



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

NOVEMBER 2, 2017

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

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

ROLL CALL: CHAIR KANZLER, VICE CHAIR BRIETIGAM
COMMISSIONERS LAZENBY, LEHMAN, NGUYEN, SALAZAR,
TRUONG

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

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

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

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

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: September 21, 2017
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
 - C.1. SUBSEQUENT MITIGATED NEGATIVE DECLARATION
SITE PLAN NO. SP-043-2017
TENTATIVE TRACT MAP NO. TT-17455
DEVELOPMENT AGREEMENT NO. DA-008-2017

APPLICANT: INVESTEL GARDEN RESORTS, LLC

LOCATION: NORTHEAST CORNER OF HARBOR BOULEVARD AND TWINTREE LANE, WEST OF CHOISSER ROAD AT 12222, 12252, 12262, 12272, 12292 AND 12302 HARBOR BOULEVARD; 12511, 12531, 12551 AND 12571 HARBOR BOULEVARD; 12233, 12235, 12237 AND 12239 CHOISSER ROAD.

REQUEST: A request for approval of a Site Plan, Tentative Tract Map, and Development Agreement to implement a previously approved resort hotel development project on "Site C" at the Northwest corner of Harbor Boulevard and Twintree Lane in the City of Garden Grove.

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel project on Site C. As approved in 2012, the Site C project called for up to 769 rooms in one (1) full service hotel and up to two (2) limited service hotels ranging from 10-19 stories; associated conference/meeting/banquet space, several restaurants; an indoor entertainment venue; and a multi-level parking garage with 1,297 total spaces on a 5.2 acre site, as depicted on a conceptual site plan (the "2012 Project").

Modifications to the project adopted in 2012 are now proposed (the "Modified Project") in conjunction with the proposed Site Plan. The Modified Project includes the same number of hotels, hotel rooms, and maximum building heights as the 2012 Project, but the configuration of the buildings, the amount and type of ancillary uses, and the site access have been modified. The Modified Project generally includes: (1) a change to two (2) full service hotels and one (1) limited service hotel; (2) changes to on-site circulation and access, including a new second driveway along Harbor Boulevard at the most southerly portion of the site, and changes to the parking structure including one entrance instead of the previous two entrances and one level of subterranean parking (maintaining the same 1,297 total spaces approved in the 2012 Project); (3) the introduction of retail uses; (4) minor changes to the total square footage of conference/meeting banquet space,

restaurant/retail/entertainment space, hotel ancillary uses (such as gyms, spas, salon, a hotel shop, and a kids club) and hotel restaurant space; and (5) modifications to the 2012 Project's building placements and configuration including (a) shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard, constructing a new retail building at the northwest corner of the site that connects to Hotel A via a second floor terrace, and relocating the valet drop-off for Hotel A; (b) swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building with a connection provided between both structures via the hotel's second floor terrace; and (c) expanding and reconfiguring the usable outdoor roof deck area of Hotel A, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85 feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet. The size of the Modified Project site has been reduced from 5.2 acres to 4.3 acres. The proposed Tentative Tract Map will adjust the rear property lines of four existing City-owned parcels located at the Northeast corner of the site on Choisser Road to incorporate a portion of these parcels into the Modified Project site and will consolidate the existing parcels on the Modified Project site into two lots to facilitate development of the Modified Project and future commercial condominiumization. The Planning Commission will also consider a recommendation for City Council approval of a Development Agreement with the developer of the Modified Project.

The Planning Commission will also consider adoption of a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the modified project.

STAFF RECOMMENDATION: Recommend adoption of the Subsequent Mitigated Negative Declaration and DA-008-2017 to City Council, and approval of SP-043-2017 and TT-17455, subject to the recommended conditions of approval.

C.2. GENERAL PLAN AMENDMENT NO. GPA-002-2017(A)

APPLICANT: CITY OF GARDEN GROVE

LOCATION: 11TH STREET: 9741, 9761, 9823, 9831, 9861, 9921, 9941, 9961, 9971, 9791, 9811; BROOKHURST STREET: 14321, 14301; 13TH STREET: 9904, 9902, 9842, 9820, 9802, 9762, 9822, AND 9752

REQUEST: Proposal to change the General Plan land use designation of approximately 15-acres of land, comprised of 14 parcels, from Civic Institution to Medium Density Residential. The properties currently have a zoning of R-3 (Multiple-Family Residential) and PUD-130-99 (Planned Unit Development). The existing zoning and General Plan land use designations are not consistent pursuant to state law, therefore, the proposed General Plan Amendment will provide consistency between the proposed General Plan Amendment of Medium Density Residential and the current R-3 and PUD-103-99 zoning. No new development is proposed with this request, which is exempt pursuant to CEQA Section 15061(b)(3) - Review for Exemption.

STAFF RECOMMENDATION: Recommend approval of General Plan Amendment No. GPA-002-2017(A) to City Council.

C.3. MITIGATED NEGATIVE DECLARATION
GENERAL PLAN AMENDMENT NO. GPA-002-2017(B)
SITE PLAN NO. SP-038-2017

APPLICANT: FAIRCREST REAL ESTATE, LLC

LOCATION: 9841 11TH STREET

REQUEST: To develop a parcel, approximately 19,152 square foot in size, with a 10-unit apartment complex with a 35% affordable housing density bonus for low-income households. The project includes a General Plan Amendment, to change the General Plan land use designation of the property from Civic/ Institutional to Medium Density Residential (MDR), and a Site Plan to construct 10-units within a three-story apartment building. Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 zone development standards: 1) to allow the third-story configuration to be greater than 50 percent of the building footprint, 2) to deviate from the required 10'-0" distance separation between the units and

the drive aisle located on the first, second, and third floors, and 3) to deviate from the required 11'-3" third-story side yard setback. The site is in the R-3 (Multiple-Family Residential) zone. The Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration for the project.

STAFF RECOMMENDATION: Recommend adoption of the Mitigated Negative Declaration and GPA-002-2017(B) to City Council, and approval of SP-038-2017, subject to the recommended conditions of approval.

C.4. AMENDMENT NO. A-021-2017

APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE

REQUEST: A City-initiated zoning text amendment to Title 9 of the Garden Grove Municipal Code pertaining to uses in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones that involve entertainment and/or alcohol sales or consumption, as well as minor text amendments pertaining development standards applicable to all mixed use zones. An ordinance approving the proposed code amendment would update the definitions, operating conditions, and development standards in the City's Land Use Code pertaining to uses that involve entertainment and/or alcohol sales or consumption in order to clarify the buffering, distance, and conditional use permit requirements applicable to uses involving entertainment and/or alcohol sales or consumption in these two zones. In addition, the proposed code amendment would establish specific additional operating conditions and development standards for indoor and outdoor joint use or communal dining areas where entertainment and/or the consumption of alcohol takes place and specify that a communal dining area involving entertainment and/or alcohol consumption is a conditionally permitted use in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones. Finally, the proposed code amendment would address the allowance of parking spaces and turning aisles to be located within portions of required setbacks. The Planning Commission will make a recommendation to the Garden Grove City Council regarding the proposed Amendment and a determination that it is exempt from the California Environmental Quality Act.

STAFF RECOMMENDATION: Recommend approval of
Amendment No. A-021-2017 to City Council.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

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

Meeting Minutes
Thursday, September 21, 2017

CALL TO ORDER: 7:01 p.m.

ROLL CALL:

Chair Kanzler
Vice Chair Brietigam
Commissioner Lazenby
Commissioner Lehman
Commissioner Nguyen
Commissioner Salazar
Commissioner Truong

Absent: Kanzler

PLEDGE OF ALLEGIANCE: Led by Commissioner Lazenby.

ORAL COMMUNICATIONS – PUBLIC – None.

September 7, 2017 MINUTES:

Action: Received and filed.

Motion: Truong Second: Salazar

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar,
Truong

Noes: (0) None

Absent: (1) Kanzler

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT NO. GPA-003-2017, SITE PLAN NO. SP-041-2017, VARIANCE NO. V-016-2017, AND TENTATIVE TRACT MAP NO. TT-18117. FOR PROPERTY LOCATED AT 12111 BUARO STREET, WEST SIDE OF BUARO STREET, SOUTH OF CHAPMAN AVENUE, BETWEEN JENTGES AVENUE AND TWINTREE AVENUE.

Applicant: BUARO PARTNERS, LLC

Date: September 21, 2017

Request: Site Plan approval to construct 17 attached townhouses in two (2) new buildings consisting of one eight-plex and one nine-plex; a General Plan Amendment to change the land use designation from Civic/Institutional

to Medium Density Residential; two (2) setback Variances, one for the separation of habitable space from the drive aisle (10'-0" required, 5'-0" provided) and the other for the separation of a unit from the active recreation areas (5'-0" required, 3'-0" provided); and, a Tentative Tract Map to subdivide the property into a single parcel with condominiums. The site is in the R-3 (Multiple-Family Residential) zone. The Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration for the project.

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

Action: Resolution Nos. 5896-17 (GPA) and 5897-17 (SP, V, TT) were approved with an amendment to provide some form of barrier in the 5' setback adjacent to Unit 10 to protect the wall from car back-up damage.

Motion: Lazenby Second: Lehman

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

Absent: (1) Kanzler

MATTERS FROM COMMISSIONERS: Vice Chair Brietigam challenged the City of Garden Grove City Council to increase the number of police officers to 200 by the year 2020. He also expressed concern over the 'Golden Handshake' offered to the Police Department, citing that with many officers retiring, the department would be understaffed and encouraged the City to be prepared. Staff noted that the budget crisis was caused by Pers and the retirements would be a temporary cost savings to the City.

MATTERS FROM STAFF: Staff stated that the October 5th Planning Commission meeting would be cancelled and there may be items for the October 19th meeting. Staff then followed up on a request by Vice Chair Brietigam relaying that the illegible street sign on Tiffany Avenue was under the jurisdiction of Caltrans, being attached to the signal, and that the City has notified Caltrans several times in regard to its condition.

ADJOURNMENT: At 7:42 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, October 5, 2017, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Lehman Second: Truong

Ayes: (6) Brietigam, Lazenby, Lehman, Nguyen, Salazar, Truong

Noes: (0) None

Absent: (1) Kanzler

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: <p style="text-align: center;">C.1.</p>	SITE LOCATION: Northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road at 12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard; 12511, 12531, 12551, and 12571 Twintree Lane; 12233, 12235, 12237, and 12239 Choisser Road
HEARING DATE: November 2, 2017	GENERAL PLAN: International West Mixed Use
CASE NOS.: Site Plan No. SP-043-2017, Tentative Tract Map No. TT-17455 and Development Agreement No. DA-008-2007	ZONE: Planned Unit Development No. PUD-128-12
APPLICANT: Investel Garden Resorts, LLC	APN: 231-491-20, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10; 231-491-12, 13, 14, 15, 16, 17, 18, 19
PROPERTY OWNER(S): City of Garden Grove	CEQA DETERMINATION: Subsequent Mitigated Negative Declaration

REQUEST:

Planning Commission approval of a Site Plan and Tentative Tract Map, and recommending approval of a Development Agreement to the City Council, to implement a resort hotel development project known as the Site C Project, which was previously approved by the City Council in 2012 through Planned Unit Development No. PUD-128-12. Also, to adopt a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Modified Project.

BACKGROUND:

In 2012, following the recommendation of the Planning Commission, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B), Planned Unit Development No. PUD-128-12, and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel project known as the Site C Project on land located on the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road. As approved in 2012, the Site C Project called for up to 769 rooms and ancillary hotel uses such

as pools, spas, and fitness centers within one (1) full-service, and two (2) limited-service, resort hotels with up to 104,000 aggregate square feet of conference/meeting banquet space, hotel restaurant space, freestanding pad restaurant/entertainment space, and a multi-level parking garage with 1,297 parking spaces on approximately 5.2-acres of the 5.8-acres covered by PUD-128-12 (see Figures 1 and 2, below). Planned Unit Development No. PUD-128-12 incorporated a conceptual site plan depicting the Site C Project, as it was contemplated at the time (see Exhibit A).

FIGURE 1: 5.8-ACRE AREA COVERED BY PUD-128-12

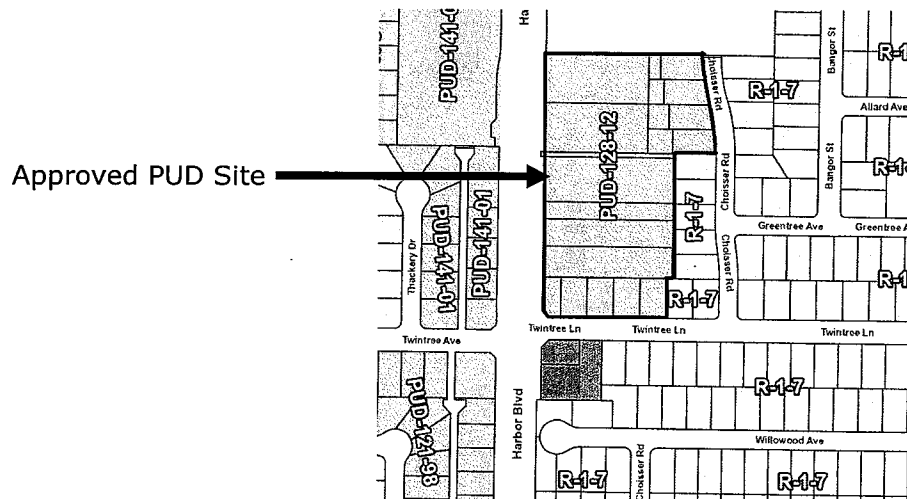
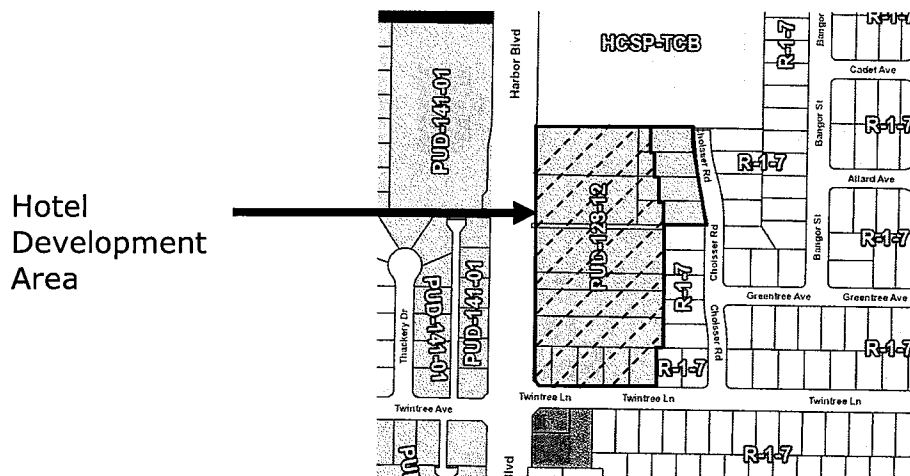


FIGURE 2: 5.2-ACRE HOTEL DEVELOPMENT SITE
DEPICTED IN 2012 CONCEPTUAL SITE PLAN
(hatched area)



The 5.2-acre site depicted on the conceptual site plan included approximately 0.9-acres owned by a third party (referred to as the "Sunbelt Property"), which the

developer was permitted, but not required, to include in the ultimate development. Garden Grove City Council Ordinance No. 2824 approving Planned Unit Development No. PUD-128-12 provided that, in the event the Sunbelt Property is not developed as part of a single project with the remainder of the site, the Community Development Director shall ensure, in his or her reasonable discretion, that access to the Sunbelt Property is adequately maintained through either an access easement between the two properties or preservation of direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard.

The 2012 conceptual site plan envisioned two vehicular access points to the Project Site, one on Harbor Boulevard, across from the entrance to the Sheraton Hotel, and another on Twintree Lane. The Planned Unit Development standards require the installation of a traffic signal at the main Project entrance on Harbor Boulevard and related raised median improvements on Harbor Boulevard.

The provisions of Planned Unit Development No. PUD-128-12 contemplate that the project ultimately constructed may include fewer than the 769 hotel rooms permitted, and/or changes in size and/or be a mix of other uses, and allow for the number of parking spaces to be reduced below 1,297, which requires the changes to be justified by a new parking study.

Planned Unit Development No. PUD-128-12 and the 2012 approvals contemplated that a tentative tract map, development agreement, and other future land use entitlement approvals would be needed in order for the developer to fully implement the Site C Project and changes to the conceptual site plan.

In 2013, the City Council adopted Resolution No. 9172-13 approving the Grove District Resort Hotel Development Agreement ("DDA"). The DDA generally provides that the City will convey the approximately 4.3-acres site to the developer in exchange for the developer constructing the Site C Project in accordance with the approved land use entitlements.

DISCUSSION:

Overview

The Applicant now proposes to develop the Site C Project in accordance with the Planned Unit Development No. PUD-128-12 zoning, and is requesting corresponding approval of a Site Plan, Tentative Tract Map, and Development Agreement. These requested approvals incorporate certain refinements and modifications to the project that vary from the 2012 conceptual site plan. For purposes of convenience and clarity, (1) the Site C Project described and depicted in the 2012 PUD conceptual site plan and Mitigated Negative Declaration will be referred to in this report as the "2012 Project", and (2) the current development proposal described and depicted in the proposed Site Plan, Tentative Tract Map, and Initial

Study/Subsequent Mitigated Negative Declaration will be referred to in this report as the "Modified Project".

The Modified Project includes the same number of hotels, hotel rooms, and maximum building heights as the 2012 Project, however, the size of the site, the configuration of the buildings, the amount and type of ancillary uses, and the internal circulation and site access have been refined and modified. These refinements and modifications include:

- A change in the mix of hotel types from one (1) full-service hotel and two (2) limited-service hotels to two (2) full-service hotels and one (1) limited-service hotel.
- Changes to on-site circulation and access, including the addition of a new secondary driveway along Harbor Boulevard at the most southerly portion of the site, along with changes to the parking structure, which is now proposed to include two (2) entrances instead of the previous three (3) entrances, and one (1) level of subterranean parking still containing the 1,297 total spaces.
- The introduction of retail uses.
- Minor changes in the amounts of conference/meeting banquet space, restaurant/retail/entertainment space, and hotel restaurant space to be constructed, but within the 104,000 square foot aggregate maximum authorized by Planned Unit Development No. PUD-128-12.
- Specification of the total square footage of hotel ancillary uses (such as gyms, spas, salons, bars, gift shops, a kids' club, etc.) that will be included.
- Modifications to the placement and configuration of the buildings on the site, including:
 - Shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard, constructing a new retail building at the northwest corner of the site that connects to Hotel A via a second floor terrace, and relocating the valet drop-off for Hotel A;
 - Swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad to the southwest corner of the project site with Hotel B located just north of the restaurant pad building, with a

Project Comparison Statistics:

	2012 Project	Modified Project
Hotel Development Area	5.2-acres	4.3-acres
Required Parking¹	1,297	1,221
Maximum Hotel Rooms	769	769
Amounts of Other Uses²		
Conference/Meeting Banquet	39,000 Square Feet	39,867 Square Feet
Restaurant/Entertainment Pads	45,000 Square Feet	36,885 Square Feet (including new retail component)
Hotel Restaurants	20,000 Square Feet	24,010 Square Feet
Hotel Ancillary Uses (include fitness room, bars, and spas)	Allowed, but precise square footages were not specified	26,090 Square Feet ²
Maximum Building Heights		
Hotel A	263 Feet	240 Feet
Hotel B (on Harbor Boulevard)	200 Feet	200 Feet
Hotel C (on Twintree Lane)	130 Feet (east side) 190 Feet (west side)	130 Feet (east side) 158 Feet (west side)
Restaurant Pads	40 Feet	38 Feet, 17 feet
Parking Structure	75 Feet (east side) 85 Feet (west side)	75 Feet (east side) 85 Feet (west side)
Minimum Perimeter Setbacks		
North side	5'-0" Feet	5'-0" Feet
East (rear)	10'-0" Feet	10'-0" Feet
West (Harbor Boulevard)	9'-0" Feet	9'-0" Feet
South (Twintree Lane)	10'-0" Feet	10'-0" Feet

¹ Pursuant to Title 9 of the Municipal Code, a shared parking analysis was prepared in 2012, which concluded that 1,297 parking spaces would be required to accommodate the mix of shared uses at the size and amounts contemplated at that time. An updated parking analysis was prepared in conjunction with this application, which concludes a total of 1,221 parking spaces are required to accommodate the refined mix of shared uses at the size and amounts proposed for the Modified Project. Nonetheless, the proposed Site Plan still provides for 1,297 parking spaces.

² The PUD allows for expansion of uses, and the addition of new uses, with approval of an updated traffic and parking analysis.

The site on which the Modified Project will be developed consists of approximately 4.3-acres of land located on the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road. The project site abuts a vacant commercial lot to the north; commercial buildings and one-story, single-family homes to the south across Twintree Lane; one-story, single-family homes to the east; and the Sheraton Hotel and vacant commercial properties to the west across Harbor Boulevard. The site has a General Plan Land Use designation of International West Mixed Use and is zoned Planned Unit Development No. PUD-128-12.

The Modified Project site is currently vacant and unimproved. The previous improvements on the site, including four (4) single-family residences, two (2) commercial buildings, and an RV park have been demolished.

To facilitate development of the Modified Project, approval of the following is required: (1) a Tentative Tract Map to adjust the rear property lines of four (4) existing city-owned parcels located at the northeast corner of the site on Choisser Road to incorporate a portion of these parcels into the Modified Project site and to consolidate the existing parcels on the Modified Project site into two (2) lots; and (2) a Site Plan describing and depicting the Modified Project.

The Applicant proposes to phase the development. Phase 1 of the project will consist of constructing Hotels A and B, the multi-level parking structure and underground parking, the retail space, and one (1) restaurant pad building. Phase 2 will consist of Hotel C and one (1) restaurant pad building. The proposed Tentative Tract Map would accommodate the proposed phasing of the hotel development.

SITE PLAN:

The Modified Project would consist of 769 hotel rooms and approximately 26,090 square feet of additional hotel ancillary uses within two (2) full-service and one (1) limited-service hotel, approximately 39,867 square feet of conference/meeting banquet space, approximately 36,885 square feet of restaurant/retail/entertainment space, approximately 24,014 square feet of hotel restaurant space, and a total of up to 1,297 parking spaces within a multi-level parking structure with one level of subterranean parking. The refinements and modifications proposed as part of the Modified Project would facilitate a hotel development that is tailored to meet the Applicant's proposed hotel programming. The proposed modifications have been evaluated by city staff and appropriate technical studies have been prepared to analyze the proposed changes. Staff has determined that the Modified Project complies with the spirit, intent, and applicable standards of Planned Unit Development No. PUD-128-12.

Mix of Hotel Types and Other Uses

The 2012 Project contemplated up to 769 hotel rooms within one (1) full-service hotel and two (2) limited-service hotels. Per the Modified Project, the same 769 rooms would instead be contained within two (2) full-service hotels and one (1) limited-service hotel. Full-service hotels provide upscale and full-service amenities on-site, such as full service restaurants. Hotel A and B will operate as full-service hotels, which will provide full-service restaurants, hotel bars, and other amenities, while Hotel C will operate as a limited-service hotel.

The 2012 Project contemplated 39,000 square feet of conference/meeting banquet space, 20,000 square feet of hotel restaurant, and 45,000 square feet of restaurant/entertainment space. Ancillary uses for the hotel, such as hotel bars,

fitness room, and spas, were also envisioned; however, no precise square footages for these ancillary uses were specified in the Planned Unit Development provisions or conceptual site plan. Planned Unit Development No. PUD-128-12 allows for the expansion of uses and the addition of uses not covered by the original approval subject to a traffic study and parking study. The proposed Site Plan for the Modified Project includes precise square footages for hotel ancillary uses and reflects minor changes in the proposed mix of the other uses and the introduction of retail uses to accommodate the hotel's programming.

The proposed Modified Project will maintain the same number of hotel rooms, but the total square footages of the other proposed uses have been refined and modified to now include 39,867 square feet of conference/meeting banquet space, 36,885 square feet of restaurant/retail/entertainment, 24,014 square feet of hotel restaurant, and 26,090 square feet of hotel ancillary uses.

A traffic study and a parking study were performed to analyze the possible impacts that the proposed modifications to the uses will have on traffic and parking. The studies concluded that the modifications to the uses, with implementation of the recommended mitigation measures, will have less than a significant impact. The proposed modifications to the square footage of the uses is consistent with the intent of the PUD, and will facilitate the proposed hotel programming. The parking analysis is discussed in further detail in the "Parking" section of this report, below.

Site Access and Circulation

The 2012 Project, as illustrated in the conceptual site plan (see Exhibit A), was approved with two (2) driveways for vehicular access located on Harbor Boulevard and Twintree Lane. As per the 2012 approval, the Harbor Boulevard driveway was designed to function as the primary entrance to the site designed to align with the existing driveway of the Sheraton Hotel, which is located directly across from the project site, to facilitate vehicular and pedestrian access between the two (2) hotel developments. A new traffic signal was required at this new intersection to facilitate left turn and right turn access in and out of the project site. The Twintree Lane driveway was designed to function as a secondary access point to the site. This driveway was designed to facilitate left-turn in, and right-turn out of the project site along with having a channeled median and the appropriate signage to restrict vehicular access to the surrounding residential neighborhood.

The Modified Project incorporates a secondary driveway along Harbor Boulevard for the purpose of improving on-site circulation. No changes to the location of the previously approved driveways on Harbor Boulevard and Twintree Lane will occur. The secondary driveway is proposed at the southerly most portion of the site along Harbor Boulevard, closest to Twintree Lane (see Exhibit D). A traffic study was prepared to analyze the feasibility of constructing this secondary driveway on Harbor Boulevard. The traffic study concluded that the new driveway is a feasible option for the site provided the driveway is designed as a right turn-out only.

Right-turn into the project site will not be permitted due to the close proximity of the driveway to Twintree Lane.

In addition, based on the traffic study, the Harbor Boulevard and Twintree Lane intersection, which is currently unsignalized, and only improved with a pedestrian signal, will become a signalized intersection to improve the flow of traffic.

Further, the traffic signal at the main entrance to the project site on Harbor Boulevard will be designed to accommodate U-Turn movements. This will ensure that vehicles traveling southbound on Harbor Boulevard will have direct access to the adjacent Sunbelt Property.

The 2012 Project was approved with an internal circular drive aisle designed to circulate through the entire site that connected to each hotel drop-off area, the parking structure, and the two (2) site vehicular driveways on Harbor Boulevard and Twintree Lane. The 2012 Project envisioned inclusion of the adjacent Sunbelt Property and was thus proposed on 5.2-acres. The Modified Project does not include the Sunbelt Property; however, the project will be built on 4.3-acres, which requires modification to the on-site circulation and building placement. In general, the on-site circulation will remain fairly similar; however, modifications to the on-site circulation pattern are required to accommodate the shift to the building placement for Hotel A, to accommodate a vehicle round-about proposed in front of Hotel A to accommodate the hotel's drop-off area, and to accommodate the proposed circulation patterns within the multi-level parking structure.

In addition, the Engineering Division will require a 10'-0" right-of-way street dedication to accommodate the new right-turn lane into the project site from the main entrance on Harbor Boulevard, along with requesting an easement behind the ultimate right-of-way boundary for public sidewalk, parkway, traffic signal equipment, utilities, and related purposes as depicted on the Tentative Tract Map.

Building Placement and Height

Planned Unit Development No. PUD-128-12 allows for modifications to building setbacks and building heights subject to a shade and shadow analysis and Planning Commission approval. A shade and shadow analysis was performed for the 2012 Project, which was used to determine the allowable building setbacks and maximum building heights.

A new shade and shadow analysis was performed for the Modified Project to determine if new impacts to the shade and shadow will be created due to the proposed building placement and building heights. The Shade and Shadow Analysis determined that, while the Modified Project would introduce new shadow castings on adjacent residential properties, the impacts would be less than significant.

Hotel A and Parking Structure

The 2012 Project was designed to have the parking structure attached to Hotel A with the structure located along the east (rear) property. The hotel tower and the parking structure were approved with varying building heights and setbacks. The hotel tower was approved with a height of 263 feet, and with a setback of 50 feet from the east (rear) property line, and a setback of 63 feet from the interior (north) property line. The attached parking structure was approved with a 10-foot setback from the rear property line, with a height of 75 feet on the easterly portion of the parking structure, and a height of 85 feet on the westerly portion of the structure. The parking structure included two (2) roof top pools for the hotel. The 2012 Project also anticipated the parking structure to be designed as two (2) separate, attached, structures with a combined total of three entrances.

The Modified Project includes shifting the placement of Hotel A to maintain a 5-foot setback from the north property line and a 10-foot setback from the east property line. The hotel's second floor terrace will expand along the northerly portion of the property line toward Harbor Boulevard, and a new retail building will be constructed at the northwest corner of the site that connects to Hotel A via the second floor terrace. This redesign will also relocate the valet drop-off for Hotel A. The height of Hotel A will be reduced from 263 feet to 240 feet. The setback and height of the parking structure will not change; however, the usable outdoor rooftop pool deck area of the hotel will be expanded and reconfigured, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85 feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet. The parking structure will be designed as one (1) multi-level parking structure with two entrances that will include one-level of underground parking.

As per the 2012 approval for Planned Unit Development No. PUD-128-12, the parking structure is required to have shielding walls installed on each level of the parking structure, along the east elevation, at a height of four-feet or higher to minimize noise to the adjacent residential properties. The PUD also requires the parking structure be decorative, which includes utilizing materials and details that are used on the hotel building to soften the elevation directly adjacent to the residential properties.

