserved in an established accredited professional repository. Prior to commencement of grading activities, the Director of the City Community and Economic Development Department, or designee, shall verify that all project grading and construction plans require the Native American Sensitivity Training and the treatment of resources as specified in this mitigation measure.

### **Sources**

Geotechnical Engineering Report, April 2020. Prepared by Terracon Consultants, Inc. (Geo 2020).

Phase I Environmental Site Assessment Report (Phase I 2017), Prepared by Partner Engineering and Science, Inc., 2017

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**19. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant Impact.**

**Water Infrastructure**

There are several existing water lines in Chapman Avenue, which include a 6-inch line, a 12-inch line, and a 16-inch line. The proposed project would install new water infrastructure on the project site that would connect to the existing 6-inch and 12-inch water pipelines in Chapman Avenue. The new onsite water system would convey water supplies to the proposed retail, restaurant, and landscaping areas through plumbing/landscaping fixtures that are compliant with the CalGreen requirements for efficient use of water.

The proposed project would obtain general water supplies through the existing 6-inch water line located within the Chapman Avenue rights-of-way. Additionally, separate connections would be made to the existing 16-inch line for provision of emergency fire water. The existing water lines have the capacity to provide the increased water supplies needed to serve the proposed project,

and no extensions or expansions to the water pipelines that convey water to the project site would be required.

The construction activities related to the onsite water infrastructure that would be needed to serve the proposed commercial uses are included as part of the proposed project and would not result in any physical environmental effects beyond those identified throughout this MND. For example, construction emissions for excavation and installation of the water infrastructure is included in Sections 3, *Air Quality* and 8, *Greenhouse Gas Emissions*. Therefore, the proposed project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant. No mitigation measures are required.

### **Wastewater Infrastructure**

There are two existing sewer lines in Chapman Avenue that are 18-inches and 10-inches in diameter. The project includes installation of onsite sewer lines that would connect to the existing 10-inch sewer line in Chapman Avenue, which has adequate capacity to serve the new commercial uses on the site. The construction activities related to installation of the onsite sewer infrastructure that would serve the proposed project, are included as part of the proposed project and would not result in any physical environmental effects beyond those identified throughout this MND. For example, construction emissions for excavation and installation of the sewer infrastructure is included in Section 3, *Air Quality* and 8, *Greenhouse Gas Emissions*, and noise volumes from these activities are evaluated in Section 13, *Noise*.

In addition, as detailed below in Response C, the existing wastewater treatment plant that serves the project site has an additional capacity of 200 MGD, which would accommodate the wastewater flow from the project site. As the proposed project includes facilities to serve the proposed development and the wastewater treatment plant has capacity to serve the site, the proposed project would not result in the need for construction of other new wastewater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant, and no mitigation measures are required.

### **b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**Less Than Significant Impact.** The City's Urban Water Management Plan (UWMP) describes that the City relies on 72 percent groundwater from 13 wells in the Orange County groundwater basin and 28 percent imported water from the Metropolitan Water District of Southern California. The UWMP projects that the water supply mix will remain roughly the same through 2040. The City also operates 8 storage and distribution reservoirs at 5 sites with a combined capacity of 53 million gallons (MG). The storage volume is the equivalent of more than 2 days average use and is more than adequate for peaking demands and firefighting needs (UWMP 2015).

The City's UWMP describes that water demand in 2015 was 24,049 acre-feet yearly (AFY) and based on the existing General Plan land uses and growth assumptions is projected to increase to 26,055 AFY by 2040.

The proposed 65,980 square feet of commercial retail/restaurant uses would result in an increased demand for water supplies because the existing 75,890 square foot building on the site is vacant and not currently utilizing water. However, the project site has a General Plan land use designation for Residential/Commercial Mixed Use 2 (RC2), which allows a maximum Floor Area Ratio (FAR) of

0.50 for non-residential uses. The proposed project would develop approximately 65,980 square feet of commercial retail/restaurant uses on the 7.62-acre (331,927 square feet) site, which would result in a FAR of 0.20, and be lower than the allowable FAR.

Because the 2015 UWMP identifies water supply and demands through 2040 and indicates it would be able to meet all of the anticipated water supply needs in multiple dry years, and the proposed project is consistent with the land use designations for the site with a lower than maximum FAR, the demand from the project is included in the UWMP demand projections. Therefore, the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development (which are those consistent with the existing General Plan land use and zoning designations), during normal, dry, and multiple dry years, and impacts would be less than significant. No mitigation measures are required.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less than Significant Impact.** The City operates and maintains the local sewer collection pipes that feed into the Orange County Sanitation District's (OCSD) trunk sewer system to convey wastewater to OCSD's wastewater treatment plant No. 1 in Fountain Valley that has a capacity of 320 million gallons per day (MGD). In 2019, the estimated average daily flow received at the wastewater treatment plant No. 1 was 120 MGD. Thus, the plant has additional capacity of 200 MGD.

Based on OCSD's wastewater generation rate of 2,262 gallons per day per acre of low commercial area, the proposed project would generate approximately 17,236 gallons per day, which would be within the capacity of wastewater treatment plant No. 1. In addition, the flows generated by the project would replace the pre-existing flows that were generated by the existing building, which would be accommodated by the existing offsite sewer system. Therefore, impacts related to wastewater system capacity would be less than significant. No mitigation measures are required.

- d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?**

**Less Than Significant Impact.** In 2018, a large portion of the solid waste from the City of Garden Grove, which was disposed of in landfills, went to the Frank Bowerman Sanitary Landfill (Calrecycle 2020). Due to the location of the landfill it is likely that solid waste from the project would be disposed of at this facility. The Frank Bowerman Sanitary Landfill is permitted to accept 11,500 tons per day of solid waste and is permitted to operate through 2053. In September 2019, the maximum tonnage received was 9,967 tons. Thus, the facility had additional capacity of approximately 1,533 tons per day (Calrecycle 2020).

### **Construction**

Project construction would generate solid waste for landfill disposal in the form of demolition debris from the existing building and infrastructure that would be removed from the site. Demolition waste would be properly characterized as required by law and recycled or disposed of at an appropriate type of landfill for such materials. Construction waste in the form of packaging and discarded materials would also be generated by the proposed project. Utilizing a construction waste factor of 4.34 pounds per square foot (EPA 2003), demolition of the 75,890 square foot building would generate approximately 164.68 tons of waste during demolition and additional waste during construction, which would occur over a 14-month period. However, Section 5.408.1 of the existing CalGreen Building Standards Code requires demolition and construction activities to

recycle or reuse a minimum of 75 percent of the nonhazardous construction and demolition waste (included in the GGMC as Section 18.60.040 and below as PPP SW-1). Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 25 percent of the waste generated. Therefore, demolition activities, which would generate the most solid waste would generate approximately 41.17 tons of solid waste. As shown in Table 4 of the Project Description, demolition activities would occur over 20 working days (4 week) period. This equates to approximately 2.1 tons of debris per day.

As described above, the Frank Bowerman Sanitary Landfill had additional capacity of approximately 1,533 tons per day. Therefore, the facility would be able to accommodate the addition of 2.1 tons of waste per day during demolition of the proposed project. Thus, impacts to landfills during construction activity would be less than significant and no mitigation measures are required.

### **Operation**

The CalEEMod solid waste generation rate for the shopping center land use is 1.05 tons per square foot per year. The project includes 65,980 square feet of commercial retail/restaurant shopping center uses. Thus, operation of the project would generate approximately 69,279 tons of solid waste per year; or 1,332 tons per week. However, at least 75 percent of the solid waste is required by AB 341 to be recycled, which would reduce the volume of landfilled solid waste to approximately 333 tons per week.

As the Frank Bowerman Sanitary Landfill has additional capacity of approximately 1,533 tons per day, the solid waste generated by the project would be within the capacity of the landfill. Thus, the proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and the project would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant. No mitigation measures are required.

### **e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No Impact.** The proposed project would result in new development that would generate an increased amount of solid waste. All solid waste-generating activities within the City is subject to the requirements set forth in Section 5.408.1 of the California Green Building Standards Code and the City's Municipal Code Section 18.60.040 (included as PPP SW-1) that requires demolition and construction activities to recycle or reuse a minimum of 75 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. Implementation of the proposed project would be consistent with all state regulations, as ensured through the City's development project permitting process. Therefore, the proposed project would comply with all solid waste statutes and regulations; and impacts would not occur. No mitigation measures are required.

### **Existing Plans, Programs, or Policies**

**PPP SW-1:** The City's Municipal Code Section 18.60.040, Minimum Construction and Demolition Waste Diversion Requirements. Construction projects shall reuse, recycle, or divert the minimum percentage amount of designated recyclable and reusable materials as set forth by the CALGreen (Part 11 of Title 24, California Code of Regulations) requires a minimum diversion of 75%.



**Mitigation Measures**

None.

**Sources**

California Emissions Estimator Model Appendix D Default Data Tables. Table 10.1 Solid Waste Disposal Rates. Accessed: [http://www.aqmd.gov/docs/default-source/caleemod/upgrades/2016.3/05\\_appendix-d2016-3-1.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/caleemod/upgrades/2016.3/05_appendix-d2016-3-1.pdf?sfvrsn=2)

CalRecycle Solid Waste Information System. Accessed at:  
<http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>

CalRecycle Disposal Reporting System: Jurisdiction Tons by Facility. Accessed at:  
<https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility>

City of Garden Grove 2015 Urban Water Management Plan. Accessed:  
<https://ggcity.org/pdf/pw/finalgardengroveuwpjune2016.pdf>

Orange County Sanitation District Design and Construction Requirements For Sanitary Sewers. Accessed: <https://www.ocsd.com/Home/ShowDocument?id=28159>

Phase I Environmental Site Assessment Report (Phase I 2017), Prepared by Partner Engineering and Science, Inc., 2017.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>20. WILDFIRES.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** The project site is developed and within an urbanized residential area of the City of Garden Grove. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas. According to the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. Also, as described previously, the proposed project area would be accessed from two locations on Chapman Avenue. Permitting of the driveways and onsite circulation would provide adequate and safe circulation to, from, and through the project site that would provide appropriate emergency access and evacuation routes. Because the project is required to comply with the California Fire Code (included as GGMC 18.32.020), as verified by the City’s permitting process, potential impacts related to impairment of an emergency response or evacuation plan would not occur. No mitigation measures are required.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** The project site is developed and within an urbanized residential area of the City of Garden Grove. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas, and as determined by the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. In addition, the project site is flat and within

a flat area. The site is adjacent to a roadway, a concrete railroad easement used for car storage, and commercial development. There are no factors on or adjacent to the project site that would exacerbate wildfire risks. Thus, no impacts related to other factors that would expose persons on site to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would occur from the project. No mitigation measures are required.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** As described previously, the project site is developed and within a developed and urban area that is not within a wildfire hazard zone. The project does not include any infrastructure that would exacerbate fire risks. In addition, the project would provide internal circulation and fire suppression facilities (e.g., hydrants and sprinklers) that conform to the California Fire Code requirements, included in GGMC 18.32.020, as verified through the City's permitting process. Therefore, impacts related to infrastructure that could exacerbate fire risks would not occur with the proposed project. No mitigation measures are required.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No Impact.** As described previously, the project site is developed and within a developed and urban area that is not within a wildfire hazard zone. In addition, the project site is flat and surrounded by flat areas. There are no slope or hillsides that would become unstable. In addition, the project would install onsite drainage that would convey stormwater above the 85<sup>th</sup> percentile to the existing storm drains that are adjacent to the site, which is consistent with the existing condition. Therefore, impacts related to flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would not occur from the proposed project. No mitigation measures are required.

**Existing Plans, Programs, or Policies**

None.

**Mitigation Measures**

None.

**Sources**

California Department of Forestry and Fire Protection (CAL FIRE). 2020. Fire Hazard Severity Zone Map. Accessed:  
<https://forestwatch.maps.arcgis.com/apps/Styler/index.html?appid=5e96315793d445419b6c96f89ce5d153>

**21. MANDATORY FINDINGS OF SIGNIFICANCE.**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially 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, substantially 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a) Does the project have the potential to substantially 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, substantially 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?**

**Less Than Significant Impact with Mitigation Incorporated.** As described in Section 4, *Biological Resources*, the project site is developed, and no special status vegetation types or wildlife species are located on or adjacent to the project site. No potentially suitable habitat for special status plant or wildlife species is on or adjacent to the site. Additionally, the project site does not include riparian, wetland, grassland, woodland, or other natural areas. However, the project area contains scattered ornamental trees that could be used for nesting by common bird species that are protected by the federal MBTA and the California Fish and Game Code Sections 3503.5, 3511, and 3515. These bird species are protected during the avian nesting and breeding season, which occurs between February 1 and September 15. Therefore, Mitigation Measure BIO-1 has been included to require a nesting bird survey if construction commences during nesting season. Mitigation Measure BIO-1 would reduce potential impacts to a less than significant level.

Also, as described Section 5, *Cultural Resources*, and Section 18, *Tribal Cultural Resources*, the project site does not contain any historic resources, archaeological resources, or known tribal cultural resources. The site has been highly disturbed from past activities and contains 3 to 5 feet of fill materials. As a result, the potential for archaeological, tribal cultural, or paleontological resources on the site is low. However, Mitigation Measures CUL-1 and TCR-1 have been included to ensure

that any inadvertent discovery of potential resources during ground-disturbing activities would be less than significant.

- 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)?**

**Less than Significant with Mitigation Incorporated.** Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. CEQA Guidelines, Section 15130 (a) and (b), states:

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The project site is currently developed and is located in an urban area. The project would redevelop the site for commercial retail and restaurant uses, which is consistent with the General Plan Land Use designation, zoning designation, and surrounded by similar residential development.

The City has identified three development projects that are in the general vicinity of the project site that may have the potential to result in cumulative effects. These projects include the following:

- A. Video Arcade: 1,400 square feet (9691 Chapman Avenue)
- B. Convenience Store (2,232 square feet) with Gas Station (8471 Chapman Avenue)
- C. Citi Bank: 4,200 square feet (9665 Chapman Avenue)

Like the proposed project, the three cumulative projects involve redevelopment of parcels within the existing urban environment and are community type uses. The cumulative projects are also located on Chapman Avenue, and as detailed in Section 17, *Transportation*, the cumulative projects would not generate a cumulative traffic impact with implementation of the proposed project.

In addition, all of the other potential impacts related to implementation of the project would be less than significant or reduced to a less than significant level with implementation of mitigation measures related to biological resources, cultural resources, paleontological resources and tribal cultural resources. In addition, the cumulative effect of the project is limited, due to the small scale and redevelopment nature of the project on land that has been previously disturbed and is zoned for the proposed uses. The project would rely on and can be accommodated by the existing road system, public services, and utilities. Thus, impacts to environmental resources or issue areas would not be cumulatively considerable; and cumulative impacts would be less than significant.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less than Significant with Mitigation Incorporated.** The project proposes redevelopment of the project site for new commercial retail and restaurant uses. As described previously, the project site is within an urban area and surrounded by consistent land uses. The project would not consist of any use or any activities that would result in a substantial negative affect on persons in the vicinity. All resource topics associated with the proposed project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts or less-than-significant impacts with implementation of mitigation measures related to biological resources, cultural resources, paleontological resources, and tribal cultural resources; and existing plans, programs, or policies that are required by the City. Consequently, the proposed project would result in environmental effects that would cause substantial adverse effects on human beings directly or indirectly, and impacts would be less than significant with mitigation.

**Existing Plans, Programs, or Policies**

As listed in previous responses.

**Mitigation Measures**

As listed in previous responses.

## 5 DOCUMENT PREPARERS AND CONTRIBUTORS

**Lead Agency:**

City of Garden Grove  
Community and Economic Development Department  
11222 Acacia Parkway  
Garden Grove, CA 92840

**CEQA Document Preparer:**

EPD Solutions, Inc.  
Konnie Dobreva, JD  
Renee Escario  
Meghan Macias, T.E.  
Alex Garber

RESOLUTION NO. 6018-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING SITE PLAN NO. SP-096-2021, CONDITIONAL USE PERMIT NO. CUP-200-2021, VARIANCE NO. V-032-2021 AND TENTATIVE PARCEL MAP NO. PM-2020-174 FOR PROPERTY LOCATED AT 9852 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 133-111-20.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 18, 2021, does hereby approve Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174 for a parcel located on the south side of Chapman Avenue, west of Brookhurst Street, at 9852 Chapman Avenue, Assessor's Parcel No. 133-111-20, subject to the conditions of approval attached hereto as Exhibit "B".

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by EPD Solutions, Inc.
2. The Applicant requests (a) Site Plan approval to demolish a 76,000 square foot, vacant grocery store building (formerly Vons Pavilion), to construct an approximately 65,980 square foot shopping center, Pavilion Plaza West, in the form of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot multi-tenant commercial building; (b) Conditional Use Permit approval to operate and construct the drive-thru restaurant pad building; (c) Variance approval to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement for the gross building footprint of a structure at ground level not exceed 40,000 square feet of contiguous floor area; and (d) Tentative Parcel Map approval to subdivide the 7.03-acre (306,411 square feet) property into two (2) parcels to create a new 0.45-acre (19,459 square feet) parcel for the proposed drive-thru restaurant pad building.
3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. and the CEQA Guidelines, California Code of Regulations, Title 14, Sections 15000 et seq., an initial study was prepared for the proposed Project and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with implementation of 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. These mitigation measures are summarized in Exhibit "A" attached hereto. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.

4. The property has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use). The subject 7.03-acre site is improved with a 76,000 square foot, vacant grocery store building, formerly Vons Pavilion.
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 February 18, 2021, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on February 18, 2021, and considered all oral and written testimony presented regarding the project.

BE IT FURTHER RESOLVED, FOUND, AND DETERMINED as follows:

1. The Planning Commission of the City of Garden Grove has independently considered the proposed Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, together with comments received during the public review process.
2. The Planning Commission of the City of Garden Grove finds 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.
3. The Planning Commission further finds that the adoption of the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
4. Therefore, the Planning Commission of the City of Garden Grove does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
5. The record of proceedings on which the City Council of the City of Garden Grove's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway,

Garden Grove, California. The custodian of record of proceedings is the Director of Community and Economic Development.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030 and Government Code Section 66412, are as follows:

FACTS:

The subject property is located on the west side of Brookhurst Street, south of Chapman Avenue, with frontage along Chapman Avenue. The site, approximately 7.03 acres (306,411 square feet), is currently developed with a 76,000 square foot, vacant grocery store building, formerly known as Vons Pavilion. The existing structure was originally built as a Zody's Department Store in 1960. According to Business Tax records, the Vons Pavilion grocery store began operating in 1985, but ceased operation in 2005. The subject site has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2 and is zoned NMU (Neighborhood Mixed Use). The property abuts NMU zoned properties. The Pavilion Plaza shopping center and Southland Integrated Services medical building are located to the east of the subject site, the Sydney Plaza shopping center to the west, the Promenade shopping center to the north across Chapman Avenue, and a portion of the OCTA Pacific Electric Right of Way (ROW) to the south.

Vehicular access to the site is currently via two (2) common drive approaches along Chapman Avenue: one is shared with the Sydney Plaza shopping center and is located along the westernmost portion of the site, and the second is located along the easternmost portion of the site, shared with the Pavilion Plaza shopping center and Southland Integrated Services medical building. A Reciprocal Cross Easement Agreement (REA) is currently in place for this common access point between the properties.

The General Plan adopted the Residential/Commercial Mixed Use 2 Land Use designation in 2008 to help revitalize the areas that surround the shopping centers near the intersection of Brookhurst Street and Chapman Avenue. The City of Garden Grove adopted mixed-use zoning, including the NMU zone, in 2012. Consequently, the subject site was rezoned from C-1 (Neighborhood Commercial) to NMU to implement the General Plan Land Use designation of Residential/Commercial Mixed Use 2. The NMU zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. This zone allows for retail and service commercial businesses and moderate-density residential uses. Residential and commercial uses may be provided together as an integrated mixed-use development, or stand-alone commercial development. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development.

The applicant is proposing to demolish the existing 76,000 square foot building in order to construct a new, 65,980 square foot shopping center consisting of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot multi-tenant commercial building, with the supermarket Sprouts Farmers Market as the major tenant. Along with the request, approval of a Conditional Use Permit is required to operate and construct the drive-thru restaurant pad building. Additionally, the applicant is requesting approval of a Variance to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement for that the gross building footprint of a structure at ground level not exceed 40,000 square feet of contiguous floor area. Lastly, the applicant is requesting Tentative Parcel Map approval to subdivide the 7.03-acre (306,411 square feet) property into two (2) parcels to create a new 0.45-acre (19,459 square feet) parcel for the proposed drive-thru restaurant pad building. The applicant is also proposing site improvements that include new parking and drive aisles, landscaping, and trash enclosures to comply with the requirements of Title 9 of the Municipal Code.

FINDINGS AND REASONS:

**SITE PLAN:**

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of the Municipal Code and other applicable ordinances and is consistent with the General Plan.

The property has a land use designation of Residential/Commercial Mixed Use 2 and is zoned NMU. The General Plan adopted the Residential/Commercial Mixed Use 2 Land Use designation in 2008 to help revitalize these areas that surround the shopping centers near the intersection of Brookhurst Street and Chapman Avenue. The City of Garden Grove adopted mixed-use zoning, including the NMU zone, to implement the General Plan Land Use designation of Residential/Commercial Mixed Use 2. The project will further the City's General Plan Goal LU-1, which strives to establish a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision. Policy LU-1.3 encourages a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations. Policy LU-1.4 also encourages active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas. Finally, Policy LU-1.7 encourages the design of new commercial developments as integrated centers, rather than as small individual strip developments. The proposed project consists of a variety of retail and commercial services that will be an integrated pedestrian-oriented shopping center. The applicant is proposing to demolish the existing 76,000 square foot building in order to construct a new, 65,980 square foot shopping center consisting of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad

building, and a 51,280 square foot multi-tenant commercial building, with the supermarket Sprouts Farmers Market as the major tenant. The project is designed to comply with the development standards of the NMU zone, and complies with the required parking, setbacks, and landscaping. Therefore, the proposed development is consistent with the intent of the Residential/Commercial Mixed Use 2 Land Use designation and the City's adopted General Plan.

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 shopping center will consist of sufficient parking, loading and unloading areas, traffic circulation and points of vehicular and pedestrian access, as required by Title 9 of the Municipal Code. Based on the parking requirements of the Municipal Code, a total of 407 parking spaces are required. The development will provide 382 on-site parking spaces, 21 spaces will be located on adjacent properties per the amended REA, and five (5) spaces in drive-thru queue will be counted toward the required parking count, resulting in a total of 408 parking spaces, which is a surplus of one (1) parking space. Therefore, the Project complies with parking requirements of the Municipal Code.