Hotel B and Pad Restaurant Buildings

The 2012 Project identified the placement of Hotel B at the southwest corner of the project site. To the north of the hotel were two (2) freestanding pad restaurant buildings. The Applicant proposes to swap the placement of Hotel B with one of the restaurant pad buildings so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building with a connection provided between both structures via the hotel's second floor terrace. The setbacks for the structures from the street property line will remain the same at 9-feet from Harbor Boulevard and 10-feet from Twintree Lane.

Similar to the 2012 Project, the hotel will be designed to have the hotel room views oriented toward the east and west. The second restaurant pad building will remain in the same general location as depicted on the conceptual site plan for the 2012 Project, but will be located closer to the development's main driveway entrance on Harbor Boulevard. The building height of the two pad restaurants is proposed to be 38 feet and 17 feet, respectively, which is within the 40-foot maximum height permitted, pursuant to Planned Unit Development No. PUD-128-12.

Hotel C

Hotel C will remain in the same general location as depicted on the 2012 Project conceptual site plan, although the height of the hotel will be modified. Hotel C was previously approved with two (2) varying building heights, which included 130 feet on the east side, and 190 feet on the west side. The hotel will maintain the same building height on the easterly portion, at 130 feet; however, the height of the westerly portion of the hotel will be reduced to 158 feet.

The Modified Project will continue to comply with the required setbacks, which includes a 9-foot building setback along Harbor Boulevard, and a 10-foot building setback along Twintree Lane.

Similar to the 2012 Project, an eight-foot high decorative block wall will be constructed along the east property line in order to separate the project site from the adjacent residential properties. The wall is required for screening and for sound attenuation purposes.

The Modified Project will provide the landscape treatment along Harbor Boulevard and Twintree Lane to be consistent with the landscape pattern established for the Harbor Boulevard resort area. The landscape treatment along Harbor Boulevard includes a double row of palm trees, canopy trees, shrubs, and ground cover. The landscaping along Twintree Lane is required to be similar in plant material as the landscaping used on Harbor Boulevard, except that the double row of palm trees will not be required. In addition, a decorative sidewalk pattern will be installed along Harbor Boulevard that matches the existing serpentine sidewalk pattern in the resort area.

Parking:

The shared land uses within the Site C Project (i.e., hotels, meeting banquet facilities, restaurants, etc.) are intended to be compatible and complimentary to one another, and it is anticipated that persons parking at the site will frequently utilize more than one use in the same trip (for example, hotel guests can dine at the on-site restaurants and/or utilize the meeting banquet facilities). Therefore, a shared parking analysis that takes into account this joint use and differing peak usage times is utilized to determine the number of required parking spaces for the site, rather than calculating the parking requirement based on each use separately.

A Shared Parking Study was performed in conjunction with the 2012 approval of Planned Unit Development No. PUD-128-12. The 2012 Shared Parking Study analyzed the parking demand for the 2012 Project based on 769 hotel rooms, 39,000 square feet of conference/meeting banquet space, 20,000 square feet of hotel restaurant, and 45,000 square feet of restaurant/entertainment space, and determined that 1,297 parking spaces were required to accommodate the Site C Project.

Because the mix and amount of uses proposed for the site has been revised for the Modified Project, a new shared parking study was prepared to determine the new peak parking demand for the Modified Project. The 2017 Shared Parking Study was prepared based on 769 hotel rooms, 39,867 square feet of conference/ meeting banquet space, 33,344 square feet of hotel restaurant, 28,583 square feet of retail space, 10,120 square feet of spa/salon space, and 8,606 square feet of hotel bars. It should be noted that only uses that would be open to the general public were included in the parking study analysis, and the hotel's gym, kid's club, and pools were not included, as these uses are only available for hotel guests.

The 2017 Shared Parking Study concluded that the estimated peak parking demand for the Modified Project would occur in August with an estimated weekday peak parking demand of 1,110 parking spaces and a weekend peak parking demand of 1,051 parking spaces. With an additional 10% increase to the peak parking demand as required by the Municipal Code, a total of 1,221 parking spaces would be required to accommodate the Modified Project. The applicant still proposes to provide a total of 1,297 parking spaces for the Modified Project, which will result in a surplus of 76 parking spaces. The 2017 Shared Parking Study also established a specific list of mitigation measures to minimize parking impacts to the project site, such as implementing valet parking during peak times, providing for bus/van pick-up and drop-off for hotel guests and employees, and encouraging alternative transportation incentives for employees and guests. The applicant is required to implement these parking mitigation measures as a condition of project approval.

If future modifications to the square footage of the proposed uses are proposed, a new shared parking analysis will be required at that time in order to determine the required number of parking spaces.

Building Architecture

The intent of the Planned Unit Development for the Site C Project is to create an attractive hotel and restaurant/entertainment development that would add visual interest to the Harbor Boulevard streetscape and maintain a similar character to the surrounding hotel developments. As designed, the Modified Project will continue to meet the intent and spirit of the PUD. At this time, the developer has not announced the hotel brands that have been selected for the Modified Project; as a result, the elevations provided with the conceptual plans are general renderings with no specific architectural detailing as the building elevations are meant to illustrate the building massing and heights. Once the hotel brands have been

selected, specific architectural detailing tailored to reflect the architectural style of each hotel will be prepared by the developer.

Floor Plan

The Applicant has provided schematic floor plans illustrating the proposed layout of each hotel, which identify the location of the hotel lobby, bars, restaurants, conference/meeting banquet spaces, retail spaces, hotel amenities, pool areas, parking, and hotel room design. Modifications to the schematic floor plan may occur based on the design needs of each perspective hotel brand and restaurant operator. Nevertheless, the schematic floor plans provide an idea of how the interior hotel space will be utilized.

TENTATIVE TRACT MAP:

In accordance with the State Subdivision Map Act, the Applicant has filed a Tentative Tract Map for this project. The Tentative Tract Map will adjust the rear property lot lines of four (4) existing city-owned parcels located on Choisser Road to incorporate a portion of these parcels into the project site, and will consolidate the existing parcels into two (2) lots to facilitate the development of the proposed project. The Tentative Tract Map will create two (2) lots with a combined land area of 4.42-acres, which includes 3.64-acres for Lot 1 and .78-acres for Lot 2. However, the Modified Project will be constructed on 4.3-acres. The parcels on Choisser Road will maintain the required minimum lot size of 7,200 square feet. The Tentative Tract Map will also allow the future commercial condominiumization of the Site C Project. The proposed Tentative Tract Map will allow for the phasing of the hotel project, with Phase 1 (Hotel A, the parking structure and underground parking, Hotel B, the retail space and one (1) restaurant pad) being constructed on Lot 1 and Phase 2 (Hotel C and one (1) restaurant pad) being constructed on Lot 2. The Tentative Tract Map is in conformance with the City's General Plan, the City's subdivision ordinance, the requirements of Planned Unit Development No. PUD-128-12, and the State's Subdivision Map Act for this site.

DEVELOPMENT AGREEMENT:

Pursuant to the proposed Development Agreement with the City, the Applicant and/or its successors in interest will be granted a vested right to construct and complete development of the Modified Project consistent with Planned Unit Development No. PUD-128-12, Site Plan No. SP-043-2017 and Tentative Tract Map. No. 17455, in exchange for constructing and installing certain public improvements and providing other specified public benefits and development agreement payments to reimburse the City for the cost of certain City services required by the Modified Project that are not otherwise being reimbursed to the City.

ENVIRONMENTAL REVIEW:

On November 13, 2012, the City Council adopted a Mitigated Negative Declaration and Mitigation Monitoring Program for the Site C Project. The project was never constructed, and modifications to the development are now proposed. Based on the approval of the Site C Project and adoption of a Mitigated Negative Declaration in 2012, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., the City has prepared an Initial Study to determine if the proposed modifications resulting from the Modified Project will result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts as required by CEQA Section 21166 and CEQA Guidelines Section 15162. Based on the Initial Study and supporting technical analyses, it was determined that the proposed Modified Project qualifies for a Subsequent Mitigated Negative Declaration because the proposed Modified Project, along with the mitigation measures identified in the Initial Study cannot, or will not, have any new significant effects on the environment or result in a substantial increase in the severity of previously identified significant effects. On this basis, a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been prepared. Copies of the Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are attached to this report.

The 30-day public comment period on the Subsequent Mitigated Negative Declaration occurred from September 26, 2017 to October 26, 2017. Comments received during this public comment period, along with a response to each comment, which will be provided to the Planning Commission at the November 2, 2017 Public Hearing.

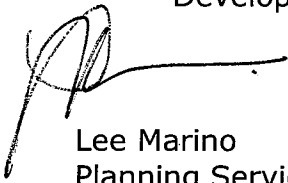
FUTURE ENTITLEMENTS

Conditional Use Permit approvals are required to allow for the sale of alcoholic beverages within each hotel, the restaurants, and bars, and to allow for the operation of a spa. Once the applicant finalizes the operating characteristics of each venue that will serve alcohol, along with the operating characteristics of the proposed hotel spa, a Conditional Use Permit application will be processed.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 5898-17 adopting a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Modified Project;
2. Adopt Resolution No. 5899-17 approving Site Plan No. SP-043-2017 and Tentative Map No. 17455 subject to the recommended conditions of approval; and
3. Adopt Resolution No. 5900-17 recommending that the City Council approve Development Agreement No. DA-008-2017.



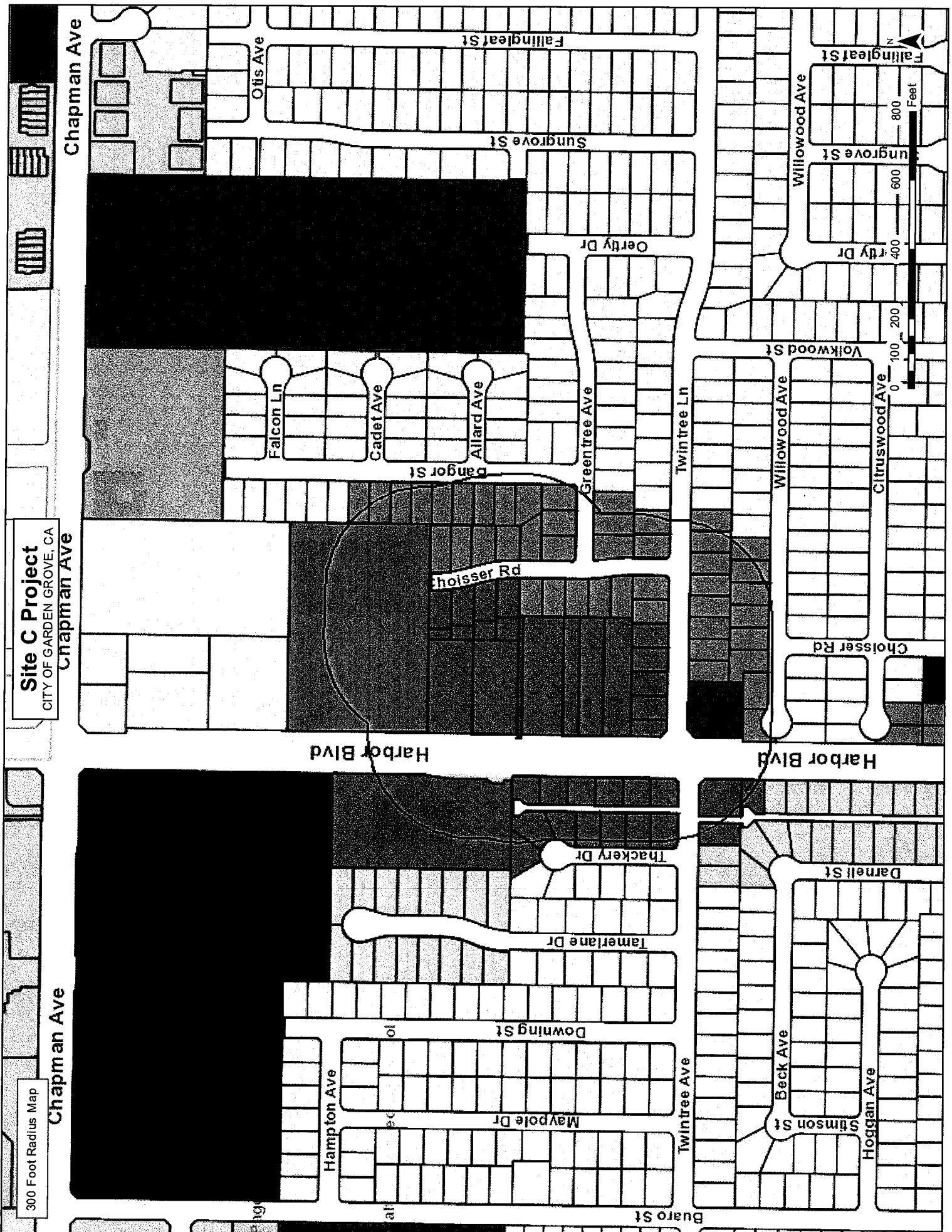
Lee Marino
Planning Services Manager



By: Maria Parra
Senior Planner

Attachments:

- Exhibit A: Conceptual Site Plan for the 2012 Project
- Exhibit B: Planning Commission Resolution No. 5779-12 for Planned Unit Development No. PUD-128-12 with Performance Standards and Mitigation Monitoring and Reporting Program
- Exhibit C: CD with the 2012 Initial Study/Mitigated Negative Declaration and Technical Studies
- Exhibit D: Modified Project Conceptual Site Plan
- Exhibit E: Initial Study/ Subsequent Mitigated Negative Declaration for the Modified Project, attached as a separate document to the report



Site C Project
CITY OF GARDEN GROVE, CA

300 Foot Radius Map

Chapman Ave

Chapman Ave

Chapman Ave

Harbor Blvd

Harbor Blvd

Otis Ave

Fallingleaf St

Sungrove St

Fallingleaf St

Sungrove St

Falcon Ln

Cadet Ave

Allard Ave

Greenlee St

Oerly Dr

Twin Tree Ln

Willowood St

Willowood Ave

Citruswood Ave

Cholisser Rd

Cholisser Rd

Thackery Dr

Tamerlane Dr

Downing St

Hampton Ave

Maypole Dr

Twin Tree Ave

Beck Ave

Hoggan Ave

Darnell St

Stimson St

Buaro St



PROJECT SUMMARY

PROJECT SITE: 5.2 Acres

PROGRAM

TOTAL HOTEL ROOMS: 789 KEYS
 - One (1) "Limited-Service"
 - Two (2) "Unlimited-Service"

MAXIMUM BUILDING HEIGHTS:

- Harbor Limited-Service Hotel: 200'-0"
- Twintree Limited-Service Hotel: 130'-0"
- (E. Side) to: 190'-0" (W. Side)
- Parking Structure / Ballroom & Pre Function: 85'-0"
- Restaurant / Off Harbor: 75'-0"
- Restaurant / Venue Northeast Corner: 75'-0"

RESTAURANT/ENTERTAINMENT: 45,000 SF
 - Four (4) Pads @ 7,500 SF
 - One (1) Pad @ 15,000 SF

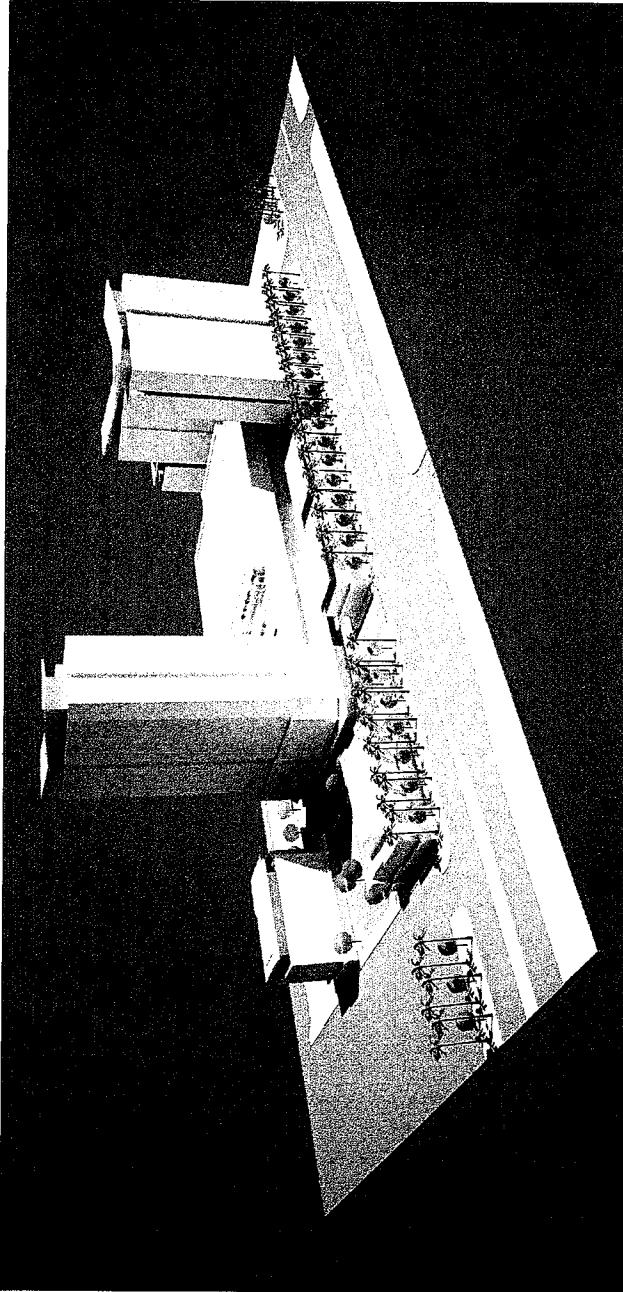
HOTEL RESTAURANT: 20,000 SF
 Additional Hotel Ancillary:
 Uses Including Restaurant, Bars, Fitness Room and Spa.

CONFERENCE / MEETING BANQUET: 30,000 SF
 Including Within the Hotel(s).

PARKING SPACES PROVIDED: 1,297

ACREAGE

TOTAL SITE AREA:
 226,510 SF (5.2 Acres)
 TOTAL BUILDING COVERAGE:
 125,015 SF (2.87 Acres)
 TOTAL LANDSCAPE AREA:
 49,660 SF (1.14 Acres)
 TOTAL CIRCULATION + PARKING AREA:
 51,835 SF (1.19 Acres)



CITY OF GARDEN GROVE
 PARCEL C - COVER SHEET
FINAL DRAFT
 APPROVED: _____
 PREPARED: 2012-07-10/01

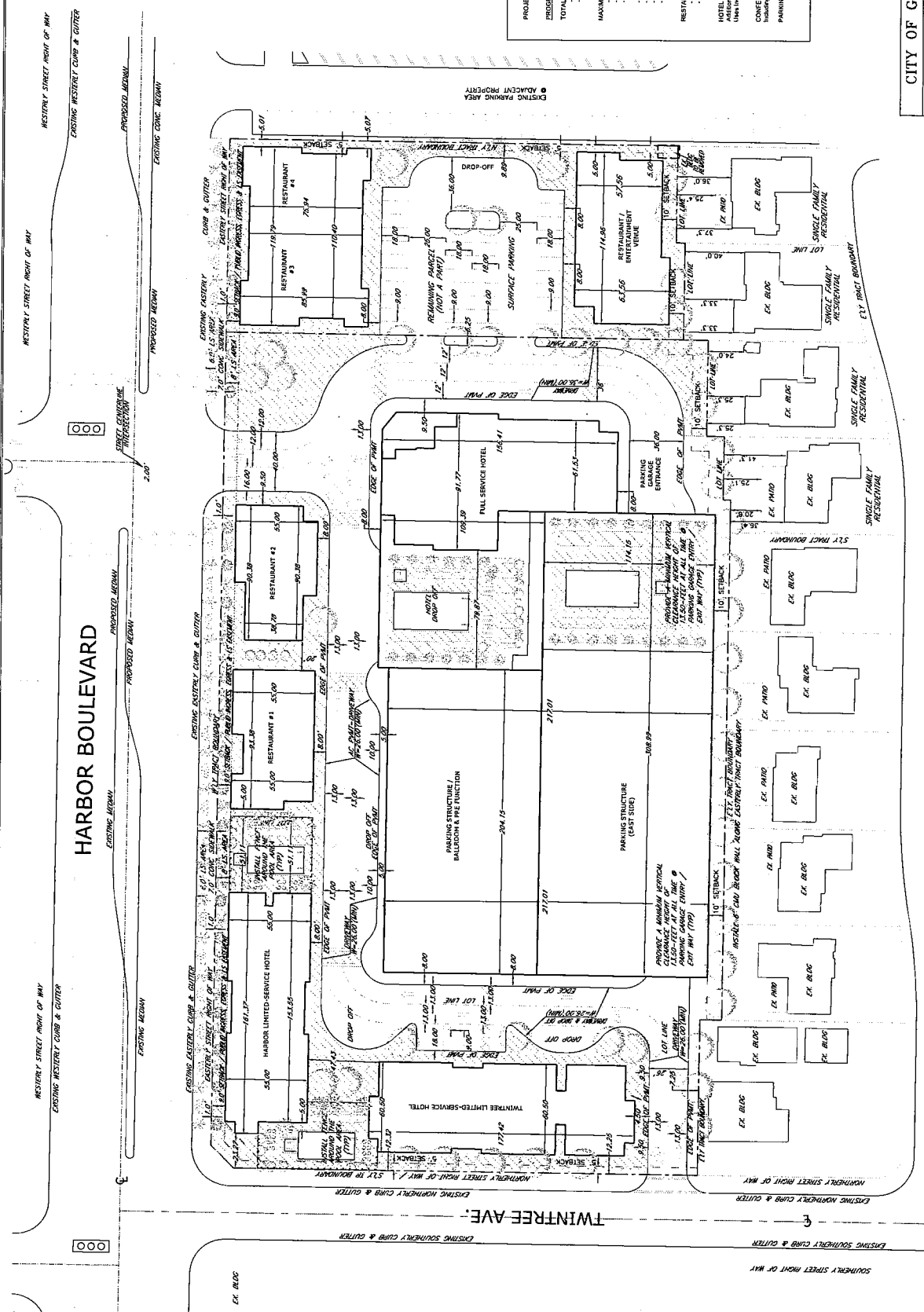
NO.	DATE	REVISIONS DESCRIPTION

CIVIL ENGINEER:
 FOCUS ENGINEERING, INC.
 CIVIL ENGINEERS AND SURVEYORS
 25 MANCINI, SUITE 317
 IRVINE, CA 92614
 TEL: (949) 857-8530
 FAX: (949) 857-8532
 E-MAIL: focusengr@focusengr.net

PROJECT PLANNER:
 AECOM
 999 W. TOWN AND COUNTRY ROAD
 ORANGE, CA 92668-1713
 TEL: (714) 857-2441
 FAX: (714) 857-2441
 E-MAIL: www.aecom.com

OWNER:
 GARDEN GROVE AGENCY FOR
 COMMUNITY DEVELOPMENT
 1000 GARDEN GROVE, CA 92740
 TEL: (714) 741-5100
 FAX: (714) 741-5116
 E-MAIL: _____

HARBOR BOULEVARD



PROJECT SITE 5.2 Acres

PROGRAM
 TOTAL HOTEL ROOMS: 740 KINGS
 - One (1) "Full-Service"
 - Two (2) "Limited-Service"

MAXIMUM BUILDING HEIGHTS:
 - Full-Service Hotel: 20.0'±
 - Harbor Limited-Service Hotel: 15.0'±
 - Restaurant #1: 15.0'±
 - Restaurant #2: 15.0'±
 - Restaurant #3: 15.0'±
 - Restaurant #4: 15.0'±
 - Restaurant #5: 15.0'±

RESTAURANT ENTERTAINMENT: 45,000 SF
 - One (1) Full @ 15,000 SF
 - One (1) Full @ 30,000 SF

HOTEL RESTAURANT: 20,000 SF
 (Includes Restaurant, Bar, Private Room and Bar, Conference Meeting Banquet: 20,000 SF including Kitchen and Lobby)

PARKING SPACES PROVIDED: 1,297

REVISIONS

NO.	DATE	DESCRIPTION

CIVIL ENGINEER:
 FOCUS ENGINEERING, INC.
 ONE DICKENS
 LAND SURVEYORS
 10000 W. 11TH AVE., SUITE 317
 DENVER, CO 80202
 TEL: (714) 582-2301
 FAX: (958) 452-5532
 E-MAIL: focusengr@focusengr.com

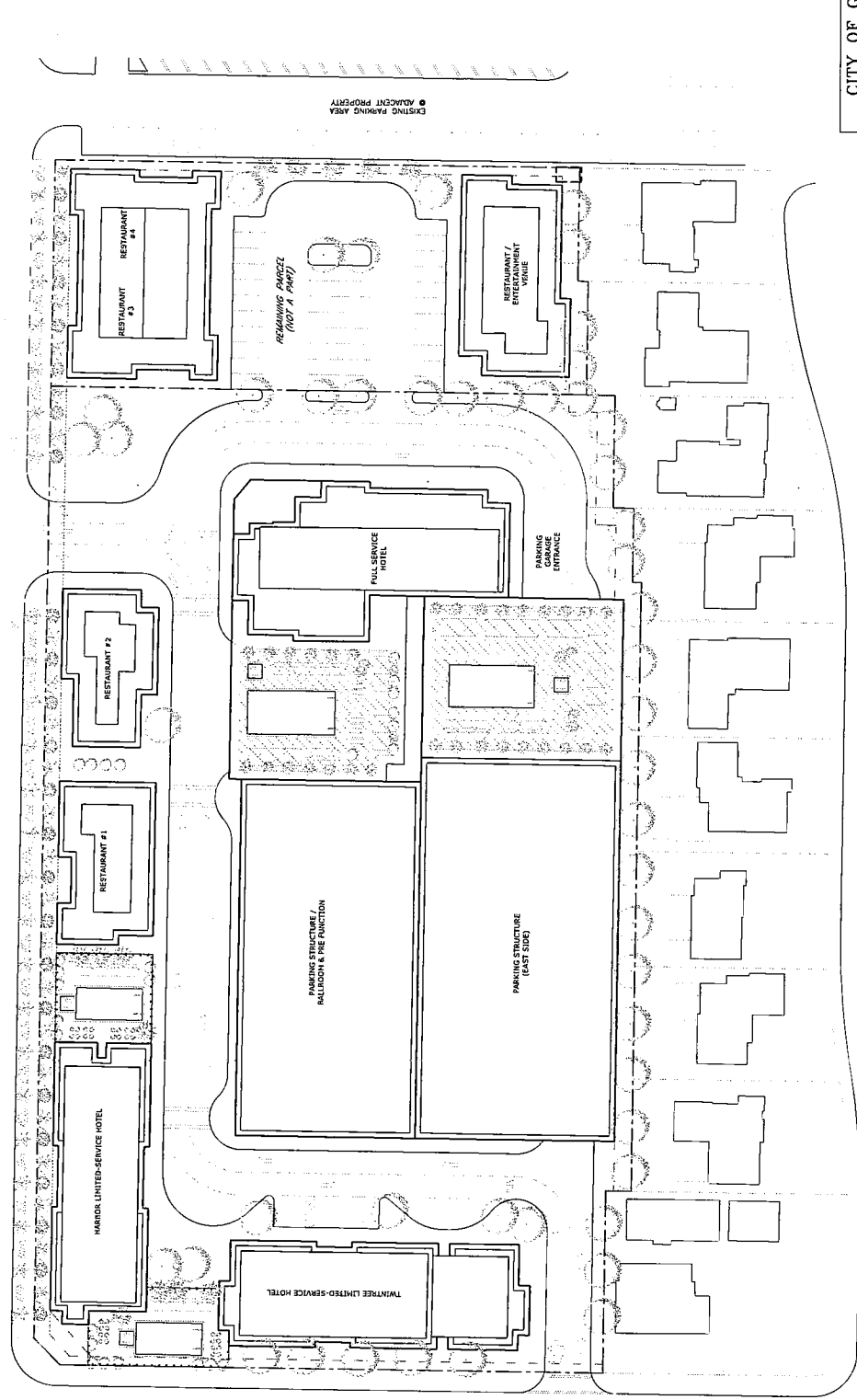
PROJECT PLANNER:
 AECOM
 ONE WILSON AVENUE, SUITE 200
 BRANCO, CA 94606
 TEL: (714) 582-2301
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 11225 JACOBI PARKWAY
 GARDEN GROVE, CA 94640
 TEL: (714) 741-5100
 FAX: (714) 741-5136
 E-MAIL: _____



HARBOR BOULEVARD

TWINTREE AVE.



EXISTING PARKING AREA
© ADJACENT PROPERTY

REMAINING PARCEL
(NOT A PART)



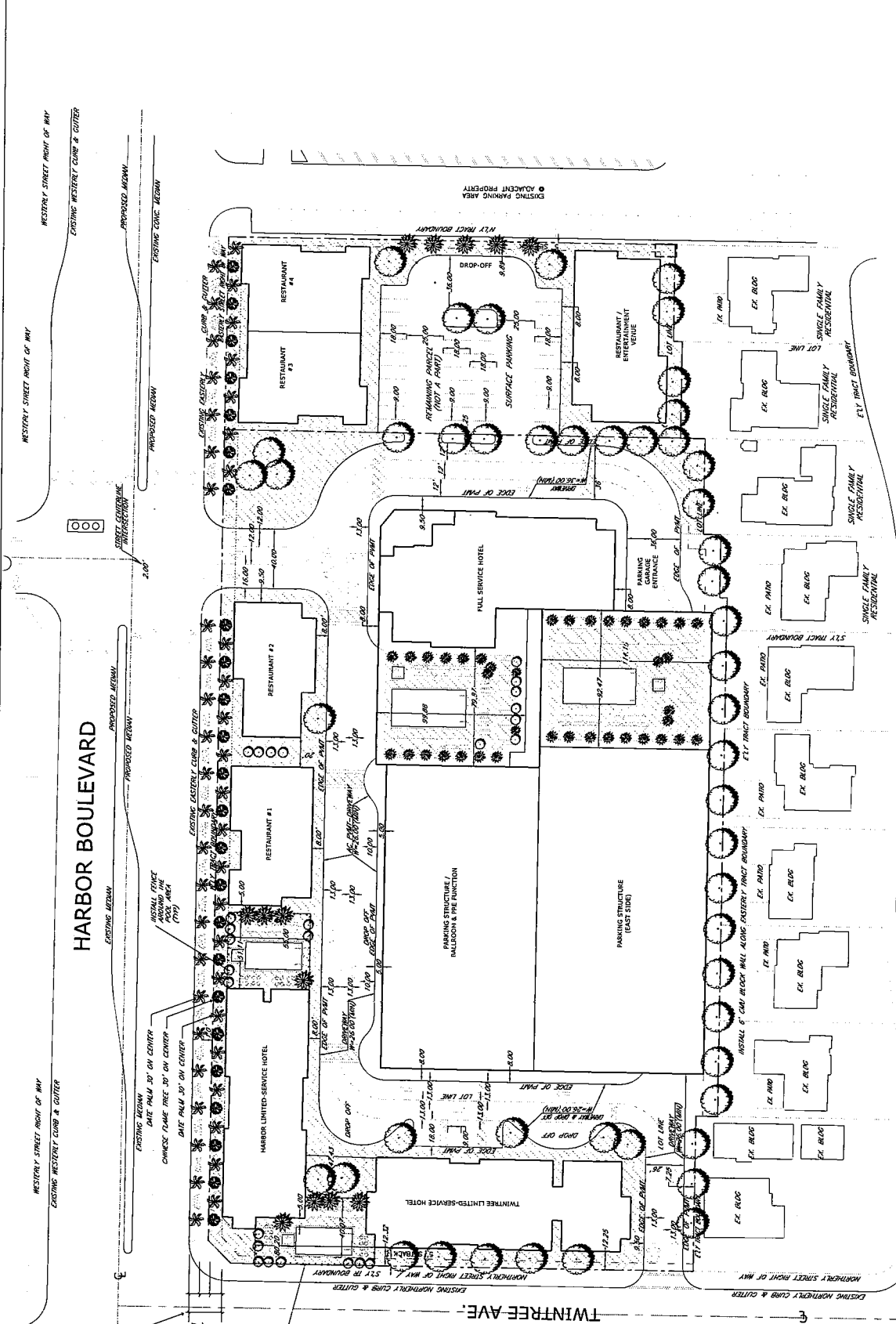
OWNER:
GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT
TEL: (714) 741-5100
GARDEN GROVE, CA 92640
FAX: (714) 741-5158
E-MAIL: www.gocdm.com

PROJECT PLANNER:
AECOM
905 W. TOWN AND COUNTRY ROAD
DANFORTH, CA 92626-4711
TEL: (714) 367-2441
FAX: (714) 367-2441
E-MAIL: www.aecom.com

CIVIL ENGINEER:
FOCUS ENGINEERING, INC.
LAND SURVEYORS
CIVIL ENGINEERS
25 MANGLY, SUITE 317
DANFORTH, CA 92626-4711
TEL: (714) 450-0592
FAX: (714) 450-0592
E-MAIL: foceaseng@focuseng.net

NO.	DATE	REVISIONS DESCRIPTION

CITY OF GARDEN GROVE
PARCEL C ROOF PLAN
FINAL DRAFT
SHEET 4 OF 11
APPROVED: _____
PROJECT: 2012-07-10

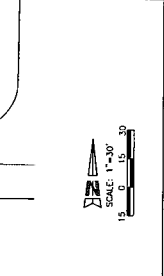


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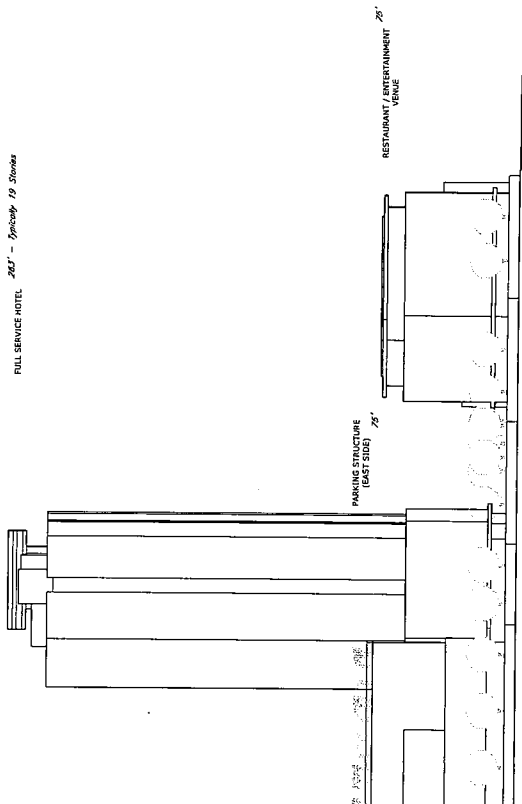
CIVIL ENGINEER:
 FOCUS ENGINEERING, INC.
 25 MANLEY SUITE 117
 GARDEN GROVE, CA 92640
 TEL: (714) 967-5910
 FAX: (714) 251-5992
 E-MAIL: focusengr@focusengr.com

PROJECT PLANNER:
 AECOM
 1000 WEST COUNTY ROAD
 CHANES, CA 92808-0711
 TEL: (714) 967-5910
 FAX: (714) 967-5911
 E-MAIL: www.aecom.com

OWNER:
 GARDEN GROVE AGENCY FOR
 COMMUNITY DEVELOPMENT
 GARDEN GROVE, CA 92640
 TEL: (714) 741-5100
 FAX: (714) 741-5131
 E-MAIL:



FULL SERVICE HOTEL 265' - *Approx 19 Stories*



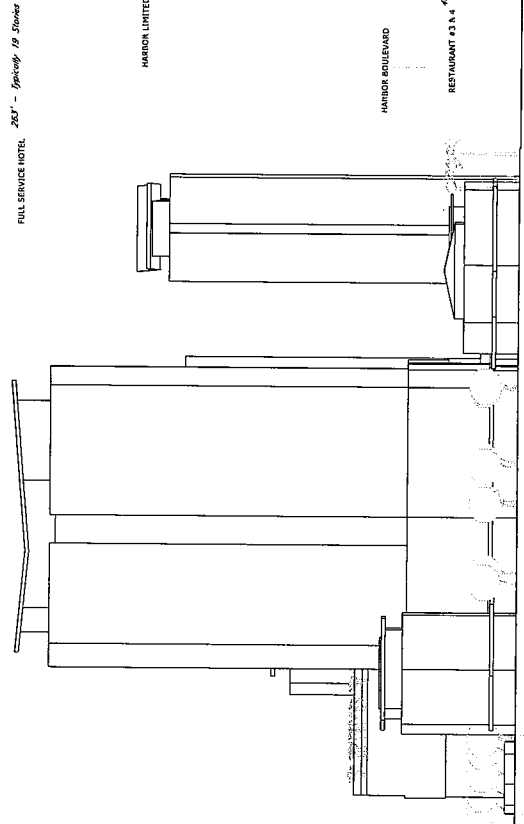
ELEVATION C - EAST

200' - *Approx 15 Stories* HARBOR LIMITED-SERVICE HOTEL
180' TWINTREE LIMITED-SERVICE HOTEL

120' TWINTREE LIMITED-SERVICE HOTEL (E. SIDE)

TWINTREE AVENUE

FULL SERVICE HOTEL 263' - *Approx 19 Stories*



ELEVATION D - NORTH

OWNER:
GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT
1222 ASUCA PARKWAY
GARDEN GROVE, CA 92640
TEL: (714) 741-5100
FAX: (714) 741-5136
E-MAIL:

PROJECT PLANNER
AECOM
1000 W. WASHINGTON AVENUE
SUITE 1000
DENVER, CO 80202
TEL: (714) 557-2501
FAX: (714) 557-2441
E-MAIL: www.aecom.com

CIVIL ENGINEER:
FOCUS ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
15000 W. 10TH AVENUE, SUITE 317
DENVER, CO 80202
TEL: (714) 452-5892
FAX: (714) 452-5892
E-MAIL: focusengr@focusengr.net

REVISIONS

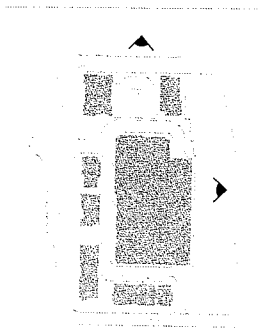
NO.	DATE	DESCRIPTION

CITY OF GARDEN GROVE
PARCEL C STREET ELEVATIONS

7 OF 11 SHEET

FINAL DRAFT

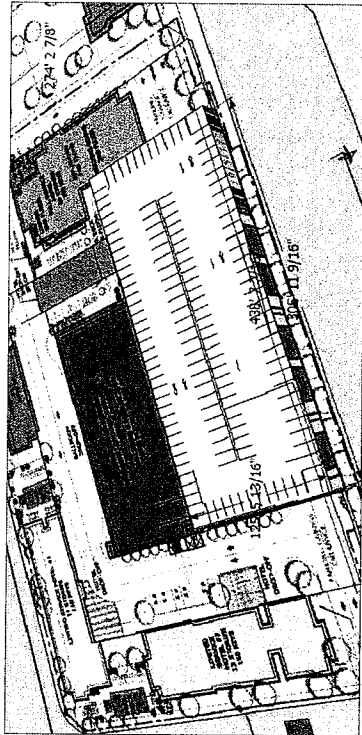
APPROVED: _____
PREPARED: 2012-07-10
PRINT:



KEY MAP

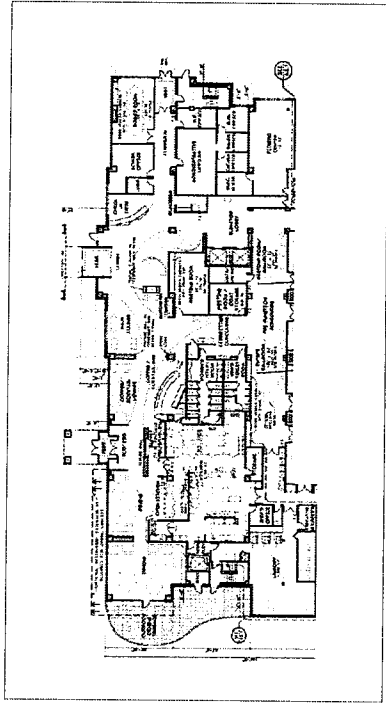
SCALE: 1"=30'
1" = 0' - 30"

PARKING

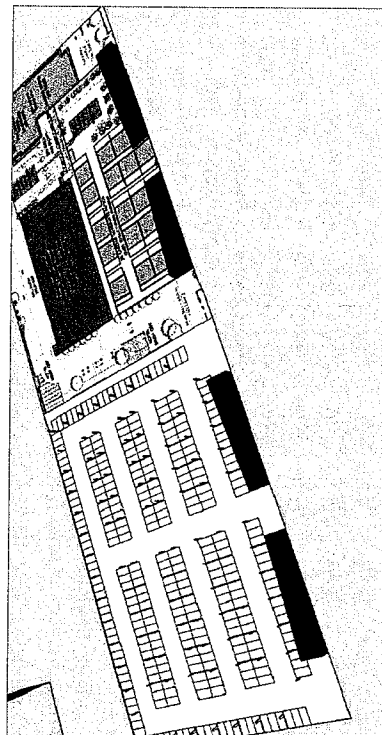


TYPICAL PARKING STRUCTURE (USE 370 SF/STALL)

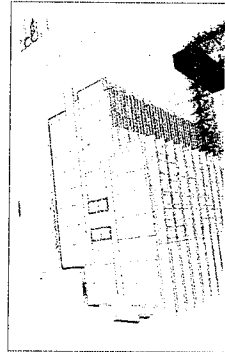
FULL SERVICE HOTEL



GROUND FLOOR PLAN (NOT TO SCALE)

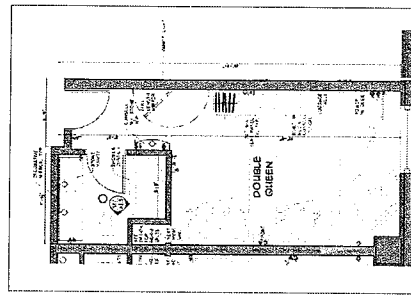


TYPICAL BELOW LEVEL PARKING (USE 400 SF/STALL)



TYPICAL FLOOR PLAN

*NOTE: TYPICAL FLOOR PLANS ARE FOR REFERENCE ONLY.
SOURCE: O+L ARCHITECTS



TYPICAL DOUBLE QUEEN GUEST ROOM
SCALE: 1"=4'

*NOTE: ALL PARKING SPACES SHALL MEET ALL CITY STANDARDS AND DIMENSIONS.
REFER TO "UNSHARED PARKING STUDY" PREPARED BY AK ENGINEERING DATED 05/02/12 FOR PARKING SPACES REQUIREMENTS.

OWNER:
GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT
15000 GARDEN GROVE BLVD
GARDEN GROVE, CA 92740
TEL: (714) 741-5100
FAX: (714) 741-5126
E-MAIL:

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ACCOM
15000 GARDEN GROVE BLVD
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FAX: (714) 741-5126
E-MAIL: www.accom.com

CIVIL ENGINEER:
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FAX: (949) 455-5892
E-MAIL: focusengr@bepofair.net

NO.	DATE	REVISIONS	DESCRIPTION

CITY OF GARDEN GROVE

TYPICAL FLOOR PLANS

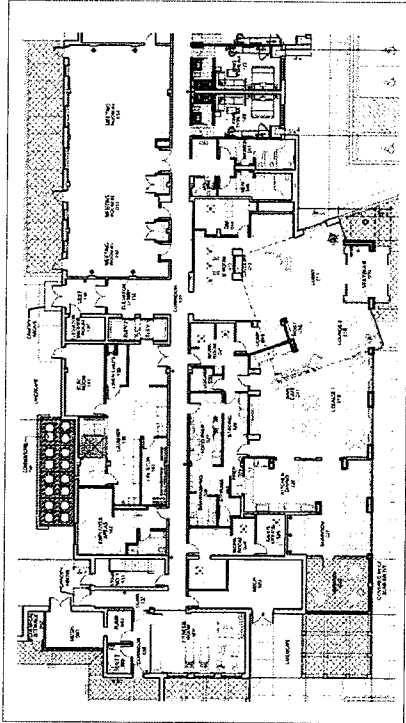
FINAL DRAFT

APPROVED _____

PREPARED: 2012-07-10

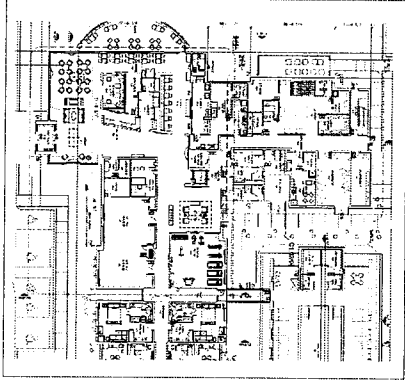
PRINT:

LIMITED SERVICE HOTEL (HARBOR)

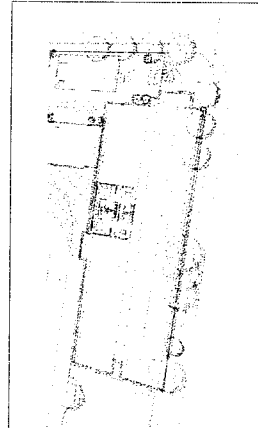


GROUND FLOOR PLAN (NOT TO SCALE)

LIMITED SERVICE HOTEL (TWIN TREE)

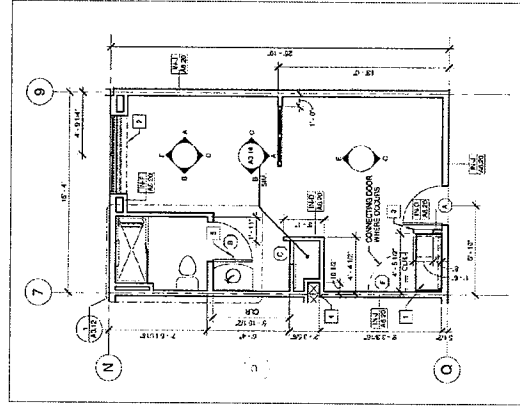


GROUND FLOOR PLAN (NOT TO SCALE)



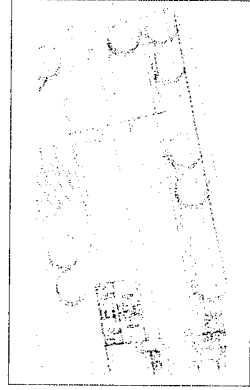
TYPICAL FLOOR PLAN

*NOTE: TYPICAL FLOOR PLANS ARE FOR REFERENCE ONLY.
SOURCE: O+L ARCHITECTS



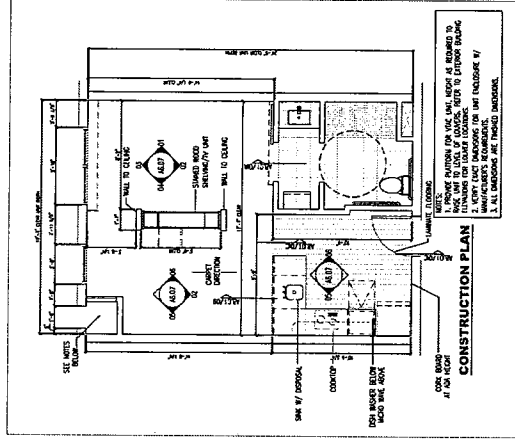
TYPICAL KING SIZE GUEST ROOM

SCALE: 1"=4'



TYPICAL FLOOR PLAN

*NOTE: TYPICAL FLOOR PLANS ARE FOR REFERENCE ONLY.
SOURCE: O+L ARCHITECTS



CONSTRUCTION PLAN

TYPICAL ROOM SCALE: 1"=4'

OWNER:
GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT
GARDEN GROVE, CA 92640
TEL: (714) 741-5100
FAX: (714) 741-5138
E-MAIL: gcdev@cityofgarden Grove.org

PROJECT PLANNER
AECOM
650 W. TOWN AND COUNTRY ROAD
DANBURG, CA 92922-4711
TEL: (714) 952-3333
FAX: (714) 367-2441
E-MAIL: www.aecom.com

CIVIL ENGINEER:
ECOLUS ENGINEERING, INC.
CIVIL ENGINEER
25 MANCHESTER SUITE 317
DANA POINT, CA 92629
TEL: (949) 450-1530
FAX: (949) 450-0552
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NO.	DATE	REVISIONS DESCRIPTION

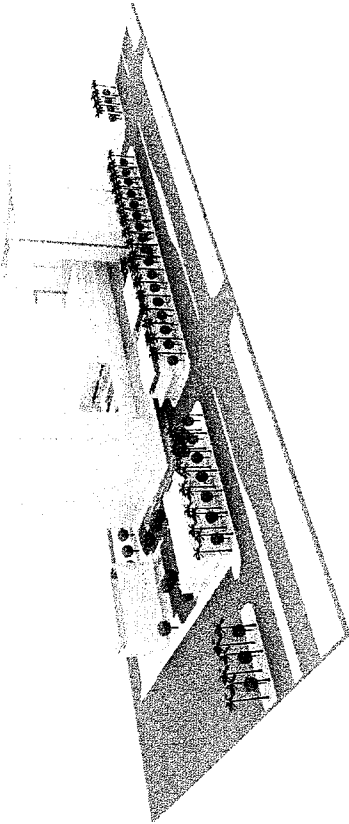
CITY OF GARDEN GROVE

TYPICAL FLOOR PLANS

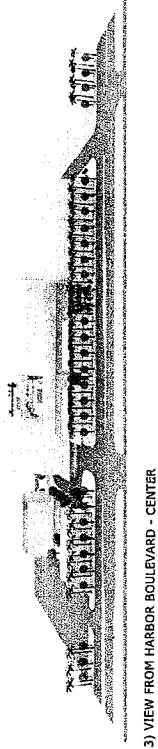
FINAL DRAFT

SHEET 9 OF 11

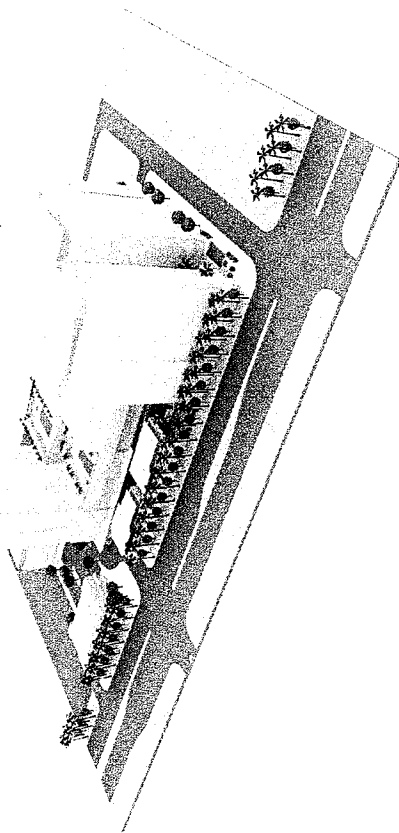
APPROVED: _____
PREPARED: 2012-07-10
PRINT:



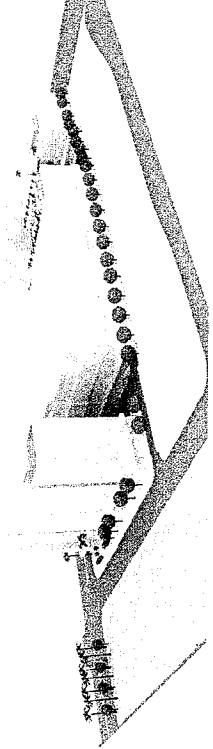
1) VIEW FROM HARBOR BOULEVARD - NORTH



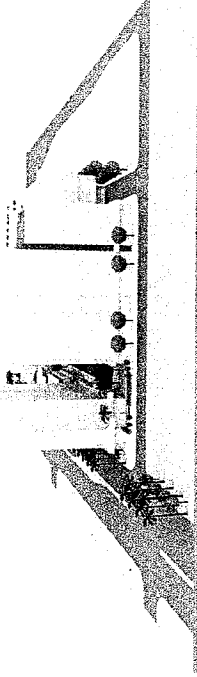
3) VIEW FROM HARBOR BOULEVARD - CENTER



2) VIEW FROM HARBOR BOULEVARD - SOUTH



4) VIEW FROM TWINTREE AVENUE - BACK



5) VIEW FROM TWINTREE AVENUE



OWNER:
 GARDEN GROVE AGENCY FOR
 COMMUNITY DEVELOPMENT
 GARDEN GROVE, CA 92740
 TEL: (714) 741-5100
 FAX: (714) 741-5136
 E-MAIL:

PROJECT PLANNER:
 ACCOM
 10000 WILSON AVENUE, SUITE 100
 IRVINE, CA 92618-1111
 TEL: (714) 957-2501
 FAX: (714) 957-2441
 E-MAIL: www.accom.com

CIVIL ENGINEER:
 FOCUS ENGINEERING, INC.
 LAND SURVEYORS
 25 MASSING DRIVE, SUITE 117
 IRVINE, CA 92618
 TEL: (949) 453-5588
 FAX: (949) 453-5593
 E-MAIL: focusengr@tchglobal.net

NO.	DATE	REVISIONS	DESCRIPTION

CITY OF GARDEN GROVE
 3D MASSING MODEL
FINAL DRAFT
 APPROVED _____
 PREPARED: 2012-07-10
 PRINT: _____

SHEET 11 OF 11

RESOLUTION NO. 5779-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AND RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. GPA-2-12(B) AND PLANNED UNIT DEVELOPMENT NO. PUD-128-12.

WHEREAS, the City of Garden Grove has filed an application for General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12; and

WHEREAS, General Plan Amendment No. GPA-2-12(B) proposes to change the General Plan land use designation of two (2) residential properties along Twintree Lane (12551 and 12571 Twintree Lane; APNs 231-521-09 and 231-521-10) and four (4) residential properties along Choisser Road (12233, 12235, 12237, and 12239 Choisser Road; APNs 231-491-12, 13, 14, 15, 16, 17, 18, and 19) from Low Density Residential to International West Mixed Use; and

WHEREAS, Planned Unit Development No. PUD-128-12 proposes to establish planned unit development zoning on an approximately 5.8 acre site in an urbanized area in the City of Garden Grove located at the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road at 12222, 12202, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard; 12511, 12531, 12551, and 12571 Twintree Lane; 12233, 12235, 12237, and 12239 Choisser Road, (Assessor Parcel Numbers: 231-491-20 & 21, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10; 231-491-12, 13, 14, 15, 16, 17, 18, and 19) and to establish development standards to facilitate the future development of a hotel project consisting of 769 rooms within one (1) full-service and two (2) limited service resort hotels with approximately 39,000 square feet of conference/meeting banquet space and 45,000 square feet of restaurant/entertainment space included on-site via freestanding pads, and two parking structures with 1,297 parking spaces; and

WHEREAS, various additional entitlements will be need to fully implement the hotel project described above, including a tentative tract map to consolidate the project site; a development agreement; conditional use permit(s) to allow the sale of alcoholic beverages in the hotels, hotel restaurants, and freestanding restaurant/entertainment facilities; and a site plan(s) for each freestanding pad restaurant and entertainment venue; and

WHEREAS, the above-described hotel project, General Plan Amendment No. GPA-2-12(B), Planned Unit Development No. PUD-128-12, and the additional future entitlements necessary to implement the hotel project are collectively referred to herein as the "Project"; and

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an initial study was prepared and it has been determined that the proposed Project qualifies

for a Mitigated Negative Declaration as the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and

WHEREAS, a Mitigation Monitoring Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during Project implementation; and

WHEREAS, the Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on October 4, 2012, and considered all oral and written testimony presented regarding the Project, the initial study, and the Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED as follows:

1. The Planning Commission has considered the proposed Mitigated Negative Declaration together with comments received during the public review process.
2. The Planning Commission finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. The Planning Commission 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.
4. The Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Program.
5. The record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on October 4, 2012, does hereby recommend that the City Council approve General Plan Amendment No. GPA-2-12(B), and Planned Unit Development No. PUD-128-12.

BE IT FURTHER RESOLVED in the matter of General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by The City of Garden Grove.

2. The applicant is requesting approval to establish a Planned Unit Development zoning on an approximately 5.8-acre site and establish development standards governing the future development of one (1) full service hotel, two (2) limited service hotels, conference/meeting banquet space, restaurant/entertainment space, along with a General Plan Amendment to change the General Plan Land Use designations of six (6) residential properties from Low Density Residential to International West Mixed Use. The proposed project would consist of up to 769 rooms within one (1) full-service and two (2) limited service resort hotels with approximately 39,000 square feet of conference/meeting banquet space, and 45,000 square feet of restaurant/entertainment space included on-site via freestanding pads, and two parking structures with 1,297 parking spaces.
3. The properties have a General Plan Land Use designation of International West Mixed Use and Low Density Residential, and are zoned Harbor Corridor Specific Plan and Single-Family Residential. The total site is 5.8 acres comprised of vacant parcels, a commercial building, and single-family homes.
4. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on October 4, 2012, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of October 4, 2012; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission are as follows:

FACTS:

The project site consists of 5.2 acres for the hotel development (5.8 acres for the total PUD) located on the east side of Harbor Boulevard, north of Twintree Lane, and west of Choisser Road. The property is located within the City's International West resort area, which is currently developed with hotels, restaurants, retail, and office uses. The project site abuts a commercial shopping center that includes a Target, Viva Bargain Center, and a Coco's restaurant to the north; commercial buildings and one-story single-family homes to the south; one-story, single-family homes to the east; and commercial uses, the Sheraton Hotel, and vacant properties to the west.

The purpose of the proposed Planned Unit Development zoning is to establish development standards for the development of one (1) full service hotel, two (2) limited service hotels, conference/meeting banquet space, and restaurant/entertainment space on an approximately 5.2 acre site. The proposed

project would consist of 769 rooms within one (1) full-service and two (2) limited service resort hotels with approximately 39,000 square feet of conference/meeting banquet space, and 45,000 square feet of restaurant/entertainment space included on-site via freestanding pads, and two parking structures with 1,297 parking spaces. Also, the hotels would be allowed a combined maximum of 20,000 square feet of interior restaurant/bar space separate from the restaurant/entertainment pads. The proposed PUD will establish development standards for the entire development site that will facilitate construction of the hotel development. The proposed PUD includes development standards that address total number of hotel rooms, building height and setbacks, landscaping, uses, required parking, circulation and access, signage, utilities, storage and refuse collection, submittal of development plans, environmental mitigation measures, and related performance standards.

In order to facilitate the hotel development, the proposed General Plan Amendment to change the land use designation of six (6) residential properties from Low Density Residential to International West Mixed Use is also necessary.

FINDINGS AND REASONS:

General Plan Amendment:

1. The amendment is internally consistent with the goals, objectives, and elements of the City's General Plan.

The proposed General Plan Amendment is internally consistent with the goals and objectives of all elements of the City's adopted General Plan. The majority of the project site currently has a land use designation of International West Mixed Use, with the exception of six (6) residential lots that have a land use designation of Low Density Residential. The proposed General Plan Amendment will change the land use designation of the six (6) residential properties from Low Density Residential to International West Mixed Use in order to facilitate the proposed hotel development, including high density residential. The International West Mixed Use land use designation promotes the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. The proposed project will be compatible with existing hotel developments in the area, and will further the goals of the General Plan that envision entertainment/themed resorts in the area.

2. The amendment is deemed to promote the public interest, health, safety, and welfare.

The General Plan Amendment will promote the public interest, health, safety, and welfare by maintaining a General Plan land use designation of International West Mixed Use, which allows for hotel developments. The proposed hotel development is consistent with the proposed land use

designation, and will be consistent with the existing hotel improvements in the area.