The shopping center will continue to be accessed from two (2) common existing drive approaches along Chapman Avenue. On-site vehicular circulation is provided via two-way drive aisles leading from Chapman Avenue to access the proposed drive-thru pad building, the commercial multi-tenant pad building, and the multi-tenant commercial building located at the rear of the site. The subject site may also be reached from Brookhurst Street via the various shared driveways located in the Pavilion Plaza shopping center to the east. Therefore, the site will continue to maintain the same shared vehicular access with the adjacent properties. A Traffic Study was prepared for the project that reviewed the project's site access and circulation, including the queuing for the drive-thru building, and determined that the site design is adequate. The City's Traffic Engineering Section has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to minimize any impacts to surrounding streets.

The Municipal Code requires for pedestrian walkways, and other pedestrian-oriented plaza design requirements. The site will be developed with enhanced pedestrian walkways that connect the pedestrian plaza and public sidewalks through the parking areas toward all building entrances within the site. Therefore, the shopping center will consist of sufficient parking, loading and unloading areas, traffic circulation and points of vehicular and pedestrian access.

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

The utilities, drainage channels, and streets in the area are existing and adequate to accommodate the development, and all appropriate conditions of approval will minimize any impacts to surrounding streets. The proposed development will provide landscaping and proper grading of the site, thereby, providing adequate on-site drainage.

4. That the proposed development will not adversely impact the City's ability to perform its required public works functions.

The Public Works Department has reviewed the project, and all appropriate conditions of approval to improve the site have been included. Furthermore, issues raised by the project have been addressed in the project design and the conditions of approval.

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

The General Plan adopted the Residential/Commercial Mixed Use 2 Land Use designation in 2008 to help revitalize these areas that surround the shopping centers near the intersection of Brookhurst Street and Chapman Avenue. The proposed 65,980 square foot shopping center complies with the development standards of the NMU zone, and complies with the required parking, setbacks, and landscaping. Therefore, the proposed development is consistent with the intent of the Residential/Commercial Mixed Use 2 Land Use designation and the City's adopted General Plan. Moreover, the proposed development will enhance the overall site's appearance, which is currently vacant and underutilized. The project will provide the required landscape treatment along Chapman Avenue, including pedestrian walkways, and other pedestrian-oriented plaza design requirements, to compliment the shopping centers in the immediate vicinity. Therefore, the development possesses a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

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 proposed shopping center will consist of three (3) buildings: a 3,500 square foot drive-thru restaurant pad building and an 11,200 square foot commercial multi-tenant pad building fronting Chapman Avenue on the north side of the property, and a 51,280 square foot multi-tenant commercial building to be placed at the rear of the site on the south side of the property.

As required by the NMU zone, the shopping center will provide landscaping and site amenities, such as pedestrian pathways to connect uses across the site and a plaza area improved with patio tables and landscaped planters. Pedestrian walkways will also be provided to allow easy and clearly identifiable pedestrian access from the sidewalk at the public rights-of-way to the building entrances. The walkways will be enhanced with high-quality materials and landscaping consisting of accent shrubs and groundcover to satisfy the requirements of the NMU zone. Therefore, 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.

**CONDITIONAL USE PERMIT:**

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

The shopping center proposes a 3,500 square foot drive-thru restaurant pad building. Title 9 of the Municipal Code requires CUP approval for any use involving a drive-thru facility. All drive-thru facilities are required to have two-way driveways and meet minimum queuing distances. At the proposed drive-thru restaurant within the shopping center, a single drive-thru lane located at the southeast corner of the new 19,459 square foot parcel that fronts Chapman Avenue, will run around the northern portion of the pad building, terminating with an exit at the southwest corner of the parcel.

The General Plan adopted the Residential/Commercial Mixed Use 2 Land Use designation in 2008 to help revitalize these areas that surround the shopping centers near the intersection of Brookhurst Street and Chapman Avenue. The City of Garden Grove adopted mixed-use zoning, including the NMU zone, in 2012. Consequently, the subject site was rezoned to NMU to implement the General Plan Land Use designation of Residential/Commercial Mixed Use 2. The project will further the City's General Plan Goal LU-1, which strives to establish a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision. Policy LU-1.3 encourages a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations. Policy LU-1.4 also encourages active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas. Finally, Policy LU-1.7 encourages the design of new commercial developments as integrated centers, rather than as small individual strip developments. The proposed project consists of a variety of retail and commercial services that will be an integrated pedestrian-oriented shopping center. The NMU zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. This zone allows for retail and service commercial businesses. Commercial uses and

intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential developments, such as drive-thru restaurants. Therefore, the proposed drive-thru pad building is consistent with the City's adopted 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 proposal to build a drive-thru restaurant as part of a new shopping center will not adversely affect the health, peace, comfort, or welfare in the surrounding area. The NMU zone allows for restaurant uses and the project is designed to meet the requirements of Title 9 of the Municipal Code, including parking, setbacks, and landscaping. All drive-thru facilities are required to have two-way driveways and meet minimum queuing distances. A single drive-thru lane is being proposed at the southeast corner of the new 19,459 square foot parcel that fronts Chapman Avenue, and run around the northern portion of the pad building, terminating with an exit at the southwest corner of the parcel. A 3'-0" tall screen wall will be provided in the form of shrubs along the drive-thru, as required by Code, to prevent vehicle headlights from shining onto oncoming traffic.

The proposed drive-thru restaurant is subject to all provisions of the Garden Grove Municipal Code and the conditions of approval, which will minimize potential impacts to property and persons residing or working in the surrounding area.

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 proposed drive-thru restaurant, with the proposed site improvements and as part of the new shopping center, is of adequate size to accommodate the proposed use and is integrated with the other uses in the surrounding area. The proposed drive-thru restaurant will be built on a separate parcel that will be part of an integrated shopping center that will also be developed with commercial uses. The shopping center will consist of sufficient parking, landscaping, and loading facilities, as required by Title 9 of the Municipal Code. Based on the parking requirements of the Municipal Code, a total of 407 parking spaces are required. The development will provide 382 on-site parking spaces, 21 spaces will be located on adjacent properties per the amended REA, and five (5) spaces in drive-thru queue will be counted toward the required

parking count, resulting in a total of 408 parking spaces, which is a surplus of one (1) parking space. Therefore, the Project complies with parking requirements of the Municipal Code. The site proposes 6,750 square feet of landscaping in the required front 15'-0" setback, and a total of 33,641 square feet, or eleven (11%) percent, of the net 301,641 square foot developable area, exceeding the requirements by one (1%) percent. The parking lot is required to provide 102 trees to satisfy requirement of one (1) tree per every four (4) parking spaces. The parking lot provides a total of 112 trees, which exceeds the minimum requirement by ten (10) trees. Lastly, the proposed shopping center landscaping is to comply with the landscaping requirements of Title 9 of the Municipal Code, including the City's Landscape Water Efficiency Guidelines.

4. That 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 such as to be generated, and by other public or private service facilities as required.

The subject shopping center will continue to be accessed from two (2) common existing drive approaches along Chapman Avenue: one is shared with the Sydney Plaza shopping center and is located along the westernmost portion of the site that, and the second is located along the easternmost portion of the site, shared with the Pavilion Plaza shopping center and Southland Integrated Services medical building. The subject site may also be reached from Brookhurst Street via the various shared driveways located in the Pavilion Plaza shopping center to the east. Therefore, the site will continue to maintain the same shared vehicular access with the adjacent properties.

A Traffic Study was prepared for the project that reviewed the project's site access and circulation, including the queuing for the drive-thru building, and determined that the site design is adequate. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

**VARIANCE:**

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The subject site is irregularly shaped and is adjacent to a portion of the OCTA Pacific Electric Right of Way (ROW) to the south. The ROW creates a challenge when developing the site due to the diagonal south property line. This condition differs from other NMU zoned properties in the City, which are rectangular in shape, rendering them less challenging to develop. Positioning one (1)



contiguous 51,280 square foot building toward the rear of the lot with a storefront spanning across the width of the lot, as opposed to two (2) separate buildings with a smaller building footprint, creates a storefront that allows for improved vehicle circulation and more efficient parking layout, while creating a buffer between truck deliveries and customer vehicular and pedestrian circulation. The site's irregular shape creates constraints where breaking down the building footprint into two (2) buildings becomes unfeasible in relation to vehicular and pedestrian circulation. Moreover, additional driveways and walkways between the building footprints would result in additional constraints that decrease the overall building area. Therefore, due to the property's shape, compliance with the NMU zone's development standards for parking, setbacks and landscaping, the maximum contiguous floor area limit of 40,000 square feet for a single building results in a less viable development. The shape of the site is a unique condition that is not present in other sites within the same zone, or in the vicinity, of the project site, and constitutes an exceptional and extraordinary circumstance.

2. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

The City has NMU zoned properties at two (2) major intersections: Brookhurst Street/Chapman Avenue and Euclid Street/Katella Avenue. While the maximum contiguous floor area limit of 40,000 square feet for a single building footprint is only applicable to the NMU zone, shopping centers in the direct vicinity of the subject site, which are also zoned NMU, contain buildings that substantially exceed the 40,000 square foot floor area limit. For example, the Promenade shopping center to the north across Chapman Avenue, is zoned NMU and is developed with a single building with a footprint over 100,000 square feet, substantially exceeding the limit established in the zone's development standards. The Pavilion Plaza shopping center located to the east of the subject site, also zoned NMU, is developed with two (2) buildings exceeding a 40,000 square foot building footprint each. Similarly, at the southwest corner of Euclid Street and Katella Avenue, an NMU zoned shopping center is developed with a building footprint over 100,000 square feet. Therefore, granting of a Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone.

3. The granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The granting of a Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the site. The granting of the Variance will allow for re-development of a blighted,

underutilized property with a new development that complies with the NMU zone's development standards relating to parking, setbacks, and landscaping. Retaining the project's design with a building exceeding the maximum contiguous floor area limit of 40,000 square feet, would not generate any undesirable impacts on persons or properties in the site vicinity, particularly due to the existing buildings in the direct vicinity that exceed the footprint limitation. Reducing the building footprint to comply with the Municipal Code's contiguous area limit, would remove leasable area, severely impacting the viability of the shopping center. In addition, the proposed building continues to comply with the intent of the NMU zone by enhancing, revitalizing, and providing opportunities for new development in neighborhood commercial centers. Therefore, the granting of a Variance to deviate from the footprint limitation, would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the site.

4. The granting of such Variance will not adversely affect the City's General Plan.

The granting of a Variance would not adversely affect the General Plan vision for the site. The General Plan land use designation of the project site is Residential/Commercial Mixed Use 2. The Land Use designation of the site, and the applicable goals and policies of the General Plan, do not have a contiguous building floor area limit of 40,000 square feet. Rather, the Land Use designation limits the Floor Area Ratio (FAR) for commercial uses to 0.5. The proposed FAR of the shopping center is below the threshold at 0.2. Therefore, the proposed project is consistent with the General Plan. The project is the redevelopment a blighted and vacant 76,000 square foot building, formerly occupied by a Vons Pavilion supermarket. While the proposed project exceeds the 40,000 square feet contiguous floor area limit per Section 9.18.090.070.B of Title 9 of the Municipal Code, it is substantially smaller than the existing structure being demolished. Moreover, the project will comply with the City's Municipal Code requirements, thereby increasing compliance with General Plan guidance.

Approval of the Variance is consistent with several goals set forth in the General Plan. The project will further the City's General Plan Goal LU-1, which strives to establish a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision. Policy LU-1.3 encourages a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations. Policy LU-1.4 also encourages active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas. Finally, Policy LU-1.7 encourages the design of new commercial developments as integrated centers, rather than as small individual strip developments. The proposed project consists of a variety of retail and commercial services that will be an integrated pedestrian-oriented

shopping center. Therefore, granting of this Variance is in keeping with the spirit and intent of the General Plan.

5. The approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The proposed project includes one building that exceeds the 40,000 square feet contiguous floor area limit required for NMU zoned properties. Other shopping centers in the direct vicinity of the subject site, which are also zoned NMU, also contain buildings that substantially exceed the 40,000 square foot floor area limit. The granting of the Variance will allow for re-development of a blighted, underutilized property with a new development that complies with the NMU zone's development standards relating to parking, setbacks, and landscaping. The proposed project is conditioned to meet all other design standards of Title 9 of the Municipal Code, including but not limited to, parking, setbacks, and landscaping. In addition, pursuant to the Conditions of Approval, the rights granted the applicant pursuant to Variance No. V-032-2021 shall continue in effect for only so long as the site improvements authorized by Site Plan No. SP-096-2021 are constructed and continue to exist on the Site, and in the event the necessary building and other permit or permits for the 51,280 square foot commercial structure is/are not obtained within two (2) years of approval (or the length of any extension approved by the City), the structure is not constructed within the time allowed under such building permit(s), or such structure is demolished and not re-established within one year of demolition, Variance No. V-032-2021 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Therefore, the granting of the Variance will not give the property owner a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

**TENTATIVE PARCEL MAP:**

1. The proposed map is consistent with the General Plan.

The property has a land use designation of Residential/ Commercial Mixed Use 2 and is zoned NMU. The General Plan adopted the Residential/Commercial Mixed Use 2 Land Use designation in 2008 to help revitalize these areas that surround the shopping centers near the intersection of Brookhurst Street and Chapman Avenue. The City of Garden Grove adopted mixed-use zoning, including the NMU zone, to implement the General Plan Land Use designation of Residential/Commercial Mixed Use 2. The project will further the City's General Plan Goal LU-1, which strives to establish a well-planned community with sufficient land uses and intensities to meet the needs of anticipated

growth and achieve the community's vision. Policy LU-1.3 encourages a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations. Policy LU-1.4 also encourages active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas. Finally, Policy LU-1.7 encourages the design of new commercial developments as integrated centers, rather than as small individual strip developments. In accordance with the State Subdivision Map Act, the applicant is requesting to subdivide the existing property into two (2) lots for the purpose of constructing the drive-thru pad building on its own separate lot. The Tentative Parcel Map is in conformance with the City's General Plan, the zoning requirements, the City's Subdivision Ordinance, and the State's Subdivision Map Act for this site. Subdividing the subject lot into two parcels, complies with Title 9, Zoning Code NMU development standards for the minimum lot area requirement of 15,000 square feet and minimum lot width requirement of 75'-0". In addition, the Residential/Commercial Mixed Use 2 Land Use designation allows a Floor Area Ratio (FAR) of 0.50 for non-residential uses. As a result of the subdivision, the parcels will comply with the FAR threshold. Therefore, the proposed map is consistent with the City's adopted General Plan.

2. The design and improvement of the proposed subdivision are consistent with the General Plan.

The property has a land use designation of Residential/ Commercial Mixed Use 2 and is zoned NMU. In accordance with the State Subdivision Map Act, the applicant is requesting to subdivide the existing property into two (2) lots for the purpose of constructing the drive-thru pad building on its own separate lot. The Tentative Parcel Map is in conformance with the City's General Plan, the zoning requirements, the City's Subdivision Ordinance, and the State's Subdivision Map Act for this site. Subdividing the subject lot into two parcels, complies with Title 9, Zoning Code NMU development standards for the minimum lot area requirement of 15,000 square feet and minimum lot width requirement of 75'-0". In addition, the Residential/Commercial Mixed Use 2 allows a Floor Area Ratio (FAR) of 0.50 for non-residential uses. As a result of the subdivision, the parcels will comply with the FAR threshold. In addition, the proposed project meets all other Municipal Code requirements, including parking, setbacks and landscaping. Therefore, the proposed map is consistent with the City's adopted General Plan.

3. The site is physically suitable for the proposed type of development.

Approval of the Tentative Parcel Map to subdivide the existing property into two (2) lots for the purpose of constructing the drive-thru restaurant pad building on its own separate lot is suitable for shopping centers. The NMU zone requires a minimum lot size of 15,000 square feet and has a minimum lot width requirement of 75'-0". Parcel 1, approximately 6.59 acres (286,952 square

feet), is being proposed to be developed with a 51,280 square foot in-line commercial multi-tenant building toward the rear of the site and an 11,200 square foot commercial multi-tenant pad building fronting Chapman Avenue. Parcel 2, approximately 0.45 acres (19,459 square feet), will be developed with a 3,500 square foot drive-thru pad building. After the subdivision, each parcel will meet the minimum lot size and lot width required by the NMU zone. Therefore, the site is physically suitable for the proposed type of development.

4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Per the Initial Study report and Mitigated Negative Declaration (IS/MND) prepared pursuant to the California Environmental Quality Act (CEQA), the proposed improvements are not anticipated to impact any existing fish or wildlife habitat. Moreover, the subject site is located in a developed urban area.

5. The requirements of the California Environmental Quality Act have been satisfied.

The proposed project was reviewed and an Initial Study report and Mitigated Negative Declaration (IS/MND) was prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). Based on the Initial Study and supporting technical analyses, it was determined that all potentially adverse environmental impacts can be mitigated to a level of less than significant. On this basis, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) have been prepared.

6. The site is physically suitable for the proposed density of the development.

The subject site has a Land Use designation of Residential/Commercial Mixed Use 2 and is zoned NMU. Both the Land Use designation and zone allow a maximum Floor Area Ratio (FAR) of 0.50 for non-residential uses. The proposed project is an integrated shopping center with a total building floor area of 65,980 square feet, and a total lot size of 306,411 square feet, resulting in an FAR for this project of 0.2, which complies with the requirements of the Municipal Code. As a result of the subdivision, the parcels will comply with the FAR threshold. Therefore, the site is physically suitable for the proposed density of the development.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The City's Public Works Department, Community and Economic Development Department, Police Department, and Orange County Fire Authority, have reviewed the proposed development, and have applied conditions of approval to minimize against any potential impacts. The conditions of approval for on- and off-site improvements will safeguard the public health. As long as the conditions of approval are adhered to for the life of the project, the design of the subdivision, and the proposed improvements, are not likely to cause serious public health problems.

8. The design of the subdivision and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.

The design of the subdivision and the proposed improvements will not conflict with easements of record, or easements established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision. The project has been designed to avoid development over existing easements.

9. The design and improvement of the proposed subdivision are suitable for the uses proposed, and the subdivision can be developed in compliance with the applicable zoning regulations.

The subject site is zoned NMU, which allows for commercial shopping centers. The property currently consists of one (1) parcel. As a result of the subdivision, Parcel 1, approximately 6.59 acres (286,952 square feet), is being proposed to be developed with a 51,280 square foot in-line commercial multi-tenant building toward the rear of the site and an 11,200 square foot commercial multi-tenant pad building fronting Chapman Avenue, and Parcel 2, approximately 0.45 acres (19,459 square feet), will be developed with a 3,500 square foot drive-thru pad building. After the subdivision, each parcel will meet the minimum lot size of 15,000 square feet, and lot width of 75'-0", as required by the NMU zone. Additionally, the project is designed to comply with the development standards of the NMU zone, and complies with the required parking, setbacks, and landscaping. Therefore, the design and improvement of the proposed subdivision are suitable for the uses proposed, and the subdivision can be developed in compliance with the applicable zoning regulations.

10. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision (Gov. Code Sec. 66473.1).

To the extent feasible, the project has been designed in accordance with Government Code Section 66473.1, such as to allow for passive or natural heating opportunities in the subdivision design, to encourage the orientation of structures to take advantage of shade and prevailing breezes, to allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

11. The design, density and configuration of the subdivision strikes a balance between the effect of the subdivision on the housing needs of the region and of public service needs of City residents and available fiscal and environmental resources.

The proposal consists of a new shopping center on property that has historically been commercially used. The property has a Residential/Commercial Mixed Use 2 Land Use designation and is zoned NMU. Thus, approval of the proposed Tentative Parcel Map will not affect the housing needs of the region, public service needs, or available fiscal and environmental resources.

12. That the character of the subdivision is compatible with the design of existing structures and that the lot sizes of the subdivision are substantially the same as the lot sizes within the general area.

The request includes demolishing an existing 76,000 square foot, vacant grocery store building to construct an approximately 65,980 square foot shopping center. Approval of the Tentative Parcel Map is to subdivide the existing property into two (2) lots for the purpose of constructing the drive-thru restaurant pad building on its own separate lot. Parcel 1, approximately 6.59 acres (286,952 square feet), is being proposed to be developed with a 51,280 square foot in-line commercial multi-tenant building toward the rear of the site and an 11,200 square foot commercial multi-tenant pad building fronting Chapman Avenue. Parcel 2, approximately 0.45 acres (19,459 square feet), will be developed with a 3,500 square foot drive-thru pad building. The new buildings, along with the associated site improvements, are designed to comply with the zoning code requirements, and will be architecturally compatible with the surrounding area. Moreover, the parcels are substantially similar in size to those within the general area.

13. The subject property is not located within a state responsibility area or a very high fire hazard severity zone, the proposed is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.

The proposal has been reviewed by the Orange County Fire Authority and meets all applicable design, location, and ingress-egress requirements. The

subject property is not located within a state responsibility area or a very high fire hazard severity zone.

14. The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. The conditions of approval for on- and off-site improvements will ensure permitted capacity of the public sewer system is not exceeded.

The proposal has been reviewed by the City's Public Works, Water Services Division, to ensure compliance with applicable requirements by the California Regional Water Quality Control Board. Conditions of Approval have been included to ensure that the sewer system meets all requirements and that all on- and off-site improvements ensure the permitted capacity of the public sewer system is not exceeded.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan, Conditional Use Permit, Variance, and Tentative Parcel Map possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030 and 9.40.060 and the Subdivision Map Act.
2. The overall development and subsequent occupancy and operation of the site shall be subject to those environmental mitigation measures identified in the Mitigated Negative Declaration, which are summarized in the Mitigation Monitoring and Reporting Program, Exhibit "A", attached hereto.
3. 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 "B") shall apply to Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174.