3. The subject parcels are physically suitable for the requested land use designation, compatible with surrounding land uses, and consistent with the General Plan.

The proposed General Plan Amendment will change the land use designation of the six (6) residential properties from Low Density Residential to International West Mixed Use in order to facilitate the development of a hotel project. The International West Mixed Use Land Use Designation encourages the development of hotels, resort, high density residential, and tourist-based entertainment-related uses. The two properties located at 12551 and 12571 Twintree Lane, and portions of the properties located at 12233, 12235, 12237, and 12239 Choisser Road, are incorporated into the future hotel development site and will be consolidated with the other properties necessary for development of the hotel project pursuant to a subdivision map. Upon their consolidation with the rest of the project site, the subject parcels will be physically suitable for development in accordance with International West Mixed Use Land Use Designation and compatible with the surrounding land uses, which include commercial and hotel uses. Those portions of the four (4) residential parcels on Choisser Road not presently anticipated to be incorporated into the hotel project site are of sufficient size and shape to be redeveloped with other, ancillary, uses contemplated by the International West Mixed Use Land Use Designation. In addition, for the reasons stated in Finding No. 1, above, the proposed change in General Plan Land Use Designation is internally consistent with the goals and objectives of all elements of the City's adopted General Plan.

Planned Unit Development:

1. Establishment of the proposed Planned Unit Development is consistent with the City's General Plan.

Upon approval of General Plan Amendment No. GPA-2-12(B), the entire site will have a General Plan Land Use Designation of International West Mixed Use. The International West Mixed Use Land Use Designation promotes the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. The proposed Planned Unit Development will facilitate development of such a hotel development along Harbor Boulevard. The proposed project will be compatible with existing hotel developments in the area and will further the goals of the General Plan that envision entertainment/themed resorts in the area.

2. The location, design, and the proposed uses are compatible with the character of the existing development in the vicinity and will be well integrated into its setting, and establishment of the proposed Planned Unit

Development will insure a degree of compatibility with the surrounding properties and uses.

The proposed project is located in an area known as International West, which is designated as an entertainment resort area that encourages hotels, restaurants, and entertainment uses. The site is located in an area that is improved with hotels, restaurants, retail, and office uses that are surrounded by residential uses.

The total PUD site consists of sixteen (16) properties with a total of 5.8 acres, while the hotel development will occupy 5.2 acres of the PUD. The proposed project consists of a hotel development that consists of one (1) full service hotel, two (2) limited service hotels, conference/meeting banquet space, along with restaurants and entertainment venue that is compatible with the existing commercial and hotel developments located along Harbor Boulevard. The City's General Plan identified International West as a tourist destination with hotel, resorts, restaurants, and entertainment.

3. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

The proposed Planned Unit Development zoning will accommodate the project's intensity by creating a stable and desirable environment by developing the subject properties to the fullest intent prescribed in the General Plan 2030 Update. A Traffic Impact Study and Shared Parking Analysis Study were prepared for the project, and the appropriate mitigation measures were included to minimize undue traffic congestion on surrounding streets, such as providing a total of 1,297 parking spaces, implementing a valet parking service, providing a traffic signal at the project's main access on Harbor Boulevard, providing a channelize median on Twintree Lane with right turn out only from the project site. With the required mitigation measures, undue traffic congestion will be minimized to the surrounding streets, especially to the adjacent residential streets.

4. Provision is made for both public and private open spaces.

The project has been designed in accordance with the City Code provisions for providing an adequate amount of landscaping within the street setbacks and elsewhere on-site. Additionally, each hotel will provide their respective amenities that include a fitness room, spa, and outdoor swimming pool.

5. Provision is made for the protection and maintenance of private areas reserved for common use.

Through the required Performance Standards and conditions of approval for future development, all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior

to the start of construction and will be required to be adhered to for the life of the project.

6. The quality of the project, achieved through the proposed Planned Unit Development zoning, is greater than could be achieved through traditional zoning.

The properties that form the project site have a current zoning of Harbor Corridor Specific Plan-Transition Zone North (HCSP-TZN) and R-1 (Single-Family Residential). The existing zoning cannot facilitate the proposed development. In order to facilitate the proposed development, and continue to further the goals of the City's General Plan 2030 Update, establishment of Planned Unit Development No. PUD-128-12 on the project site is necessary. The new PUD zone will encompass 5.8 acres, of which 5.2 acres will be used for the hotel development at this time. The hotel development, which is best facilitated through the proposed PUD zoning, will allow for increased building heights, hotels, conference, meeting, banquet space, restaurants and entertainment. Therefore, the proposed PUD will allow for a project with a superior design than what can be achieved under the existing zoning for the property.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The General Plan Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (General Plan Amendment).
2. The Planned Unit Development possesses characteristics would indicate justification of the request in accordance with Municipal Code Section 9.16.03.020 (Planned Unit Development) and 9.32.030 (Zone Change).
3. The implementation provisions for Planned Unit Development No. PUD-128-12 are as follows:

Planned Unit Development provisions and development standards

A. Purpose and Intent

The purpose and intent of this Planned Unit Development is to facilitate the development of a hotel development that consists of a total of a maximum of 769 rooms within one (1) full-service and two (2) limited service resort hotels, with up to 39,000 square feet of conference/meeting/ banquet space, a maximum of 20,000 square feet of interior restaurant/bar space within the hotels, up to 45,000

square feet of restaurant/entertainment space included on-site via freestanding pads, and up to two parking structures with approximately 1,297 parking spaces. The project site shall be governed by Covenants, Conditions, and Restrictions (CC&R's) or a similar document.

B. Maximum Square Footages

The aggregate square footages of the conference/meeting/banquet uses, hotel restaurant uses, and freestanding pad restaurant/entertainment uses permitted within the Planned Unit Development shall not exceed the following maximums:

- Conference/Meeting Banquet 39,000 Square Feet
- Hotel Restaurants 20,000 Square Feet
- Restaurant/Entertainment Pads 45,000 Square Feet

C. Permitted Uses

- Hotels, hotels with conference space, meeting rooms, banquets, restaurants, and ancillary uses such as gift shops, coffee and beverage dispensary, swimming pool, spa, and fitness room.
- Hotels with entertainment shall be limited as an accessory use to the conference, meeting, banquet area, and shall be subject to a Conditional Use Permit.
- Alcohol sales on-site and off-site are subject to all provision of Title 9 of the Municipal Code, including, but not limited to Conditional Use Permit (CUP) approval.
- Restaurants with or without alcoholic beverage sales. Restaurants with alcoholic beverage sales are subject to a Conditional Use Permit.
- Restaurant with outside eating area. The outside eating areas shall be separated from sidewalks, landscape area, and drive aisles by a minimum five-foot landscape area and a minimum five-foot high barrier that allows visibility into the outside dining area from any public area.
- Restaurants with entertainment shall be subject to a Conditional Use Permit.
- Outside vending such as hot dog carts, merchandise carts, and similar free standing/mobile vending carts subject to Conditional Use Permit approval.
- Parking lots and parking structures to serve the project.
- Athletic and health clubs, spas, and public/private gyms shall be subject to Conditional Use Permit approval.

- Any proposed use that are not listed shall be subject to an Interpretation of Use pursuant to Section 9.32.030 of the Municipal Code that shall be reviewed by the Zoning Administrator.
- Maintenance of single-family residential homes existing at the time of approval of this PUD, provided the homes are used as single-family residential and the properties comply with the permitted uses and the development standards of the of the R-1 zone.
- Uses Not Permitted:
 - a. Adult Uses
 - b. Auto and tire repair
 - c. Truck draying and freighting

D. Setbacks

The placement of each structure and permitted minimum setbacks for each are based on the maximum allowable heights for each structure, as illustrated in the conceptual plan reviewed in conjunction with approval of this PUD and in conjunction with the Shade and Shadow Analysis conducted as part the initial study and Mitigated Negative Declaration for the proposed project. Adjustments/changes to proposed building setbacks may be considered due to lower building heights, but any adjustment/change in building location shall require additional Shade and Shadow Analysis as deemed necessary by the Community Developer Director, in his or her sole discretion. The Community Development Director may consider and approve up to a five-foot setback modification for each structure, subject to a Shade and Shadow Analysis; however, all other modifications shall require review by the Planning Commission.

Subject to the foregoing, the perimeter building setbacks shall be as follows:

1. Minimum building setback from the face of curb along Harbor Boulevard shall be 21-feet (12 feet right-of-way and 9 feet property line setback). The area within this minimum setback area shall include a six-foot wide landscape parkway adjacent to the street curb, a seven-foot wide sidewalk, and an eight-foot wide landscape planter. This design will allow for palm trees to be planted along both sides of the sidewalks, along with accommodating the required canopy trees, shrubs, and ground covers. Note: At no time shall the buildings be located closer than nine-feet to the property line.
2. Minimum building setback along Twintree Lane shall be ten-feet from the property line. The right-of-way improvements shall include a minimum four-foot landscaped parkway adjacent to the curb, and a minimum six-foot wide sidewalk.

3. Minimum building setback along the easterly property line shall be ten-feet.
4. Building elements such as structural components, architectural features, and roof projections shall not encroach into the required perimeter setback areas.

E. Maximum Building Height

The project shall comply with the maximum building height as illustrated in the conceptual plans for the project and as specified below:

1. The full-service hotel shall not exceed a height of 263 feet.
2. The limited-service hotel located along Twintree Lane shall not exceed a height of 130 feet (east side) and 190 feet (west side). Note: The 130 foot maximum height shall apply up to 42.75 feet from the east property line.
3. The limited-service hotel located along Harbor Boulevard shall not exceed a height of 200 feet.
4. The freestanding restaurant pads shall not exceed a height of 40 feet.
5. The freestanding restaurant/entertainment pad shall not exceed a height of 75 feet.
6. The parking structures shall not exceed a height of 75 feet (east side), and 85 feet (west side).

All structures are subject to any restrictions by the California Building Code and Uniform Fire Code.

F. Landscaping

General: The site shall consist of a combination of trees, shrubs and bushes, and ground cover with the allowance for other landscape treatments such as large rocks, water elements, and unique walkway paving, and street furniture. Any area not covered by roadways, parking, walkways, and buildings, shall have landscape treatment.

Harbor Boulevard Landscape Treatment: Landscaping along Harbor Boulevard, including within the public-of-way, shall include two rows of Date Palm Trees (minimum brown trunk height of 25 feet), canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used within the project located at the southwest corner of Harbor Boulevard and Chapman Avenue. The landscape area shall include up-lighting on the trees. All aspects and elements of the Harbor Boulevard Landscape Treatment shall be included on the required Project landscape/irrigation plans and shall be reviewed and approved by the City prior to the beginning of site construction. The

Community Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.

Landscape Plan: A detailed landscape plan shall be prepared and approved prior to site construction. The plan shall be detailed to show all plant material, water elements, pathways, and other landscape treatments. The landscape plan shall be the basis of how the site is to be developed and maintained for the life of the project. Should changes need to occur, revisions, renovations, or changes to the landscaping shall be reviewed by the City to ensure the aesthetics are maintained concerning this element of the overall project.

The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off, also identified as Low Impact Development provisions, which address water run-off. This is to also to be inclusive of any applicable Water Quality Management Plan (WQMP), the Orange County Drainage Area Management Plan (DAMP) and any other water conservation measures applicable to this type of development.

Landscaping will be provided within the project as well as along Harbor Boulevard and Twintree Lane. The landscape treatment along Harbor Boulevard will include a double row of palm trees with canopy trees, shrubs, and ground cover that complies with the envision landscape plan for Harbor Boulevard. The landscape treatment along Twintree lane is required to incorporate canopy trees, shrubs, and ground cover that is similar to the landscape treatment on Harbor Boulevard.

The property owner shall be responsible for all installation and long-term maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to any landscaping, sidewalk, curb and pavement of the site, and shall extend to the public right-of-way. All planting areas are to be kept free of weeds, debris, and graffiti.

G. Boundary: The site's boundary for maintenance, landscaping, and improvements is that area around the project site that is to the property line along adjacent properties and where the project is adjacent to public right-of-way, the boundary shall extend to the curb of each street respectively.

H. Maintenance: The overall site, inclusive of the landscaped areas and other amenities and features (e.g., water elements, irrigation systems, sculptures, street furniture, trash receptacles, common area signage, and lighting) shall be kept in proper working condition, maintained for the life of the project, and have the planted areas to be in a weed free, healthy and growing condition, with overall debris removed on regular basis.

I. Circulation and Access

The site shall provide one (1) access point on Harbor Boulevard and one (1) secondary access point on Twintree Lane, and subsequent improvements as identified in the mitigation measures.

The main access point on Harbor Boulevard shall include a signalized intersection, that is aligned with the main access point of the hotel development located across from the project site, that will permit two-way traffic, allowing left and right-turn movements in and out of the site. The access point on Twintree Lane shall only permit left-turn into the project site, and right-turn out only.

Internal circulation shall allow vehicles ease of access to and through the parking structure, allow for convenient drop-off and pick-up areas in front of each hotel, and meet all applicable City standards. Vehicle ease of access shall account for fire trucks, sanitation trucks, delivery trucks, tour buses, etc., which shall be accommodated through turning radius and necessary height clearances as well as designated parking areas inclusive of staging areas for events, equipment loading and unloading.

The paving and concrete treatment of all driveways along Harbor Boulevard and Twintree Lane shall be subject to review and approval of the Community Development Director, who, in his or her discretion, may require decorative paving and/or enhanced concrete treatment.

Any expansion to the use, the addition of any use not covered by the subject approval and associated entitlements, or any new project shall requires a site specific traffic and parking analysis, shall be prepared for City review and approval.

J. Parking Areas and Requirements

The project shall provide a total of 1,297 parking spaces as per the shared parking study with the parking structures. This parking requirement is based on the total number of hotel rooms and aggregate square footages of the development that includes a maximum of 769 rooms, a maximum 39,000 square feet of conference space/ meeting banquet space, a 20,000 square feet of hotel restaurant space, and a 45,000 square feet of pad restaurant/entertainment space. In the event the approved project consists of less than 769 rooms and/or the prescribed square footages of the total combined conference/ meeting banquet space and restaurant changes, the required number of parking spaces may be reduced to the extent justified by a parking study that is consistent with the parking ratios and standards set forth below and is reviewed and approved by the Community Development Director. The project shall implement the required mitigation measures identified in the mitigation monitoring program to minimize impacts to the parking.

Notwithstanding the Shared Parking Study, the project's required parking is calculated as follows:

Hotels shall be calculated at 0.8 space per hotel room.

Restaurants and conference rooms shall be calculated at one (1) parking space per 100 square feet of gross floor area.

Parking for other uses shall comply with the parking requirements of Section 19.16.040.150 of Title 9 of the Municipal Code.

The parking structures shall be designed to be architecturally compatible with on-site buildings, utilizing similar design features, details and materials. All sides of a parking structure that are in view from adjacent properties and public-rights-of-way shall be architecturally enhanced. Parking structures shall be well illuminated, including having the interior of the parking garage painted a light color, and designed to meet City parking standards for aisle width, stall sizes, and height clearances. Within the structures, an emergency communication system shall be installed and maintained that allows emergency services such as police, fire, and paramedics, the ability to use communication devices throughout the enclosed areas.

K. Perimeter Walls

All new block walls shall be of decorative, slumpstone or split face block, with decorative cap, and shall maintain a maximum height of eight-feet as measured from the property's finished grade.

A new eight-foot high block wall shall be constructed on the eastern property line, adjacent to the residential properties. Said block wall shall maintain a 15-foot setback from the Twintree Lane property line, and any wall constructed within this 15-foot area shall maintain a maximum height of three-feet. The developer shall work with adjacent property owners in designing and constructing the perimeter block wall to avoid having double walls, and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the developer cannot obtain approval from the property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls.

Any new block walls constructed along the Twintree Lane property line (southern property line) shall maintain a five-foot setback from the property line. The setback to the block wall may be reduced to three-feet if additional two-feet of right-of-way landscape area is available adjacent to the property line.

Any walls constructed along the Harbor Boulevard property line shall observe a setback of 21-feet from the face of curb. At no time shall a wall be placed within nine-feet from the property line.

If, at any time the project's perimeter block wall extends toward Choisser Road, the wall shall maintain a minimum setback of 15-feet from the property line. The 15-foot setback area shall be properly landscaped and irrigated per the landscaping requirements of the project.

The Community Development Director may authorize minor modifications to the required wall heights and setbacks set forth above to accommodate permitted differences between submitted development plans and the conceptual site plans (Exhibit C). Notwithstanding the foregoing, the block wall on the easterly property line shall comply with all standards required as mitigation measures pursuant to the mitigated negative declaration and mitigation monitoring program.

L. Signs and Graphic Standards

A sign plan shall be provided that governs the overall site signage that is inclusive of business signage, common area signage, sales and lease signs, future tenant signs, and directional signs. The sign plan shall be approved prior to construction of the site and shall remain in effect for duration of the project. Should changes occur to the approved sign plan, the City shall first grant approval.

All sign calculations for commercial businesses shall be calculated per 9.20 of Title 9 of the Municipal Code the C-1 zone. Signs may be mounted flush with the wall surface or perpendicular to the wall (blade sign).

All common area signs, directional signs, and kiosk type signs shall be uniform in lettering, material, and coloring.

Unless the City of Garden Grove adopts a uniform freestanding sign program for Harbor Boulevard, all signage shall comply with the following:

All signage, including a freestanding monument sign shall be architecturally compatible with on-site buildings. A freestanding sign structure shall utilize similar details and finishes that are used on the on-site buildings. Location of monument signs shall not occur in any public right-of-way or within any vision clearance area and shall not exceed a height of five feet or a width of ten feet, not exceeding a sign face area of 100 square feet. These specific signs may include tenant names of up to three tenants. Signs may be double-face.

M. Utilities

All utility lines shall be underground or placed in locations as to be concealed from view. This includes gas and electrical lines and conduit, Cable TV, and telephone lines and conduit, and any other utility or service lines, including water pipes for domestic use and fire sprinkler systems.

N. Storage and Refuse Collection

All staging and storage areas for all the businesses on site shall be provided within their respective tenant space. No outside storage area shall be provided nor shall there be any outside storage of goods or merchandise at any time. The site may create designated staging areas (loading/unloading) for general deliveries of goods sold on the site, but maintained as such to not create hindrances to vehicle or

pedestrian traffic or create restrictions for emergency vehicles or emergency access.

Refuse storage and collection areas shall be provided and subject to both Garden Grove Sanitation District (GGSD), and GGSD contracted solid waste handler/hauler approval, and be subject to applicable building and fire codes.

O. Environmental Mitigation Measures

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 for the International West Hotel – Harbor East (Site C) Project, adopted in conjunction with approval of General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12, and which are summarized in Exhibit "A" attached hereto, as well as any environmental mitigation measures identified in the General Plan 2030 Update Environmental Impact Report that apply to the International West Mixed Use area.

P. Covenants, Conditions, and Restrictions (CC&R's)

Prior to any portion, unit or otherwise, of the subject site becoming under separate ownership, the developer/subdivider shall record a set of Covenants, Conditions, and Restrictions (CC&Rs) or a similar legal document reviewed and approved by the City that is all inclusive of the entire development. The CC&Rs shall include, without limitation, all provisions of PUD-128-12 development standards, the mitigation measures referenced herein, operational and maintenance provisions for the entire site and those areas noted within the boundaries of the Project site, and other provisions applicable to the Project.

Q. Absence of Provisions and Standards

Any matters pertaining to the development or occupancy or operation of the subject site that is not listed or expressly provided for herein shall be subject to the provisions and development standards of the City's Municipal Code, inclusive. This would include, but not be limited to, undergrounding all existing and new utilities serving the site, complying with all Building, Fire, and Development Codes, and paying all related fees, bonds, and other associated costs.

R. Development Plans

Should the Community Development Director determine that a Developer's submittal of development plans are in substantial compliance with the provisions of this PUD and in similar shape, form and configuration with the conceptual site plans that are included with this approval, Exhibit "C," such Developer may proceed to securing the appropriate building permits for constructing the development without further entitlement review; however, any entitlement not covered under this PUD, such as a Subdivision Map (Tentative Tract Map and/or Tentative Parcel Map),

Conditional Use Permit, or other, shall be processed in accordance with the City's Municipal Code. All pad buildings shall require approval of a Site Plan.

S. Reservations, Dedications, and Improvements

Should a Subdivision Map and/or development plan be processed in accordance with the Municipal Code or per this PUD, and other applicable regulations/requirements, at that time, any required reservation of land, and/or dedication or right-of-way, and/or easement(s), and/or site improvement work in the public right-of-way, shall be properly addressed and shall be fully provided for and improved prior to completion of the project or completion of any first phase of this development, unless otherwise stated in a subsequent entitlement approval such as a Subdivision Map with conditions of approval, provided that the conditions or requirements addressed and/or completed prior to Map recordation.

T. Associated Performance Standards

In order to fulfill the purpose and intent of Planned Unit Development No. PUD-128-12, the Performance Standards attached hereto as Exhibit "B" shall apply as conditions to the approval of any future hotel development, including any ancillary buildings, restaurant pads/buildings, and or conference/ meeting banquet space, and parking structures, and/or subdivision of property covered by this Planned Unit Development. The performance standards shall be applicable to the future development of the site, including the initial construction drawings, plan check review, during construction, after completion of the project, and for the life of the development. To the extent not inconsistent with the purpose, intent, and specific standards and requirements of this Planned Unit Development No. PUD-128-12, the Community Development Director may authorize minor modifications to the Performance Standards. This Section shall not be interpreted to in any way to limit the authority of the City to impose additional conditions of approval pursuant to subsequent project-specific City approvals.

ADOPTED this 4th day of October, 2012

/s/ JENNIFER CABRAL
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on October 4, 2012, by the following votes:

AYES:	COMMISSIONERS:	BRIETIGAM, CABRAL, DOVINH, SILVA
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BUI, LAZENBY, PAK

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is October 25, 2012.

Exhibit "A"

MITIGATION MEASURES

**General Plan Amendment GPA-2-12(B)
Planned Unit Development No. PUD-128-12**

The following Mitigation Measures, as identified in the Environmental Initial Study, and as stipulated in Resolution No. 5770-12 and the Performance Standards for the project, shall be compiled with and implemented in the development's Mitigation Monitoring Program:

Mitigation Measure	Verification	Timing	Responsible Party
AESTHETICS (SECTION 2.1)			
Light and Glare			
<p>AES-1 Prior to final site plan approval, a site specific lighting study shall be prepared which incorporates measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City's Zoning Code for parking lot lighting so that lighting within parking areas are directed, positioned, or shielded so as to minimize light spillage. Additionally, the study shall incorporate measures necessary for the project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment.</p>	<p>Site Plan Review</p>	<p>Prior to final of site plan approval</p>	<p>Community Development Department</p>
<p>AES-2 Sufficient technology currently exists to reduce lighting impacts from hotel/resort lighting to a less than significant level. However, given that the project is still in conceptual design and operation is not anticipated to begin until late 2014,</p>	<p>Site Plan Review</p>	<p>Prior to final of site plan approval</p>	<p>Community Development Department</p>

Mitigation Measure	Verification	Timing	Responsible Party
<p>identification of specific light reduction measures is premature since light-reduction technology is constantly evolving and advancing (i.e., more sophisticated light-reduction technology is anticipated to be available in the future that is available today). The developer shall include technologically advanced hotel/resort lighting measures in its detailed design plans to ensure that hotel/resort lighting does not significant impact the surrounding neighborhood.</p>			
<p>AIR QUALITY (SECTION 2.2)</p>			
<p>Vehicle Emissions</p>			
<p>AQ-1 Construction equipment shall be maintained in proper tune.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community Development Department/Public Works Department</p>
<p>AQ-2 Gasoline or electricity-powered equipment shall be utilized instead of diesel equipment whenever possible.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community Development Department/Public Works Department</p>
<p>AQ-3 The use of heavy construction equipment shall be suspended during first stage smog alerts.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community Development Department /Public Works Department</p>
<p>AQ-4 All construction vehicles shall be prohibited from excessive idling. Excessive idling is defined as five minutes or longer.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community Development Department /Public Works Department</p>
<p>AQ-5 "Clean diesel" equipment shall be used when</p>	<p>Grading and building</p>	<p>During grading and</p>	<p>Community</p>

Mitigation Measure	Verification	Timing	Responsible Party
modified engines (catalyst equipped or newer Moyer Program retrofit) are available at a reasonable cost.	inspections	building construction	Development Department /Public Works Department
Fugitive Dust Emissions and Control			
AQ-6 All active construction areas shall be watered three (3) times daily.	Grading and building inspections	During grading and building construction	Community Development /Public Works Department
AQ-7 All haul trucks shall be covered or shall maintain at least two (2) feet of freeboard.	Grading and building inspections	During grading and building construction	Community Development /Public Works Department
AQ-8 All unpaved parking or staging areas shall be paved or watered three (3) times daily.	Grading and building inspections	During grading and building construction	Community Development /Public Works Department
AQ-9 Speed on unpaved roads shall be reduced to less than 15 mph.	Grading and building inspections	During grading and building construction	Community Development /Public Works Department
AQ-10 Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.	Grading and building inspections	During grading and building construction	Community Development /Public Works Department
AQ-11 Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.	Grading and building inspections	During grading and building construction	Community Development /Public Works Department
AQ-12 All operations on any unpaved surface shall be	Grading and building	During grading and	Community

Mitigation Measure	Verification	Timing	Responsible Party
suspended if winds exceed 25 mph.	inspections	building construction	Development Department/Public Works Department
AQ-13 Daily disturbance area shall be limited to two (2) acres or less.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
Off-Site Impacts			
AQ-14 Carpooling shall be encouraged for construction workers.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-15 Any required lane closures shall be limited to off-peak travel periods.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-16 Construction vehicles shall be parked off traveled roadways.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-17 Any dirt hauled off-site shall be wet down or covered.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-18 Access points shall be washed or swept daily.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-19 Receipt of materials shall be during non-peak	Grading and building	During grading and	Community

Mitigation Measure	Verification	Timing	Responsible Party
traffic hours.	inspections	building construction	Development Department/Public Works Department
AQ-20 Construction sites shall be sandbagged for erosion control.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
Operational Emissions Reduction Measures			
AQ-21 Prior to the issuance of building permits, the building construction design shall demonstrate to the satisfaction of the City Building Department that it exceeds the minimum statewide energy requirements of Title 24 by 20 percent. This shall be accomplished by including the following items but not limited to: <ul style="list-style-type: none"> a. Use of low emission water heaters b. Use of central air heating systems c. Use of energy efficient appliances d. Use of increased insulation e. Use of energy-efficient parking lot lights f. Use of lighting controls and energy efficient lighting g. Use of energy efficient windows h. Use of alternative energy (i.e., solar paneling) 	Grading and building inspections	Prior to the issuance of building permits	Community Development Department/Public Works Department
Transportation Management Techniques to Reduce Vehicle Emissions			
AQ-22 Prior to the issuance of certificates of occupancy, the below recommendations of the TDM shall be implemented:	Grading and building inspections	Prior to the issuance of certificates of occupancy	Community Development Department/Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
<p>a. Use of shuttle service, public transit and carpooling shall be encouraged.</p> <p>b. Design of a Walkable community shall be encouraged.</p> <p>c. Improvement of sidewalk network shall be encouraged.</p> <p>d. Use of bicycle lanes, rack or storage area shall be encouraged to facilitate use of bikes.</p> <p>e. Participation in City's existing TDM (Transportation Demand Management) Programs shall be required.</p> <p>f. A mix of uses on the site (i.e., hotel, restaurant, recreation, and retail) shall be required to minimize off-site travel.</p>			
<p>GEOLOGY AND SOILS (SECTION 2.6)</p> <p>GEO-1 Prior to the approval of final design plans, a site-specific geologic investigation of liquefaction potential shall be performed. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to approval of final design plans</p>	<p>Community Development Department/Public Works Department</p>
<p>GEO-2 Prior to the approval of final design plans, a site-specific geotechnical investigation shall be prepared by a registered geologist. The project shall be required to comply with all mitigation, conditions and/or performance criteria</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to approval of final design plans</p>	<p>Community Development Department/Public Works Department</p>

Mitigation Measure	Verification	Timing	Responsible Party
recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.			
HAZARDS AND HAZARDOUS MATERIALS (SECTION 2.8)			
HHM-1 Prior to the issuance of a grading permit, near surface soil sampling and analysis shall be performed to determine if any agricultural chemicals remained at the site. If any agricultural chemicals are found, the contamination shall be removed.	Grading inspection	Prior to the issuance of a grading permit	Community Development Department
HHM-2 Prior to the issuance of a grading permit, the project conditions of approval shall require implementation of the Phase 1 study recommendations.	Grading inspection	Prior to the issuance of a grading permit	Community Development Department
NOISE (SECTION 2.12)			
Roadway Noise Reduction Measures			
NOI-1 Roadway noise impact standards from the City of Garden Grove's Noise Standards (Garden Grove Municipal Code Section 8.47, Noise Control) shall be followed.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-2 Prior to the approval of the final design plans, the project architect shall demonstrate to the satisfaction of the Planning Director that the final hotel(s), parking structure(s) and restaurant(s) layout further reduce potential roadway noise impacts from Harbor Boulevard and Twintree Lane to the residential units, located adjacent to the project site.	Grading and Building Plan Review Inspections	Prior to final of building permits	Community Development Department