**EXHIBIT "A"**

**Site Plan No. SP-096-2021  
Conditional Use Permit No. CUP-200-2021  
Variance No. V-032-2021  
Tentative Parcel Map No. PM-2020-174**

**9852 Chapman Avenue**

**MITIGATION MONITORING AND REPORTING PROGRAM**

**Introduction**

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Pavilion Plaza West project (project). The City of Garden Grove is the Lead Agency for the project and is responsible for implementation of the MMRP. This report describes the MMRP for the project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

**Mitigation Monitoring and Reporting Program**

The MMRP for the project will be active through all phases of the project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Pavilion Plaza West project. The table identifies the Plan, Program, Policies (PPPs); and mitigation measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM  
THE PAVILION PLAZA WEST PROJECT**

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AESTHETICS</b>			
<p><b>PPP AES-1:</b> As required by the GGMC Sections 9.18.100.020 and 9.18.140.070, lights provided to illuminate any parking facility or paved area shall be designed with automatic timers (photovoltaic cells), shall be maintained, and shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate areas beyond the property line.</p>	<p>Note in Construction Plans and Specifications. Prior to Building Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>AIR QUALITY</b>			
<p><b>PPP AQ-1: Rule 402.</b> The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p>	<p>Note in Construction Plans and Specifications. Prior to Demolition and Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>PPP AQ-2: Rule 403.</b> The project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p>	<p>Note in Construction Plans and Specifications. Prior</p>	<p>City of Garden Grove Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<ul style="list-style-type: none"> <li>All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.</li> <li>The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.</li> <li>The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	<p>To Demolition and Grading Permits.</p>		
<p><b>PPP AQ-3: Rule 1113.</b> The project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>	<p>Note in Construction Plans, Specifications, and Permits. Prior to Demolition and Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>BIOLOGICAL RESOURCES</b>			
<p><b>Mitigation Measure BIO-1: Migratory Bird Treaty Act.</b> In the event that vegetation and tree removal activities occur within the active breeding season for birds (February 1 -September 15), the project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird</p>	<p>Note in Construction Plans and Specifications. Prior to Demolition and Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>survey no more than 3 days prior to commencement of construction activities.</p> <p>The nesting survey shall include the project site and areas immediately adjacent to the site that could potentially be affected by project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 ft for raptors and 300 ft for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.</p> <p>Prior to commencement of grading activities and issuance of any building permits, the City Community and Economic Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that pre-construction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.</p>			

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>CULTURAL RESOURCES</b>			
<p>PPP CUL-1: Human Remains. In the event that human remains are encountered on the project site, work within 50 ft of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. Prior to the issuance of grading permits, the City shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.</p>	<p>Note in Construction Plans and Specifications. Prior to Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p><b>Mitigation Measure CUL-1: Archaeological Resources.</b> Construction plans and specifications shall state that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the Orange County List of Qualified Archaeologists has evaluated the find to determine whether the find constitutes a "unique archaeological resource," as defined in Section 21083.2(g) of the California Public Resources Code. Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g). Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all project grading and construction plans include specific requirements regarding Public Resources Code Section 21083.2(g) and the treatment of archaeological resources as specified above.</p>	<p>Note in Construction Plans and Specifications. Prior to Demolition and Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>ENERGY</b>			
<p><b>PPP E-1. CalGreen Compliance:</b> The project is required to comply with the CalGreen Building Code as included in the City's Municipal Code Section 18.04.010 to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Note in Construction Plans and Specifications. Prior to Building Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>GEOLOGY AND SOILS</b>			
<p><b>PPP GEO-1: California Building Code.</b> The project is required to comply with the California Building Code as included in the City's Municipal Code Chapter 18.12 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading plans and specifications as a condition of project approval.</p>	<p>Note in Construction Plans and Specifications. Prior to Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>Mitigation Measure PAL-1: Paleontological Resources.</b> Construction plans and specifications shall state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities. Prior to commencement of grading activities, the Director of the City Community and Economic Development Department, or designee, shall verify that</p>	<p>Note in Construction Plans and Specifications. Prior to Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	



Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>all project grading and construction plans specify federal, state, and local requirements related to the unanticipated discovery of paleontological resources as stated above.</p>			
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>PPP HAZ-1: Asbestos Containing Materials.</b> Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Department that an asbestos survey has been conducted pursuant to SCAQMD Rule 1403. If asbestos is found, the project applicant shall follow all procedural requirements and regulations of SCAQMD Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.</p>	<p>In Construction Plans and Specifications. Prior to Demolition Permit.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>PPP HAZ-2: Lead Based Paint.</b> Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Department that a lead-based paint survey has been conducted. If lead-based paint is found, the project applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. Cal-OSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1</p>	<p>In Construction Plans and Specifications. Prior to Demolition Permit.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.</p>			
<b>HYDROLOGY AND WATER QUALITY</b>			
<p><b>PPP WQ-1: Stormwater Pollution Prevention Plan:</b> Prior to grading permit issuance, the project developer shall have a SWPPP prepared by a QSD (Qualified SWPPP Developer) pursuant to the Orange County DAMP. The SWPPP shall incorporate all necessary BMPs and other DAMP requirements to comply with NPDES regulations to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City staff, or designee, to confirm compliance.</p>	<p>In Construction Plans and Specifications. Prior to Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>PPP WQ-2: WQMP.</b> Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Division. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. The WQMP shall comply with GGMC Section 6.40.050, the Orange County DAMP, and the</p>	<p>In Construction Plans and Specifications. Prior to Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>Santa Ana Region, Regional Water Quality Control Board (RWQCB) requirements in effect at the time permitting.</p>			
<b>NOISE</b>			
<p><b>PPP N-1: Construction Noise.</b> Project construction activities shall occur in compliance with Municipal Code Section 8.47.060(d), which restricts construction within 500 feet of residential uses, such as the project site, to between 7:00 a.m. and 10:00 p.m.</p>	<p>In Construction Plans and Specifications. Prior to Demolition, Grading, and Construction Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>TRIBAL CULTURAL RESOURCES</b>			
<p><b>Mitigation Measure TCR-1: Native American Monitoring.</b> The project's grading and construction plans and specifications shall state that, prior to commencement of any ground disturbing activities, a Native American monitor approved by the Gabriolino Band of Mission Indians – Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 (the "Tribe" or the "Consulting Tribe") shall be retained for the proposed project. A copy of the executed contract shall be submitted to the City of Garden Grove Planning and Building and Safety Departments prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribe shall be contracted to conduct a Native American Indian Sensitivity Training for construction personnel prior to the start of construction activities. The training</p>	<p>Note in Construction Plans and Specifications. Prior to Demolition and Grading Permits.</p>	<p>City of Garden Grove Planning Division and Building and Safety Division</p>	

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>session shall include a handout and shall focus on how to identify Native American resources encountered during earthmoving activities and the procedures to be followed if resources are discovered.</p> <p>The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities of native soils or native fill. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site having the potential to impact Tribal Cultural Resources are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.</p> <p>In the event that Tribal Cultural Resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a</p>			

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>qualified archaeologist in cooperation with a Tribal monitor approved by the Consulting Tribe to determine if the potential resource meets the CEQA definition of historical (CEQA Guidelines 15064.5(a) and/or unique resource (Public Resources Code Section 21083.2(g)), and/or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a) (Public Resources Code section 21074(c), Public Resources Code section 21083.2(h)). Construction activities could continue in other areas.</p> <p>If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If the find is considered a "historical resource," a "unique archaeological resource," or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a), the archaeologist, in cooperation with a Native American monitor, shall pursue either preservation in place or recovery, salvage and treatment of the resource. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resources Code Section 21083.2 and CEQA Guidelines 15064.5 and 15126.4. If a resource, as defined above, is not Native American in origin, cannot be preserved in place or left in an undisturbed state,</p>			

Plan, Program, Policy / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>recovery, salvage and treatment shall be required at the project applicant's expense. All recovered and salvaged resources shall be identified and permanently preserved in an established accredited professional repository. Prior to commencement of grading activities, the Director of the City Community and Economic Development Department, or designee, shall verify that all project grading and construction plans require the Native American Sensitivity Training and the treatment of resources as specified in this mitigation measure.</p>			
<b>UTILITIES AND SERVICE SYSTEMS</b>			
<p>PPP SW-1: The City's Municipal Code Section 18.60.040, Minimum Construction and Demolition Waste Diversion Requirements. Construction projects shall reuse, recycle, or divert the minimum percentage amount of designated recyclable and reusable materials as set forth by the CALGreen (Part 11 of Title 24, California Code of Regulations) requires a minimum diversion of 75%.</p>	<p>Note in Construction Plans and Specifications. Prior to Demolition and Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	

## **EXHIBIT "B"**

**Site Plan No. SP-096-2021  
Conditional Use Permit No. CUP-200-2021  
Variance No. V-032-2021  
Tentative Parcel Map No. PM-2020-174**

9852 Chapman Avenue

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to issuance of a building permit.
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 each of the following: the project applicant, EPD Solutions, Inc., the developer of the project, the owner(s) and tenant(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. Any changes of the Conditions of Approval require approval by the Planning Commission.
3. Variance No. V-032-2021 authorizes a deviation from the requirement set forth in Garden Grove Municipal Code section 9.18.090.070.B that, in the Neighborhood Mixed Use Zone, the gross building footprint of a structure at the ground level not exceed 40,000 square feet in contiguous floor area in order to facilitate the development of a 51,280 square foot multi-tenant commercial building on the subject site in accordance with Site Plan No. SP-096-2021. The rights granted the applicant pursuant to Variance No. V-032-2021 shall continue in effect for only so long as the site improvements authorized by Site Plan No. SP-096-2021 are constructed and continue to exist on the Site. In the event the necessary building and other permit or permits for the 51,280 square foot commercial structure is/are not obtained within two (2) years of approval (or the length of any extension approved by the City), the structure is not constructed within the time allowed under such building permit(s), or such structure is demolished and not re-established within one year of demolition, Variance No. V-032-2021 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Approval of this Site Plan, Conditional Use Permit, Variance and Tentative Parcel Map 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, Variance and Tentative Parcel Map and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. The approved site plan and floor plan are an integral part of the decision approving this Site Plan, Conditional Use Permit, Variance and Tentative Parcel Map. There shall be no additional changes in the design of the site plan and floor plan without the approval of the Community and Economic Development Department, Planning Services Division. Any additional changes in the approved site plan and floor plan, which have the effect of expanding or intensifying the present use, shall require obtaining the proper entitlement(s).
6. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

### **Engineering Division**

7. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
8. Prior to issuance of a grading permit, the applicant shall design overhead parking lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
9. Prior to issuance of a grading permit, the applicant shall obtain and provide to the City a "letter of permission for encroachment and/or temporary work" from the adjacent property where project matchup will need to occur.
10. 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, infiltration and stormwater treatment structures, and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a



building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design of 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. Requirements for any "dewatering" will also need to be addressed in the report.

11. A separate street permit is required for work performed within the public right-of-way.
12. 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'-0" 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. All improvements within public right-of-way shall conform to all format and design requirements of the City Standard Drawings & Specifications. For special features, such as decorative pavers or other improvements, if determined to be necessary by the City Engineer in his/her reasonable discretion, the property owner shall enter into an agreement with the City, in a form reasonably approved by the City Engineer, to cover any encroachment limitations, responsibilities and maintenance requirements.
13. The grading/horizontal control plan shall provide approximately 80 feet, or four vehicles lengths, between the service window and order board and an additional 80 feet, or four vehicle lengths, of queuing distance behind the order board in conformance with the queuing requirements of City of Garden Grove Standard Plan B-312.
14. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
15. The grading and street improvement plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition and Section 1110A of the California Building Code.
16. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, shall have wheel stops in order to prevent vehicle overhang into sidewalk. Minimum 6-foot width sidewalk is required for parking spaces that are utilizing elevated sidewalk curb face as a wheel stop and must maintain 4'-0" minimum from the overhang of the vehicle bumper for ADA pathway.

17. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on site during construction unless an Encroachment Permit is obtained for placement in street.
18. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
  - a. 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;
  - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP;
  - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP;
  - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs;
  - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs;
  - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
19. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
  - a. 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;
  - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP;
  - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on site;
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.

20. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law - AB 1826 / SB 1383:
  - a. 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;
  - b. Provide solid roof or awning to prevent direct precipitation;
  - c. Connection of trash area drains to the municipal storm drain system is prohibited;
  - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control;
  - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information;
  - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures;
  - g. Pursuant to state mandated commercial organic recycling law - AB1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company;
  - h. Pursuant to applicable state mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste;
  - i. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste;
  - j. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.

21. The applicant and its contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the applicant shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and its contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The applicant and its contractor shall be liable for, at applicant's expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls. Temporary Benchmarks shall not be used for vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).

TIES TO HORIZONTAL CONTROL:

22. Prior to recordation of a final parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.

DIGITAL MAP SUBMISSION:

23. Prior to recordation of a final parcel map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.
24. Prior to issuance of a grading permit, the applicant shall submit to Planning Services Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat for review and approval of the parcel map.
25. In order to expedite City's approval and acceptance of the parcel map, the applicant shall forward all plan check comments received from the County of Orange Survey Department to City of Garden Grove's Engineering Division.
26. Prior to recordation of a final parcel map, the applicant shall submit an updated title report, copies of the reference maps used to prepare legal description, the plat and copies of the recorded instruments listed in the title report.

27. The applicant shall provide the City with documentation on existing reciprocal access agreement on the east and west side of the property. Should no agreement exist, the applicant shall enter into an agreement with the adjacent property owners and record said agreement in a manner meeting the approval of the City Engineer prior to the issuance of a grading permit.
28. The Final Parcel Map shall include a blanket easement across all parking and drive aisle areas, landscaping and other features of the site, to the exterior of building walls, for access to public facilities such as storm drains and inlets, and to perform inspections and observation of water quality BMP features as required for reporting and monitoring purposes.
29. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
30. Prior to issuance of any grading permit, the existing storm drain easement along the southerly boundary of the property shall be relocated and adjusted to match the correct alignment of the existing public storm drain. The adjustment of this easement shall be addressed on the Final Parcel Map to the satisfaction of the City Engineer.
31. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
  - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.
32. The applicant shall identify a temporary parking site(s) for construction crew prior to issuance of a grading permit. No construction parking is allowed on local streets.
33. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.

34. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
35. Any required lane closures should occur outside of peak travel periods.
36. Construction vehicles should be parked off of traveled roadways in a designated parking.
37. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per City of Garden Grove Standard B-209. Storm drain lateral pipe connections within City right of way shall be RCP with a minimum diameter of 18-inches. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
38. Prior to issuance of the a building permit, the applicant shall design street improvement plans and construct street frontage improvements as identified below:

Chapman Avenue

- a. Widen the existing tree wells fronting the project on Chapman Avenue to 6'-0" long by 3'-0" wide and plant a total of six Columbia Sycamore trees (36-inch box). The applicant shall coordinate with City's Public Works Department prior to order and placement of trees on Chapman Avenue.
- b. Remove and replace the lifted sidewalk panels in accordance to City of Garden Grove Standard B-106.
- c. Remove and replace existing wheelchair ramps and landing at the intersection of Chapman Avenue and Convey Way (southeast and southwest corners) per latest Caltrans Standard Plan A88A.
- d. Protect existing standalone pedestrian push-button on southeast corner of Chapman Avenue and Convey Way and for any relocation or recall during construction of wheelchair ramp coordinate with Garden Grove's Traffic Division.
- e. Remove and replace existing westerly substandard driveway approach to the site on Chapman Avenue in accordance with City of Garden Grove Standard Plan B-120 (Option #2).
- f. Remove and replace 2-inches of the existing asphalt pavement from the edge of the southerly gutter fronting the property to the edge of the

- existing median on Chapman Avenue in a manner meeting the approval of the City Engineer. The applicant may elect to pay an in-lieu fee in an amount to be determined by engineering division for the full cost of removal and replacement of the asphalt on Chapman Avenue by the City.
- g. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Chapman Avenue with Planning Services Division and Water Division.
  - h. Any proposed new landscaping in public right of way shall be approved by Planning Division and Public Works Streets Division.
  - i. Applicant/property owner shall enter into an agreement with the City of Garden Grove, in a form approved by the City's Public Works Director, to address improvements such as decorative pavers, landscaping, irrigation and other improvements that encroach into the public right-of-way to define limitations, maintenance and responsibilities between the owner and the City.
  - j. Existing "excess" right-of-way at the northwesterly corner of the property along Chapman Avenue shall be vacated on the Final Parcel Map.
  - k. Parcel "A" shall be dedicated for "Public Street and Utility Purposes" on the Final Parcel Map.

### **Public Works Water Services Division**

- 39. The nearest water main to the project location is 6 inch in diameter. Depending on the fire flow requirement from the Orange County Fire Authority, new fire services would require to be connected to the 12 inch water main north of Chapman Avenue.
- 40. New water service installations 2" and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3" and larger, shall be installed by developer/owner's contractor per City Standards.
- 41. Water meters shall be located within the City right-of-way. Fire services and large water services 3" and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
- 42. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a 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. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.

43. A composite utility site plan shall be part of the water plan approval.
44. There shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.
45. There shall be no structures or utilities built on, or crossing, water or sewer main easements.
46. New utilities shall have a minimum 5-foot horizontal, and a minimum 1-foot vertical, clearance from water main and appurtenances.
47. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
48. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
49. 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.
50. All fire services, existing and proposed, and all private fire hydrant laterals shall have above-ground backflow device with a double-check valve assembly (DCDA) per City standard B-773. Existing single-check in the vault shall be removed; vault shall be removed. DCDA(s) shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Division.
51. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests.
52. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.



53. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority.
54. Site shall be graded so that no rain or landscape irrigation water can drain into sewer drains in wash bays. All wash bays shall have adequate roof overhang to prevent rainwater from entering wash bays. No outside sinks or wash area shall be permitted. Owner shall maintain service records for sewer lateral clarifier adequately demonstrating that clarifier maintained and that wastes are disposed of in accordance with current laws and regulations for hazardous waste.
55. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license. Plumbing plan for grease interceptor shall be routed to environmental services for review.
56. A properly-sized grease interceptor shall be installed on the sewer lateral and 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.
57. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing units are to be removed.
58. Owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" minimum diameter, extra strength VCP with wedgelock joints.
59. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete. Only one sewer lateral per lot is allowed.
60. All perpendicular crossings of the sewer, including laterals, shall maintain a vertical separation of min. 12" below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board.
61. If water main is exposed during installation of sewer lateral, a 20-foot section of the water main shall be replaced with a 20-foot PVC C-900 DR-14 Class 305 water pipe, size in kind, and centered at the crossing.

**Public Work's Environmental Services**

62. The applicant shall contract with Republic Waste Services for demolition and debris hauling and shall comply with Chapter 18.60 (Construction and Demolition Waste Recycling Program) of the Garden Grove Municipal Code.

**Building and Safety Division**

63. The project shall comply with the requirements of the latest edition of the California Building Standards Code.
64. A Soil Investigation report complying with the latest edition CBC Chapter 18 shall be submitted at time of first plan review.
65. The roof solar ready zones shall comply with the latest edition of the California Energy Efficiency Standards.
66. The project shall comply with the requirements of Chapter 5 of the latest edition of the California Green Building Code, including building commissioning for buildings with over 10,000 square feet in conditioning space.
67. Occupancy separation shall comply with Table 508.4 of the latest edition of the California Building Standards Code.
68. All fire rated construction shall comply with Chapter 7 of the latest edition of the California Building Standards Code.
69. Future electric charging and clean-air vehicle parking shall be provided per the 2019 Edition of the California Green Building Code and shall comply with Chapter 11B of the latest edition of the California Building Standards Code.
70. An accessible path of travel to trash enclosures, complying with Chapter 11B of the latest edition of the California Building Standards Code, shall be provided.

**Orange County Fire Authority**

71. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to, the Fire Master Plan.

**Community and Economic Development Department**

72. The applicant shall submit detailed plans, showing the proposed location of utilities and mechanical equipment, to the Community and Economic Development Department for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:

- a. All on-site and off-site utilities pertaining to the improvements proposed under this Site Plan shall be installed or relocated underground pursuant to Chapter 9.48 of the Garden Grove Municipal Code.
  - b. All above-ground utility equipment (e.g., electrical, gas, telephone, cable TV, water meters, and electrical transformer) shall not be located in the street setback and shall be screened to the satisfaction of the Community and Economic Development Director.
  - c. 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 and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
  - d. All ground or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
  - e. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property. All roof access ladders shall be accessed from inside the building.
73. 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 entrance, and shall also be visible to the public.
74. 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.
75. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
76. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.

77. 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.
78. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.
79. All signs shall comply with the sign requirements of Chapter 9.20 of Title 9 of the Municipal Code. All signs shall require a separate permit and shall be installed in accordance with the provisions of the sign ordinance. A sign program governing the entire site, including height, size, color, and location of all signs, shall be approved by the Community and Economic Development Department, Planning Division prior to installation of any signage. All signage shall be limited to individual channel letters. No roof signs shall be permitted.
80. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
81. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort.
82. The project shall comply with the City's adopted Noise Ordinance.
83. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
  - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.
84. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.
85. As a part of the finalized working drawings for the Planning Services Division, Engineering Division, and Building and Safety Division, the developer shall submit a detailed and dimensioned plot plan, floor plans, exterior elevations, and landscape plans that reflect the above conditions of approval. The plans shall indicate landscape materials, wall materials and building materials proposed for

the project. Color and material samples shall be submitted to the Planning Services Division at the time plans are submitted for plan check.

86. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
87. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Services Division, for review and approval prior to submittal of plans for Building and Safety Division, Plan Check. The project shall also be subject to the following:
  - a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division.
  - b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Services Division approves a method of screening complementary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the surrounding properties.
88. The applicant shall submit a complete landscape plan governing the entire development for review and approval by the Community and Economic Development Department prior to building permit issuance. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code, including the City's Water Efficiency Guidelines, as well as recently adopted provisions by the State of California concerning drought tolerant landscape measures. Said plan shall include type, size, location and quality of all plant material. This includes enhanced landscaping for the walkway areas. The plan shall include an irrigation plan, and staking and planting specification. The landscape plan is subject to the following:
  - a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  - b. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscape plan in order to ensure proper landscape screening and will be provided around each of these equipment/apparatus.

- c. The applicant shall be responsible for the installation and maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to within the public right-of-way.
  - d. 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. All proposed trees shall be non-fruit bearing, evergreen trees that require minimal maintenance.
  - e. No trees shall be planted closer than five feet (5') from the public right-of-way. Trees planted within fifteen feet (15') 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.
89. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
90. New perimeter walls, if proposed, shall be developed to City Standards or designed by a Registered Engineer, and shall be measured from the on-site finished grade, and shall be shown on the grading plan.
91. All on-site curbs, not associated with a parking space, shall be painted red.
92. The proposed development shall comply with all applicable provisions of the Garden Grove Local Implementation Plan (LIP), including but not limited to, providing a Water Quality Management Plan (WQMP) and Section 7 addressing reducing water run-off from the site (e.g., directing roof rain gutter's downspouts to permeable areas such as landscape planters).
93. During construction, if paleontological or archeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable law.
94. The applicant shall work with the Planning Services Division to ensure that the proposed building colors are appropriate and not overly bright. The applicant shall submit the actual chip samples of the proposed paint colors to the Planning Services Division for review and approval.
95. The driveways from Chapman Avenue shall be treated with decorative stamped concrete or interlocking pavers or other enhanced treatment, excluding scored and/or colored concrete. The color, pattern and material shall be approved by the Community and Economic Development Department, Planning Services Division, and shall be shown on the final site plan and the grading plan.

96. As required by Section 9.18.090.070.C of Title 9 of the Municipal Code, the pedestrian-oriented plaza shall be enhanced with amenities. The Planning Services Division shall review and approve the design of the proposed pedestrian-oriented plaza and the amenities. The required pedestrian plaza may consist of landscaped and paved areas, outdoor dining, public art display, fountains, or similar uses and amenities permitted in the applicable zone.
97. As required by Section 9.18.100.030 of Title 9 of the Municipal Code, the pedestrian walkways shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. The Planning Services Division shall review and approve the design of the proposed pedestrian walkways and the materials.
98. The trash enclosures shall have unifying color and exterior finish that matches, and are integrated, with the proposed development. The proposed roof design of the trash enclosure shall be architecturally compatible with the design of the development. The Planning Services Division shall review and approve the design of the proposed roof and the material(s). The proposed roof and materials shall also comply with the building code requirements.
99. The trash bins shall be kept inside the trash enclosures, and gates closed at all times, except during disposal and pick-up. The property owner shall provide sufficient trash bins and pick-up to accommodate the site.
100. The design and operation of the drive-thru speaker system, including automatic timer, volume control, and message board, is subject to Planning Services Division review and approval. In the event that complaints are received from adjacent uses concerning noise created by the new food-ordering speaker system, the applicant shall provide a plan to address the issues to the satisfaction of the Community and Economic Development Department.
101. Any and all corrections notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
102. The drive-thru menu/order board shall be designed to match the building, and shall incorporate the same color and materials.
103. The proposed shopping center has been designed to meet the parking requirements for a mix of retail and restaurants uses. Future restaurant uses are limited to 60% maximum of the total gross floor area, or 16,344 square feet. To ensure there is adequate parking for the life of the project, any additional restaurant area will require additional parking to meet the parking requirements of Title 9 of the Municipal Code.

104. All mitigation measures identified in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) adopted in conjunction with the approval of Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021, and Tentative Parcel Map No. PM-2020-174 are incorporated into these Conditions of Approval by reference, and applicant shall fully comply with and implement all such mitigation measures. The applicant shall hire an environmental consultant to implement the Mitigation Monitoring and Reporting Program, and shall provide updates about the implementation process to the City of Garden Grove Community and Economic Development Department until completion of the project.
105. Prior to the recordation of the Final Parcel Map, the applicant shall provide a reciprocal access, parking, and maintenance agreement between the two (2) parcels in a manner meeting the approval of the City Attorney.
106. A copy of the resolution approving Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021, and Tentative Parcel Map No. PM-2020-174 including these Conditions of Approval, shall be kept on the premises at all times.
107. The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021, and Tentative Parcel Map No. PM-2020-174, and his/her agreement with all conditions of the approval.
108. 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-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021, Tentative Parcel Map No. PM-2020-174, and/or the adopted Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project. 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.
109. It shall be the applicant's responsibility to verify that any building or site improvements do not impermissibly interfere with any recorded easements on the subject property or the adjacent properties.



110. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the approval of Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021 and Variance No. V-032-2021, and the development authorized pursuant thereto, shall expire and become null and void if the subject use or construction necessary and incidental thereto is not commenced within two (2) years of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
111. Except as otherwise provided by law, unless a time extension is granted pursuant to Section 9.40.070 of Title 9 of the Municipal Code, the approval of Tentative Parcel Map No. PM-2020-174 shall expire and become null and void if a final parcel map has not been filed within two (2) years of the expiration of the appeal period.
112. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90 day protest period, commencing from the effective date of approval of Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Variance No. V-032-2021, and Tentative Parcel Map No. PM-2020-174 has begun.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> E.1.	<b>SITE LOCATION:</b> N/A
<b>HEARING DATE:</b> February 18, 2021	<b>APN:</b> N/A
<b>CASE NO.:</b> N/A	<b>GENERAL PLAN:</b> N/A
<b>APPLICANT:</b> N/A	<b>ZONE:</b> N/A
<b>PROPERTY OWNER:</b> N/A	<b>CEQA DETERMINATION:</b> N/A

## **REQUEST:**

The purpose of this report is to request that the Planning Commission receive and file the 2020 Annual Progress Report on the Status of the General Plan.

## **BACKGROUND:**

The City is required by the State to submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR), and the Housing and Community Development (HCD).

The report focuses on the calendar year 2020. Projects approved, ordinances adopted, and programs implemented during this time are included within the report. Additionally, the City reviews the previous year's residential development activity and programs that work toward providing housing throughout the City.

The report also covers the Regional Housing Need Allocation (RHNA) for the 2014-2021 planning period. California General Plan law requires each city and county to accommodate its fair share of the regional housing needs. As determined by the Southern California Association of Governments (SCAG), Garden Grove's fair share allocation is 747 new housing units during this planning cycle. This report shows the City's progress on meeting its RHNA.

## **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

- Receive and file the 2020 Annual Progress Report on the Status of the General Plan.

*MP for Lee Marino*

LEE MARINO  
Planning Services Manager



By: Mary Martinez  
Associate Planner

Attachment: 2020 Annual Progress Report on the Status of the General Plan

**2020  
ANNUAL PROGRESS REPORT  
ON THE STATUS OF  
THE GENERAL PLAN**



Prepared by the Garden Grove Community and Economic Development  
Department

**FEBRUARY 2021**

## **2020 Garden Grove Annual Report on the Status of the General Plan**

### **Introduction**

Every year, the City of Garden Grove reviews the previous year's residential development activity and programs that work toward providing housing throughout the City. The City prepares this report as a review of the activities undertaken to implement the General Plan. The report focuses on the calendar year of 2019. Projects approved, ordinances adopted, and programs implemented during this time, are included within the report.

The City continues its process of updating the General Plan, which was last updated in 2009. More information about the General Plan is available at <https://ggcity.org/planning/general-plan> or contact the Planning Division at 714-741-5312.

The City is required by the State to prepare an Annual Progress Report on the status of the General Plan and Housing Element that indicates the progress in the implementation and status of its programs and objectives.

The Annual Progress Report on the Housing Element includes; an Annual Building Activity Report Summary; Rehabilitation, Preservation and Acquisition Activity; Regional Housing Needs Allocation Progress; and Housing Element Program Implementation Status updates. Using the Neighborhood Improvement and Conservation Commission (NICC) as an avenue, the City must provide opportunities for public discussion and input on housing issues and housing element implementation.

The programs and objectives in the 2014-2021 Housing Element Plan aim to make adequate provision for the housing needs of all economic segments of the community. The programs outlined in the plan have been implemented in an effort to conserve and improve the conditions of the existing affordable housing stock, assist in the development of housing for low- and moderate-income households, identify adequate sites to encourage the development of a variety of types of housing for all income levels, address and, where appropriate and legally possible, remove government constraints to the maintenance, improvement, and development of housing, and promote equal opportunities for all persons.

In addition, the City has prepared a Development Project Update List, which is available on the Planning Division's webpage at <https://ggcity.org/sites/default/files/2020-11/dpu.pdf>. The report is updated every quarter and includes all residential, commercial, and industrial projects that move through the Community and Economic Development Department.

**City of Garden Grove**  
**2020 Annual Report on the Status of the General Plan**

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## A G E N D A

### GARDEN GROVE PLANNING COMMISSION

#### REGULAR MEETING

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February 18, 2021

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

**In an effort to protect public health and prevent the spread of the Coronavirus (COVID-19), the Planning Commission members will be teleconferencing and the meeting recorded. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing [planning@ggcity.org](mailto:planning@ggcity.org) no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record and will be uploaded to the City's website. Members of the public are asked to consider very carefully before attending this meeting in person and are required to wear face masks and maintain a six foot distance from others. Please do not attend this meeting if you have traveled and/or have had direct contact with someone who has travelled to places experiencing high rates of infection or tested positive for COVID-19, or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.**

#### REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: COMMISSIONERS ARESTEGUI, CUNNINGHAM, LEHMAN, LINDSAY, PEREZ, RAMIREZ, SOEFFNER

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.

Meeting Assistance: Any person requiring auxiliary aids and services, due to a disability, should contact the Department of Community & Economic Development at (714) 741-5312 or email [planning@ggcity.org](mailto:planning@ggcity.org) 72 hours prior to the meeting to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center 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

#### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. SELECTION OF CHAIR AND VICE CHAIR
- B. ORAL COMMUNICATIONS – PUBLIC

- C. APPROVAL OF MINUTES: January 21, 2021
- D. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

- D.1. MITIGATED NEGATIVE DECLARATION  
MITIGATION MONITORING AND REPORTING PROGRAM  
SITE PLAN NO. SP-096-2021  
CONDITIONAL USE PERMIT NO. CUP-200-2021  
TENTATIVE PARCEL MAP NO. PM-2020-174  
VARIANCE NO. V-032-2021

APPLICANT: EPD SOLUTIONS, INC

LOCATION: SOUTH SIDE OF CHAPMAN AVENUE, WEST OF  
BROOKHURST STREET, AT 9852 CHAPMAN AVENUE

REQUEST: Site Plan approval to demolish a 76,000 square foot, vacant grocery store building (formerly Vons Pavilion), to construct an approximately 65,980 square foot shopping center, Pavilion Plaza West, in the form of a 3,500 square foot drive-thru restaurant pad building, a 11,200 square foot restaurant pad building, and a 51,280 square foot multi-tenant building. Also, Conditional Use Permit approval to operate and construct the drive-thru restaurant pad building, Variance approval to deviate from the Title 9 Municipal Code Section 9.18.090.070.B (Neighborhood Mixed Use Zone Development Standards) requirement for any gross building footprint of structures at ground level to not exceed 40,000 square feet of contiguous floor area, and Tentative Parcel Map approval to subdivide the 7.03-acre (306,411 square feet) property into two (2) parcels to create a new 0.45-acre (9,459 square feet) parcel for the proposed drive-thru restaurant pad building. The site is in the NMU (Neighborhood Mixed Use) zone. In conjunction with the request, the Planning Commission will also consider the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

STAFF RECOMMENDATION: Adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Site Plan No. SP-096-2021, Conditional Use Permit No. CUP-200-2021, Tentative Parcel Map No. PM-2020-174, and Variance No. V-032-2021, subject to the recommended Conditions of Approval.

E. ITEM(S) FOR CONSIDERATION

E.1. ACKNOWLEDGEMENT OF THE 2020 ANNUAL PROGRESS REPORT ON  
THE STATUS OF THE GENERAL PLAN AND HOUSING ELEMENT

F. MATTERS FROM COMMISSIONERS

G. MATTERS FROM STAFF

H. ADJOURNMENT

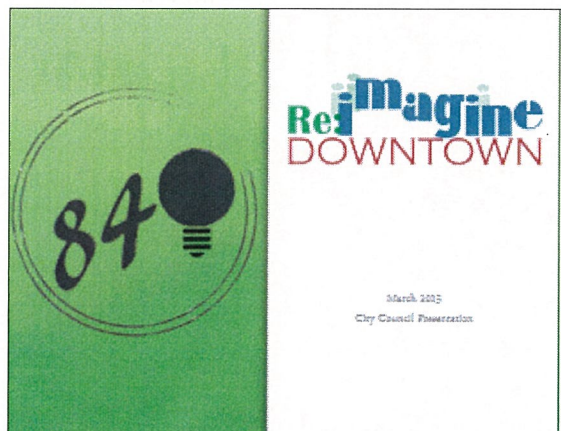


## Measures Associated with the Implementation of the General Plan

### LAND USE ELEMENT

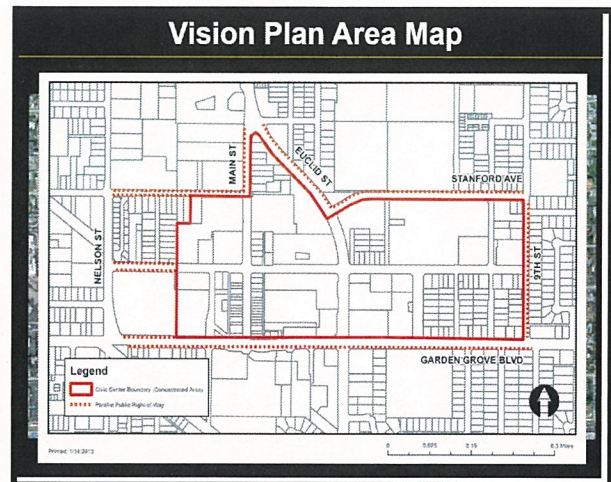
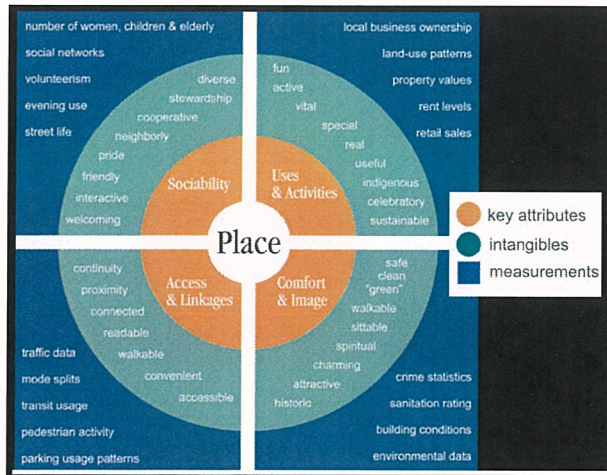
The Land Use Element is often seen as the framework element for the General Plan as it sets forth the patterns of development activity and land use that will support and enhance the character of the City. It will serve as a guide for both public officials and private citizens in its description of the type, intensity, and general distribution of uses of land for housing, business, industry, open space and public uses.

Garden Grove is a fully built out urbanized city. Some of the land is undergoing a transformation from uses established 40 to 50 years ago into new uses that reflect life today and the changing needs of people within the City. Growth is seen as a positive economic tool and enhanced shopping, dining, and entertainment options would improve the quality of life. The City also has a strong community value to preserve the "hometown feel" and the core residential character of the community. This value supports the City's effort to bring together the community to identify a sense of place and ownership, referred to as "Placemaking".



Garden Grove exemplifies the purposeful and inclusive nature of "placemaking" as a way for us to celebrate our rich heritage, and craft a rewarding future for the City. One method to implement the community's ideas for "placemaking" and creating a vision plan for the future is the formulation of an on-going Downtown project called the Re:Imagine Campaign. Ideas that came from this campaign include a Public Online Forum, called MindMixer, which was created to encourage people to share thoughts, ideas, photos, and visuals of how they would like their City to be, and what they would like to see and experience in the future.

## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN



Ideas that came out of the on-line forum included public art, market halls, a bike and pedestrian master plan, new bike lanes, a car-free “Open Streets” or “Complete Streets” event, food trucks, music festivals, theater performances, a community garden, “parklets”, an art walk, public gathering spaces, park furniture, and at the top of the list were many requests for a parking management plan, new parking garages with retail store fronts, and shared parking to maximize the use of the many open surface lots in the Civic Center Area.

The City also acknowledges the importance of collaborating with adjacent jurisdictions to develop compatible land uses to contribute to “placemaking” throughout the City. The City realizes that finding opportunities to improve underutilized areas adjacent to other jurisdictions affects the residents and businesses of Garden Grove.

**Goal LU-1:** The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meets the needs of anticipated growth and achieve the community’s vision.

**Goal LU-5:** Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community.

**Goal LU-6:** Revitalization of aging, underused or deteriorated commercial corridors, centers, and properties in the City.

**Goal LU-10:** Restoration of the Civic Center as the heart of the City.

**Policy LU-10.3:** Redevelop, consolidate and rezone properties within the Civic Center area to accommodate the *mix of uses* allowed in this focus area.

**LU-IMP-10B:** Continue to encourage the use of the Civic Center’s facilities for public and private community and social events.

**LU-IMP-10C:** Continue to support cultural activities conducted near the Civic Center, such as *theater productions* and experiment with offering new *citywide celebrations* to be held in this area.

# 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

**Goal LU-13:** The City understands that development on lands adjacent to the City’s corporate boundary can profoundly affect Garden Grove residents and businesses.

**Policy LU-13.1:** Cooperate with other jurisdictions in developing compatible land uses on lands adjacent to, or near, the City’s corporate boundaries to minimize significant impacts and potentially benefit residents, businesses, and/or infrastructure systems in Garden Grove.

**LU-IMP-13A:** Monitor planning and environmental assessments for development projects in adjacent jurisdictions and participate in public hearings for the projects.

**Policy LU-11.1:** Revitalize the commercial properties on the southwest and southeast corners of the Brookhurst Street/Chapman Avenue intersection.

## Re:Imagine Downtown Initiative



The City continues its efforts to bring together the community, with the recent active transportation grants and construction of bikeway improvement projects now underway, the Re:Imagine Garden Grove initiative is still building on the momentum to identify

innovative “placemaking” opportunities in which Garden Grove celebrates its rich heritage and enhances public spaces. There is on-going collaboration between Community and Economic Development, Community Services, and Public Works Departments to promote more ideas that include future programming to encourage lively gathering places in public areas, seating, shade, art, lighting, and other interesting pedestrian amenities in public parks, as parks provide places for people to interact in a shared environment. There has also been significant positive

feedback about the community’s enjoyment of art installations in the civic center area, around the Downtown, and in the Village Green Park.



With the postponement of the 4<sup>th</sup> Open Streets event due to COVID-19, continuing a ‘discovery and storytelling’ effort for the Downtown area is an essential component in connecting the community to public places. To this end, the Information Technology Department and the Office of Community Relations Division has continued to work with staff to develop a website dedicated to Re:Imagine Garden Grove. The website will explain the evolution of Re:Imagine and incorporate an interactive timeline for past and upcoming events, including links to our social media, marketing sites, downtown technical studies, conceptual strategic plans, as well as encourage the public

## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

to share their thoughts, ideas, and visuals of what they would like to see and experience in the future. The website is expected to be launched in 2021.

### **Urban and Community Forestry Grant Program**

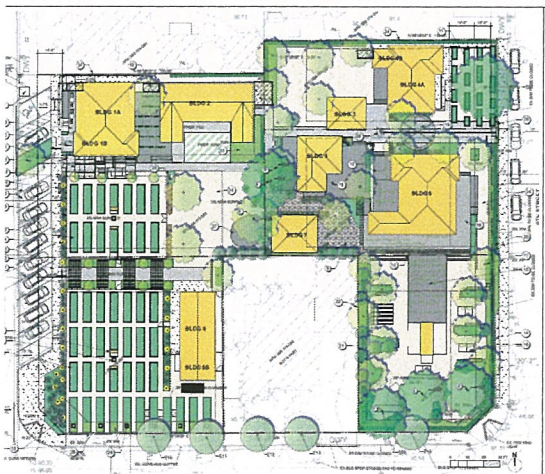
In 2018 the City was awarded the Urban and Community Forestry Grant by CAL FIRE (California Department of Forestry and Fire Protection). The grant requires that an Urban Forest Management Plan be adopted and implemented by June 2021. In 2019, after releasing an RFP, the City selected Davey Resource Group as the consultant to prepare the plan with input from residents and stakeholders. Outreach was conducted from February 2020 to November 2020. The first draft is currently being reviewed and is expected to be completed by April 2021.



Funds from the CAL FIRE grant will also assist in the planting of 363 trees on the "First Mile" segments of the PE ROW Trail from Nelson Avenue to Brookhurst Street. The City has selected Davey Evans and Associates to prepare landscape and irrigation plans for the tree improvements, which are currently being prepared. A tree canopy assessment was performed in 2019 and tree improvements are expected in January 2021.

### **Cottage Industries Project**

In an effort to continue to maintain the community's identity, create a sense of place while preserving historic residential structures through adaptive re-use, as well as, combining complementary uses, a new project called the Cottage Industries was proposed. The vision of this project is to use the existing residential cottages as commercial businesses and invigorate outdoor activities. The City has amended the Zoning (CC-1 Mixed Use) to allow this development located in the neighborhoods south of Acacia Parkway, north of Garden Grove Boulevard, west of Ninth Street, and east of Civic Center Boulevard. Phase one of this project was



## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

approved by the Planning Commission in March 2018. Phase two was approved by the Planning Commission in December 2019. Due to COVID, the project was briefly on hold and since re-engaged in June 2020 with improvements anticipated to begin in spring 2021. The City hopes that this project will continue to encourage Adaptive Reuse and Preservation, to implement the goals and policies of the City's General Plan.

### **Smallwood Plaza Project on Main Street**



In May 2018, the Planning Commission approved a Site Plan to construct a new mixed-use building with a commercial lease space along the Main Street frontage in the CC-2 (Civic Center Main Street) zone with nine (9) residential units above on the second and third floors. The approval included a 35% density bonus for very low income households. The residents will enjoy an environment of compact development within a pedestrian-

oriented district that provides opportunities for people to engage in civic, business, educational, and recreational activities near their homes. Main Street will be enhanced with a carefully designed building intended to preserve the character of the street and new neighbors that will add activity and engagement to the most-walkable part of town. The General Plan encourages mixed use development to be designed to create a pleasant walking environment to encourage pedestrian activity, provide convenient shopping opportunities for residents close to their residence, integrate with surrounding uses to become a part of the neighborhood rather than an isolated project, and use architectural elements or themes from the surrounding area. The building plans were approved in 2019 and the project is expected to begin construction in 2021.

### **Garden Brook Senior Village Project**

In March 2018 the Planning Commission and City Council approved entitlements to repurpose an existing 8-story, unfinished, steel structure into a 394 unit affordable senior housing project with commercial retail space by amending the General Plan land use designations from Residential/Commercial Mixed Use 1 and Parks/Open Space to



## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

Community Residential to increase the residential density from 42 dwelling units per acre to 60 dwelling units per acre specifically for senior housing.

The development will provide a unique mix of uses that are in keeping with the site constraints and the intent of the Garden Grove Mixed Use zoning. In particular, the project will meet the intent of the 2030 General Plan for this area by providing an urban-scale, fully integrated commercial and residential mixed-use development, which provides some commercial uses along the street frontage to encourage a more vibrant, pedestrian oriented streetscape. The building plans were approved in 2019 and the project began construction in 2020.