GPA-2-12(B) and PUD-128-12
Mitigation Measures

Mitigation Measure	Verification	Timing	Responsible Party
NOI-3 Additional noise barrier analysis shall be conducted, which will specifically indicate the amount of noise attenuation provided by the Hotel towers to the adjacent residential area. Hotel towers will further shield roadway noise propagating from Harbor Boulevard.	Grading and Building Plan Review Inspections	Prior to final of building permits	Community Development Department
Stationary Noise Reduction Measures			
NOI-4 An 8-foot shielding wall shall be provided along the east property line.	Building Plan Review and Inspections	Prior to final of building permit	Community Development Department
NOI-5 Delivery truck operations and loading and unloading activities shall be limited to daytime hours between the hours of 7:00 AM to 10:00 PM.	Grading and Building inspections and during operation of project	On going	Community Development Department/Police Department Code Enforcement Department
NOI-6 All delivery trucks associated with the future uses shall not idle for more than 5 minutes.	Grading and Building inspections and during operation of project	On going	Community Development Department/Police Department Code Enforcement Department
NOI-7 Any trash compactor/pool equipment shall be shielded by a 6 to 8 feet high parapet wall, or fully enclosed. The mechanical equipment shall be placed at a distances furthest from the nearest residential dwelling units. The height of the walls shall be at least as high as or higher than the mechanical equipment (i.e., 4 feet).	Building Plan Review and Inspections	On going	Community Development Department/Police Department Code Enforcement Department

GPA-2-12(B) and PUD-128-12
Mitigation Measures

Mitigation Measure	Verification	Timing	Responsible Party
NOI-8 The parking structure shall have 4-foot or higher shielding walls for each floor that faces the residential units to the east. The parking structure's surface shall be treated to minimize tire screeching noise.	Building Plan Review and Inspections	Prior to final of building permit	Community Development Department
NOI-9 Once project is in operation, noise monitoring shall occur to ensure the project site is operating within the City's criteria.	After final	On going	Community Development Department
Construction Noise Reduction Measures			
NOI-10 Construction operations shall follow the City's General Plan and the noise ordinance which states that operations cannot exceed the stipulations set-forth in Garden Grove Municipal Sections 8.47.050 and 8.47.060.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-11 Construction shall not occur during the hours of 10:00 PM to 7:00 AM.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-12 During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-13 Idling equipment shall be turned off when not in use.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-14 Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
PUBLIC SERVICES AND UTILITIES (SECTION 2.14)			
PS-1 An internal fire loop shall be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel.	Grading and Plan Review	Prior to final of building permits	Public Works Department
TRANSPORTATION (SECTION 2.16)			
On-Site			
TRANS-1 The on-site circulation system per the detailed site plan shall be constructed. a. A minimum of one (1) entry lane and two (2) exit lanes shall be provided at Project Access 1 Driveway at Harbor Boulevard.	Grading and Building Plan Review Inspections	Prior to final of building permits	Community Development Department/Public Works Department
TRANS-2 The following project access points on Harbor Boulevard shall be provided: a. Project Access 1 – full access, signalized.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-3 The following project access point on Twintree Lane shall be provided: a. Project Access 2 – right out and left in only access.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-4 Stop signs, stop bars and stop legends shall be installed at Project Access 2.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-5 Project Access 1 / Sheraton Driveway shall line-up and be reconfigured with the installation of a traffic signal.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-6 Channelization median and signage to restrict access to the residential neighborhood along Twintree Lane shall be installed.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-7 A minimum of 1,297 parking spaces shall be provided within the site.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
Area-Wide			
TRANS-8 Any remaining street half-section improvements on Harbor Boulevard, directly adjacent to the project boundaries, shall be completed.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-9 Any remaining street half-section improvements on Twintree Lane, directly adjacent to the project boundaries, shall be completed.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-10 The Project shall participate in the installation of the following off-site improvements: a. Harbor Boulevard (NS) at Project Access 1 (EW): i. Install traffic signal. ii. Reconfigure NB left turn median. iii. Reconfigure SB left turn median. iv. Install SB left turn pocket with 225 feet of storage. Refer to Section 6.0 of the Appendix G for the minimum queuing capacity required for this lane. v. Reconfigure EB Sheraton Driveway to be full access. vi. Install shared left/through/right lane.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-11 Traffic signing/stripping should be implemented in conjunction with detailed construction plans for the project site.	Grading and Plan Review	Prior to final of building permits	Public Works Department
Fair Share			
TRANS-12 The project shall contribute to the City's fair share improvement program for those intersections improvements that are not called out as solely the project's responsibility. Table 10 in Appendix G	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
<p>identified the project traffic contribution to the study area intersections.</p>			
<p>Regional Funding Mechanisms</p>			
<p>TRANS-13 The project shall participate in the City's sponsored regional transportation funding programs or as agreed upon with the City of Garden Grove.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final of building permits</p>	<p>Public Works Department</p>
<p>Parking</p>			
<p>TRANS-14 Prior to the issuance of certificates of occupancy, the below recommendations of the shared parking assessment Exhibit G (found in Appendix H) shall be implemented for the proposed project:</p> <ul style="list-style-type: none"> a. Implement a valet and self-park parking program. b. Provide for a bus/van pick-up and drop-off location site for hotel guests and employees. c. Encourage alternative transportation methods for employees through transportation management incentives, such as employee reimbursement for using the transit and providing a transportation coordinator for the staff d. Provide a total of three (3) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient locations throughout the hotel property (Exhibit G). e. Post "No Parking in Neighborhood" signage 	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to the issuance of certificates of occupancy</p>	<p>Public Works Department</p>

Mitigation Measure	Verification	Timing	Responsible Party
(Exhibit G). f. Dedicate up to three (3) bus parking spots for buses (Exhibit G). g. Provide a plan to monitor the project's peak parking demand as needed to refine parking management operations at the site. h. Provide emergency vehicles access to the first floor of the parking structure that can be able to drive through one (1) entrance and out the other.			
UTILITIES AND SERVICE SYSTEMS (SECTION 2.17)			
USS-1 Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the City Engineer that proper hydromodification methods have been applied to the proposed on-site storm drain improvements.	Grading and Building Plan Review Inspections	Prior to the issuance of a grading permit	Public Works Department

Exhibit "B"

PERFORMANCE STANDARDS

Planned Unit Development No. PUD-128-12

The following performance standards shall apply as conditions of approval to any future hotel resort development and/or subdivision of property covered by this Planned Unit Development:

1. The developer shall execute, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on the property prior to issuance of building permits. These conditions of approval run with the land and are binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. The term "applicant," as referenced herein, shall refer to both the developer, tenant/business operators and the property owners, including subsequent purchasers and/or tenants of the project. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Hearing Body.
3. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.
4. All mitigation measures that are part of the Mitigated Negative Declaration that was adopted in conjunction with approval of General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 shall be required to be implemented as part of the conditions of approval for this project.
5. The project is subject to the Mitigation Monitoring Program adopted by the City Council as part of the Mitigated Negative Declaration adopted by the City in conjunction with approval of General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12. In order to assist City to verify that all required project mitigation measures are complied with in a timely manner, a project-specific mitigation-monitoring program for monitoring all applicable project-related mitigation measures shall be prepared by the developer/applicant and approved by the Planning Division prior to issuance of building permits. Said mitigation monitoring program shall be implemented during project construction through completion. The developer shall provide the City with a quarterly report demonstrating adherence to all mitigation measures. A person shall be designated by the developer and or hotel operator that will be responsible for any hotel and pad

restaurants operational mitigation measures that extend beyond construction completion. Said person shall provide a report to the City when requested.

6. In order to verify compliance with the applicable project mitigation measures and performance standards for Planned Unit Development No. PUD-128-12, the developer shall submit a full set of construction plans to the Community Development Department for review prior to plan check submittal. The plans shall include a dimensioned and detailed site plan, a floor plan, elevations, a landscaping plan, and a lighting plan, each of which complies with all the requirements established in these performance standards.

Public Works Engineering Division

The following provisions of the Public Works Engineering Division shall be complied with:

7. The applicant shall be subject to Traffic Mitigation Fees.
8. Prior to the issuance of certificates of use and occupancy, the applicant shall design and construct a traffic signal at the intersection of Harbor Boulevard and the Project Entrance in a manner meeting the approval of the City Traffic Engineer.
9. Prior to the issuance of certificates of use and occupancy, the applicant shall design and construct raised median improvements on Harbor Boulevard to facilitate ingress and egress at the Project Entrance in a manner meeting the approval of the City Traffic Engineer. Said improvements shall include a 225-foot southbound left turn pocket with a 90-foot taper and removal/reconstruction of the median within, and south of the intersection, to provide a full access to the Sheraton Hotel with a proper left turn pocket and taper.
10. The main driveway approach on Harbor Boulevard shall be constructed in accordance with Garden Grove Standard Plan B-120, or B-120a.
11. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design of the interior drive aisle and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and

- implementations, including soil compaction, saturation, permeability and groundwater levels.
12. A separate street permit is required for work performed within the public right-of-way.
 13. 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 adjacent properties, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines, 1.25% for asphalt surfaces and 2.0% for landscaped areas. The grading plan shall also include water and sewer improvements. All fees collected at the time of permit issuance shall be based on the fee schedule in effect at that time.
 14. 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 such as 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 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.
 15. 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.
16. The applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B.
17. All trash container areas shall meet the following requirements:
- 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; and
 - 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 Stormwater Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
 - f. The trash enclosures shall be located to allow pick-up and maneuvering, including turnarounds, in the area of the enclosures.
18. TIES TO HORIZONTAL CONTROL:
- Prior to recordation of a final tract 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.
19. DIGITAL MAP SUBMISSION:

Prior to recordation of a final tract 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.

20. 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.
21. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer.
22. The applicant shall remove the existing sidewalk on Harbor Boulevard along the property frontage and construct a seven-foot decorative sidewalk consistent with the existing enhanced sidewalk pattern in the Harbor resort area, in a manner meeting the approval of the City Engineer. Said sidewalk shall be separated from the street curb by a six-foot landscaped area designed in a manner meeting the approval of the Planning Division Manager.
23. The applicant shall remove the existing sidewalk on Twintree Lane, along the property frontage, and construct a six-foot sidewalk per City Standard Plan B-106. Said sidewalk shall be separated from the street curb by a four-foot landscaped area. The landscaped areas in front of, and in back of, the sidewalk shall be designed in a manner meeting the approval of the Planning Division Manager.
24. The applicant shall be responsible for the maintenance of the landscape, sidewalk and lighting in the public right-of-way along Harbor Boulevard, in a manner meeting the approval of the City Engineer.

Building Services Division

The following provisions of the Community Development Building Services Division shall be met:

25. All buildings and facilities shall be accessible from the sidewalks. Accessible routes of travel shall be provided between all building and facilities on-site.
26. Openings in exterior walls are limited per Table 705.8 of the CBC depending on proximity to the property line or to the imaginary property line between buildings.
27. All buildings must be fully sprinklered.
28. All buildings and facilities shall comply with the California Building Standards Code.

Public Works Water Services Division

The following provisions of the Garden Grove Public Works Water Services Division shall be met:

29. Water meters shall be located within the City right-of-way or within dedicated waterline easement. Fire and water services, shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspector.
30. 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.
31. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
32. A composite utility site plan shall be part of the water plan approval.
33. Water system within private streets shall be constructed per City Standards by developer and dedicated to the City. Bonding will be required.
34. Owner shall dedicate all rights to underground water without the right to surface entry.

35. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
36. 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.
37. Fire service shall have above ground backflow device with a double check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above ground assembly shall be screened from public view as required by the Planning Division.
38. 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.
39. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
40. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
41. 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.
42. All water generated from any dewatering system for subterranean construction shall be discharged to the sanitary sewer as required by the City of Garden Grove. The owner shall obtain a special discharge permit as required by the Orange County Sanitation District. Owner shall be responsible for sampling, testing, and discharge as required by the Orange County Sanitation District. Ground water pumped from under or around the underground parking structure shall be discharged to the sewer system. A separate "Industrial Waste Discharge" permit is required from the Orange County Sanitation District prior to the City allowing any occupancy permits or finals.

43. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license.
44. 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.
45. 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.
46. Owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints.
47. 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.

Planning Services Division

The following provisions of the Community Development Planning Services Division shall be met:

48. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
49. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to Building Division Plan Check. The project shall also be subject to the following:

- a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
 - b. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks along Harbor Boulevard and Twintree Lane, and shall be screened to the satisfaction of the Community Development Department.
 - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
 - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
50. All landscaping shall be consistent with the landscape requirements within the development standards set forth in Planned Unit Development No. PUD-128-12. The developer shall submit a complete landscape plan governing the entire development. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines. The landscape plan is also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
 - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.

- c. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low-height variety to ensure safe sight clearance.
 - d. Landscaping along Harbor Boulevard, including within the public-of-way, shall include two rows of Date Palm Trees (minimum brown trunk height of 25 feet), canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used within the project located at the southwest corner of Harbor Boulevard and Chapman Avenue unless the City adopts a landscape design for Harbor Boulevard. The Community Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.
 - e. Landscaping along Twintree Lane, including within the public-of-way shall include canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used along the Harbor Boulevard, and shall be properly maintained.
 - f. Flexibility to the height of the palm trees, and their placement along Harbor Boulevard, shall be reviewed and approved by the Community Development Director.
 - g. All landscape areas, including the areas located within the public right-of-way along Harbor Boulevard and Twintree Lane, are the responsibility of the developer/operator of the hotels and restaurants.
 - h. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water run-off. This is to also to be inclusive of any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.
51. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).

- b. Sunday and Federal Holidays may work the same hours but subject to the restrictions as stipulated in Sections 8.47.040 to 8.47.060 of the Municipal Code.
52. The developer shall receive approval of a subdivision map (Tentative Tract Map) in order to reconfigure the project site prior to submitting construction plans to the City of Garden Grove. Said approval shall be subject to a Development Agreement.
53. The developer/owner shall prepare Covenants, Conditions, and Restrictions (CC&R's), or a similar document, for review and approval by the City Attorney's office and Community Development Department prior to the issuance of building permits, which will bind the owner(s) / operator(s) of the project site in the future. The CC&Rs shall include, without limitation, all provisions of PUD-128-12 development standards, all applicable project mitigation measures, operational and maintenance provisions for the entire site and those areas noted within the boundaries of the Project site, and other provisions applicable to the Project. The approved CC&R's shall be recorded at the same time that the subdivision map is recorded and two copies of the recorded CC&R's shall be provided to the Planning Division. The CC&R's shall include the following stipulations:
 - a. Provisions for common maintenance of all the landscape areas, including landscaping and landscape lighting within the project, public right-of-way, driveways, and parking areas.
 - b. Provisions for reciprocal access and parking between properties. Parking provisions shall also include provisions for future Valet Parking.
 - c. Best Management Practices shall be incorporated to detour and/or abate any graffiti vandalism throughout the project and throughout the life of the project.
 - d. The CC&R's shall provide provisions for the tenant/property owners a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This also includes ensuring tree overhangs do not block or hinder any vehicles such street sweepers, trash trucks, fire trucks, etc., from maneuvering on the streets within the project.
 - e. The above stipulations shall not be modified without the approval of the City of Garden Grove. The CC&R's shall contain a provision that indicates CC&R's may not be terminated or substantially amended without the consent of the City.

- f. The CC&R's shall include provisions acceptable to City regarding the Association's and Owners' responsibilities for compliance with all applicable water quality laws and regulations. Such provisions shall require the Association and Owners to maintain the site and all common areas in compliance with all applicable water quality laws, regulations, and standards of the State, City, or any other applicable governmental agency, including, but not limited to, all National Pollution Discharge Elimination System (NPDES) regulations presently in effect and as amended, and the provisions of Title 6, Chapter 40 (Stormwater Quality) of the Garden Grove Municipal Code, as it may be amended from time to time. In addition, the CC&Rs shall expressly allocate responsibility to the Association or another entity to implement, and fund implementation of, the Operations and Maintenance ("O&M") Plan applicable to the Property, which was approved by the City as part of the Water Quality Management Plan ("WQMP") required for development of the Property, and to operate and maintain the Best Management Practices ("BMPs") described in the O&M Plan.
- g. Provisions substantially similar to the follow shall be included within the CC&R's:
- i. Enforcement: The City is hereby made a party to this Declaration solely for purposes of enforcing its provisions, the Performance Standards of Planned Unit Development No. PUD-128-12, and the Conditions of Approval of [*IDENTIFY APPLICABLE ENTITLEMENT*]. The City, its agents, departments and employees shall have the unrestricted right and authority, but not the obligation, to enforce the provisions of this Declaration, the Performance Standards of Planned Unit Development No. PUD-128-12, and the Conditions of Approval of [*IDENTIFY APPLICABLE ENTITLEMENT*]. The City, its agents, departments and employees may further refuse to issue any building, electrical or plumbing permit that may be in violation of this Declaration or the Performance Standards and other provisions of Planned Unit Development No. PUD-128-12; however, the City shall not be liable for failing or refusing to enforce the provisions of this Declaration, the Performance Standards of Planned Unit Development No. PUD-128-12, or the Conditions of Approval of [*IDENTIFY APPLICABLE ENTITLEMENT*]. In the enforcement of this Declaration, the City shall not be limited to the procedures or processes described herein and may use any remedy provided under law or equity, including the City' Municipal Code. The alternative dispute resolution procedures set forth in [*SPECIFY APPLICABLE*

ARTICLE OR SECTION] of this Declaration shall not apply to the City.

- ii. Assessments: The City may levy special assessments against the properties in connection with its actions to enforce the provisions of this Declaration, the Performance Standards of Planned Unit Development No. PUD-128-12, and/or the Conditions of Approval of *[IDENTIFY APPLICABLE ENTITLEMENT]*,, or to abate the violation thereof. The City shall have the same power as the Association to levy special assessments pursuant to the provisions of *[SECTION]* of this Declaration in the event that it incurs expenses in the enforcement of the provisions of this Declaration, the Performance Standards of Planned Unit Development No. PUD-128-12, and/or the Conditions of Approval of *[IDENTIFY APPLICABLE ENTITLEMENT]*. Notice of intention to make such assessment shall be mailed by the City to the Owner of each affected *[LOT/UNIT]* affording the Owner thirty (30) days' notice to satisfy or reimburse the City's expenditure. In the event of the failure of any Owner of any affected *[LOT/UNIT]* to reimburse the City within thirty (30) days, notice of such assessment shall be mailed by the City to said Owner, and said assessment shall thereafter be due as a separate debt to the City within thirty (30) days following the mailing of such notice. Any such delinquent assessment may be and may become a lien upon the interest of the defaulting Owner in the Lot upon the execution by the City and the recording in the Orange County Recorder's office of a notice of delinquent assessment under the same conditions that the Association could record the same pursuant to the provisions of *[SECTION]*. The City may foreclose on such notice of delinquent assessment in the same manner and with the same power as the Association could foreclose on such notice pursuant to the provisions of *[SECTION]*. It is the intent of Declarant, which intent shall be binding upon all of Declarant's successors in interest in the Properties, that the City shall be deemed an interest holder pursuant to the provisions of these Declarations in order to enforce the rights which have been given to the City generally in these Declarations and specifically pursuant to this Section.
- iii. Attorney Fees: The City shall be entitled to recover its attorney's fees incurred in connection with its actions to enforce the provisions of this Declaration, the Performance Standards of Planned Unit Development No. PUD-128-12, and/or the

Conditions of Approval of [*IDENTIFY APPLICABLE ENTITLEMENT*], or to abate the violation thereof.

- iv. Public Safety Access: The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.
54. The developer shall comply with all provisions of the Community Development Department including, but not limited to, the following:
- a. The facades of the hotels and freestanding pad buildings shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community Development Department prior to the issuance of building permits.
 - b. Prior to the finalization of working drawings for Planning Division, Engineering Division, and Building Division Plan Check, the developer shall submit to the Community Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above conditions of approval. The plans shall indicate cross sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all hotel rooms. Mechanical equipment, including air conditioning units, pool equipment, sump pump, etc., shall not be located closer than five feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units and all other mechanical shall be completely screened from public view from the street and/or common open space area.
 - c. Should the developer elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community Development Department prior to issuance of building permits. The phasing plan shall include, but not limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community Development, Fire, and Public Works Departments prior to issuance of building permits.
 - d. If at any time after the construction of the hotels, the City receives complaints about the light and glare reflected by the hotel's windows,

the developer/operator shall remedy the situation to the satisfaction of the Community Development Department.

55. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
- a. All block walls constructed on the project site shall be of slump stone or split-face block with decorative caps, subject to Community Development Department's approval, shall maintain a maximum height of 8-feet as measured from the property's finished grade.
 - b. An eight-foot high block wall shall be constructed along the eastern property line, adjacent to the residential properties. Said block wall shall maintain a 15-foot setback from the Twintree Lane property line, and any wall constructed within this 15-foot area shall maintain a maximum height of three-feet.
 - c. Any new block walls constructed along the Twintree Lane property line (southern property line) shall maintain a five-foot setback from the property line. The setback to the block wall may be reduced to three-feet if additional two-feet of right-of-way landscape area is available adjacent to the property line.
 - d. Any walls constructed along the Harbor Boulevard property line shall observe a setback of 21-feet from the face of curb. At no time shall a wall be placed within nine-feet from the property line.
 - e. If, at any time, the project's perimeter block wall extends toward Choisser Road, the wall shall maintain a minimum setback of 15 feet from the property line. The 15-foot setback area shall be properly landscaped and irrigated per the landscaping requirements of the project.
 - f. The developer shall work with adjacent property owners in designing and constructing the required perimeter block wall to avoid having double walls, and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an

existing wall or fence has the potential to affect the landscape planter, then the Developer shall work with City Staff to address this situation.

- g. The Community Development Director may authorize minor modifications to the required wall heights and setbacks set forth above as authorized pursuant to the Ordinance approving Planned Unit Development No. PUD-128-12. Notwithstanding the foregoing, with exception of the block wall on the easterly property line shall comply with all standards required as by mitigation measures pursuant to the mitigated negative declaration and identified in the mitigation monitoring program.
56. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, use low-sodium parking lot lights, and ensure compliance with Title 24.
57. Building color and material samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. All buildings shall incorporate decorative design features, architectural enhancements, and other design elements that are designed to the satisfaction of the Community Development Department.
58. The parking structures shall be designed to be architecturally compatible with on-site buildings, utilizing similar design features, details, and materials. All sides of a parking structure that are in view from adjacent properties and public-rights-of-way shall be architecturally enhanced. Parking structures shall be well illuminated, including having the interior of the parking garage painted a light color, and designed to meet City parking standards for aisle width, stall sizes, and height clearances. The design of the parking structure stair well shall architecturally match the design of the parking structure, and shall be designed to reduce visibility to the adjacent residential properties. The interior driving surfaces of the parking structure shall be treated in a manner to prevent tire screeching.
59. The driveways on Harbor Boulevard and Twintree Lane shall have enhanced concrete treatment. All details of the decorative entry shall be submitted on the required landscape plans for review and approval of the Community Development Department.

60. The service and sale of alcoholic beverages shall be subject to approval of a Conditional Use Permit. Also, Site Plan approval shall be required for each pad building.
61. Refuse storage and collection areas shall be provided and subject to both Garden Grove Sanitation District (GGSD), and GGSD contracted solid waste handler/hauler approval, and be subject to applicable building and fire codes.
62. The refuse storage areas shall be properly maintained. The refuse storage enclosure doors shall be kept closed and secured, except during rash disposal or pickup. Trash pickups and automated parking lot cleaning/sweeping, shall occur between the hours of 8:00 a.m. and 6:00 p.m. Trash pickups shall occur a minimum of three (3) trash pickups per week.
63. No satellite dish antennas shall be installed on said premises unless and until plans have been submitted to and approved by the Community Development Department, Planning Division, which may require proper screening to hid such appurtenances from public view.
64. The service doors of all buildings shall be kept closed at all times during hours of operation except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City Code requirements.
65. The developer/owner shall submit signed letters acknowledging receipt of the decision for General Plan Amendment No. GPA-2-12(B) and Planned Development No. PUD-128-12, and their agreement with all conditions of approval.
66. Litter shall be removed daily from the project site including adjacent public sidewalks and all parking areas under the control of the developers. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
67. Graffiti shall be removed from the project site and all parking lots under the control of the developer within 120 hours of application/notification.
68. For all buildings in which alcoholic beverages will be served, a prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign shall be determined by the Department of Alcoholic Beverage Control.
69. The operation of the hotels and restaurants shall comply with the standards of Planned Unit Development No. PUD-128-12, and the mitigation measures outlined within the Mitigated Negative Declaration adopted for this project.

This includes complying with all provisions of Alcoholic Beverage Control Act. In addition, this provision also governs the conference rooms, meeting rooms, restaurants, and the indoor/outdoor areas. In regards to specific activities within the meeting rooms, and recreation areas, regardless of the type of event conducted, no event or activity shall at any time be or become a nuisance, disturbance or, or cause complaints for hotel guests or occupants of the surrounding area/properties, or in any way, endanger the public health, safety, or welfare.

70. In the event any legal action or proceeding is filed against the City of Garden Grove and/or applicant or its successors or assigns, seeking to attack, set aside, void or annul any approval or condition of approval of the City of Garden Grove concerning the Project, including, but not limited to, the Mitigated Negative Declaration, General Plan Amendment No. GPA-2-12(B), Planned Unit Development No. PUD-128-12, any applicable Conditional Use Permit approved by the City, or any Development Agreement approved by the City defend (with legal counsel mutually selected by the applicant and the office of the City Attorney), indemnify, and hold harmless the City, its officers, agents, and employees from and against any such legal action or proceeding.

Fire Department

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

71. Buildings shall be required to meet current High-Rise Standards, including, but it not limited to, the following:
 - a. Including Fire Command Center (FCC).
 - b. Fire pumps, NFPA 20.
 - c. Installation of water tank as a secondary water source.
 - d. Fire Department standpipes shall be in vestibules and not stairwells.
 - e. Fire Department connections will be within 50-feet of a City Hydrant.
 - f. Knox-Box key systems shall be installed at the Fire Control Rooms and emergency gates and where deemed necessary. Hinged recessed mount to structure style required.
 - g. Life safety alarms per NFPA 72.

- h. Smoke control systems.
72. All buildings shall be required to meet all adopted local changes to the California Building Code (CBC) and California Fire Code (CFC) in the municipal Code, Chapters 12 and 32.
 73. All vehicle access shall meet the standards provided for in the CFC for widths, turning radius, and hammerhead turnarounds. The fire access area shall be paved. Any fencing that crosses the subject fire emergency access shall be provided with a Knox override system. An emergency access plan shall be submitted to the Fire Department for review and approval prior to installation of the fire access.
 74. A Bi-Directional Amplifier (BDA) system for emergency radios shall be installed for use in all areas not meeting radio coverage requirements, CFC Section 510.
 75. Water supply and hydrants shall be installed before the start of construction.
 76. All interior decorations shall meet the State Fire marshal flame retardant test.
 77. The development shall meet the City's hazardous materials disclosure plan for any storage or use of hazardous materials.
 78. The development is subject to a third party inspector, at the owner's expense to certify the alarm systems, sprinkler systems, and smoke removal systems.
 79. All plans submitted are subject to review and corrections, as needed per CBC and CFC conditions.
 80. Fire hydrants shall be provided on-site. The fire hydrants shall be on a loop system approved by the Fire Department and on their own water line. The fire hydrants shall be within 50'-0" of the Fire Department connection (FDC). All sprinklers shall be on their own dedicated lines. The fire hydrants shall be installed and fully operational prior to any combustible material being delivered to the site. Prior to and during construction, a temporary roadway shall be constructed and maintained to the satisfaction of the Fire Department for access to each of these fire hydrants. The Fire lanes serving the site shall be constructed to support the weight load of Fire truck(s) per Fire Department requirements.
 81. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2010 Edition.

Planned Unit Development No. PUD-128-12
Performance Standards

82. An all-weather fire access road shall be in place before combustible materials are placed on-site. Required water supply for fire protection shall be in place before building with combustible materials commences.
83. All buildings shall be sprinklered according to NFPA 13 standards and shall have fire alarms according to NPA 72 under the current year adopted by the Garden Grove Fire Department.
84. All Fire Department connections shall have a 3'-0" clearance and shall be clear of all obstructions and vegetation.