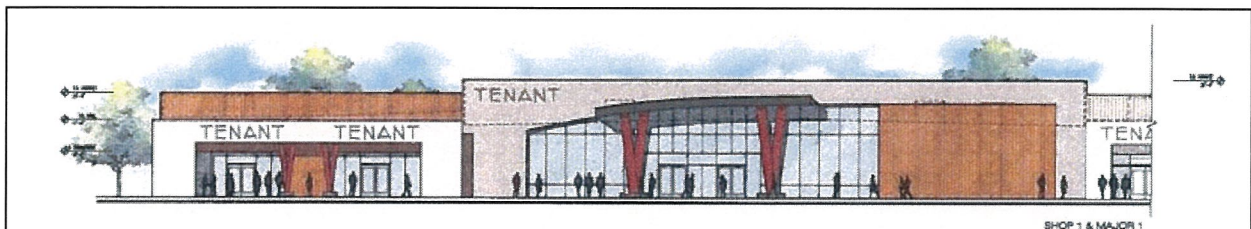
### **Stanton Village Center Project**

The City of Garden Grove collaborated with the City of Stanton in 2018 to approve a commercial shopping center, the Village Center, at the northwest corner of Beach Boulevard and Garden Grove Boulevard. The site was developed with blighted, mostly vacant buildings in a commercial shopping center. The proposal included a horizontal mixed-use with



residences on the northern portion and a commercial center to the south. The residential development is being constructed by Brookfield Homes Southern California, LLC, on the northernmost 11.69 acres, fully within the City of Stanton. To the south of the residential development, the commercial center was redeveloped by Frontier Real Estate Investments, LLC, on a total of 10.18 acres that is within the cities of Stanton and Garden Grove.

Construction on the commercial component of the project primarily took place in 2019 and the majority of the tenants began operation by the end of the year. Some businesses in operation include In-N-Out, Raising Cane's, Panda Express, Chase Bank, and Planet Fitness. Rodeo 39 Public Market, a food court located in the City of Stanton, joined the center in 2020. The City of Garden Grove's General Plan recognizes that development near the city boundary affects the residents and businesses of our City. As a result, the City of Garden Grove worked closely with the City of Stanton to assess and monitor the planning of the development to limit impacts.



### **BN Group Hotel Project**



In December 2018 City Council approved the entitlements to develop a 5-story hotel and accessory hotel amenities on a property on the southern portion of Harbor Boulevard, south of the 22 freeway. The approval included a General Plan Amendment to increase the maximum allowable Floor Area Ratio (FAR) for

hotels on properties with Land Use Designation of Heavy Commercial (HC) from 0.60 to 1.0. The General Plan Amendment is consistent with Goals LU-1, LU-5, and LU-6 of the Land Use Element because it will provide for a hotel development intensity to meet the needs of anticipated growth and achieve the community's vision for the development of tourism-related businesses, and is consistent with the General Plan goals and policies to facilitate the revitalization of commercial corridors and vacant and underutilized sites in the City with economically viable projects. The project broke ground in July 2019 and is expected to be completed in Summer 2021.

### **Starlight Cinema Center Redevelopment Project**

The property owner of the Starlight Cinema Center obtained Planning Commission approvals to redevelop the 2.71-acre site, currently improved with the Starlight 4 Star Cinema and a vacant 6,040 square foot restaurant, with a new automatic car wash, a new pad drive-thru restaurant, a new sit-down restaurant, and an expansion of the existing movie theater. The center is currently under construction and is expected to be fully completed in 2021. The improvements will meet the intent of the 2030 General Plan, which encourages revitalization of aging, underused or deteriorated commercial corridors, centers, and properties in the City, particularly along certain corridors, such as Valley View Street.



### **7-Eleven Project**

In July 2020, the Planning Commission approved the demolition of an existing convenience store to construct and operate a new 1,800 square foot fueling canopy with four (4) multi-product dispensing units, each with two pumps, and a new 2,232 square foot 24-hour convenience store, 7-Eleven. The improvements will meet the intent of the 2030 General Plan, which encourages revitalization of aging, underused or deteriorated commercial corridors, centers, and properties in the City. The 2030 General Plan also encourages shopping facilities to be integrated into the surrounding area to maintain the image of the neighborhood and to ensure operational compatibility. The building is expected to be completed in 2022.



### **CitiBank Project**

In June 2020, the Planning Commission approved a request for Site Plan approval to construct a new, 4,200 square foot, one-story bank building for Citi Bank along with associated site improvements at the Garden Grove Promenade shopping center.



The improvements meet the goals of the 2030 General Plan, which encourages a mix of retail shops and services along the commercial corridors and in centers that better meet the needs of area's present and potential clientele. The building is expected

to be completed in 2021.

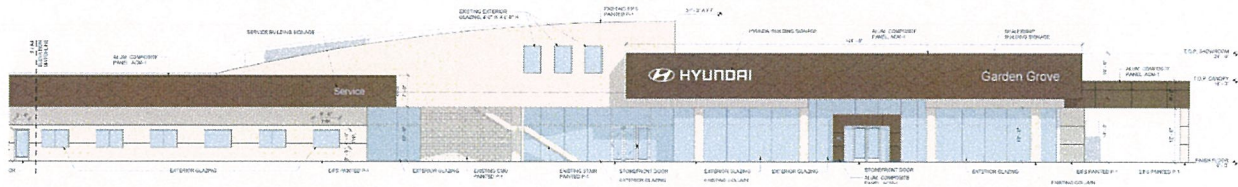
### **Huyn dai Car Dealership Façade Improvement Project**

In November 2020, the Planning Commission approved a request for Site Plan approval for site and façade improvements at the Huyn dai Car Dealership. The approval included a request to enclose approximately 3,000 square feet of an existing covered service area into an indoor service area for the existing Huyn dai



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car dealership. An additional 500 square feet of building area will be added to the existing service customer waiting area and showroom building, and a new 709 square foot vehicle pick-up canopy will also be added. The façade improvements feature a more contemporary design, to satisfy the goals of the 2030 General Plan, which encourages façade renovations of aged commercial buildings. The improvements are expected to be completed in 2021.



### **Land Use Element Update**

The City of Garden Grove is updating the Housing Element, Safety Element, Land Use Element, and adopting a new Environmental Justice Element to the Garden Grove General Plan. Throughout 2020, the community has been invited to participate in an online surveys to provide input towards creating a community housing strategy for the next eight years as well as a healthier community.

In California, cities are required to develop a general plan, a blueprint for future developments in the city that establishes goals, objectives, and policies. The Housing Element, a component to the general plan, is mandated by the state to be updated every eight years to identify housing needs for all income levels during specific planning periods by meeting its Regional Housing Needs Assessment (RHNA) allocation. The City of Garden Grove's RHNA housing allocation for the 2021-2029 planning period is projected to be 19,122 units.

The City is also updating the Safety and Land Use elements and adopting a new Environmental Justice Element to establish policies mandated by the state. The Safety Element establishes policies that will minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and man-made hazards. The Land Use Element reviews the uses of land for housing, businesses, industries, agriculture, open space, public facilities, and other categories. The new Environmental Justice Element will establish policies to reduce pollution, and to provide residents with access to healthy food, physical activity, and safe and sanitary housing. The updates are expected to be adopted in October 2021.

## COMMUNITY DESIGN ELEMENT

The Community Design Element represents the identity and a visual image of the community that is held in the minds of residents and visitors. These images include the City's physical form, districts and gathering areas, landmarks, street corridors, buildings, signs, and other similar physical features.

This element aims to recognize and enhance design opportunities throughout the City that will improve the livability of the community through physical design considerations in public areas. It is intended to build upon existing unique community characteristics and enhance efforts to differentiate Garden Grove as a unique place to live, work, play and visit.

**Policy CD-7.3:** Promote linkages between separate districts through bike trails, pedestrian paths, common medians or parkway landscaping in connecting streets, and other physical improvements as necessary.

**Goal CD-8:** Lively and attractive activity nodes or gathering places, with a combination of quality seating, shade, fountains, and other pedestrian amenities enhance the experience for people to gather.

**Policy CD-8.3:** Provide ample and comfortable sitting areas, preferably moveable seating, in shaded plazas, courtyards, and arcades.

### Art in the Park

The second Re:Imagine Garden Grove – Art in the Park event, hosted by the City of Garden Grove, in partnership with the Garden Grove Unified School District (GGUSD), was held on Saturday, March 7, 2020. The event included a LEGO® Creation Station, hosted by LUGOLA (LEGO® User Group of LA); DIY mini-koinobori, also known as a Japanese flying carp kite, led by GGUSD alumna Tiffany Le; a “no bake” culinary class led by a professional chef; and a “Paint and Sip” experience with local artist Melissa Murphy and SteelCraft Garden Grove’s Beachwood Brewing. Art in the Park also featured a number of other interactive craft booths; live performances from GGUSD students; and a 6-foot high by 50-foot long temporary art installation of the word “RE:IMAGINE,” designed by GGUSD intermediate and high school students.



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The 'Art in the Park' event is part of the City's continuing efforts to brand Garden Grove's downtown, while promoting the Re:Imagine Garden Grove mission of bringing more art to the community. The GGUSD partnership further reinforces and supports the District's goal to continue elevating its arts presence and distinction within Orange County.

Funding for implementation of the General Plan measures, including the Re:Imagine Garden Grove campaign, is obtained from three sources: the General Plan cost recovery fee, the Cultural Arts fee, and the Art in Public Places fee, all of which are taken from a portion of building permit costs collected by the Community and Economic Development Department.

**Urban Forest Management Plan Art Contest**

As part of the City's upcoming 40-year plan to maintain, enhance, and grow an urban forest in Garden Grove, the City held the Urban Forest Management Plan (UFMP) Tree Art Contest. Local youth, kindergarten through 12th grade, were invited to draw, paint, or photograph current or future trees in Garden Grove. Due to COVID-19, the artwork was submitted and displayed online at the City's Facebook page for judging. The post with the most "likes" in each age category was determined as the winner for a cash prize of \$100.



The UFMP project complements the City's continuing efforts to beautify Garden Grove's open spaces with living canopy covers along bike- and pedestrian-friendly pathways through the Re:Imagine Garden Grove campaign.

## **ECONOMIC DEVELOPMENT ELEMENT**

Economic development is a critical component of any successful community. Two important factors include: 1. The City must enhance its revenues to have the financial resources to increase the prosperity of their residents through the delivery of quality police, fire, housing, recreation, transportation, and other services. 2. The City can indirectly enhance the prosperity by understanding economic needs and taking actions to increase the City's competitiveness.

Local governments can promote economic development by establishing a favorable environment for business attraction and retention, expansion, private investment, economic diversification, entrepreneurship, housing, and job creation. Garden Grove's current economic condition makes the City well positioned to enhance its economic vitality through a number of key opportunities, including the following described below.

**Policy ED-2.3:** Explore the feasibility of establishing an International Cultural and Commerce Center, which would provide for the exchange of products, ideas, and commerce on an international scale.

**ED-IMP-2F:** Continue to coordinate with the Chambers of Commerce, Orange County economic development groups, and other business associations to attract, retain, and expand businesses.

**Goal ED-2:** The City must attract new businesses while supporting and assisting those already located within Garden Grove.

**ED-IMP-2D:** Annual review and enhance the City's Business Attraction, Retention, and Expansion Program.

**Policy ED-3.4:** Continue to encourage bringing big box retailers into the community.

**ED-IMP-3B:** Focus on upgrading dilapidated centers in order to encourage new or expanding businesses to relocate in these areas.

### **SteelCraft Garden Grove**

On June 13, 2017, City Council approved a lease with Howard CDM for the development of SteelCraft, a unique venture that ties together open spaces and public places to create a sustainable indoor/outdoor urban eatery built primarily out of recycled metal shipping containers. The project located on the southwest side of City Hall at 12900 Euclid Street celebrated its Grand Opening in September 2019 and is now open for business.

### **Cottage Industries**

In May 2016, the City approved the sale of city-owned properties to Lab Holdings for future development of Cottage Industries, an adaptive reuse of residential properties as artisan retail and commercial uses. The Planning Commission

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approved the first phase of Cottage Industries known as the Farm Block in March 2018. On November 2019 the Planning Commission approved the second phase known as Art Block. Due to COVID, the project was briefly on hold and since re-engaged in June 2020 with improvements anticipated to begin in spring 2021.

### **Home2 Suites by Hilton**

The BN Group acquired the city-owned property located at 13650 Harbor Boulevard and completed entitlement approvals for development of a Home2 Suites by Hilton. The new Home 2 Hilton hotel is the first new hotel to be built south of the Garden Grove freeway. A ground-breaking ceremony was held on June 27, 2019 and anticipated to open summer 2021.



### **NOVA Kitchen & Bar**

On July 29, 2019, the opening of NOVA Kitchen & Bar launched a new Asian-fusion restaurant adjacent to the Hyatt Regency of Orange County. Nova Kitchen & Bar occupies over 10,828 square foot and expanded capacity to host private events and seat approximately 475 guests.



### **Kam Sang Company - Nickelodeon Resort**

Pursuant to an Exclusive Negotiation Agreement (ENA) between the City and New Age Garden Grove, LLC, the developer is proposing to bring forth development of a Nickelodeon Resort comprised of a 500-room resort hotel and amenities. COVID has temporarily delayed the project with efforts to re-engage the planning entitlement process.

### **Garden Grove Tourism Improvement District (GGTID)**

The annual report for the Garden Grove Tourism Improvement District (GGTID) was approved in June 2020. Established in 2010, the GGTID provide collective support for tourism marketing efforts under the umbrella of the Anaheim/Orange County Visitor & Convention Bureau, now Visit Anaheim in areas of tourism promotion, specifically for conventions benefiting the hotels within the Grove District. GGTID continued its Community Give Back Initiative to support local non-profit organizations such as the Boys & Girls Club, the Orange County Food Bank, The Hope Foundation, and the Garden Grove Community Foundation.



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### **Site C Project**

The Planning Commission approved a Site Plan and Tentative Tract Map at the November 2017 meeting to implement a resort hotel project known as the Site C. The approvals provided for a proposed development program of a hotel project of up to 769 rooms and ancillary hotel uses such as pools, spas, and fitness centers within three resort hotels, one full-service and one limited-service, with up to



104,000 aggregate square feet of conference/meeting banquet space, hotel restaurant space, freestanding pad restaurant, and a multi-level parking garage with 1,297 parking spaces on approximately 4.3 acres of the PUD-128-12. Upon completion, it is anticipated the project will generate approximately \$3.8 to \$4.9 million in additional annual tax revenue to the City. The project is anticipated to start construction Spring 2021.

### **New Residential and Development Projects**

#### **Brookhurst Place**

Following the completion of Phase I of Brookhurst Place in July 2018, Kam Sang Company work continued to advance Phase II comprised of 462 apartment homes, of which up to 120 will be affordable housing units and 58 for-sale condominiums, up to 200,000 square-feet of commercial and retail space, and a 100-key hotel. The 14-acre community



upon completion will include 700 new residential units and a 1-acre park. Pending concurrence with the State Department of Finance (DOF) and is awaiting a response, conveyance of the Phase II properties would begin.

#### **Garden Brook Senior Village**

Construction of Garden Brook Senior Village by AMG & Associates continued in FY 2019-20 in which development of an affordable housing project comprised of 394 new affordable senior units, along with up to 12,938 square feet of commercial space. The Garden Brook Senior Village is collaboration between City of Garden Grove, AMG & Associates, the Hoag Foundation, the Boys and Girls Club of Garden Grove to progress an Intergenerational Program to bring youth and seniors together. Completion is anticipated in fall 2021.

#### **Willowick Golf Course**

Efforts to work in collaboration with the Cities of Garden Grove and Santa Ana to explore possible redevelopment of the Willowick Golf Course property began in April 2018. Development of a visioning plan, community engagement, and a market assessment analysis were completed. With the passage of Assembly Bill 1486,

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implementation of the Surplus Land Act changed necessitating review of the disposition process.

**Business Development Programs**

**Garden Grove ABRB Contract**

On July 1, 2019, the City entered into an agreement with the Garden Grove Chamber of Commerce to provide business development services for FY 2019-20 as part of the Ambassador/Business Retention Bureau (ABRB) program. During COVID, the Garden Grove Chamber implemented modified business outreach and assistance to support businesses during reopening and assisted over 40 business via virtual tele-conferences.

**Multi-Chamber Collaboration**

In 2019, the City continued to collaborate with the Vietnamese American Chamber of Orange County, Korean American Chamber of Orange County, and Orange County Hispanic Chamber to build more established relationships, and work in partnership to better assist all businesses across the City. During COVID, the chambers provided support with translation for the City’s Business Resource and Resiliency Plan.

**Breakfast with Police Chiefs**

On July 25, 2020 the Economic Development Division partnered with the Korean American Chamber of Commerce of Orange County to host a panel discussion about public safety with Police Chiefs from Buena Park, Fullerton, Irvine and Garden Grove.

**Orange County Small Business Summit**

In partnership with the Orange County/Inland Empire Small Business Development Center Network and Wells Fargo Corporate Philanthropy and Community Relations Group, the City participated in the Orange County Small Business Summit on November 19, 2019. The conference featured regional, state and federal economic development leaders discussing opportunities to grow the regional small business economy of Orange County, with a specific focus on advancing access to capital, small business development and innovative public-private partnerships.

**Small Business Development Center (SBDC) Workshop Series**

In partnership with SBDC Orange County, a series of workshops were planned to provide small business entrepreneurs with resources and tools to enhance their business. Provided below is a list of recent SBDC workshops:

DATE	TIME	TOPIC
October 16 & 23, 2019	12:00pm-1:30pm	Join the Fast Track to Starting Your Business
November 13, 2019	9:00am-12:00pm	Crack the Code of Online Retail
June 11, 2020	2:00pm VIRTUAL	How to Start Your Own Home-Based Food Business

\*As a result of COVID-19 all March & April 2020 workshops were cancelled and virtual meetings held all subsequent workshops.

**Small Business Tax Seminar and Resource Expo**

In partnership with Assembly member, Tyler Diep and Orange County Supervisor, Andrew Do, the City hosted a Small Business Tax Seminar & Resource Expo on May 3, 2019. The event provided an opportunity to perform outreach to all local business owners through collaboration with various agencies on the following topics:

PARTNER AGENCY	TOPICS
California Department of Tax and Fee Administration	Sales and Use Tax Basics
Franchise Tax Board	Forms of Ownership
Employment Development Department	Employee or Independent Contractor
Internal Revenue Service	Better Business Through Better Records
Governor’s Office of Business and Economic Development	Go-Biz, State Tax Credit, Exemptions & Financing Instruments

**GO-Biz Workshops**

The City continues to partner with the Governor’s Office of Business and Economic Development to promote GO-Biz, a program designed to help businesses apply for the California Competes Tax Credit, which offers tax credits to businesses adding jobs in California.

**Buy in Garden Grove Program (BiGG)**



BiGG is the City's "Shop Local" program was redesigned to support local businesses, provide shopper discounts, and keep needed tax dollars in the city. The program allows for Garden Grove residents to receive a discount by mention the BiGG program to any participating business. Some new features of the BiGG include the Vehicle Rebate Program (VRP) that offers Garden Grove residents and businesses a \$500 rebate when

purchasing a new vehicle from one of the six franchised local auto dealers. Participating auto dealers include Volkswagen Garden Grove, Simpson Chevrolet of Garden Grove, Russell Westbrook Hyundai of Garden Grove, Toyota Place, Garden Grove Nissan, and Garden Grove Kia. The VRP program commenced on July 1, 2019.

**Office of Economic Development Website**

In March 2020, the Office of Economic Development revamped its website to include new resources to help business affected by the Covid-19 pandemic. These new resources included: a new business recourse kit linking to city’s partners with for business reopening, the City Jobs First Program, the City’s Micro Grant Program, and Accessible Businesses Program.

**JOBS 1<sup>st</sup> Program**

The JOBS 1st Program was modified in response to the COVID and subsequent allocation of Community Development Block Grant - Coronavirus (CDBG-CV) funding. The JOBS 1st Program offers job creation loans of up to \$50,000 and job retention grants of up to \$25,000 to assist Garden Grove business owners affected by the pandemic. The JOBS 1st Program will utilize \$830,000 in CDBG-CV funds to create and/or retain over 137 jobs for low-income Garden Grove residents.



**Micro Business Relief Program (Micro Biz Program)**

Through the County of Orange and the First District Supervisor, the City received Coronavirus Relief Funds for economic support in the amount of \$617,600 to assist small businesses impacted by COVID-19. In June 2020, the Micro Biz Program was established in conjunction with an online application portal ([ggcity.org/businesses](http://ggcity.org/businesses)) to streamline the application submittal process for eligible small businesses and non-profit organizations. The Micro Biz Program has provided economic support to 125 Garden Grove small businesses of up to \$5,000 grants, which are used for rent relief payments and business innovation activities. The City has estimated the balance of this portion of the Coronavirus Relief Funds will be exhausted by November 2020.

**Accessible Businesses Program**

The City's Office of Economic Development strives to deliver innovative business development programs and initiatives to assist local business owners navigate their business operations through Stage 2 reopening. The creation of the Accessible Businesses Program provided a process for local business to apply for a 60-day Temporary Outdoor Businesses Permit to expand areas onto adjacent sidewalks within a shopping center or in privately owned parking lots to be used for outdoor dining and/or retail uses.

**International Council of Shopping Centers (ICSC)**

On September 16 – 18, 2019, the Office of Economic Development attended the ICSC Western Conference & Deal Making at the Los Angeles Convention Center. The three-day event offered opportunities to learn about industry trends, network with other industry professionals and make deals with colleagues in the same region. One optional item that was available to attendees was a Downtown L.A. Retail Tour. The tour was a great-added feature to the conference; it gave attendees who were not familiar with the downtown LA area, a chance to see up and coming development trends and expanding retailers.

**Industrial Development Authority (IDA)**

In December 2019, the City of Garden Grove approved the Garden Grove IDA annual report. Under the State of California guidelines, the IDA acts as the official local coordinating body for low-cost development bonds for industrial companies seeking expansion. The IDA's role is to assist industrial-related businesses by facilitating their request for tax-exempt Industrial Development Bonds.

**Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Activities**

ESG, CDBG, and HOME programs are funded by the U.S. Department of Housing and Urban Development (HUD). The ESG program provides funds to support homeless prevention and intervention services. The CDBG program offers a variety of tools for public service grants and community improvement grants and projects. The HOME Investment Partnership (HOME) program makes available a wide range of affordable housing activities.

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**Public Programs, Services and Infrastructure**

In FY 2019-20, CDBG funds in the amount of \$2,100,000 was programmed to benefit low-moderate income residents through housing rehabilitation, senior services, fair housing activities, infrastructure improvements, and gang suppression activities. Additionally, \$95,000 in CDBG-CV funding was allocated to provide hot meals and boxes of food to seniors and low-income Garden Grove residents.

**Homeless Services**

In FY 2019-20, the amount of \$177,733 of ESG funds were programmed to provide homeless services to individuals who are at-risk of becoming homeless, as well as those who are literally homeless. Homeless services include: street outreach, emergency shelter, rapid rehousing, homeless prevention, and homeless information management system. Additionally, \$500,000 in HOME Investment Partnership (HOME) funding was used to provide rapid rehousing and homeless prevention services to at risk and literally homeless Garden Grove residents.

Additionally, the amount of \$602,486 in Emergency Solutions Grant Coronavirus (ESG-CV) funds was programmed to expand homeless services to individuals who are at risk of becoming homeless, as well as those who are literally homeless as a result of the Covid-19 pandemic.