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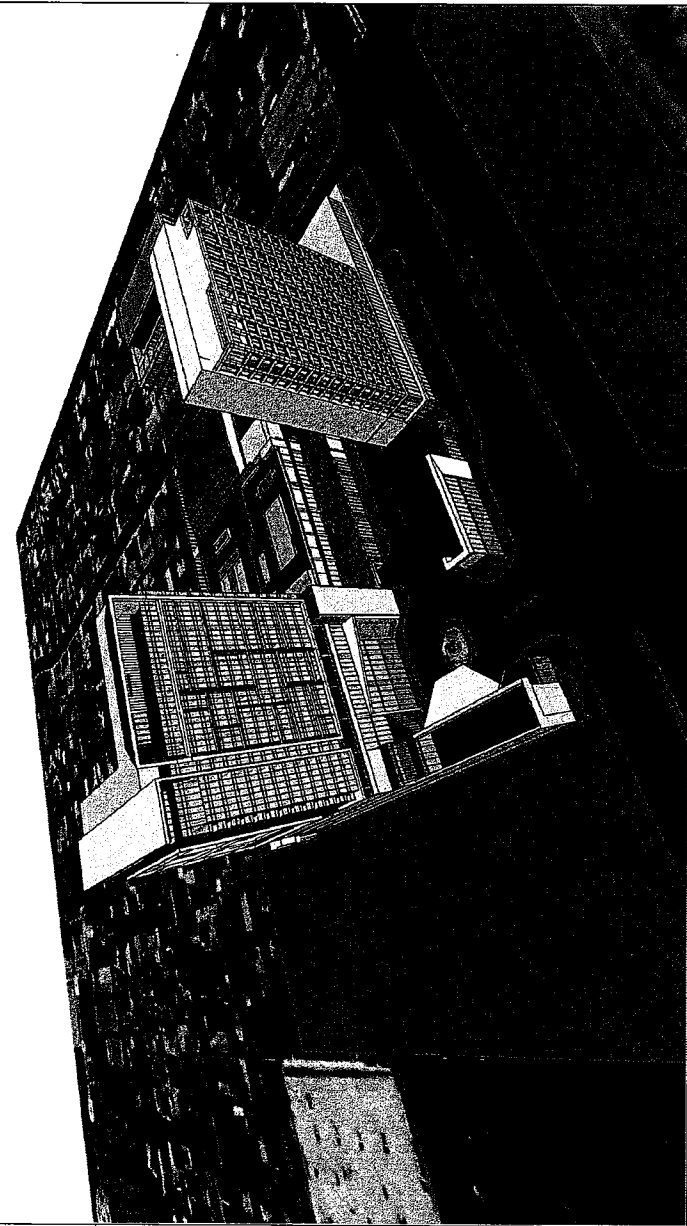
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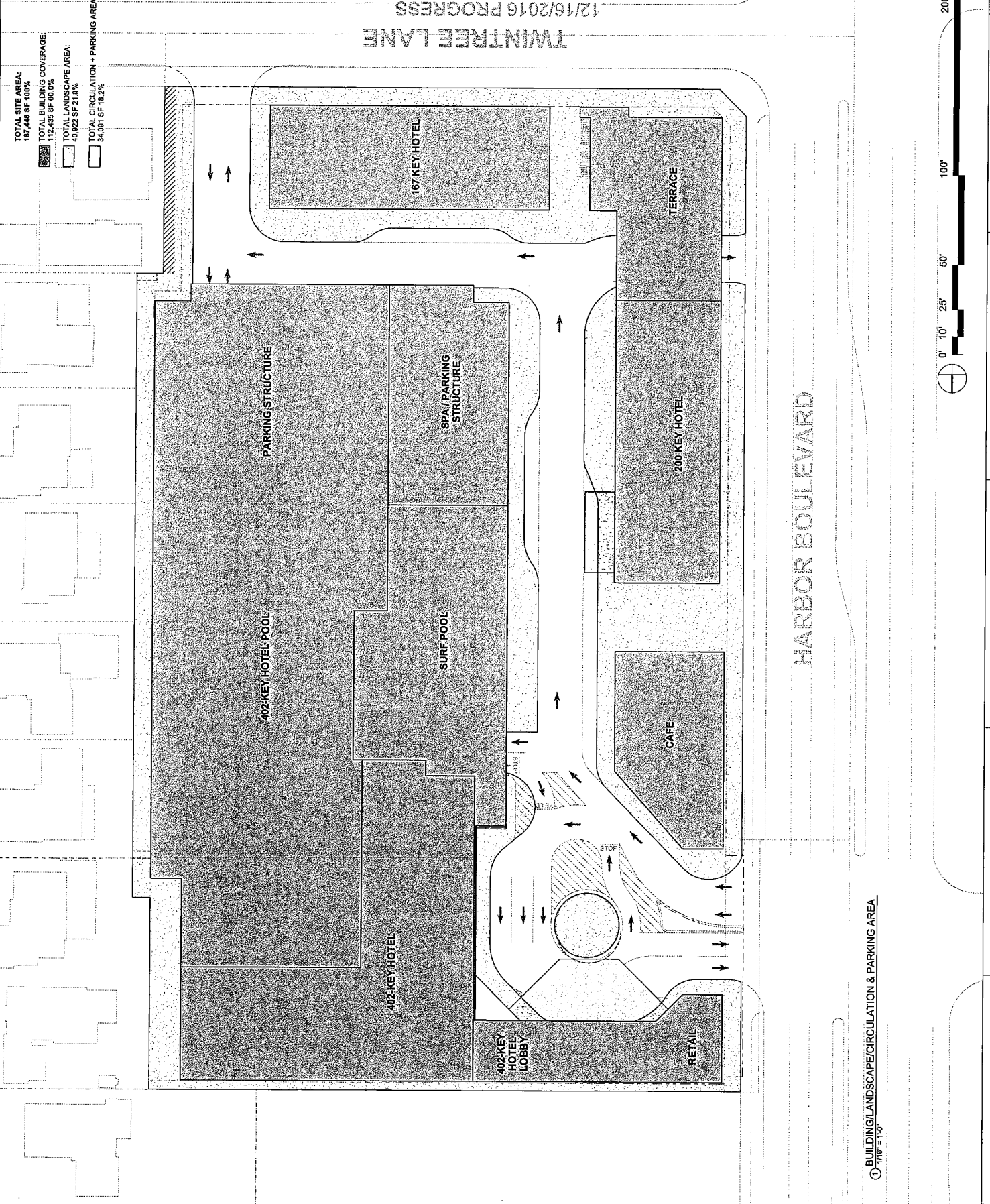
PROJECT SUMMARY
 PROJECT SITE: 4.3 Acres (187,448 SF)
PROGRAM
 TOTAL HOTEL ROOMS: 769 KEYS
 LUXURY HOTEL
 200-KEY HOTEL
 167-KEY HOTEL
MAXIMUM BUILDING HEIGHTS:
 LUXURY HOTEL: 240'-0"
 200-KEY HOTEL: 200'-0"
 168-KEY HOTEL: 158'-0" (WEST SIDE), 130'-0" (EAST SIDE)
 PARKING STRUCTURE: 85'-0" (WEST SIDE), 75'-0" (EAST SIDE)
 200-KEY HOTEL SPA/PARKING STRUCTURE: 75'-0" (WEST SIDE)
 LUXURY CAFE: 40'-0"
PROGRAM FLOOR AREA
 BALLROOM/MEETING SPACE: 41,363 SF
 LUXURY HOTEL CAFE: 10,143 SF
 OTHER RETAIL: 36,058 SF
PARKING SPACES PROVIDED: 1,297 STALLS

ACREAGE
SITE AREA: 187,448 SF 100% (4.3 Acres)
BUILDING COVERAGE: 112,435 SF 60.0% (2.58 Acres)
LANDSCAPE AREA: 40,922 SF 21.8% (0.94 Acres)
CIRCULATION/PARKING AREA: 34,091 SF 18.2% (0.78 Acres)

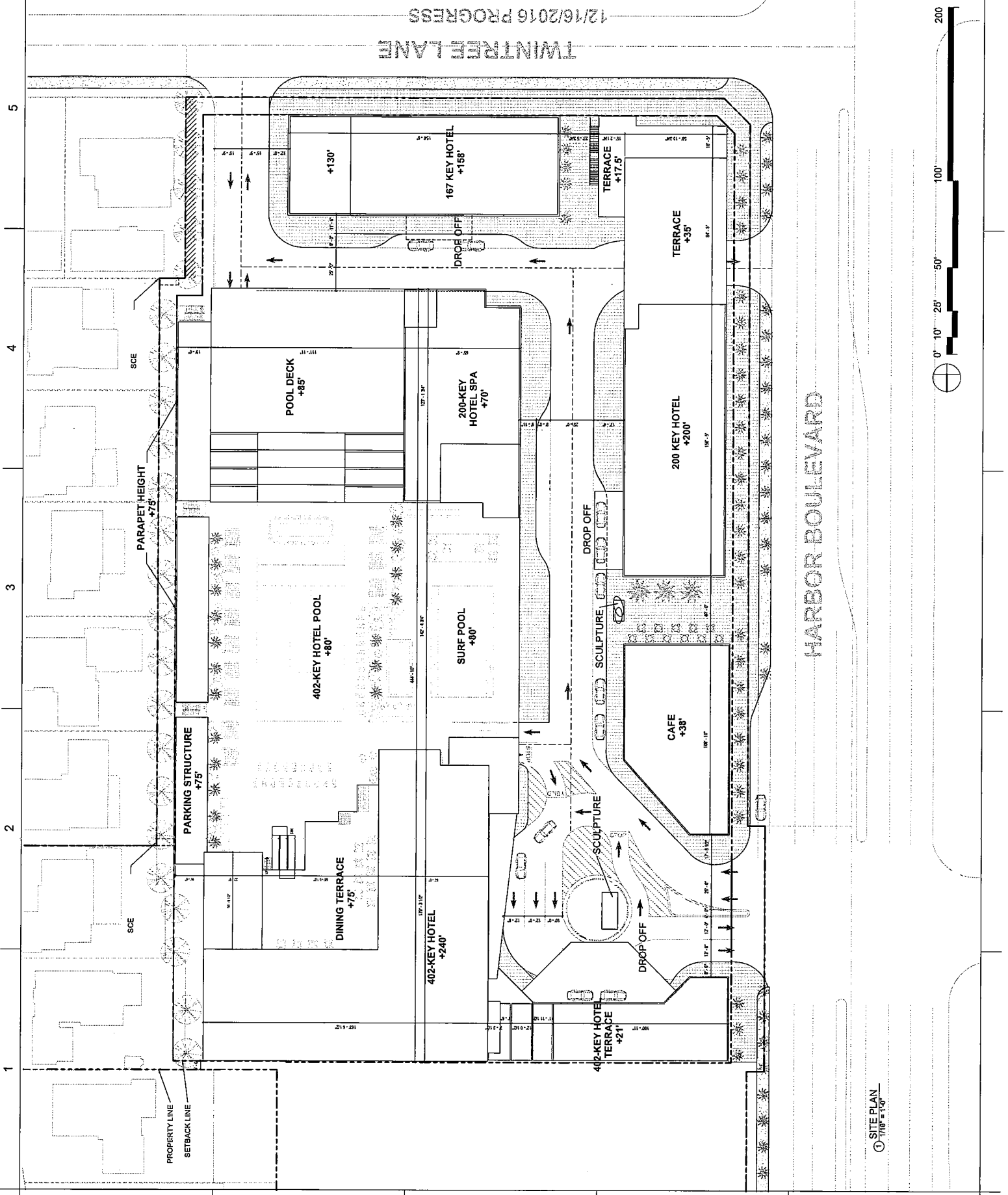
2/16/2016 PROGRESS

EXHIBIT D

SCG SITE C
 DEVELOPMENT
 UNIVERSITY AVENUE



① BUILDING LANDSCAPE/CIRCULATION & PARKING AREA
 1/16" = 1'-0"

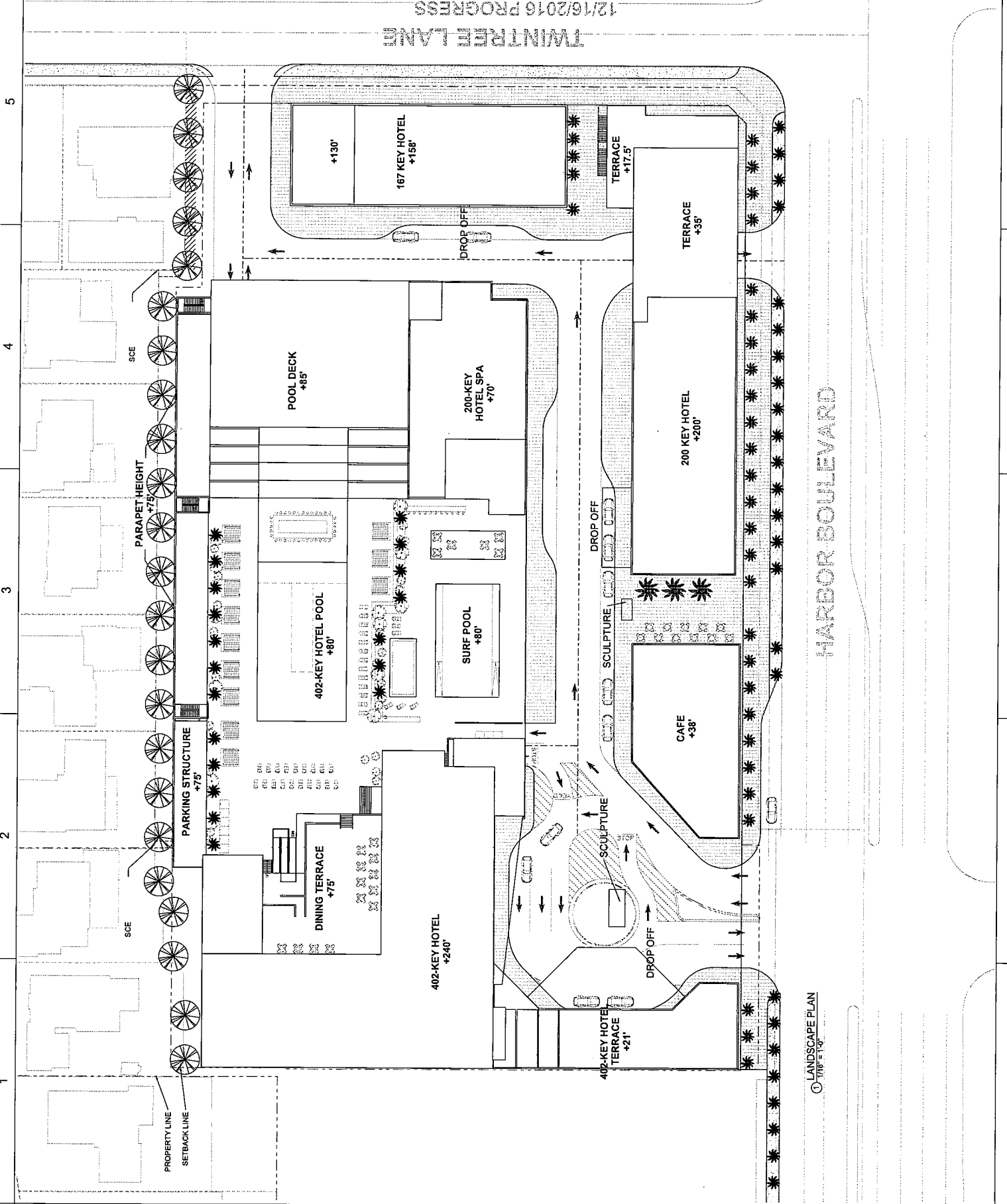


TWIN TREE LANE
 12/16/2016 PROGRESS

HARBOR BOULEVARD

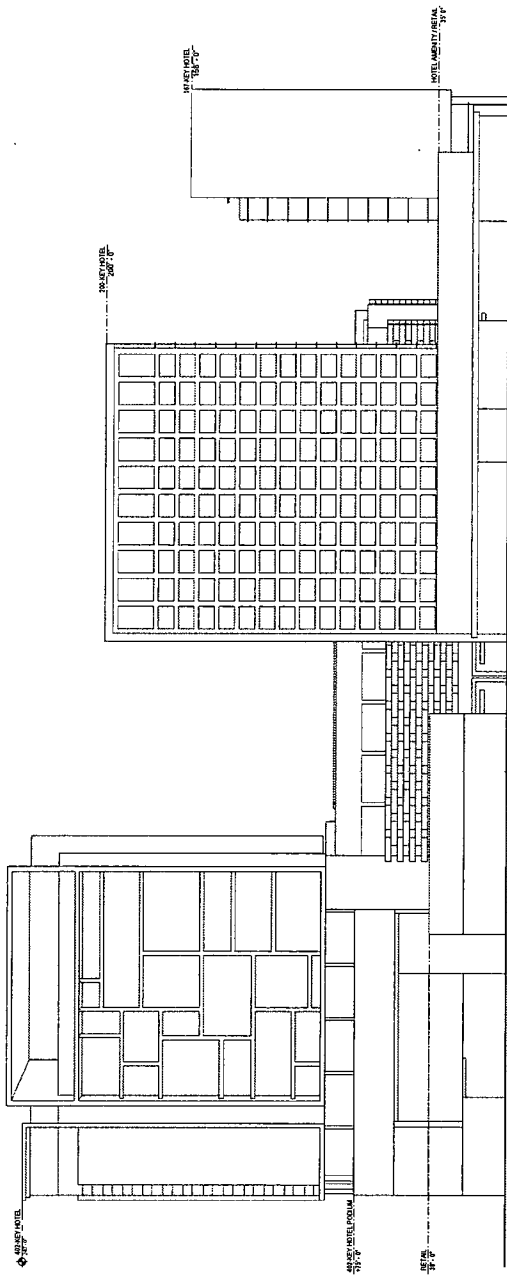
① SITE PLAN
1/16" = 1'-0"



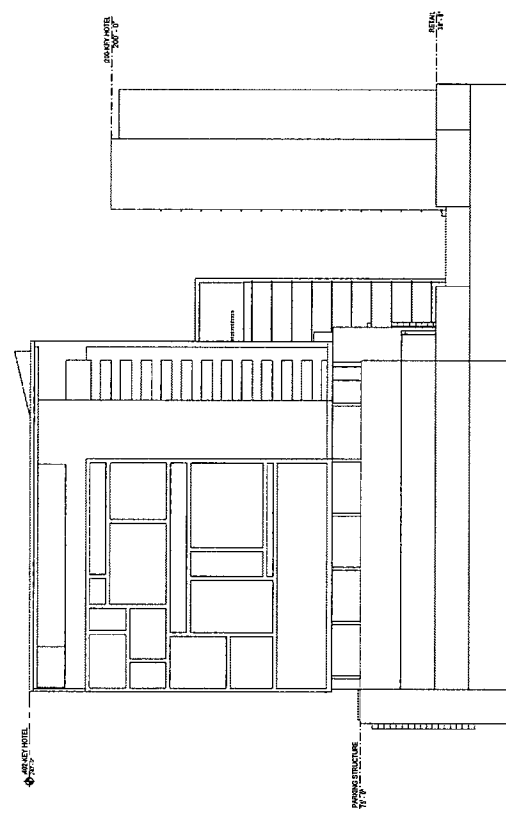


LANDSCAPE PLAN
 1/8" = 1'-0"

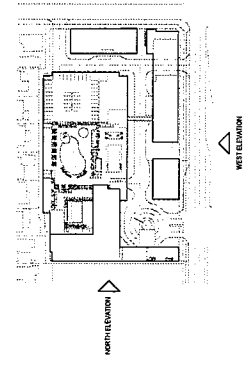
1 2 3 4 5



① CONCEPT ELEVATION-WEST
1/8" = 1'-0"



② CONCEPT ELEVATION-NORTH
1/8" = 1'-0"



0' 10' 25' 50' 100' 200'

1 2 3 4 5

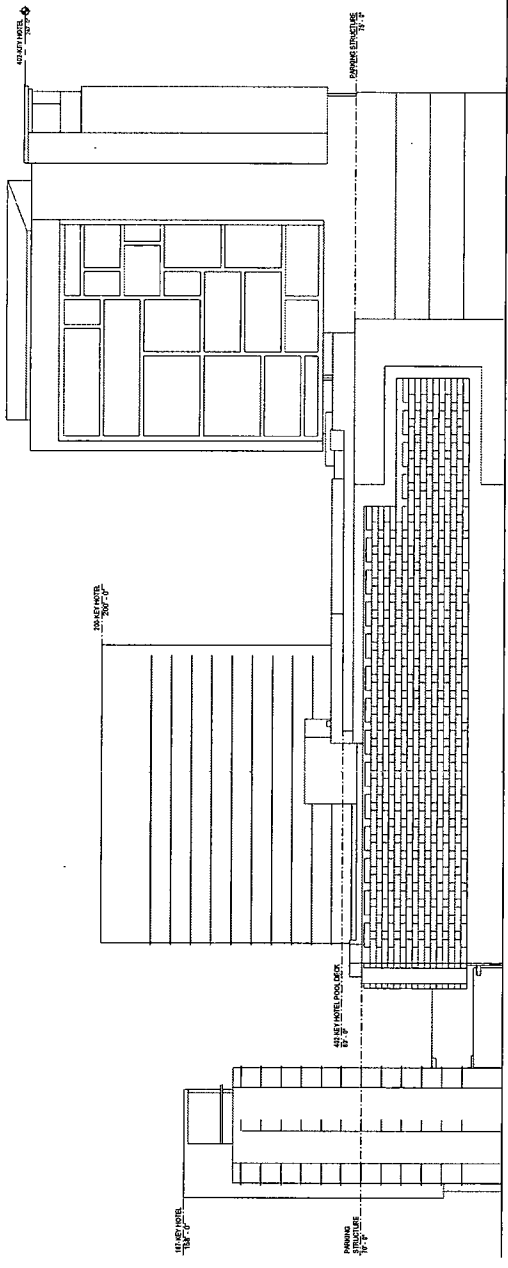
A

B

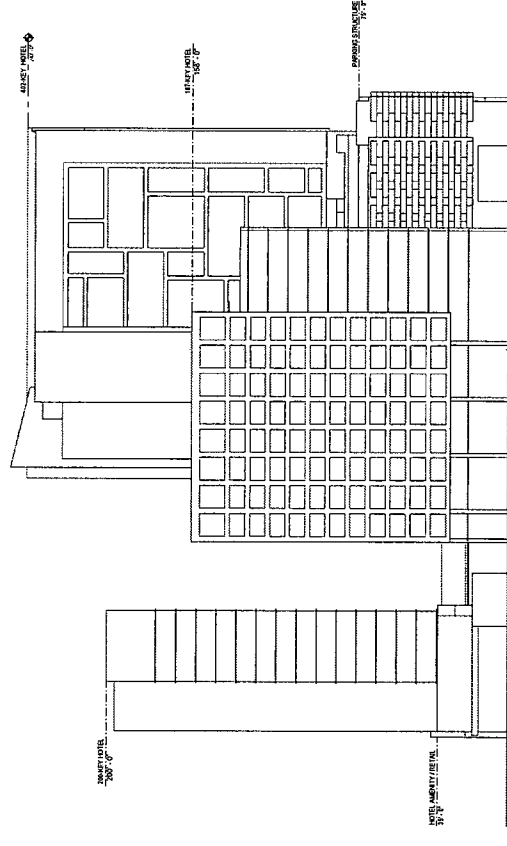
C

D

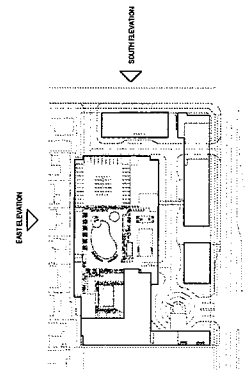
E



② CONCEPT ELEVATION-EAST
3/8" = 1'-0"



① CONCEPT ELEVATION-SOUTH
3/8" = 1'-0"

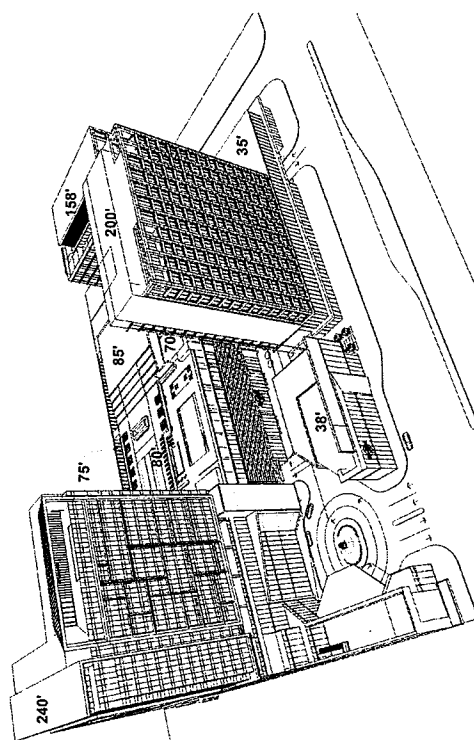


12/16/2016 PROGRESS

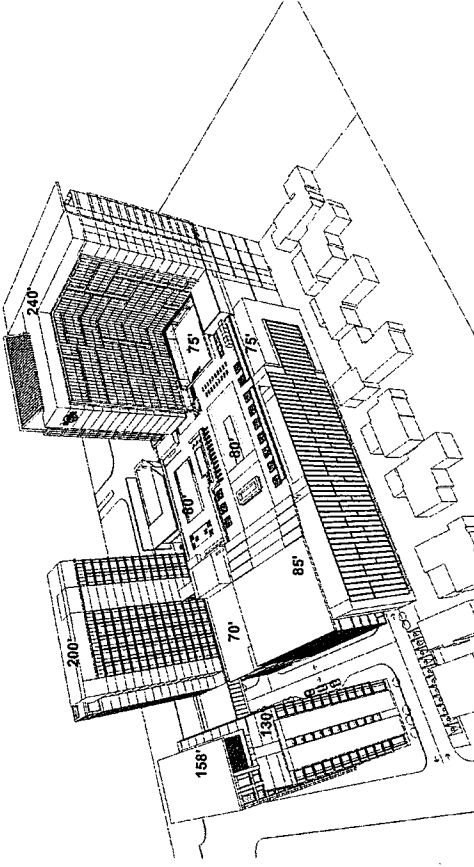


1 2 3 4 5

45635101/101025/01



VIEW FROM HARBOR BOULEVARD



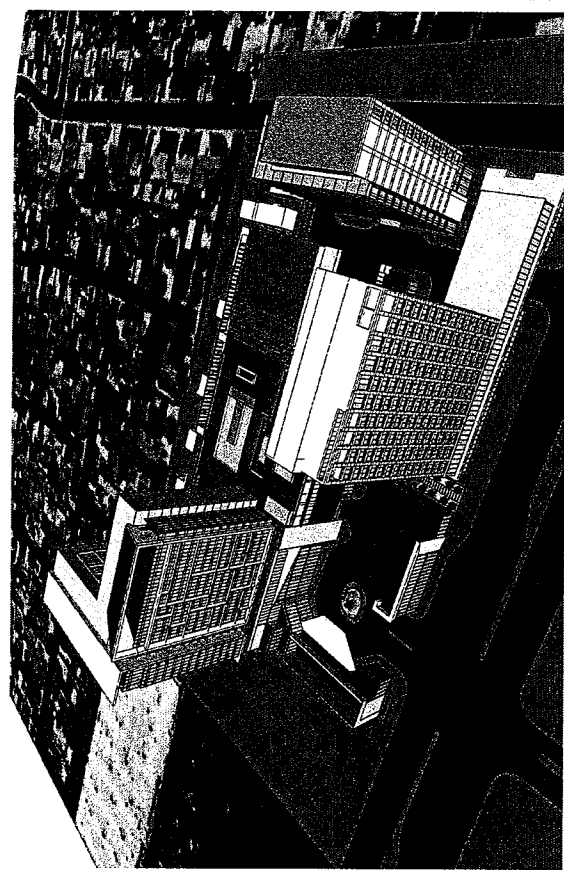
VIEW FROM TWINTREE LANE

- MAXIMUM BUILDING HEIGHTS:**
 402-KEY HOTEL: 240'-0" - MAX 263' ALLOWED PER ENTITLEMENT
 200-KEY HOTEL: 200'-0"
 167-KEY HOTEL: 158'-0" (WEST SIDE), 130'-0" (EAST SIDE)
 POOL DECK/PARKING STRUCTURE: 85'-0" (WEST SIDE), 75'-0" (EAST SIDE)
 200-KEY HOTEL SPA/PARKING STRUCTURE: 85'-0" (WEST SIDE)
 CAFE: 40'-0"

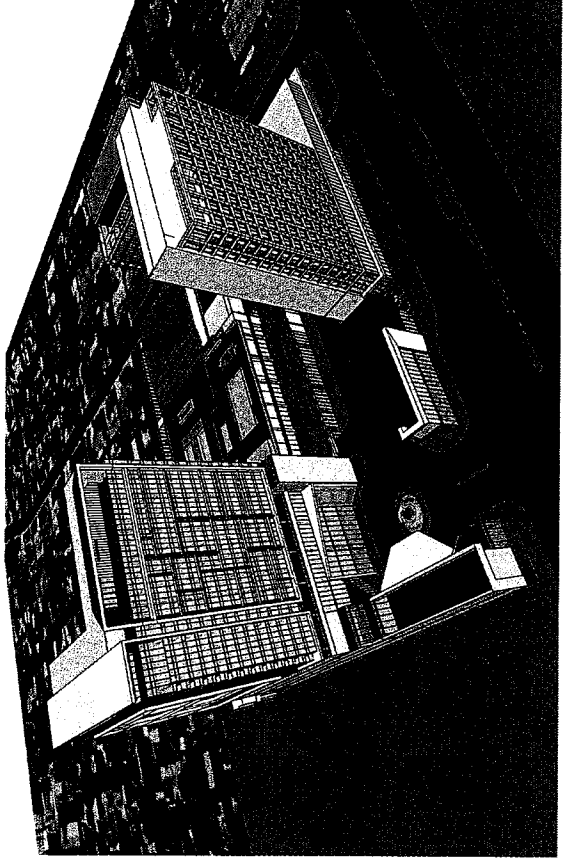
Revision	Number	Date	By	Checked	Discipline

Sheet: **MASSING DIAGRAM**

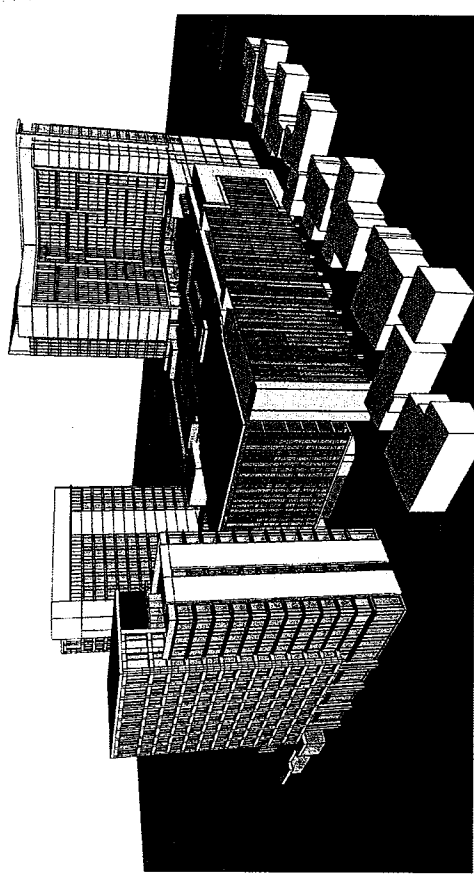
1 2 3 4 5



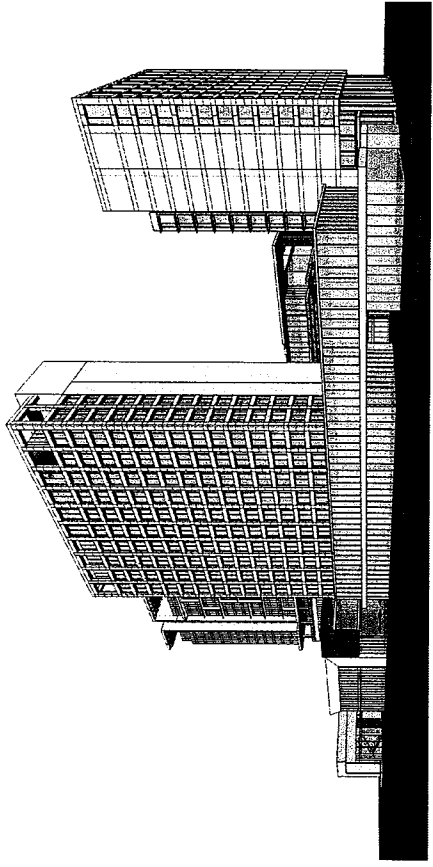
VIEW FROM HARBOR BOULEVARD (SOUTH)



VIEW FROM HARBOR BOULEVARD (NORTH)



VIEW FROM TWINTREE LANE (BACK)



VIEW FROM HARBOR BOULEVARD (SOUTH, STREET VIEW)

RENDERING BY ARCHITECT

SCG SITE C DEVELOPMENT
 10000 CANTON AVENUE, SUITE 100
 CANTON, CALIFORNIA 94503

Author	Revision
No.	Date
By	Description
Checked	
Approved	
Project	Revision Schedule
Sheet	
PERSPECTIVE	

1 2 3 4 5

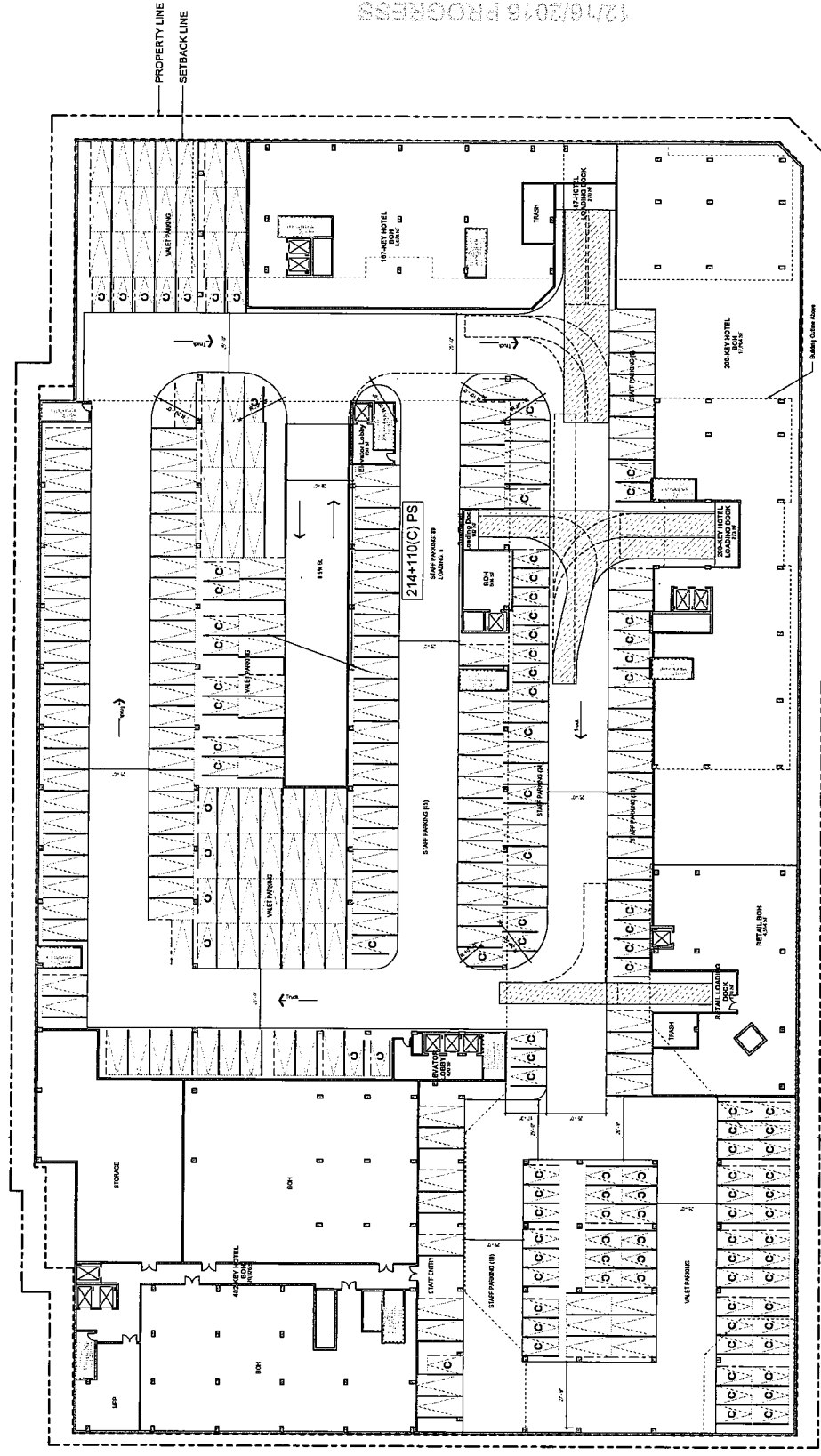
A

B

C

D

E



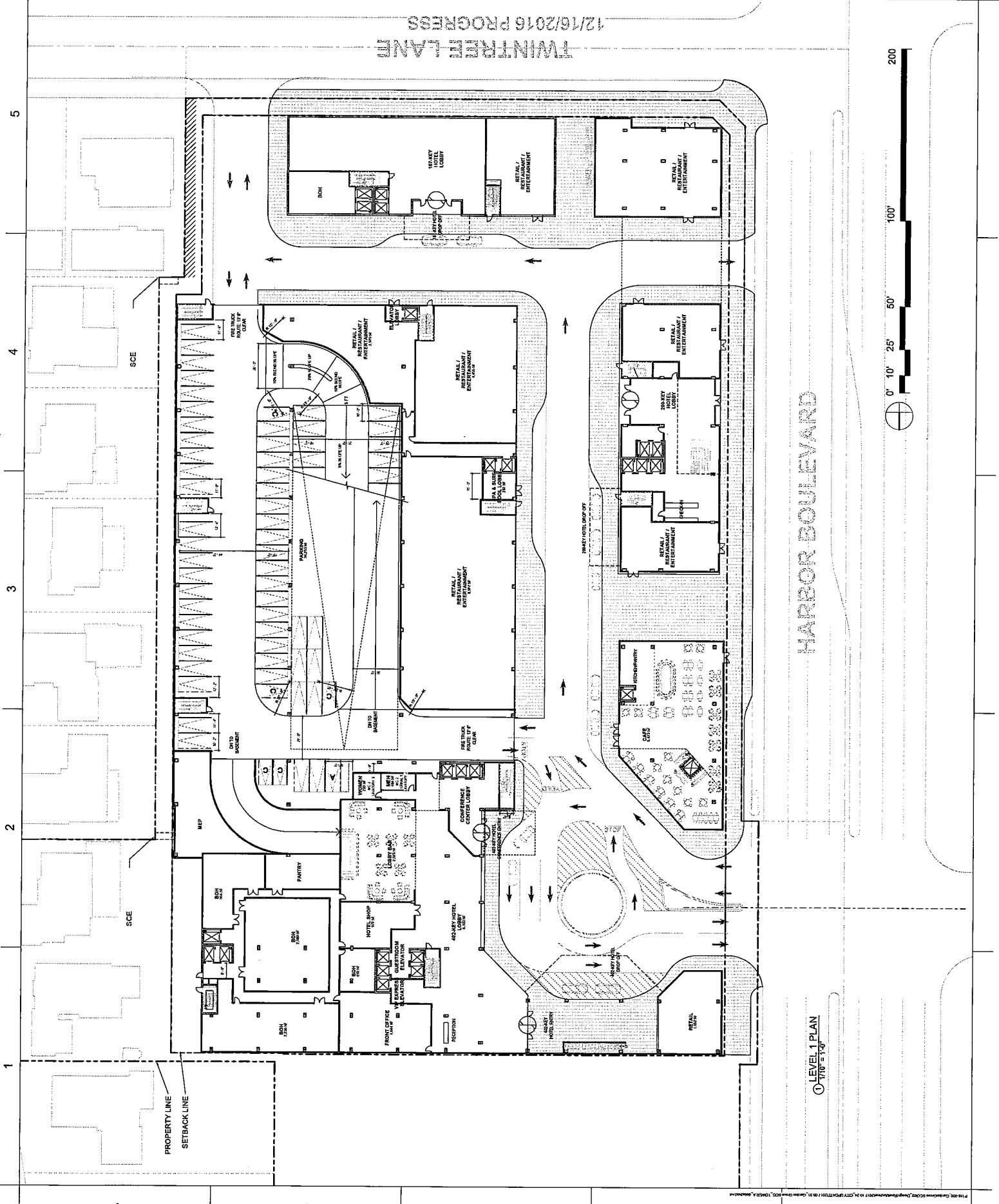
12/16/2016 PROGRAM



① BASEMENT PLAN
1/16" = 1'-0"

			SCG SITE C DEVELOPMENT LINDA BERRY, CALIFORNIA	COMMENTS:	DATE:	DESCRIPTION:	SHEET:
							PROJECT:
PROJECT CHECKS:							DRAWN:
PROJECT:							CHECKED:
SHEET:							DATE:
PROJECT:							SCALE:
SHEET:							NUMBER:
PROJECT:							TITLE:
SHEET:							NUMBER:

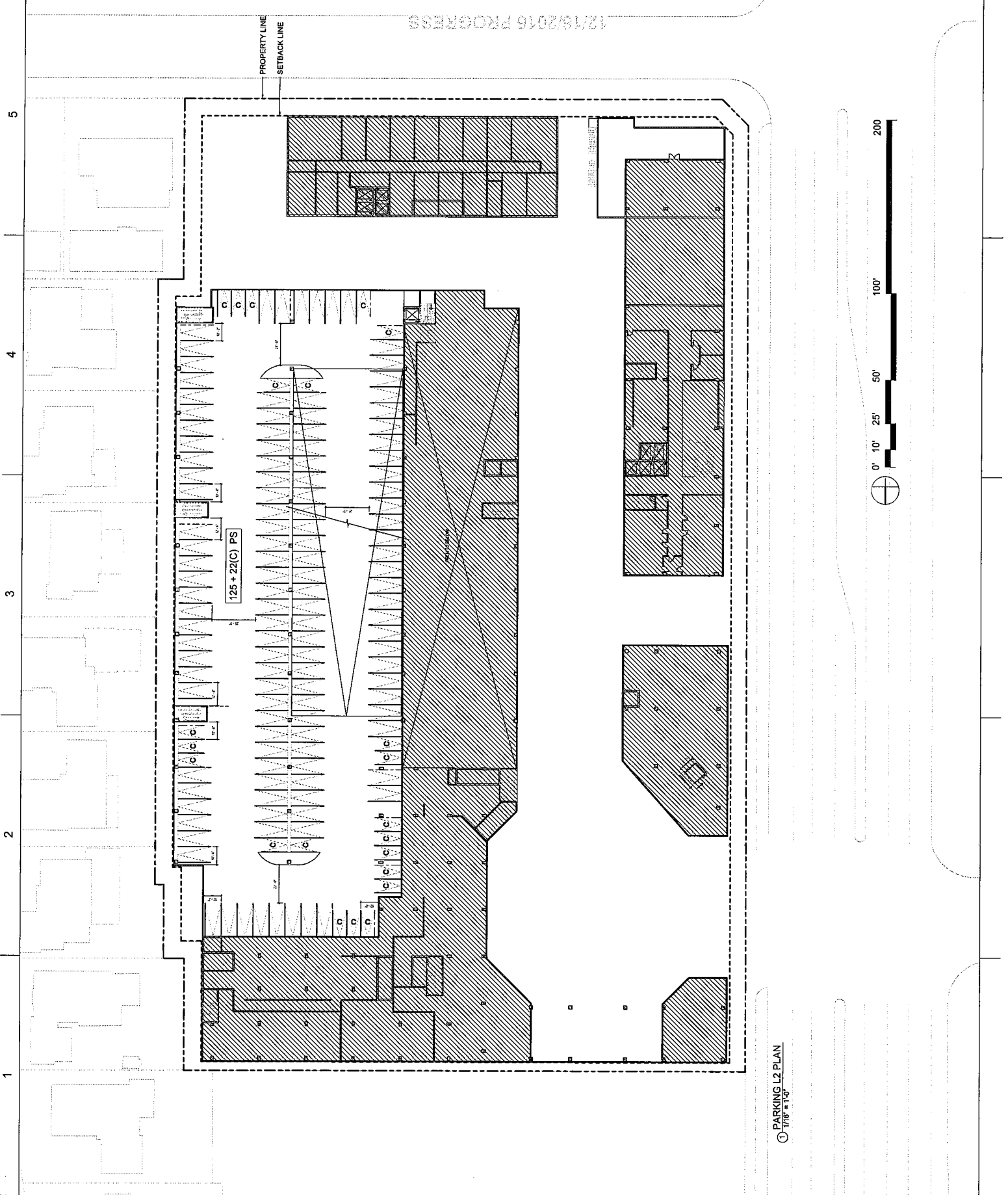
010



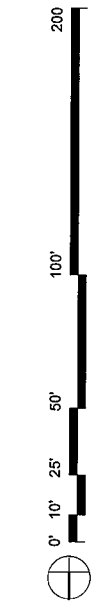
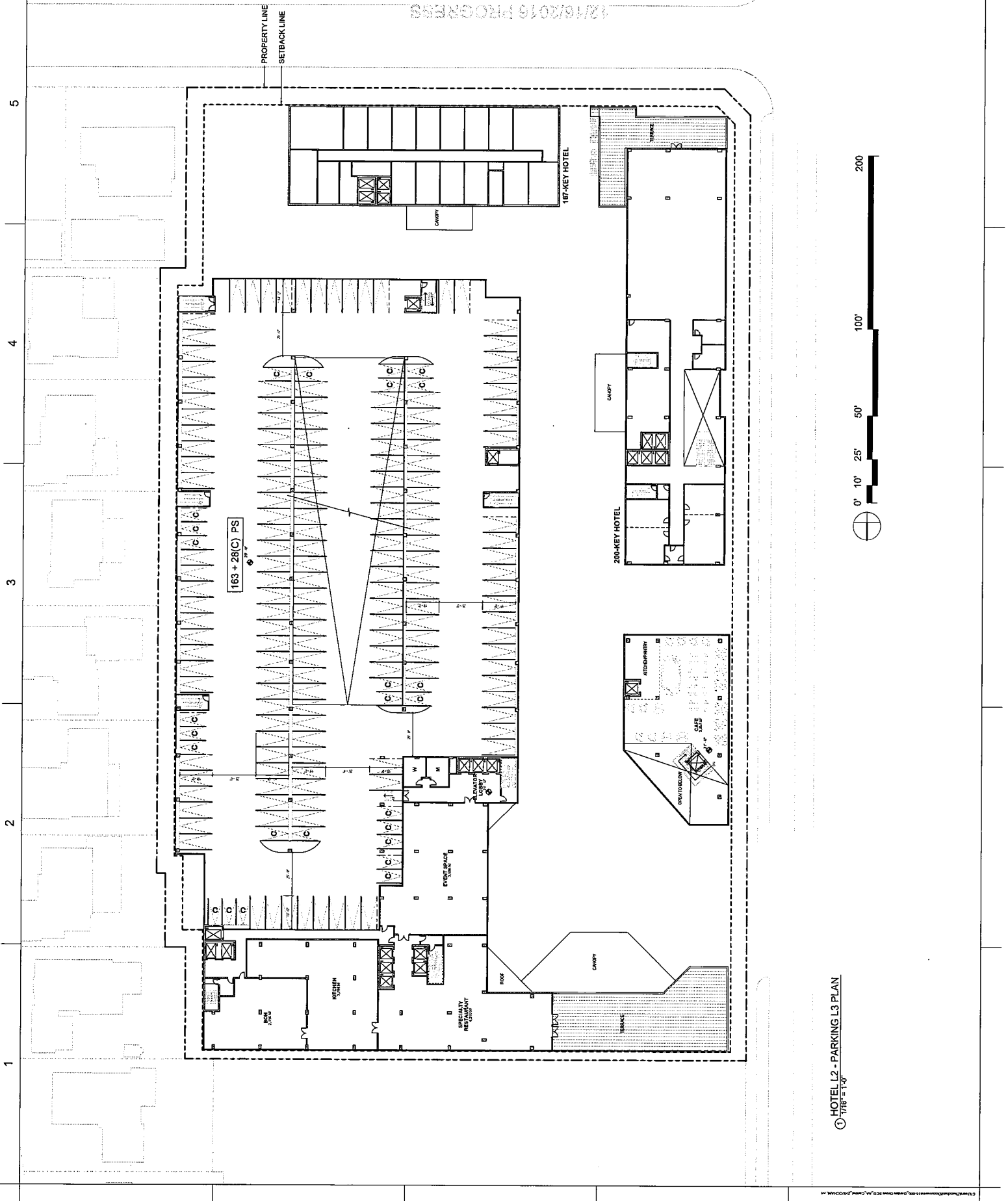
① LEVEL 1 PLAN
 1/10" = 1'-0"

TWINTRIFLE PLAN
 12/16/2016 PROGRESS

HARBOR BOULEVARD



① PARKING L2 PLAN
1/16" = 1' = 0"



HOTEL L2 - PARKING L3 PLAN
 1/8" = 1'-0"



architect
SCG SITE C
 12/16/2016 PROGRESS
 SCG AMERICA

Client
 Address
 Phone
 Email

NO.	DATE	DESCRIPTION

Project
 Location
 Date
 Scale

Project Name
**HOTEL L3
 BUSINESS SPA &
 KIDS PARKING
 L4 PLAN**

Sheet
014

12/16/2016 PROGRESS

1 2 3 4 5

A

B

C

D

E

PROPERTY LINE
 SETBACK LINE

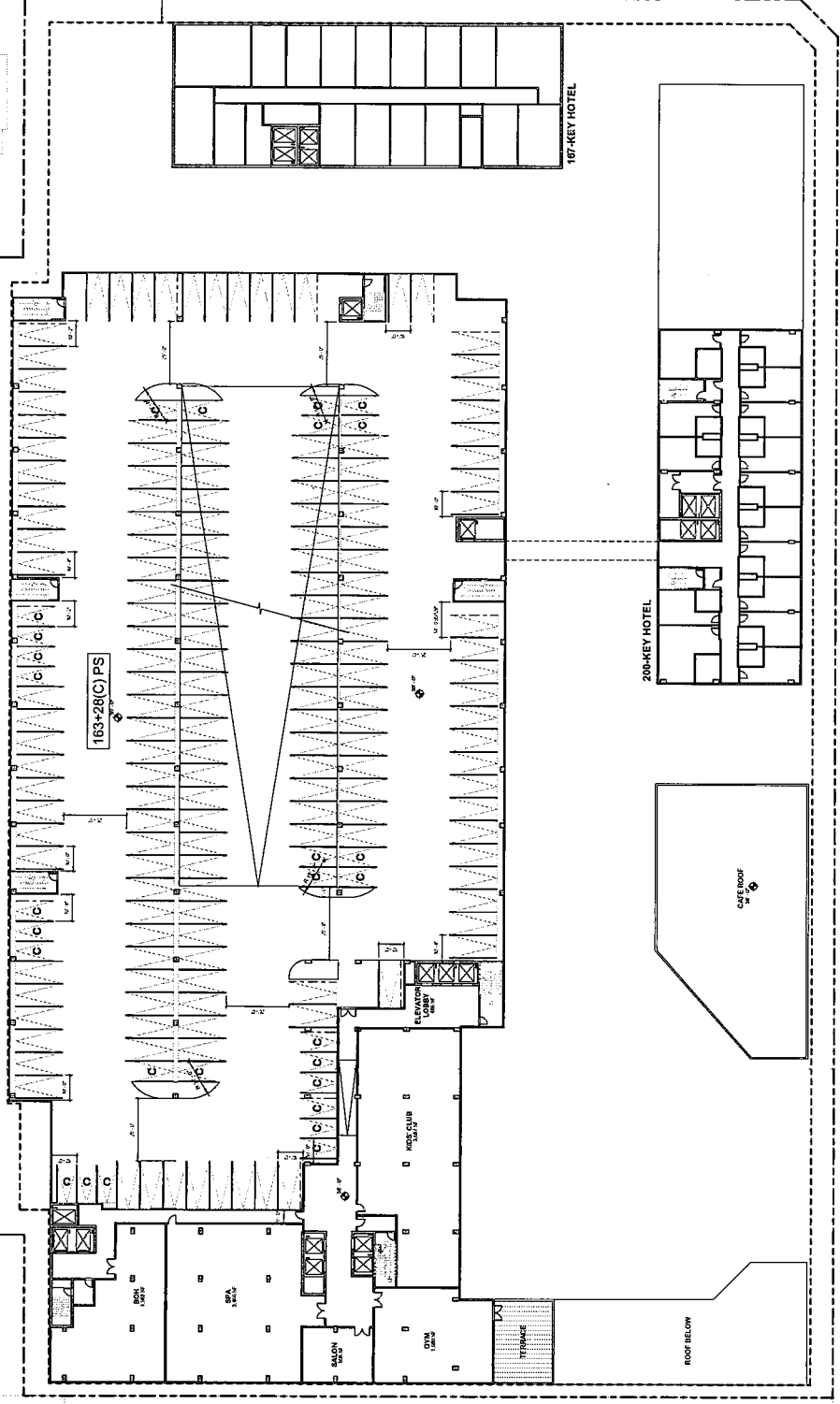
107-KEY HOTEL

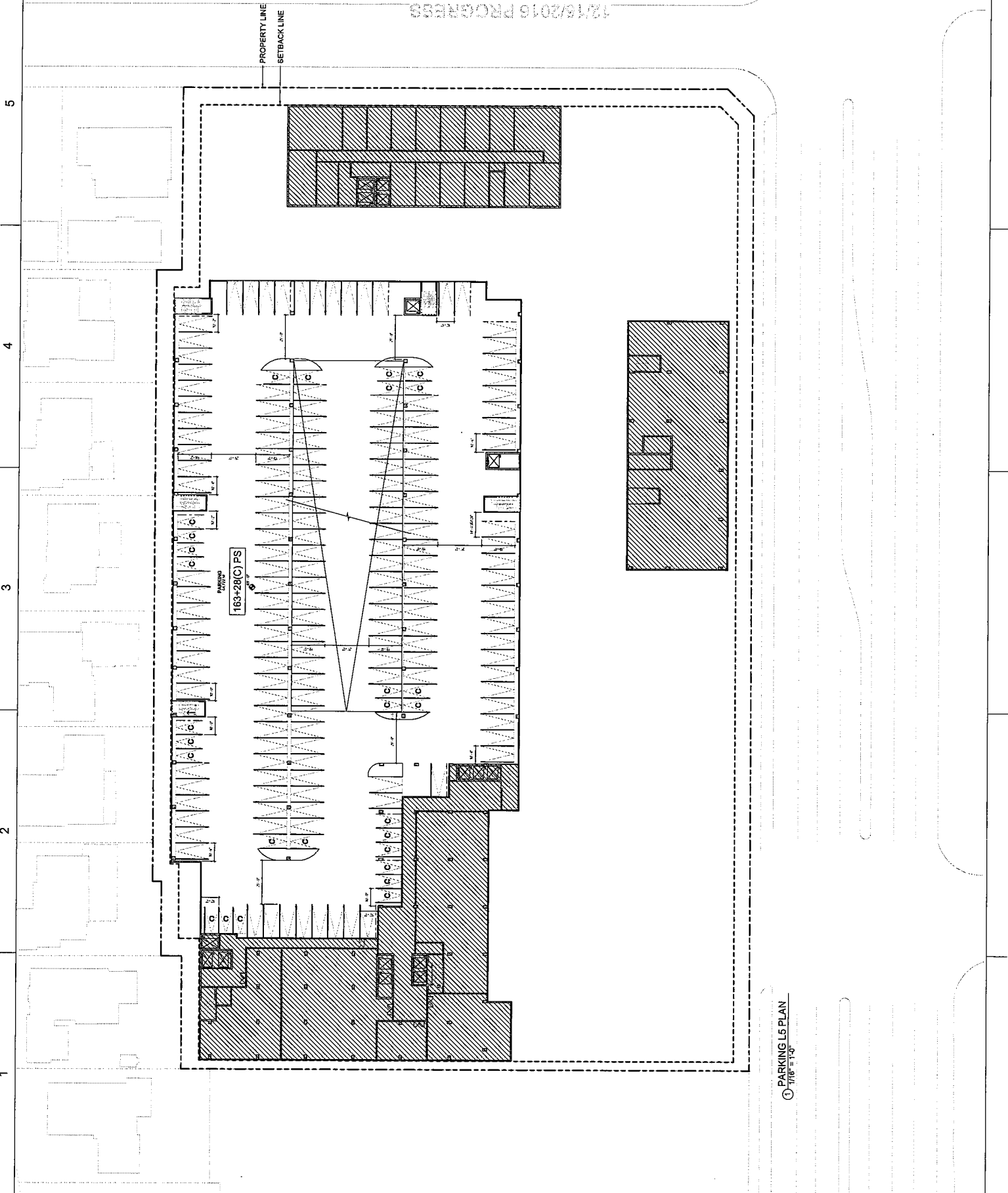
200-KEY HOTEL

163*28(C) PS

CAFÉ ROOF

HOTEL L3 - PARKING L4
 1/16" = 1'-0"





① PARKING L5 PLAN
1/16" = 1'-0"

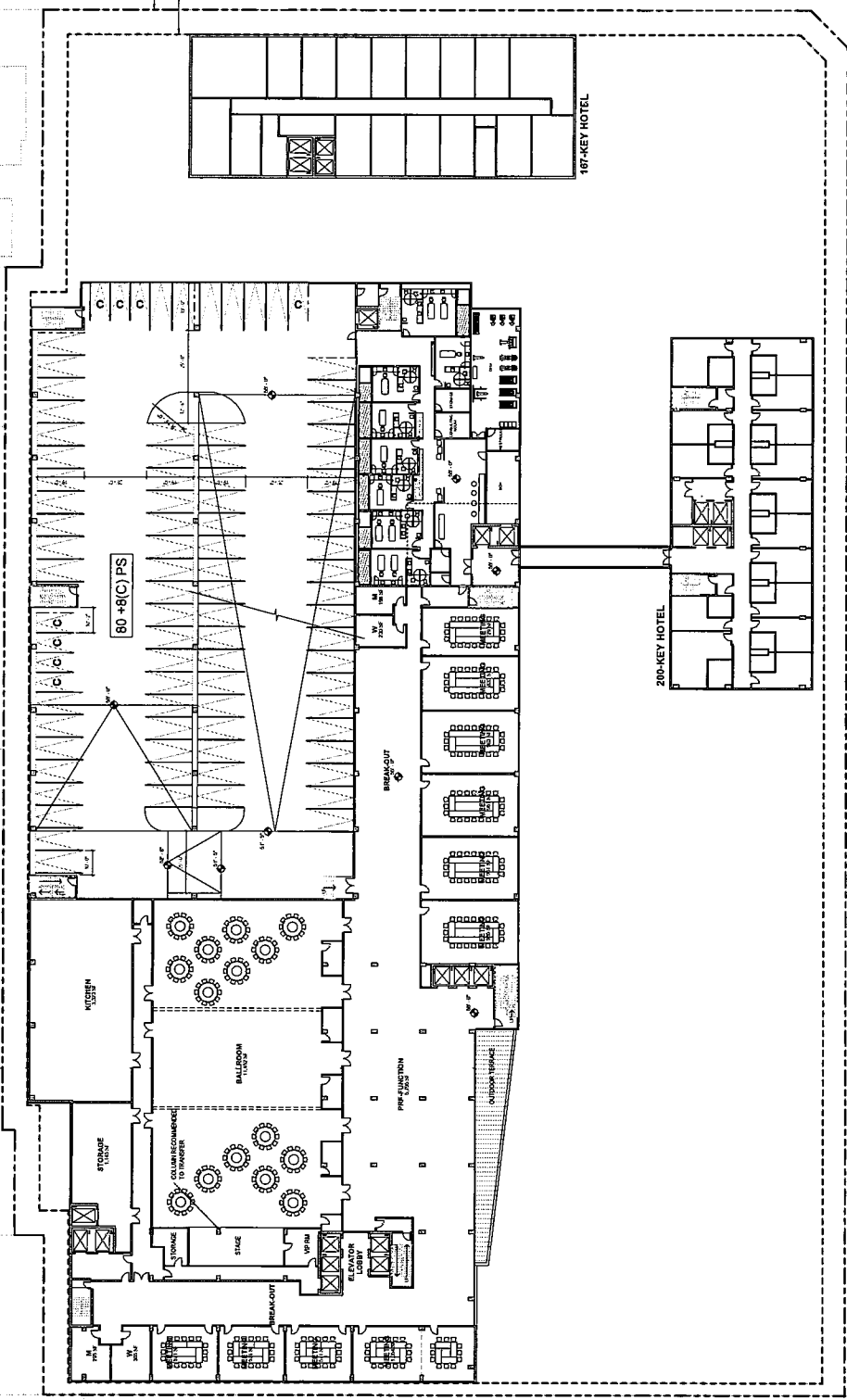
© 2016 Schmitt Associates, Inc. All Rights Reserved. 12/16/2016