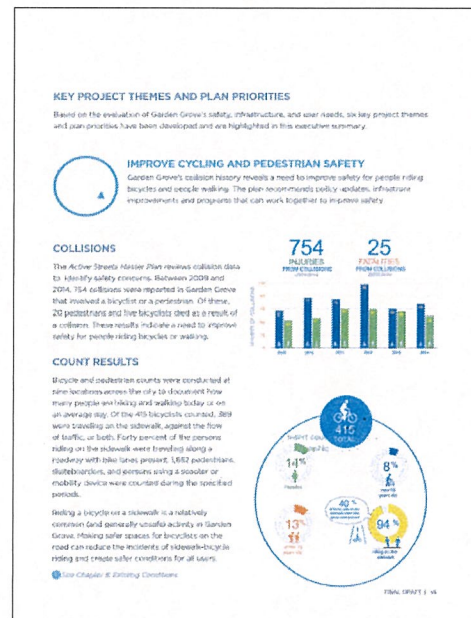
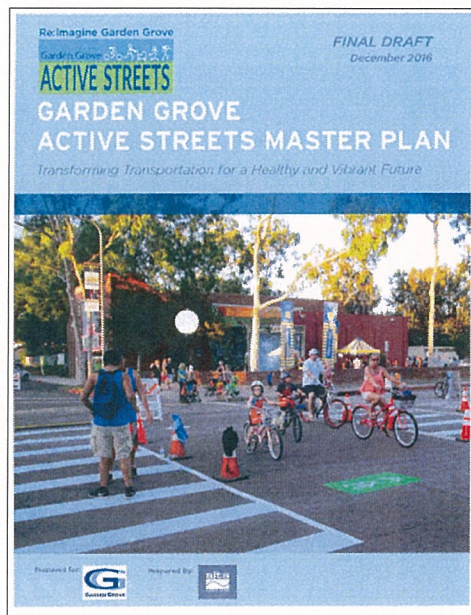
KEY DATES (PST)	TASKS
April 30, 2019	+ Issue RFP
May 17, 2019	+ Pre-Proposal Conference (Optional)
June 10, 2019 at 3:00 p.m.	+ Submittal of Developer's/Proposer's Written Questions Deadline*
June 17, 2019 at 3:00 p.m.	+ City Responses to Developer's/Proposer's Questions
June 28, 2019 at 3:00 p.m.	+ RFP Proposal Deadline
July 2019	+ Proposal Evaluation
August 2019	+ Interviews of Top 10 Developers
Fall 2019	+ Joint City Council Study Session Meeting and Top 3 Developer Presentations
Fall 2019	+ Garden Grove City Council Review and Developer/Proposer Selection

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## CIRCULATION ELEMENT

The Circulation Element represents the City's overall transportation plan. The transportation plan consists not only of the physical transportation system itself, such as streets, highways, *bicycle routes and sidewalks*, but also various modes of transportation, such as cars, buses, trucks, rail, bicycles, ridesharing and walking.

Land Use and circulation must be closely tied to ensure that citizens are able to move in and around the City to locations where they live, work, shop, and spend leisure hours.



**Goal CIR-4:** A reduction in vehicle miles traveled in order to create a more efficient urban form.

**Policy CIR-4.1:** Strive to achieve a balance of land uses whereby residential, commercial, and public land uses are proportionally balanced.

**CIR-IMP-4A:** Encourage the development of mixed-use projects as a means of reducing peak commute period traffic.

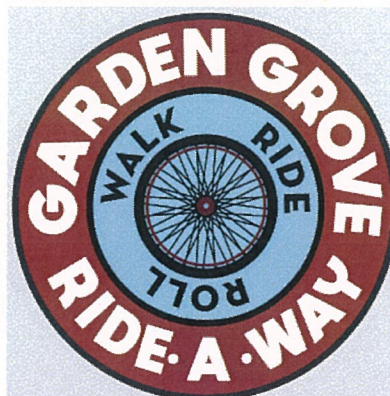
**Goal CIR-5:** Increased awareness and use of alternative forms of transportation generated in, and traveling through, the City.

**Goal CIR-6:** A safe, appealing, and comprehensive *bicycle network* provides additional recreational opportunities for Garden Grove residents and employees.

**Policy CIR-6.4:** Continue to pursue and monitor funding sources for bikeway facilities.

### **Congressional Medal of Honor Bike and Pedestrian Trail**

In 2015, the City was awarded approximately \$1.8 million for the bike and pedestrian path project called "The First Mile." On June 9, 2020, the Garden Grove City Council approved the official naming of the trail as the "Congressional Medal of Honor Bike and Pedestrian Trail." Part of the Caltrans Active Transportation Program (ATP) Cycle 2 Grant, the City has completed all four phases of the project which includes the engineering design, environmental study, Right-of-Way (ROW) certification, and construction. The construction of the trail extended a bicycle pilot project that was previously constructed from Nelson St. to Stanford Ave. The extension continues the trail from Stanford Ave. to Brookhurst St., which results in a one-mile bicycle and pedestrian trail. The construction phase included a 12-foot wide bi-directional bike path was completed June 2020.



### **Garden Grove Active Downtown Plan (GGADP)**



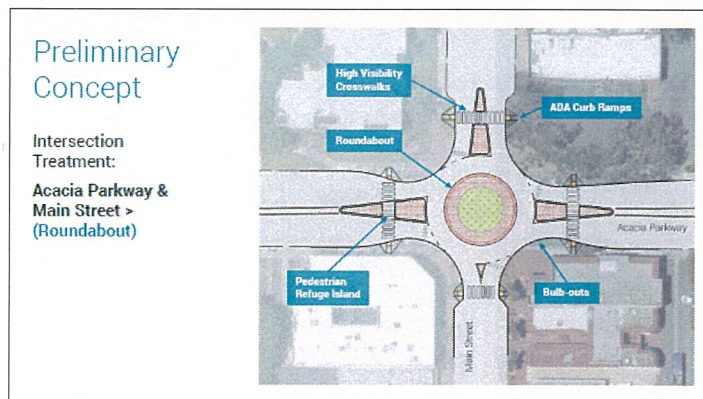
Using the City's 2016 Active Streets Master Plan that identifies possible concepts for bikeway and pedestrian improvements, the City and the consultant firm, KOA Corporation, evaluated the recommendations and assessed feasibility, roadway characteristics, traffic, and more to develop engineering-level concepts for future grant funding opportunities for the Garden Grove Active Downtown Plan.

Building upon the momentum of Re:Imagine Garden Grove and other recent efforts, the Garden Grove Active Downtown Plan is a project that aims to create a safer, more connected, and more active downtown Garden Grove community. The City envisions downtown as a unique and inclusive place where Garden Grove's diverse residents and visitors can easily walk, bike, and use alternative modes of transportation. Contributing to a dynamic downtown environment and economy, the Garden Grove Active Downtown Plan will identify mobility strategies to increase both regional and local connectivity to the downtown core.

The plan's goals and objectives are:

- Connectivity: Create better and improved connections to get to

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and from downtown Garden Grove

- **Accessibility:** Help people get to the places they most want to in downtown by developing a supportive culture for walking, biking, and other emerging alternative modes of transportation
- **Arts & Downtown Culture:** Create a more vibrant downtown that integrates public art and spaces through the context and cultures of Garden Grove's community
- **Community Health:** Provide opportunities for the community to utilize downtown parks, off-street paths, routes, and public spaces through walking, biking, and other alternative modes of transportation
- **Safety:** Improve the overall safety of people walking and biking to, from, and within downtown Garden Grove

The Garden Grove Active Downtown Plan team hosted pop-up booths at several key events during the summer 2019 and the plan was adopted by City Council in February 2020.

### **OC Streetcar Project**

Finding better ways to commute enhances the quality-of-life for our labor base and the residents. This idea has led the City to create economic collaboration with the City of Santa Ana. Garden Grove and Santa Ana have developed a project called

the OC Streetcar to complement Orange County's Metrolink service. After getting off the train in Garden Grove or Santa Ana, passengers need a way to get to their final destination and this project will connect key



employment, population, and activity centers from Santa Ana with those in Garden Grove. The project has begun construction and is expected to be completed and begin operations in 2021.

The OC Streetcar Project will help the area around Westminster Avenue and Harbor Boulevard grow where the new transit center is planned. This is a great opportunity for the City to develop that area for low and moderate housing, as well as businesses that will support transit-oriented development. A potential stop is being proposed at the Willowick Golf Course site, which is owned by Garden Grove, but located in the City of Santa Ana. Currently, the site is being considered for redevelopment by both cities.

### **BikeSafe Garden Grove (BSGG)**

Funded by the Caltrans' ATP grant, "BikeSafe Garden Grove" is the non-infrastructure component of the larger infrastructure project for the Bike and Pedestrian Path along the PE ROW called "The First Mile". The Community and Economic Development Department is working collaboratively with the Police Departments Community Services/ Crime Prevention Unit, Accident Reduction Team (ART), and Office of Community Relations to promote, market, and implement the

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program. In addition, the City will partner with the Boys and Girls Club and the Orange County Health Care Agency who will provide afterschool programs that support and encourage BikeSafe activities focused on healthy lifestyles.

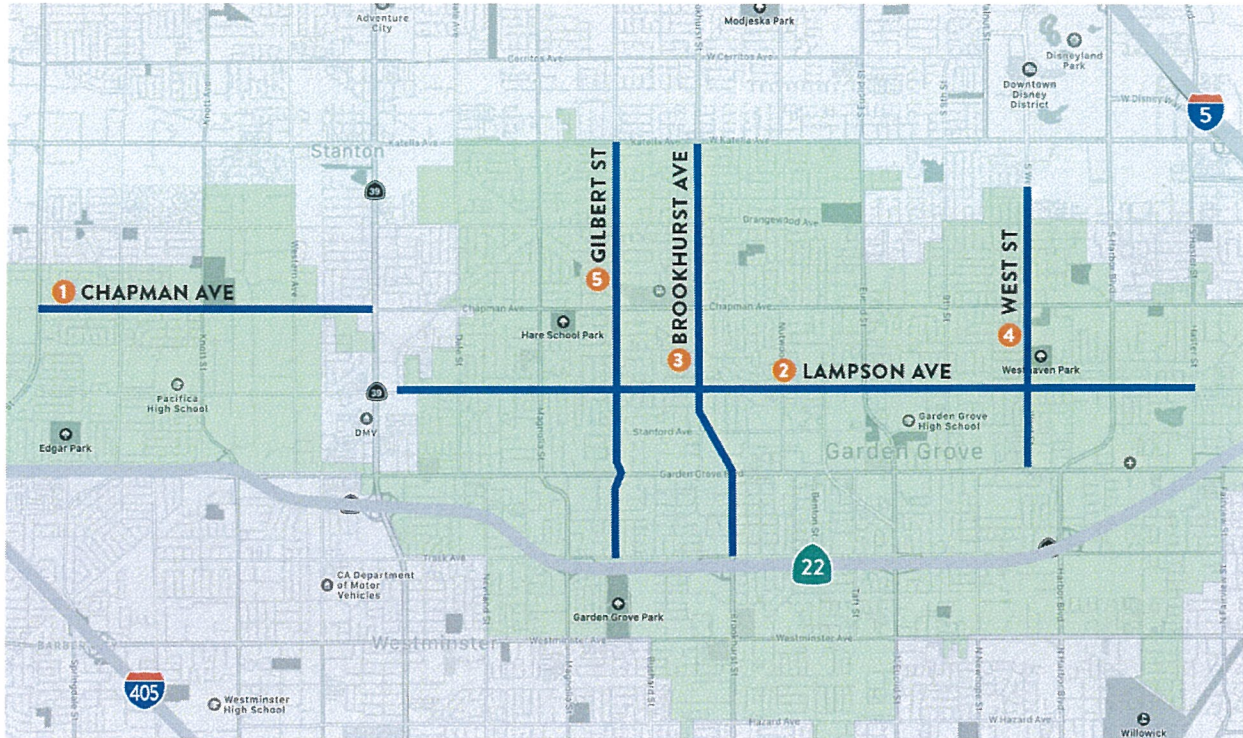
The program aims to conduct education and encouragement activities at various intermediate and elementary schools, including surrounding low-income neighborhoods, parks, churches, and community outreach events. Encouragement activities include bike rodeos, ride-alongs, participation and booth giveaways to celebrate Walk to School Day and Bike to School events. Education activities include Safe Moves City bicycle and traffic hazard training using hands-on exhibits that was programmed at the recent Meet on Beach event. Future Open Streets and Complete Streets events will feature a BikeSafe Garden Grove booth with activity boards, learning materials, and other bike safety giveaways for the community. In February 2020, the City received authorization to proceed with the project and planned for events to take place from March 2020 through June 2020. Due to COVID all outreach programs including a bike trailer with bike repair workshops were cancelled.



### **Bicycle Corridor Improvement Program (BCIP) Cycle 1 Grant**

In 2018, following a competitive RFP process, City Council awarded the contract to Mark Thomas & Company, Inc. to provide engineering design services for the BCIP. The City received the grant award through OCTA/Caltrans to improve the on-street bicycle infrastructure by 75%. The project scope incorporates 15 miles of both new and improved bike lanes located along five (5) priority corridors including: Brookhurst Street, West Street, Gilbert Street, Chapman Avenue, and Lampson Avenue. The first phase of Engineering Design was completed in fall 2019. The second phase of construction is anticipated to be completed in Winter 2021.

## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN



### **Active Transportation Program Webpage**

The City of Garden Grove announced the launch of a new Garden Grove Active Transportation Program webpage on November 2020 to highlight the City's ongoing efforts to improve active transportation in the city and support grant-funded projects such as the Congressional Medal of Honor Bike and Pedestrian Trail, and BikeSafe Garden Grove.

The webpage features grant details, program development and timeline, community outreach programming, City and staff reports, partnerships with outside agencies and organizations, and photos from various community events.



The City was awarded approximately \$1.8 million for the Congressional Medal of Honor Bike and Pedestrian Trail in 2015. The project was part of the Caltrans Active Transportation Program (ATP) Cycle 2 Grant. The City has completed all four phases of the project which includes the engineering design, environmental study, Right-of-Way (ROW) certification, and construction. The trail is currently undergoing improvements, which includes installation of new irrigation and landscaping, and is expected to be completed in January 2021.

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In 2017, the City was awarded \$74,000 for the fifth phase of the bike and pedestrian path project which is the non-infrastructure component. Funded by the ATP Cycle 2 Grant, the BikeSafe Garden Grove program aims to educate and encourage healthy lifestyle activities. Due to COVID-19, all outreach programs have been postponed. The City is in the process of developing outreach programs that follow current state and county guidelines.



## **PARKS, RECREATION, AND OPEN SPACE ELEMENT**

Parks provide places for people to connect and interact in a shared environment and recreation amenities foster a healthy and active community. The City takes pride in its services and understands that well-designed and maintained facilities, along with high quality programs offered by the Community Services Department, play an important role in creating a healthy community through diverse and innovative recreational programming.



**Goal PRK-3:** Well-maintained and improved recreational parkland and facilities, both indoor and outdoor, provide the community with increased facility usage, along with encouraging healthy lifestyles and a sense of community pride in Citywide facilities.

**PRK-IMP-3B:** Continue to utilize, and explore additional financing mechanisms for the operation and maintenance of existing facilities.

**PRK-IMP-7E:** Promote the Public Works program for the Safe Routes to Schools to qualify for funding.

**Policy PRK-4.5:** Foster community participation and public participation programs regarding open space resources.

**Policy PRK-4.1:** Preserve and enhance open space resources in Garden Grove.

### **Woodbury Park Enhancements**

The City of Garden Grove invited neighborhood residents of Woodbury Park to participate in a community meeting in November 2020 to discuss future park renovations. The planned Woodbury Park renovation is part of the City's grant application for California Proposition 68, the Parks, Environment, and Water Bond approved by state voters in June 2018. Through Proposition 68's Statewide Park Development and Community Revitalization Program (SPP),



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the City can apply for a minimum of \$200,000 to renovate a local park. Currently, Woodbury Park serves as the best opportunity to apply for the SPP grant due to the park's acreage-per-resident and surrounding median household income.

## CONSERVATION ELEMENT

The purpose of the Conservation Element is to provide direction regarding the conservation, development, and utilization of natural, historical, and cultural resources. It serves as a guide for the City, its residents, and businesses to understand what natural or other resources exist in the City, how development impacts these resources and the methods to maintain, preserve or conserve these resources.

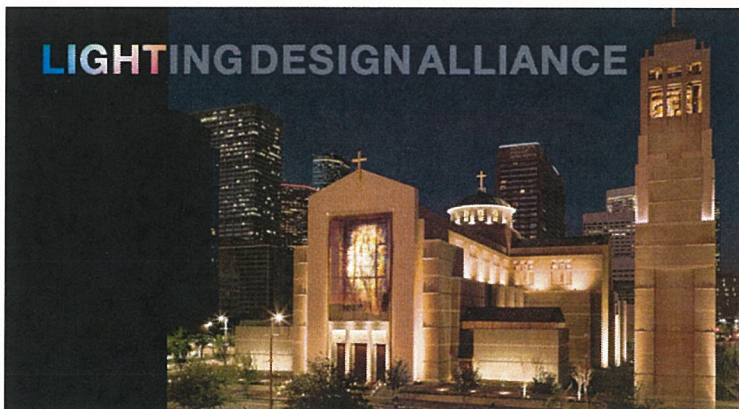
**Goal CON-4:** Reduce per-capita non-renewable energy waste and City-wide peak electricity demand through energy efficiency and conservation.

**Policy CON-4.3:** Integrate energy efficiency and conservation technologies and practices into new City facilities and, where feasible, existing buildings as well as at City functions.

### Energy Resources

Conservation of energy resources through community design and innovated building systems captures efficient technologies such as cogeneration, solar heating, and use of photovoltaic systems.

The idea was built from the "Re:Imagine Initiative," which created *branding* for our Downtown area using decorative fixtures to identify the area and promote "place-making". Suggestions from City stakeholders included lighting as a way to connect all of the landmarks in the Downtown Boundary Area and to encourage the community and visitors to come out at night to enjoy events.



The Community and Economic Development Department released an RFP in May 2018 to hire a professional Architectural Lighting Consultant to develop a comprehensive Downtown Garden Grove Lighting Conceptual Master Plan.

The consultant Lighting Design Alliance (LDA), Inc. was awarded the contract and staff is working with the Information Technology Department to inventory and map out the existing globe lighting and city-owned street lights. On-going efforts continued during 2020 and will continue in 2021.

## **SAFETY ELEMENT**

The purpose of the Safety Element is to reduce the potential risk of death, injuries, property damage, and the economic and social dislocation resulting from hazards such as fires, floods, earthquakes, landslides and other hazards. The General Plan provides policies and standards for the type, location, intensity, and design of development in areas of potential hazards. The intent of this element is to understand and minimize risks associated with each specific type of hazard so the City government and public may make informed decisions about land use and development throughout the City.

The Safety Element addresses the desire to reduce crime and keep neighborhoods safe. City leaders have adopted a community value that Garden Grove shall be a place where residents feel safe in their neighborhoods and community. Community residents are particularly interested in reducing crime, eliminating drugs and gang activities, and enhancing property conditions through property maintenance.

**Policy SAF-1.1:** Provide opportunities for community involvement in crime prevention and control through community policing and other public participation programs.

**Policy SAF-5.2:** Ensure that the City has adequate resources to respond to health and fire emergencies, such as Fire Stations, personnel, and equipment.

### **Safety Element Update**

The City of Garden Grove is updating the Housing Element, Safety Element, Land Use Element, and adopting a new Environmental Justice Element to the Garden Grove General Plan. Throughout 2020, the community has been invited to participate in an online surveys to provide input towards creating a community housing strategy for the next eight years as well as a healthier community.

In California, cities are required to develop a general plan, a blueprint for future developments in the city that establishes goals, objectives, and policies. The Housing Element, a component to the general plan, is mandated by the state to be updated every eight years to identify housing needs for all income levels during specific planning periods by meeting its Regional Housing Needs Assessment (RHNA) allocation. The City of Garden Grove's RHNA housing allocation for the 2021-2029 planning period is projected to be 19,124 units.

The City is also updating the Safety and Land Use elements and adopting a new Environmental Justice Element to establish policies mandated by the state. The Safety Element establishes policies that will minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and man-made hazards. The Land Use Element reviews the uses of land for housing, businesses, industries, agriculture, open space, public facilities, and other categories. The new Environmental Justice Element will establish policies to reduce pollution, and to provide residents with access to healthy food, physical activity,

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and safe and sanitary housing. The updates are expected to be adopted in October 2021.

**Housing Element Reporting Requirements**

State law requires that the annual report provide a status of the City’s progress in meeting its share of regional housing needs.

Senate Bill 12 (SB12) authorized the Southern California Association of Governments (SCAG) to develop the Regional Housing Needs Assessment (RHNA) for the six-county SCAG region, which includes the City of Garden Grove. As determined by SCAG, Garden Grove’s fair share allocation is 747 new housing units during the 2014-2021 cycle. Currently we are in planning year seven (7) of eight (8) years, which covers the periods from January 1, 2014 through December 30, 2021.

As of December 31, 2020 the City is on track to meet its annual and long-term goals. The RHNA numbers adopted for Garden Grove are presented in the Tables attached for the Annual Element Progress Report for 2020.

**Housing Goals and Policies**

- Conserve and improve the condition of the existing affordable housing stock;
- Assist in the development of housing for low- and moderate-income households;
- Identify adequate sites to encourage the development of a variety of types of housing for all income levels;
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing; and
- Promote equal housing opportunities for all persons.

The City has developed the following 15 programs with the stated objectives:

**Program 1: Housing Rehabilitation Grants**

Objectives: Provide 10 Senior Home Improvement Grants annually (70 total) to make exterior home improvements, interior repairs to address safety issues, and mobility, and accessibility improvements.

**Program 2: Code Enforcement**

Objectives:

*Property Maintenance Ordinance*

Enforce established standards of home maintenance practices through continued application of the Property Maintenance Ordinance.

*Building and Land Use Code Enforcement*

Preserve the quality of housing in the City’s target areas through building code enforcement inspections. Inspect all newly constructed and remodeled units.

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Continue to use Land Use Code enforcement activities to reduce the incidences of zoning violations.

Proactively prevent violations through education and outreach of home improvement assistance.

**Program 3: Multi-Family Acquisition and Rehabilitation**

Objective: Increase the affordable housing stock through acquisition and rehabilitation of 20 aging and/or deteriorating residential units annually (140 units total). Identify potential acquisition and rehabilitation units for interested non-profit housing organizations.

**Program 4: Affordable Housing Construction**

Objectives:

*Affordable Housing*

Provide technical and financial (as available) assistance for the construction of 15 affordable units annually (90 units total) using a combination of US Department of Housing and Urban Development (HUD) and City funds to provide land cost write-downs and other construction assistance. Offer priority processing for projects that include affordable housing units.

*Senior Housing*

Encourage the new construction of senior housing in areas designated for Community Residential, which allows higher densities and development standards reflective of the senior population.

*Marketing*

Continue to inform non-profit and for-profit developers of assistance available for the construction of affordable housing, including density bonuses.

*Energy Conservation*

Encourage residential developments that lower housing costs through reduced energy consumption. Maximizing energy efficiency and the incorporation of energy conservation and green building features can reduce housing costs for homeowners and renters.

**Program 5: Rental Assistance**

Objective: Provide rental assistance to 2,337 very low-income persons or households and pursue additional funding for the Section 8 program.

**Program 6: Home Ownership Assistance**

Objectives: Provide assistance to potential lower-income homeowners through the First Time Homebuyer Assistance program. Provide first time homebuyer assistance to 1 household, subject to availability of funding.

**Program 7: Preservation of Affordable Rental Housing**

Objectives: Assist in the preservation of 528 affordable units at risk of converting to market rents by: Periodically monitor status of the units that are at risk of converting to market rate during the planning period.

If any property owners indicate plans to convert affordable units to market rate rents, the City will contact qualified entities to explore transfer of ownership options. The entities will be selected from the State's list of qualified entities to acquire/manage affordable housing.

Make the State's list of qualified entities to acquire/manage affordable housing available to interested residents, developers, or property owners.

Inform residents in units that are converting to market rents of affordable housing programs available in the City, including Section 8 and other affordable housing developments.

**Program 8: Sites Inventory**

Objectives: Continue to provide appropriate land use designations and maintain an inventory of suitable sites for residential and mixed-use development.

Provide technical assistance and information on available City-owned parcels for lower-income housing developments to housing providers. Technical assistance may include development counseling and lot consolidation assistance.

Update the vacant and underutilized residential sites inventory every two years to maintain accurate information.

Publish the residential sites inventory and housing opportunity list on the City's website.

Address sewer infrastructure constraints by completing sewer upgrades to the sewer capacity deficiency zone as units are constructed and reimbursing developers for sewer upgrades that are consistent with the Sewer Capital Improvements Plan.

**Program 9: Mixed-Use Development**

Objectives: Facilitate the development of residential units in mixed-use areas by providing technical support to facilitate lot consolidation, financial assistance, where feasible, and streamlined permit processing. The City will establish specific and objective criteria for mixed-use site plan reviews and will target development densities as estimated in the Housing Element.

Play a proactive role in development of mixed use areas by pursuing strategic partnerships with developers, lenders, and property owners to ensure the development of housing at appropriate densities and the inclusion of affordable housing units.



## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

Establish a protocol to annually monitor development interest, inquiries, and progress towards mixed use development and affordable housing creation. Periodically re-evaluate approach and progress. Should monitoring reveal a shortfall in residential and affordable residential uses in mixed use developments, the City will develop additional incentives and approaches (including examination of development standards) to ensure the City satisfies its identified housing need (RHNA).

### **Program 10: Special Needs Housing**

Objectives: Periodically evaluate emergency shelter development and siting standards and based on existing needs and development interest and as warranted, re-evaluate and make appropriate changes to facilitate the development of emergency shelters.

Prioritize projects that include special needs housing or housing for extremely/very low-income households in the development application review process.

Refer residents to the Regional Center of Orange County for housing and services available for persons with developmental disabilities. Provide information on services on the City's website. As available, the City will pursue State and federal monies for direct support of housing construction and rehabilitation specifically targeted for housing for persons with disabilities.

### **Program 11: Parking Standards**

Objectives: Periodically review parking regulations or standards, and modify only as needed. Parking standards should facilitate and encourage a variety of housing types including affordable lower income housing and should not constrain development.

Continue using ministerial procedures for reducing parking based on proximity to transit lines, larger projects, projects with on-site amenities, projects near community facilities (shopping, schools, recreation, etc.), projects with a variety of unit types, and projects for senior, disabled, or that are affordable.

### **Program 12: Water and Sewer Service Providers**

Objective: Within 30 days of adoption of the Housing Element, deliver the Garden Grove Housing Element to all providers of sewer and water service within the City of Garden Grove.

### **Program 13: Fair Housing Services**

Objectives: Consistent with the Consolidated Plan, provide fair housing services to Garden Grove residents. Serve 500 persons annually with general housing/fair housing issues (3,500 persons total).

## 2020 GARDEN GROVE ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN

Require all recipients of federal funds that are in any way related to housing—including in the development of housing, placement of clients in housing, or acceptance of Section 8 tenants—to assist in affirmatively furthering fair housing. Advertise the availability of fair housing services through: flyers at public counters. Posting of available fair housing services will also be made available on the City's website.

### **Program 14: Homeless Housing Needs**

Objectives: Consistent with the Consolidated Plan, address the needs of at-risk and homeless individuals and families through assistance to non-profits serving the homeless population. Provide emergency/transitional housing or homeless services to 250 extremely low-income or at-risk clients annually (1,750 persons total).

As part of the annual General Plan Report, identify any new shelters that have been constructed.

### **Program 15: Implementation and Community Engagement**

Objective: Conduct an annual Housing Element review. Provide opportunities for public engagement and discussion in conjunction with the State requirement for written review of the General Plan by April 1 of each year (per Government Code Section 65400). Or the intent to have it completed within 60 days of the deadline.

### **Housing Element Update**

The City of Garden Grove is updating the Housing Element, Safety Element, Land Use Element, and adopting a new Environmental Justice Element to the Garden Grove General Plan. Throughout 2020, the community has been invited to participate in an online surveys to provide input towards creating a community housing strategy for the next eight years as well as a healthier community.

In California, cities are required to develop a general plan, a blueprint for future developments in the city that establishes goals, objectives, and policies. The Housing Element, a component to the general plan, is mandated by the state to be updated every eight years to identify housing needs for all income levels during specific planning periods by meeting its Regional Housing Needs Assessment (RHNA) allocation. The City of Garden Grove's RHNA housing allocation for the 2021-2029 planning period is projected to be 19,124 units.

The City is also updating the Safety and Land Use elements and adopting a new Environmental Justice Element to establish policies mandated by the state. The Safety Element establishes policies that will minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and man-made hazards. The Land Use Element reviews the uses of land for housing, businesses, industries, agriculture, open space, public facilities, and other categories. The new Environmental Justice Element will establish policies to reduce pollution, and to provide residents with access to healthy food, physical activity,

2020 GARDEN GROVE ANNUAL REPORT  
ON THE STATUS OF THE GENERAL PLAN

and safe and sanitary housing. The updates are expected to be adopted in October 2021.























Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier		Affordability by Household Incomes - Building Permits							8	9	
Current APN	Street Address	Project Name	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits
23137335	12572 JANET LN		0	0	0	0	0	0	1	8/1/2019	1
23137302	12512 SALLY ST		0	0	0	0	0	0	1	9/18/2018	1
10132308	12851 GLORIA ST		0	0	0	0	0	0	1	4/29/2019	1
23110137	12741 ARLETTA CIR		0	0	0	0	0	0	1	2/7/2018	1
9046402	11202 LINDALOA LN		0	0	0	0	0	0	1	7/2/2019	1
13306111	12211 FERRARI LN		0	0	0	0	0	0	1	7/9/2019	1
10152405	13801 ROXEY DR		0	0	0	0	0	0	1	9/17/2019	1
9051307	11402 PRESIDIO WY		0	0	0	0	0	0	1	8/23/2019	1
8923216	12691 GROVEVIEW ST		0	0	0	0	0	0	1	8/5/2019	1
9743101	8731 LARIAT AVE		0	0	0	0	0	0	1	9/9/2019	1
9937211	10321 WOODBURY RD		0	0	0	0	0	0	1	8/6/2019	1
13306111	12211 FERRARI LN		0	0	0	0	0	0	1	7/9/2019	1
21505316	12151 LORNA ST		0	0	0	0	0	0	1	7/20/2019	1
23117123	13465 GREENTREE AVE		0	0	0	0	0	0	1	5/3/2018	1
8934306	11871 MORRIE LN		0	0	0	0	0	0	1	5/28/2019	1
9824310	13332 GALWAY ST		0	0	0	0	0	0	1	9/24/2019	1
9931226	13632 FLOWER ST		0	0	0	0	0	0	1	9/5/2019	1
9806425	9750 CROSBY AVE		0	0	0	0	0	0	1	11/27/2018	1
10130307	13472 LILLY ST		0	0	0	0	0	0	1	8/1/2019	1
13217311	9412 VONS DR		0	0	0	0	0	0	1	7/16/2019	1
10130342	12891 RANCHERO WAY		0	0	0	0	0	0	1	9/11/2019	1
10037206	11582 PALOMA AVE		0	0	0	0	0	0	1	7/10/2019	1
8930126	11031 DADE LN		0	0	0	0	0	0	1	1/25/2019	1
13237207	9772 SWALLOW LN		0	0	0	0	0	0	1	6/25/2019	1
8925307	12072 ELLEN ST		0	0	0	0	0	0	1	5/22/2019	1
10114230	13832 DIEPPE ST		0	0	0	0	0	0	1	9/24/2019	1
21512315	12291 DITMORE DR		0	0	0	0	0	0	1	8/21/2019	1
13341101	9271 WELDON DR		0	0	0	0	0	0	1	7/2/2019	1
10033206	13182 ROCKINGHORSE RD		0	0	0	0	0	0	1	8/5/2019	1
13204126	8871 ADAH ST		0	0	0	0	0	0	1	8/26/2019	1
8923316	12531 BLACKTHORN ST		0	0	0	0	0	0	1	6/10/2019	1
9946301	13902 MERELLO ST		0	0	0	0	0	0	1	11/5/2019	1
9064108	11071 BIXLER CIR		0	0	0	0	0	0	1	11/7/2019	1
13227119	11572 VICILIA ST		0	0	0	0	0	0	1	7/17/2019	1
13227119	11572 VICILIA ST		0	0	0	0	0	0	1	7/17/2019	1
9034130	12362 ZETA ST		0	0	0	0	0	0	1	11/21/2019	1
8912322	12471 MCLEOD ST		0	0	0	0	0	0	1	1/30/2019	1
9050517	11371 CHAPMAN AVE		0	0	0	0	0	0	1	5/27/2019	1
13334103	12542 EDIETH DR		0	0	0	0	0	0	1	5/6/2019	1
13307201	9232 BLANCHE AVE		0	0	0	0	0	0	1	8/20/2019	1
10152313	12721 MICHAEL AVE		0	0	0	0	0	0	1	9/16/2019	1
13217310	9402 VONS DR		0	0	0	0	0	0	1	8/21/2019	1

















Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier		Affordability by Household Incomes - Certificates of Occupancy							11	12	
Current APN	Street Address	Project Name	Very Low- Income- Deed Restricted	Very Low- Income- Non Deed Restricted	Low- Income- Deed Restricted	Low- Income- Non-Deed Restricted	Moderate- Income- Deed Restricted	Moderate- Income- Non Deed Restricted	Above- Moderate- Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units Issued Certificates of Occupancy or other forms of readiness
23137335	12572 JANET LN		0	0	0	0	0	0	1	1/2/2020	249
23137302	12512 SALLY ST								1	1/6/2020	1
10132308	12851 GLORIA ST								1	1/6/2020	1
23110137	12741 ARLETTA CIR								1	1/8/2020	1
9046402	11202 LINDALOA LN								1	1/8/2020	1
13306111	12211 FERRARI LN								1	1/8/2020	1
10152405	13801 ROXEY DR								1	1/10/2020	1
9051307	11402 PRESIDIO WY								1	1/10/2020	1
8923216	12691 GROVEVIEW ST								1	1/13/2020	1
9743101	8731 LARIAT AVE								1	1/14/2020	1
9937211	10321 WOODBURY RD								1	1/14/2020	1
13306111	12211 FERRARI LN								1	1/14/2020	1
21505316	12151 LORNA ST								1	1/14/2020	1
23117123	13465 GREENTREE AVE								1	1/14/2020	1
8934306	11871 MORRIE LN								1	1/21/2020	1
9824310	13332 GALWAY ST								1	1/23/2020	1
9931226	13632 FLOWER ST								1	1/24/2020	1
9806425	9750 CROSBY AVE								1	1/24/2020	1
10130307	13472 LILLY ST								1	1/27/2020	1
13217311	9412 VONS DR								1	1/28/2020	1
10130342	12891 RANCHERO WAY								1	1/29/2020	1
10037206	11582 PALOMA AVE								1	1/30/2020	1
8930126	11031 DADE LN								1	2/3/2020	1
13237207	9772 SWALLOW LN								1	2/3/2020	1
8925307	12072 ELLEN ST								1	2/3/2020	1
10114230	13832 DIEPPE ST								1	2/3/2020	1
21512315	12291 DITMORE DR								1	2/3/2020	1
13341101	9271 WELDON DR								1	2/3/2020	1
10033206	13182 ROCKINGHORSE RD								1	2/4/2020	1
13204126	8871 ADAH ST								1	2/4/2020	1
8923316	12531 BLACKTHORN ST								1	2/5/2020	1
9946301	13902 MERELLO ST								1	2/6/2020	1
9064108	11071 BIXLER CIR								1	2/21/2020	1
13227119	11572 VICILIA ST								1	2/24/2020	1
13227119	11572 VICILIA ST								1	2/24/2020	1
9034130	12362 ZETA ST								1	2/24/2020	1
8912322	12471 MCLEOD ST								1	3/2/2020	1
9050517	11371 CHAPMAN AVE								1	3/2/2020	1
13334103	12542 EDIETH DR								1	3/3/2020	1
13307201	9232 BLANCHE AVE								1	3/3/2020	1
10152313	12721 MICHAEL AVE								1	3/5/2020	1

































Jurisdiction	Garden Grove
Reporting Year	2020 (Jan 1 - Dec 31)

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.  
 Please contact HCD if your data is different than the material supplied here

		Regional Housing Needs Allocation Progress											Total Remaining RHNA by Income Level	
		Permitted Units Issued by Affordability											Total Units to Date (all years)	
		2											3	4
1		2013	2014	2015	2016	2017	2018	2019	2020	2021				
Income Level	RHNA Allocation by Income Level													
Very Low	Deed Restricted					13						13	161	
	Non-Deed Restricted		14			33						47	71	
Low	Deed Restricted													
	Non-Deed Restricted		50	7	9	13						79	56	
Moderate	Deed Restricted		37	46	10	9	273	125	287			787		
Above Moderate	Non-Deed Restricted													
Total RHNA			101	53	19	68	273	125	287			926	280	
Total Units														

Note: units serving extremely low-income households are included in the very low-income permitted units totals  
 Cells in grey contain auto-calculation formulas

# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Garden Grove
Reporting Year	2020 (Jan. 1 – Dec. 31)

**Table D**

### Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1 Name of Program	2 Objective	3 Timeframe in H.E.	4 Status of Program Implementation
Housing Rehabilitation Grants	Provide 10 Senior Home Improvement Grants annually (70 total) to make exterior home improvements, interior repairs to address safety issues, and mobility and accessibility improvements.	2014-2021	Since the reimplementation of the Senior Home Improvement Grant Program in 2016, the City has assisted a total of 73 Garde Grove residents with housing rehabilitation grants.
Multi-Family Acquisition and Rehabilitation	Increase the affordable housing stock through acquisition and rehabilitation of 20 aging and/or deteriorating residential units annually (140 units total). Identify potential acquisition and rehabilitation units for interested non-profit housing organizations.	2014-2021	In CY 2018, the City provided funds to assist in the acquisition and rehabilitation of a 78-unit apartment complex at-risk of converting to market rate. All 78 units are for very-low income (50% AMI) households.

Affordable Housing Construction	Provide technical and financial (as available) assistance for the construction of 15 affordable units annually (90 units total) using a combination of HUD and City funds to provide land cost write-downs and other construction assistance. Offer priority processing for projects that include affordable housing units.	2014-2021	In CY 2017, the City provided funds to assist in the new construction of a 46-unit apartment complex for low (60% AMI) and very-low (50% AMI) income households.
Rental Assistance	Provide rental assistance to 2,337 very low-income persons or households.	2014-2021	The City annually provides up to 2,300 Housing Choice Vouchers to eligible households. In CY 2019, the City implemented a rental assistance program for literally homeless individuals. Since inception, the program has provided rent assistance with wrap-around services to over 60 homeless households.
Home Ownership Assistance	Provide assistance to potential lower-income homeowners through the First Time Homebuyer Assistance program. Provide first time homebuyer assistance to 1 household, subject to availability of funding.	2014-2021	In partnership with the Federal Home Loan Bank of San Francisco, the City designed and implemented a first-time homebuyer program to assist low-income households with down payment assistance. Since CY 2018, the City has assisted 8 households with down payment assistance.
Fair Housing Services	Consistent with the Consolidated Plan, provide fair housing services to Garden Grove residents. Serve 500 persons annually with general housing/fair housing issues (3,500 persons total).	2014-2021	Since CY 2014, the City has funded the Fair Housing Foundation to provide fair housing services to 3,063 Garden Grove residents.









<b>Jurisdiction</b>	Garden Grove	
<b>Reporting Year</b>	2020	(Jan. 1 - Dec. 31)

<b>Building Permits Issued by Affordability Summary</b>		
<b>Income Level</b>		<b>Current Year</b>
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		287
<b>Total Units</b>		<b>287</b>

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

<b>Housing Applications Summary</b>	
Total Housing Applications Submitted:	182
Number of Proposed Units in All Applications Received:	198
Total Housing Units Approved:	198
Total Housing Units Disapproved:	0

<b>Use of SB 35 Streamlining Provisions</b>	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

<b>Units Constructed - SB 35 Streamlining Permits</b>			
<b>Income</b>	<b>Rental</b>	<b>Ownership</b>	<b>Total</b>
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Cells in grey contain auto-calculation formulas



## COMMUNITY AND ECONOMIC DEVELOPMENT



**The mission of the Community and Economic Development Department is to provide quality services through creativity and collaboration.**

The Community and Economic Development Department (CEDD) offers a broad spectrum of services to the community. The Department administers the City's General Plan, as well as the City's zoning and building regulations, to ensure the orderly physical growth of the community. There are three divisions in the Department that include: the **Office of Economic Development** who is responsible for business attraction, retention, and expansion, and administration of the Community Development Block Grant (CDBG) and affordable housing programs; Building & Safety Division consisting of plan check review, permit counter, building inspections and code enforcement; and, the **Planning Services Division** is comprised of advance and current planning, and active transportation projects.

Significant achievements of FY 2019-20 for the CEDD included the following:

### **OFFICE OF ECONOMIC DEVELOPMENT**

The Office of Economic Development continues to implement the 2018 Economic Development Strategic Plan. The plan outlined specific economic development goals and priorities including: increase the city's tax base, increase other revenue sources, create and retain jobs within the city, address sales tax leakage and diversify the sales tax base, create new markets, and build local and regional relationships. In this fiscal year reporting, the Office of Economic Development continued to be proactive in its business development activities, which includes business attraction, business retention, and marketing efforts. Provided is a brief summary of activities that were achieved in FY 2019-20.

### **SteelCraft Garden Grove**

On June 13, 2017, City Council approved a lease with Howard CDM for the development of SteelCraft, a unique venture that ties together open spaces and public places to create a sustainable indoor/outdoor urban eatery built primarily out of recycled metal shipping containers. The project located on the southwest side of City Hall at 12900 Euclid Street celebrated its Grand Opening in September 2019 and is now open for business.

### **Cottage Industries**

In May 2016, the City approved the sale of city-owned properties to Lab Holdings for future development of Cottage Industries, an adaptive reuse of residential properties as artisan retail and commercial uses. The Planning Commission approved the first phase of Cottage Industries known as the Farm Block in March 2018. On November 2019 the Planning Commission approved the second phase known as Art Block. Due to COVID, the project was briefly on hold and since re-engaged in June 2020 with improvements anticipated to begin in spring 2021.



### **Home2 Suites by Hilton**

The BN Group acquired the city-owned property located at 13650 Harbor Boulevard and completed entitlement approvals for development of a Home2 Suites by Hilton. The new Home 2 Hilton hotel is the first new hotel to be built south of the Garden Grove freeway. A ground-

breaking ceremony was held on June 27, 2019 and anticipated to open summer 2021.

### **NOVA Kitchen & Bar**

On July 29, 2019, the opening of NOVA Kitchen & Bar launched a new Asian-fusion restaurant adjacent to the Hyatt Regency of Orange County. Nova Kitchen & Bar occupies over 10,828 square foot and expanded capacity to host private events and seat approximately 475 guests.

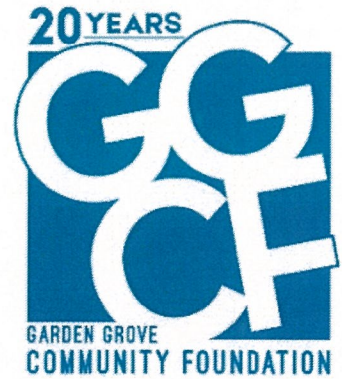


### **Kam Sang Company - Nickelodeon Resort**

Pursuant to an Exclusive Negotiation Agreement (ENA) between the City and New Age Garden Grove, LLC, the developer is proposing to bring forth development of a Nickelodeon Resort comprised of a 500-room resort hotel and amenities. COVID has temporarily delayed the project with efforts to re-engage the planning entitlement process.

**Garden Grove Tourism Improvement District (GGTID)**

The annual report for the Garden Grove Tourism Improvement District (GGTID) was approved in June 2020. Established in 2010, the GGTID provide collective support for tourism marketing efforts under the umbrella of the Anaheim/Orange County Visitor & Convention Bureau, now Visit Anaheim in areas of tourism promotion, specifically for conventions benefiting the hotels within the Grove District. GGTID continued its Community Give Back Initiative to support local non-profit organizations such as the Boys & Girls Club, the Orange County Food Bank, The Hope Foundation, and the Garden Grove Community Foundation.



**Site C Project**

The Planning Commission approved a Site Plan and Tentative Tract Map at the November 2017 meeting to implement a resort hotel project known as the Site C. The approvals provided for a proposed development program of a hotel project of up to 769 rooms and ancillary hotel uses such as pools, spas, and fitness centers within three resort hotels, one full-

service and one limited-service, with up to 104,000 aggregate square feet of conference/meeting banquet space, hotel restaurant space, freestanding pad restaurant, and a multi-level parking garage with 1,297 parking spaces on approximately 4.3 acres of the PUD-128-12. Upon completion, it is anticipated the project will generate approximately \$3.8 to \$4.9 million in additional annual tax revenue to the City. The project is anticipated to start construction Spring 2021.

**New Residential and Development Projects**

**Brookhurst Place**

Following the completion of Phase I of Brookhurst Place in July 2018, Kam Sang Company work continued to advance Phase II comprised of 462 apartment homes, of which up to 120 will be affordable housing units and 58 for-sale condominiums, up to 200,000 square-feet of commercial and retail space,



The 14-acre community upon completion will include 700 new residential units and a 1-acre park. Pending concurrence with the State Department of Finance (DOF) and is awaiting a response, conveyance of the Phase II properties would begin.

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### **Garden Brook Senior Village**

Construction of Garden Brook Senior Village by AMG & Associates continued in FY 2019-20 in which development of an affordable housing project comprised of 394 new affordable senior units, along with up to 12,938 square feet of commercial space. The Garden Brook Senior Village is collaboration between City of Garden Grove, AMG & Associates, the Hoag Foundation, the Boys and Girls Club of Garden Grove to progress an Intergenerational Program to bring youth and seniors together. Completion is anticipated in fall 2021.

### **Willowick Golf Course**

Efforts to work in collaboration with the Cities of Garden Grove and Santa Ana to explore possible redevelopment of the Willowick Golf Course property began in April 2018. Development of a visioning plan, community engagement, and a market assessment analysis were completed. With the passage of Assembly Bill 1486, implementation of the Surplus Land Act changed necessitating review of the disposition process.

### **Business Development Programs**

#### **Garden Grove ABRB Contract**

On July 1, 2019, the City entered into an agreement with the Garden Grove Chamber of Commerce to provide business development services for FY 2019-20 as part of the Ambassador/Business Retention Bureau (ABRB) program. During COVID, the Garden Grove Chamber implemented modified business outreach and assistance to support businesses during reopening and assisted over 40 business via virtual tele-conferences.

#### **Multi-Chamber Collaboration**

In 2019, the City continued to collaborate with the Vietnamese American Chamber of Orange County, Korean American Chamber of Orange County, and Orange County Hispanic Chamber to build more established relationships, and work in partnership to better assist all businesses across the City. During COVID, the chambers provided support with translation for the City's Business Resource and Resiliency Plan.

#### **Breakfast with Police Chiefs**

On July 25, 2020 the Economic Development Division partnered with the Korean American Chamber of Commerce of Orange County to host a panel discussion about public safety with Police Chiefs from Buena Park, Fullerton, Irvine and Garden Grove.

#### **Orange County Small Business Summit**

In partnership with the Orange County/Inland Empire Small Business Development Center Network and Wells Fargo Corporate Philanthropy and Community Relations Group, the City participated in the Orange County Small Business Summit on November 19, 2019. The conference featured regional, state and federal economic development leaders discussing opportunities to grow the regional small business economy of Orange County, with a specific focus on advancing access to capital, small business development and innovative public-private partnerships.



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**Small Business Development Center (SBDC) Workshop Series**

In partnership with SBDC Orange County, a series of workshops were planned to provide small business entrepreneurs with resources and tools to enhance their business. Provided below is a list of recent SBDC workshops:

DATE	TIME	TOPIC
October 16 & 23, 2019	12:00pm-1:30pm	Join the Fast Track to Starting Your Business
November 13, 2019	9:00am-12:00pm	Crack the Code of Online Retail
June 11, 2020	2:00pm VIRTUAL	How to Start Your Own Home-Based Food Business

\*As a result of COVID-19 all March & April 2020 workshops were cancelled and virtual meetings held all subsequent workshops.

**Small Business Tax Seminar and Resource Expo**

In partnership with Assembly member, Tyler Diep and Orange County Supervisor, Andrew Do, the City hosted a Small Business Tax Seminar & Resource Expo on May 3, 2019. The event provided an opportunity to perform outreach to all local business owners through collaboration with various agencies on the following topics:

PARTNER AGENCY	TOPICS
California Department of Tax and Fee Administration	Sales and Use Tax Basics
Franchise Tax Board	Forms of Ownership
Employment Development Department	Employee or Independent Contractor
Internal Revenue Service	Better Business Through Better Records
Governor’s Office of Business and Economic Development	Go-Biz, State Tax Credit, Exemptions & Financing Instruments

**GO-Biz Workshops**

The City continues to partner with the Governor’s Office of Business and Economic Development to promote GO-Biz, a program designed to help businesses apply for the California Competes Tax Credit, which offers tax credits to businesses adding jobs in California.

**Buy in Garden Grove Program (BiGG)**



BiGG is the City's "Shop Local" program was redesigned to support local businesses, provide shopper discounts, and keep needed tax dollars in the city. The program allows for Garden Grove residents to receive a discount by mention the BiGG program to any participating business. Some new features of the BiGG include the Vehicle Rebate Program (VRP) that offers Garden Grove residents and businesses a \$500 rebate when purchasing a new vehicle from one of the six franchised local auto dealers. Participating auto dealers include Volkswagen Garden Grove, Simpson Chevrolet of Garden Grove, Russell Westbrook Hyundai of Garden Grove, Toyota Place, Garden Grove Nissan, and Garden Grove Kia. The VRP program commenced on July 1, 2019.

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### **Office of Economic Development Website**

In March 2020, the Office of Economic Development revamped its website to include new resources to help business affected by the Covid-19 pandemic. These new resources included: a new business recourse kit linking to city's partners with for business reopening, the City Jobs First Program, the City's Micro Grant Program, and Accessible Businesses Program.

### **JOBS 1<sup>st</sup> Program**

The JOBS 1st Program was modified in response to the COVID and subsequent allocation of Community Development Block Grant - Coronavirus (CDBG-CV) funding. The JOBS 1st Program offers job creation loans of up to \$50,000 and job retention grants of up to \$25,000 to assist Garden Grove business owners affected by the pandemic. The JOBS 1st Program will utilize \$830,000 in CDBG-CV funds to create and/or retain over 137 jobs for low-income Garden Grove residents.

### **Micro Business Relief Program (Micro Biz Program)**

Through the County of Orange and the First District Supervisor, the City received Coronavirus Relief Funds for economic support in the amount of \$617,600 to assist small businesses impacted by COVID-19. In June 2020, the Micro Biz Program was established in conjunction with an online application portal ([ggcity.org/businesses](http://ggcity.org/businesses)) to streamline the application submittal process for eligible small businesses and non-profit organizations. The Micro Biz Program has provided economic support to 125 Garden Grove small businesses of up to \$5,000 grants, which are used for rent relief payments and business innovation activities. The City has estimated the balance of this portion of the Coronavirus Relief Funds will be exhausted by November 2020.

### **Accessible Businesses Program**

The City's Office of Economic Development strives to deliver innovative business development programs and initiatives to assist local business owners navigate their business operations through Stage 2 reopening. The creation of the Accessible Businesses Program provided a process for local business to apply for a 60-day Temporary Outdoor Businesses Permit to expand areas onto adjacent sidewalks within a shopping center or in privately owned parking lots to be used for outdoor dining and/or retail uses.

### **International Council of Shopping Centers (ICSC)**

On September 16 – 18, 2019, the Office of Economic Development attended the ICSC Western Conference & Deal Making at the Los Angeles Convention Center. The three-day event offered opportunities to learn about industry trends, network with other industry professionals and make deals with colleagues in the same region. One optional item that was available to attendees was a Downtown L.A. Retail Tour. The tour was a great-added feature to the conference; it gave attendees who were not familiar with the downtown LA area, a chance to see up and coming development trends and expanding retailers.

### **Industrial Development Authority (IDA)**

In December 2019, the City of Garden Grove approved the Garden Grove IDA annual report. Under the State of California guidelines, the IDA acts as the official local coordinating body for low-cost development bonds for industrial companies seeking expansion. The IDA's role is to assist industrial-related businesses by facilitating their request for tax-exempt Industrial Development Bonds.

### **Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Activities**

ESG, CDBG, and HOME programs are funded by the U.S. Department of Housing and Urban Development (HUD). The ESG program provides funds to support homeless prevention and intervention services. The CDBG program offers a variety of tools for public service grants and community improvement grants and projects. The HOME Investment Partnership (HOME) program makes available a wide range of affordable housing activities.

### **Public Programs, Services and Infrastructure**

In FY 2019-20, CDBG funds in the amount of \$2,100,000 was programmed to benefit low-moderate income residents through housing rehabilitation, senior services, fair housing activities, infrastructure improvements, and gang suppression activities. Additionally, \$95,000 in CDBG-CV funding was allocated to provide hot meals and boxes of food to seniors and low-income Garden Grove residents.

### **Homeless Services**

In FY 2019-20, the amount of \$177,733 of ESG funds were programmed to provide homeless services to individuals who are at-risk of becoming homeless, as well as those who are literally homeless. Homeless services include: street outreach, emergency shelter, rapid rehousing, homeless prevention, and homeless information management system. Additionally, \$500,000 in HOME Investment Partnership (HOME) funding was used to provide rapid rehousing and homeless prevention services to at risk and literally homeless Garden Grove residents.

Additionally, the amount of \$602,486 in Emergency Solutions Grant Coronavirus (ESG-CV) funds was programmed to expand homeless services to individuals who are at risk of becoming homeless, as well as those who are literally homeless as a result of the Covid-19 pandemic.

## **BUILDING & SAFETY DIVISION FY 19-20**

### **Code Enforcement**

During FY 2019-20, Code Enforcement continues to prioritize active Building Abatement cases. Through voluntary enforcement measures, compliance was achieved through the building permit process to address removal of non-permitted structures. This has resulted in Code Enforcement successfully closed **377** case with non-permitted additions, conversions, and/or alterations.

Collaborative efforts continued with the Garden Grove Police Department to resolve substandard properties. Structures that were identified as an attractive nuisance

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were cleared by the Police Department, and resolved through abatement by Code Enforcement. This has reduced the calls for service throughout the city.



**Building Permits & Inspections**

For FY 2019-20, the Building & Safety Division issued a total of **3,055** building permits. In November 2019, the new 2019 California Standard Codes were adopted, of which the newest code to impact the building industry added requirements for the installation of a solar system on new residential dwelling projects.

With the onset of COVID, transition of technology to automate and digitize the plan check process was implemented. Collectively, Planning and Building & Safety have created the digital paperless plan check process. Currently, new software products are being researched to better support the streamline efforts.

Notable development milestones were accomplished including: completion of construction for the SteelCraft Garden Grove, permit issuance for the Garden Brook Senior Village project, permit issuance for Shea Homes Gardenia project, permit issuance for the West Grove Center, and completion of the Christ Cathedral Renovations.

**PLANNING SERVICES**

**Some Key Conditional Use Permits / Land Use Entitlements**

Address	Project Description
10672 Katella	Approval to operate the Cave Sports Bar with new original Type "48" (On-sale, General) ABC License
12965 Beach	Approval to operate a new Club Pilates gym in an integrated shopping center.
12600 Westminster	Approval to operate a contractor's storage yard.
8762 Garden Grove	Approval to operate a new restaurant, Secret Pho, with a Type "41" (On-sale, Beer and Wine) ABC license.
11931 Harbor	Approval to operate the Residence Inn with a new Type "41" (On-sale, General) ABC license for a proposed lounge/bar in the existing lobby area of the hotel.
1332 Century	Approval to operate a new 3,372 sq.ft. Cosmetology school in an integrated shopping center.
8604 Garden Grove	Approval for an existing liquor store, Crazy Liquor, to operate with a type "21" (Off-sale, General) ABC license.
10582 Garden Grove	Approval for an existing convenience store to operate with at Type "21" (Off-sale, General) ABC License.
12332 Brookhurst	Approval to operate an existing restaurant, Tam's Restaurant and sandwich, with a Type "41" (On-sale beer and wine) ABBC license.

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12942 Main	Approval to allow outdoor dining in the public right-of-way for Louie's on Main, which currently operates with a Type :47" (On-sale, General) ABC license.
12900 Euclid	Approval to establish a new wine-tasting establishment, Wilson Creek Winery, in SteelCraft with a new Type "20" (Wine grower. On and Off-sale wine) ABC license.
10870 Katella	Approval to operate a new 29.112 sq.ft. trade school, UEI College in an integrated shopping center.
9906 Westminster	Approval to operate a new restaurant, Tam Bien Restaurant, a Type "41" (On-sale, Beer and Wine) ABC license.
12111 Harbor	Approval to allow Target with a Type "21" (Off-sale, General) ABC license.
13071 Century	Approval to re-establish an auto repair business in an existing auto repair building.
11832	Approval to construct and operate a new 60 ft. tall wireless telecommunication facility disguised as a pine tree on the First Presbyterian Church property.

**Some Key Developments (Commercial & Residential)**

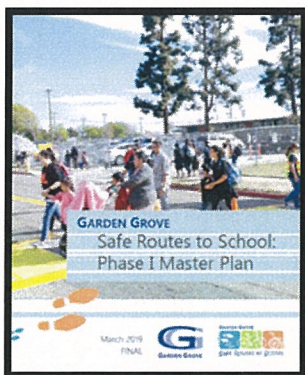
Address	Project Description
9191 Westminster	Approval to construct a 7,140 sq.ft. 3 <sup>rd</sup> floor addition to an existing 29,736 sq.ft. medical office building.
12671 Nelson	Approval to convert 2 single-family home s to office and meeting space for St. Columban Church.
12931 Louise	Approval to construct a four-unit, two-story apartment complex.
12862 Garden Grove	Approval to relocate two static billboards with four faces and convert them into one digital freeway oriented billboard with 2 faces
12821 Knott	Approval to construct a 45,335 sq.ft., one-story, addition to an existing 119,836 sq.ft. industrial building along with the vacation of a portion of Brady Way.
11712 Lampson	Approval to subdivide a 47,286 sq.ft. lot into four separate lots in order to building 4 single-family homes.
12881 Adelle.	Approval to demolish an existing duplex and construct a four-unit, three-story apartment complex.
11841 Magnolia	Approval to subdivide a 15,552 sq.ft. lot into two separate lots in order to construct 2 single-family homes.
7051 Garden Grove	Approval of a one-year time extension to construct a new service station with mini-mart.
9665 Chapman	Approval to construct a a new 4,200 sq.ft. City Bank building on a new building pad along Chapman Avenue within the Promenade shopping Center.
11352 Acacia Parkway, 12902, 12911, 12912, & 12932 7 <sup>th</sup> , 11361 & 11391 Garden Grove, and 12911 8 <sup>th</sup>	Approval to convert 9 single-family homes and 9 accessory structures, along with the construction of 6 new commercial structures to accommodate new commercial, restaurant, office and motel uses for phase 2 of the Cottage Industries project..
City Wide	In response to the COVID-19 closures, Staff created the Temporary Outdoor Business Permit process.

## **ACTIVE TRANSPORTATION GRANT PROJECTS**

With the support of the Office of Community Relations and the Information Technology Department, a comprehensive information website has been launched to highlight the City's ongoing efforts to support active transportation projects. The new website is linked to the Community and Economic Development webpage ([ggcity.org/bikeped](http://ggcity.org/bikeped)). Since 2015, the City has secured grant funding for active transportation projects resulting in the successful award of \$4.1 million in grants. "Planning" grants or "Plans" are noteworthy as current grants provide funding for *construction ready* projects and not for the development of concept plans.

### **Downtown Parking Management Strategic Plan (DPMSP)**

In 2017, Fehr & Peers was retained to provide parking consultant services to address responses to the Re:Imagine initiatives in which community feedback expressed the desire to have bike lanes, community events, market food halls, and at the top of the list was the concern to accommodate enough parking for future development. With participation of the Downtown Commission and the Advisory Committee members, an analysis was conducted of a point-in-time count to determine a baseline of parking spaces within the Downtown. The DPMSP is the first comprehensive study the City has conducted of parking utilization in the Downtown and Civic Center area. The data shows that the study area currently has sufficient parking supply. The conclusion noted the current parking supply can accommodate the demand generated by existing land uses in the study area. The DPMSP was completed in July 2019. ([ggcity.org/planning/downtown-parking-management](http://ggcity.org/planning/downtown-parking-management))



### **Safe Routes To School (SRTS)**

In 2016, the City was awarded a planning grant under Southern California Association of Governments (SCAG). KOA Corporation was awarded the contract to partner with the Garden Grove Unified School District (GGUSD) and assist the City in selecting six (6) target schools to be included in the project area. The Plan focused on six (6) schools: A.J. Cook Elementary, Donald S. Jordan Intermediate, Thomas Paine Elementary, Brookhurst Elementary, John Murdy Elementary, and Merton E. Hill Elementary. The schools were selected using a needs-based criterion which include student participation in free lunch programs, income, and high risk bike/pedestrian collisions. In June 2019, City Council adopted the Garden Grove SRTS Phase 1 Plan. The STRS Plan would serve as a guiding document that will assist the City in identifying the existing conditions at each school and explore improvements when

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additional funding opportunities arise. ([ggcity.org/planning/safe-routes-to-school-phase1](http://ggcity.org/planning/safe-routes-to-school-phase1))

### **Bicycle Corridor Improvement Program Cycle 1 Grant (BCIP)**

In 2018, following a competitive RFP process, City Council awarded the contract to Mark Thomas & Company, Inc. to provide engineering design services for the BCIP. The City received the grant award through OCTA/Caltrans to improve the on-street



bicycle infrastructure by 75%. The project scope incorporates 15 miles of both new and improved bike lanes located along five (5) priority corridors including: Brookhurst Street, West Street, Gilbert Street, Chapman Avenue, and Lampson Avenue. The first phase of Engineering Design was completed in fall 2019. The second phase of construction is anticipated to be completed in Winter 2021.

### **Congressional Medal of Honor Bike and Pedestrian Trail**

In 2015, the City was awarded approximately \$1.8 million for the bike and pedestrian path project called "The First Mile." On June 9, 2020, the Garden Grove City Council approved the official naming of the trail as the "Congressional Medal of Honor



Bike and Pedestrian Trail." Part of the Caltrans Active Transportation Program (ATP) Cycle 2 Grant, the City has completed



all four phases of the project which includes the engineering design, environmental study, Right-of-Way (ROW) certification, and construction. The construction of the trail extended a bicycle pilot project that was previously constructed from Nelson St. to Stanford Ave. The extension continues the trail from Stanford Ave. to Brookhurst St., which results in a one-mile bicycle and pedestrian trail. The construction phase included a 12-foot wide bi-directional bike path was completed June 2020. ([ggcity.org/bikeped](http://ggcity.org/bikeped))

### **Meet on Beach**

In November 2019, the Meet on Beach event programmed activities for a bike rodeo and a Safe Moves City which involves educational equipment with interactive hands-on exhibits that allow children to experience traffic situations as pedestrians and bicyclists in a safe learning environment. The training materials, traffic safety equipment and bike safety give away items were funded by the Caltrans ATP Cycle

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2 Grant called "BikeSafe Garden Grove". BikeSafe is the non-infrastructure segment of the grant which provides programming for bicycle education and encouragement.

### Urban and Community Forestry Grant Program



In 2018, the City was awarded the Urban and Community Forestry Grant by CAL FIRE (California Department of Forestry and Fire Protection). The grant requires that an Urban Forest Management Plan (UFMP) to be adopted

and implemented by June 2021. In 2019, after releasing an RFP, the City selected Davey Resource Group as the consultant to prepare the plan with input from residents and stakeholders. The UFMP is expected to be completed by January 2021.

The CAL FIRE grant also assisted in the planting of 363 trees on "The First Mile" segments of the PE ROW Trail from Nelson Avenue to Brookhurst Street. The City awarded Davey Evans and Associates to prepare landscape and irrigation plans. Completion of the irrigation and landscaping improvements is anticipated in winter 2021. ([ggcity.org/planning/urban-forest-management-plan](http://ggcity.org/planning/urban-forest-management-plan))



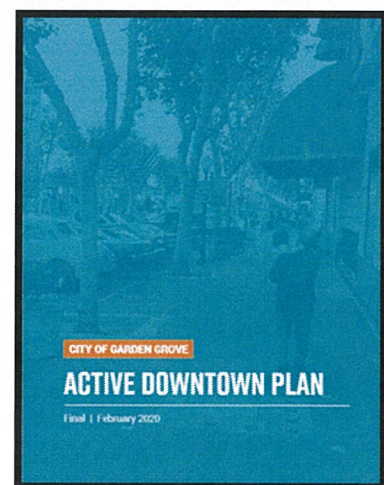
### GARDEN GROVE ACTIVE DOWNTOWN PLAN (GGADP)



In 2018, the City was awarded the Caltrans Sustainable Communities Planning Grant, and in 2019, City Council awarded the contract to KOA Corporation, to develop a Plan called Garden Grove Active Downtown Plan that will identify mobility and safety needs.

Building upon the momentum of Re:Imagine, the City envisioned downtown as a unique and inclusive place where Garden

Grove's diverse residents and visitors can easily walk, bike, and use alternative modes of transportation. Part of the process was the formation of an Advisory Committee to encourage the participation of business owners, stakeholders, and residence in the community to help the City identify challenges in the Downtown study area. This grant project included extensive community outreach and engagement efforts to gather input from the general public to develop the Plan. The Garden Grove Active Downtown Plan team hosted





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multiple pop-up booths at several key events and the Plan was adopted by City Council in February 2020. ([ggcity.org/planning/garden-grove-active-downtown-plan](http://ggcity.org/planning/garden-grove-active-downtown-plan))

**BikeSafe Garden Grove (BSGG)**



Funded by the Caltrans' ATP grant, "BikeSafe Garden Grove" is the non-infrastructure component of the larger infrastructure project for the "Congressional Medal of Honor Bike and Pedestrian Trail". Staff has worked collaboratively with the Police Departments Crime Prevention Unit, Accident Reduction Team (ART), and Office of Community Relations to promote, market, and implement the program. The program aim to conduct education and encourage healthy lifestyle activities at elementary and intermediate schools including parks, low-income neighborhoods, community events, and other bike and pedestrian-friendly sites. Events include bike rodeos, National Bike to School Day, National Walk to School Day, Open Streets, and Safe Moves City bicycle and traffic hazard training using hands-on exhibits.



In February 2020, the City received authorization to proceed with the project and planned for events to take place from March 2020 through June 2020. Due to COVID all outreach programs including a bike trailer with bike repair workshops were cancelled. ([ggcity.org/bikeped](http://ggcity.org/bikeped))

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**Conclusion**

The General Plan continues to direct all land use decisions for the City and is a good guide for direction in Garden Grove's future development. The City continues to follow opportunities that meet Garden Grove's Community vision, which is to be a safe, attractive, and economically vibrant city with an informed and involved public. Garden Grove is a diverse community that promotes unique attributes and strives to preserve our residential character.

Planning Commission Date: February 18, 2021

Neighborhood Improvement and Conservation Commission: March 1, 2021

City Council Date: March 9, 2021