1 2 3 4 5

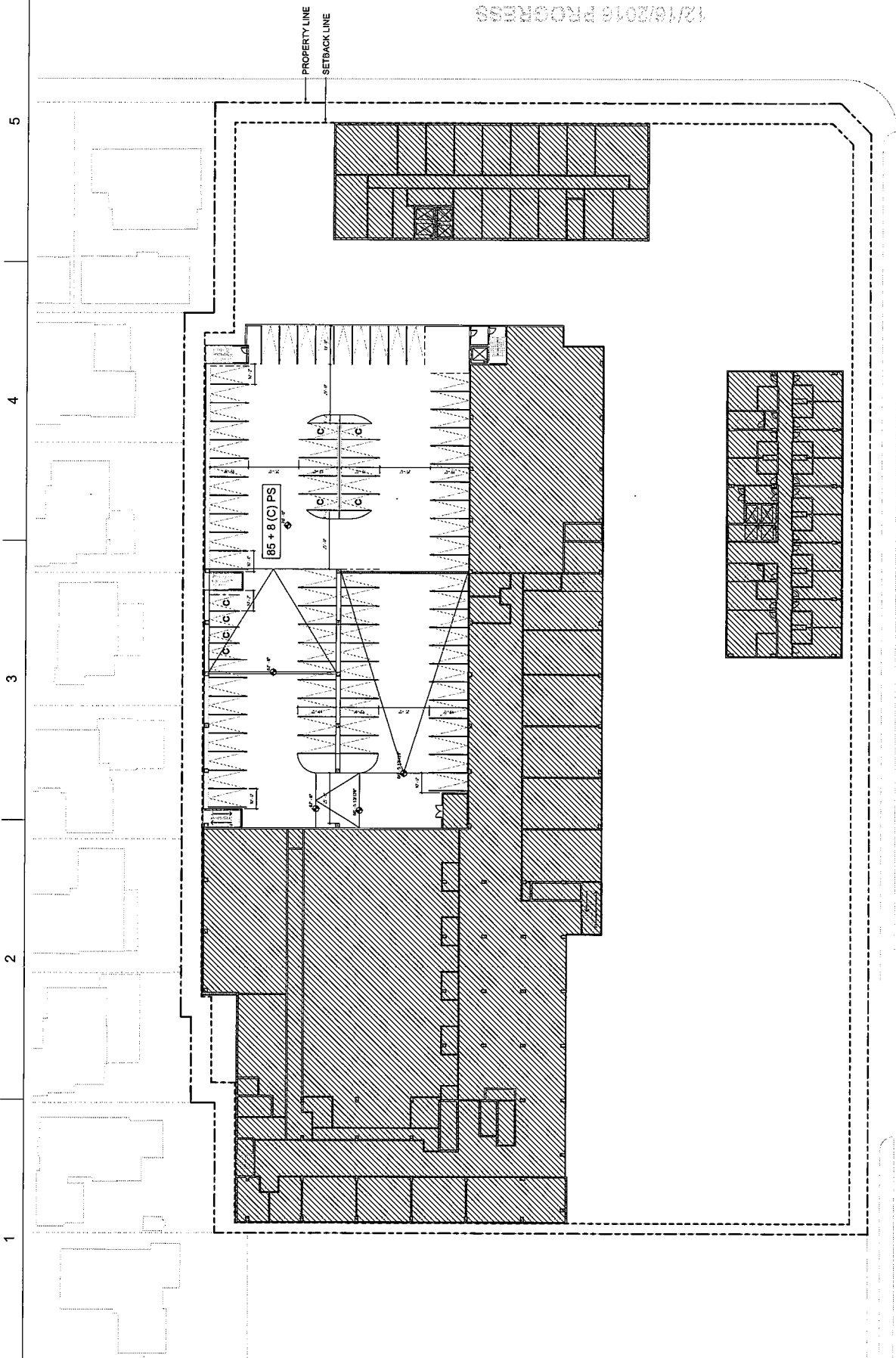
A B C D E

12/16/2019 PROGRESS

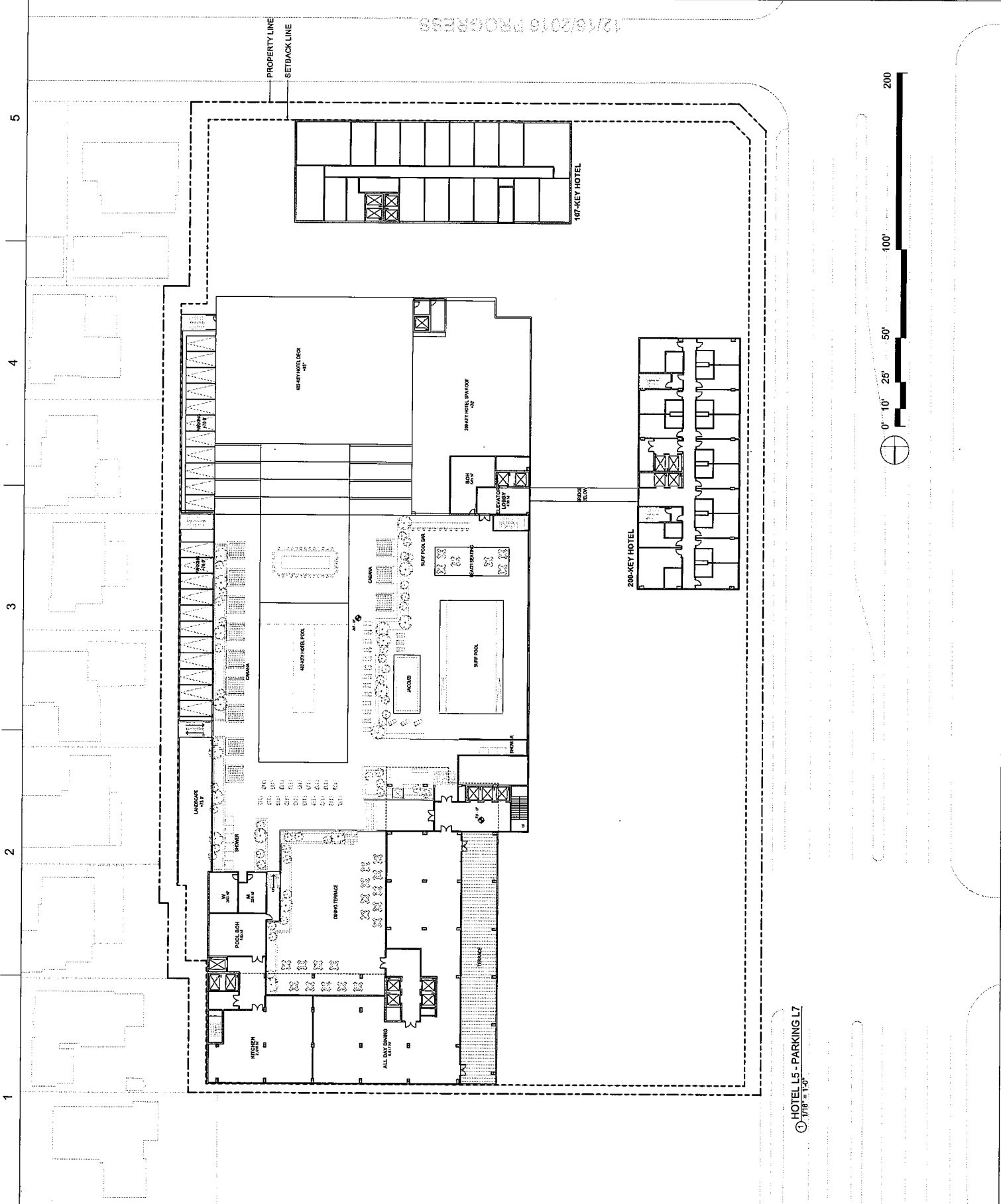
PROPERTY LINE
SETBACK LINE



① HOTEL L4 - PARKING L6
1/10" = 1'-0"



① PARKING L7 PLAN
11/16/16



① HOTEL L5 - PARKING L7
 1/8" = 1'-0"

1 2 3 4 5

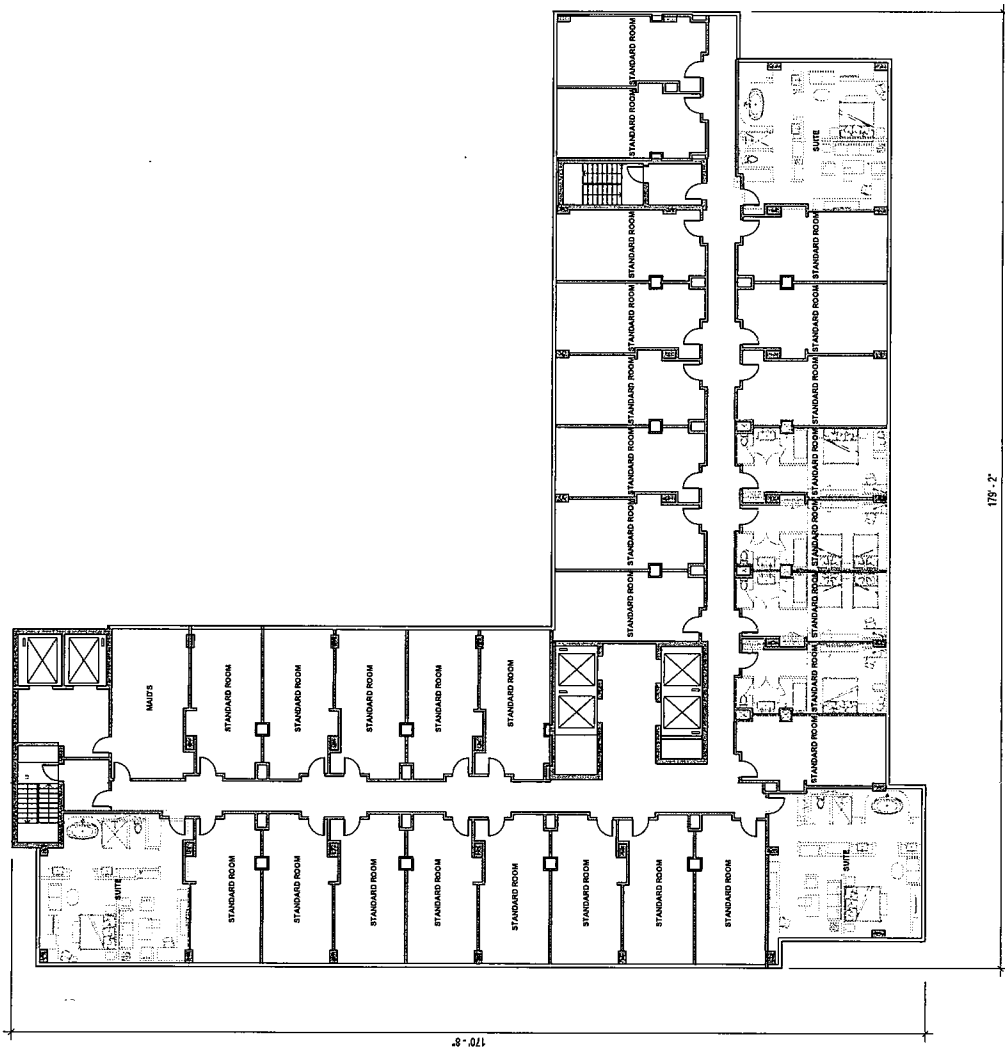
A

B

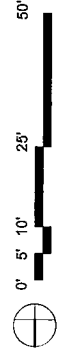
C

D

E



402-KEY HOTEL TYPICAL FLOOR KEY COUNTS:
 STANDARD ROOM: 28 KEYS
 SUITES: 3 KEYS



① 402-KEY HOTEL L12 (TYPICAL LEVEL)
 1/16/2016

12/16/2016 PROGRESS

		<p>SCG SITE C DEVELOPMENT 10000 W. 100th Ave., Suite 100 Denver, CO 80231</p>	<p>SCG SITE C DEVELOPMENT 10000 W. 100th Ave., Suite 100 Denver, CO 80231</p>	<p>Revision Schedule</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	Date	Description				<p>Project: 402-KEY HOTEL Typical Level L6-L17</p>	<p>Sheet: 019</p>
No.	Date	Description										

1 2 3 4 5

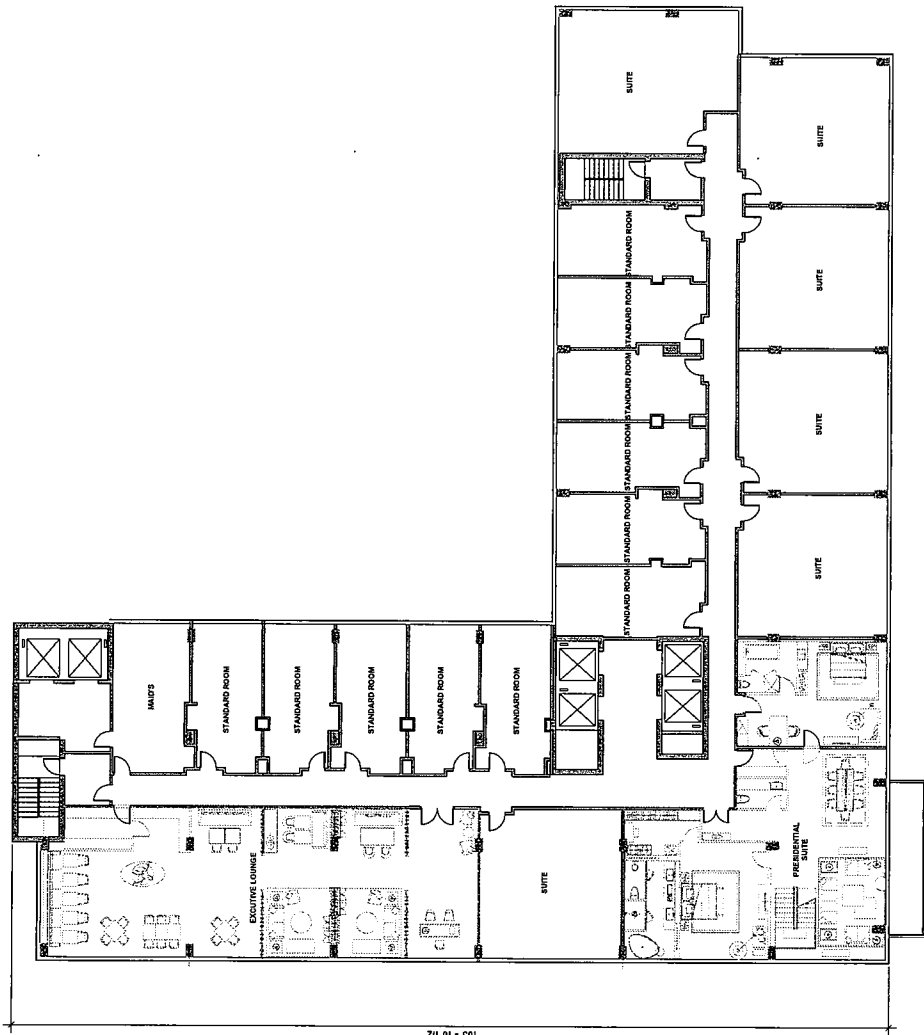
A

B

C

D

E



157 - 10 1/2"

402-KEY HOTEL EXECUTIVE FLOOR KEY COUNTS:
 STANDARD ROOM: 11 KEYS
 SUITES: 7 KEYS

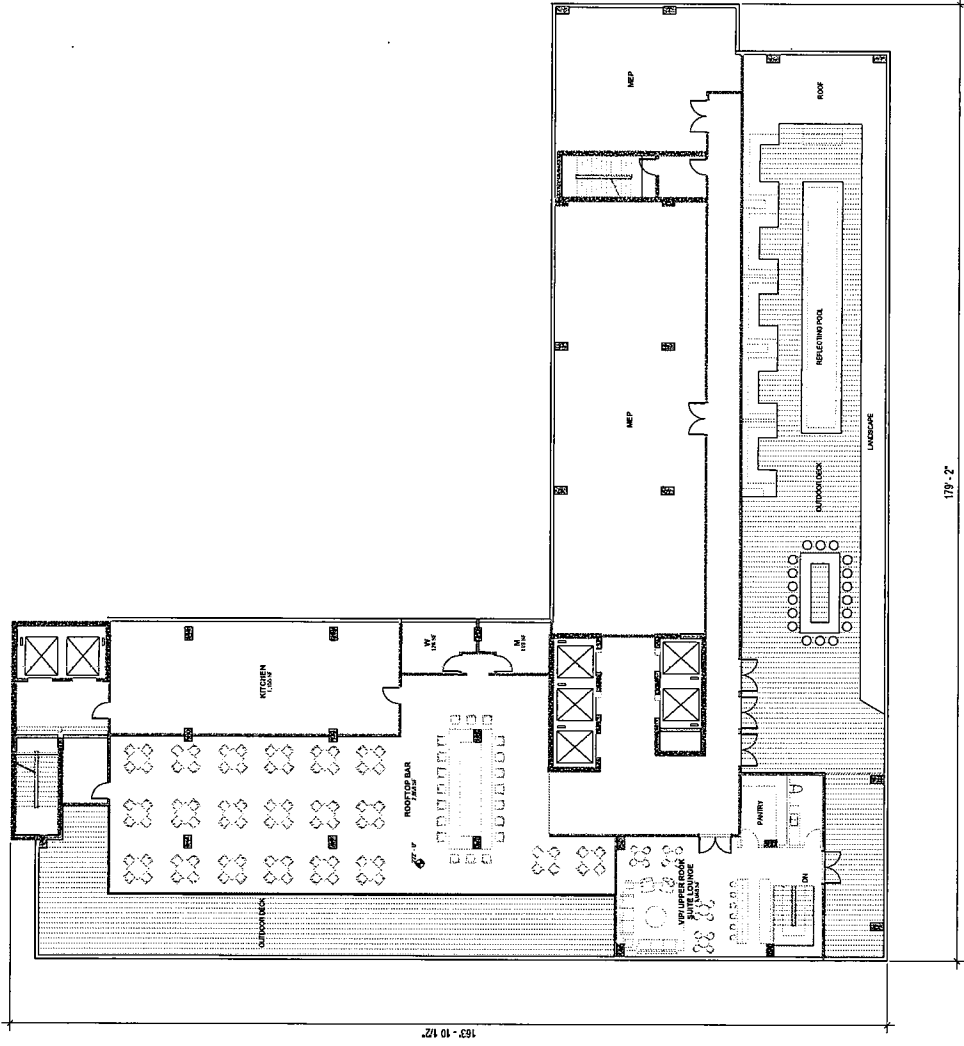


① 402-KEY HOTEL L18 PLAN (EXECUTIVE FL)
 108-110

12/16/2016 PROGRESS

1 2 3 4 5

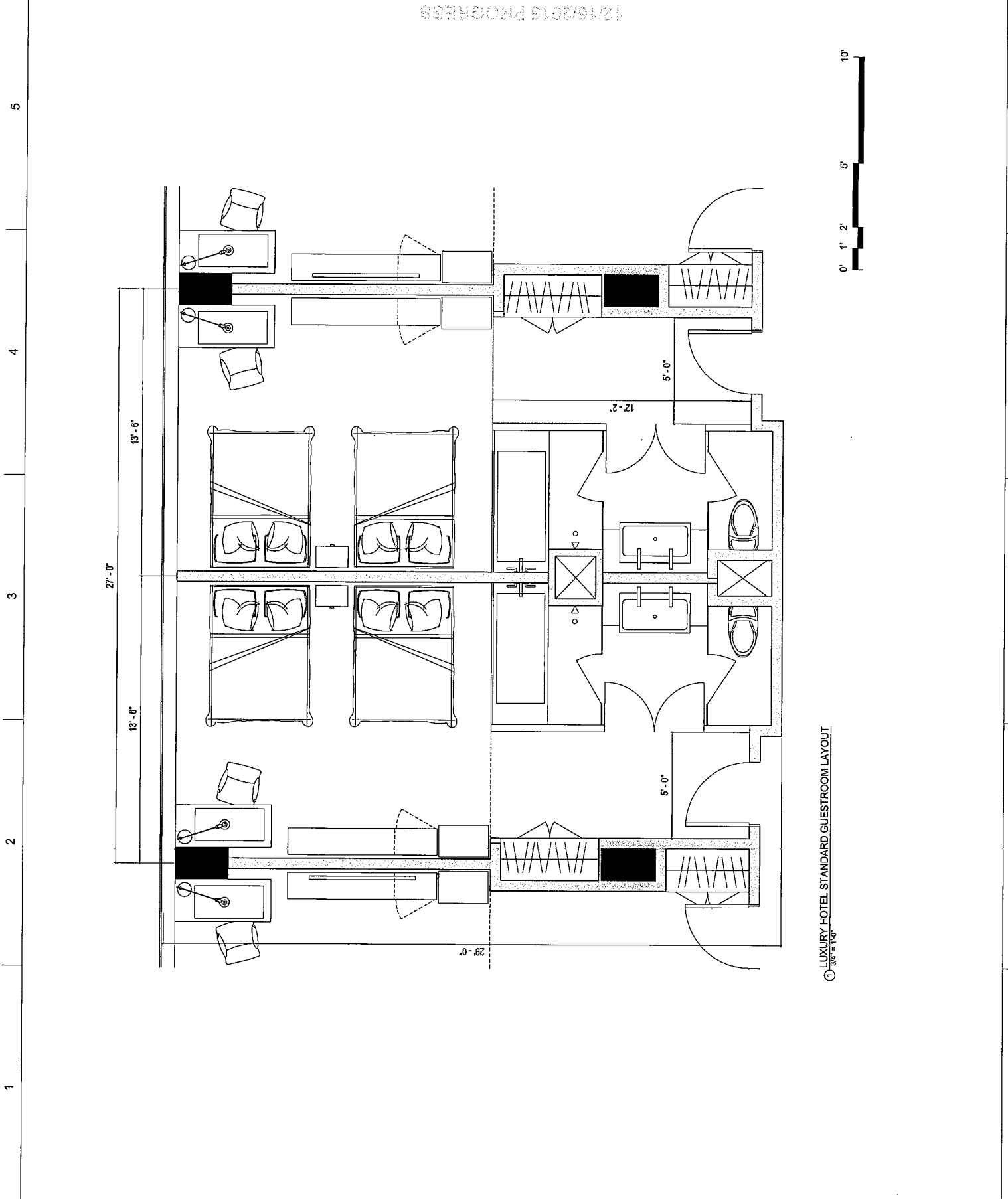
A B C D E



① 402-KEY HOTEL L19 PLAN (ROOFTOP BAR)
1/8" = 1'-0"

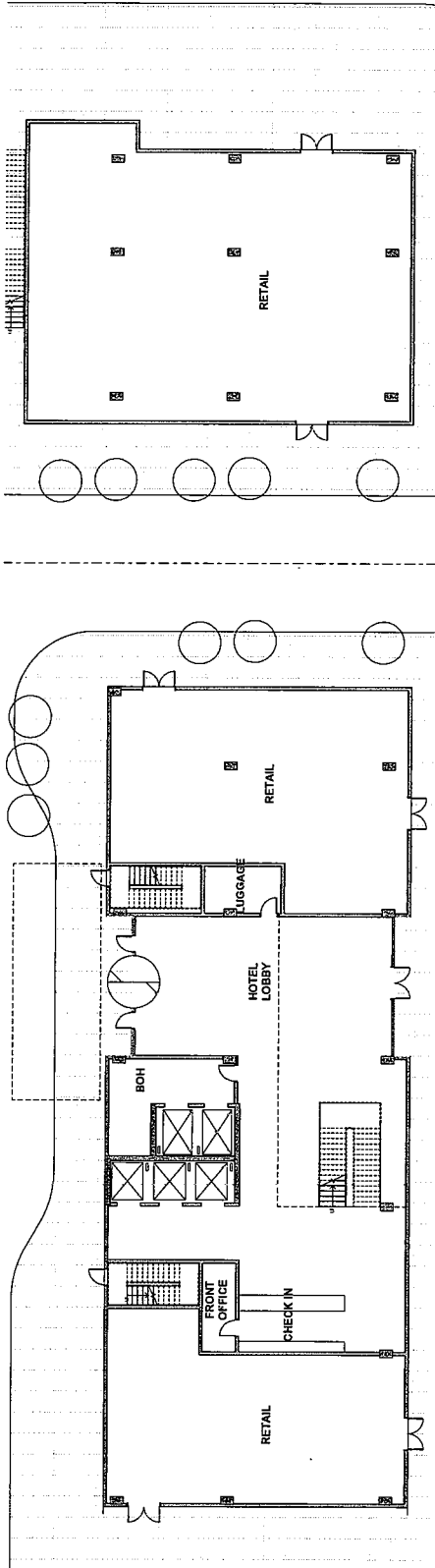
12/16/2016 PROGRESS

Date: SCG AMERICA Design: ALBRECHT GROUP 10000 W. CENTINELA AVENUE SUITE 1000, CENTINELA DISTRICT, PALM BEACH GARDENS, FL 33411 TEL: 561.231.1000	Project: 402-KEY HOTEL L19 PLAN Sheet: 021	Revision Schedule No. Date Description	Name:	Comments:	Project: 402-KEY HOTEL L19 PLAN Sheet: 021
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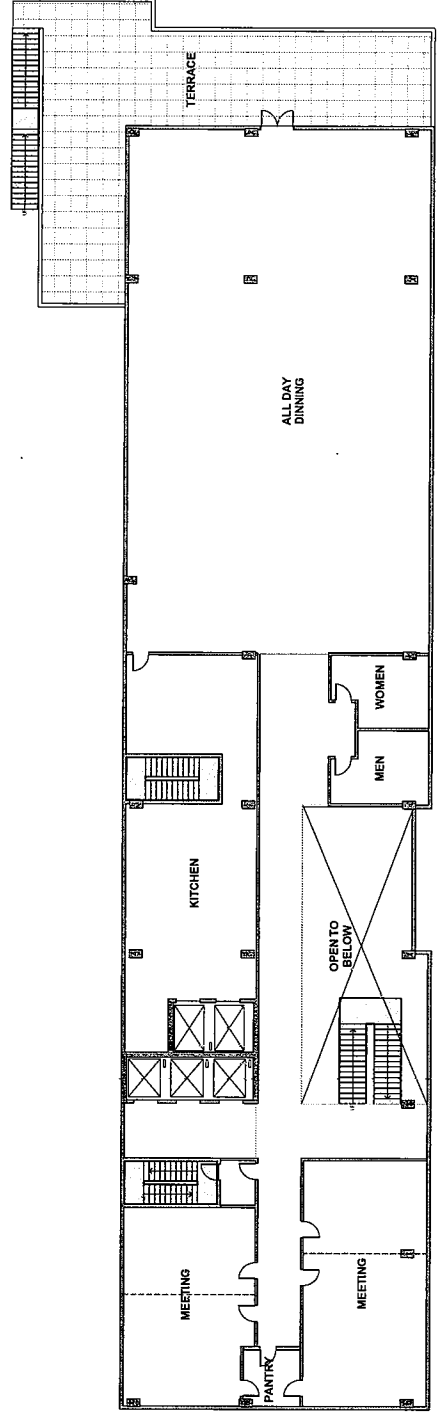


LUXURY HOTEL STANDARD GUESTROOM LAYOUT
 12/16/2016

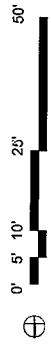
1 2 3 4 5



① HOTEL B L1
1/8" = 1'-0"

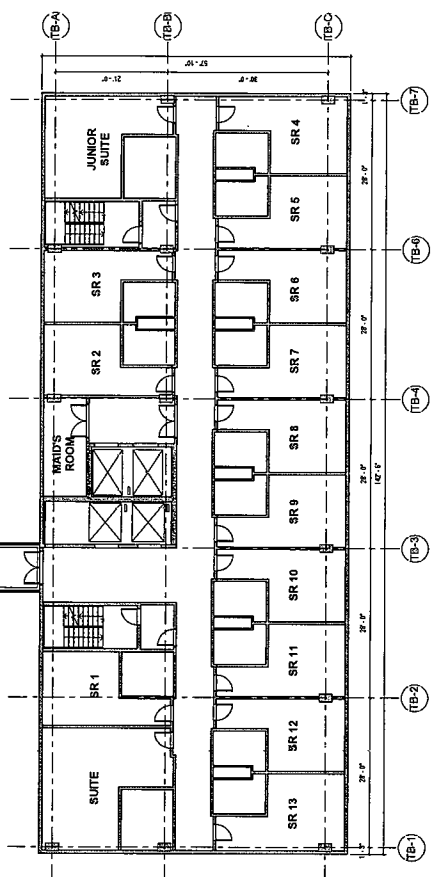
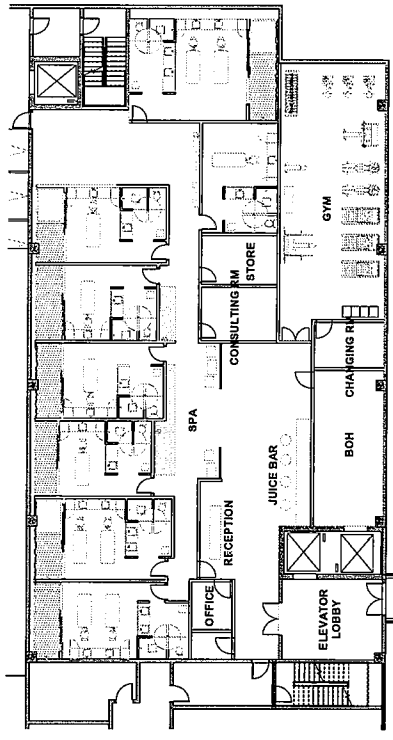


② HOTEL B L2
1/8" = 1'-0"



12/16/2016 PROGRESS

1 2 3 4 5



① HOTEL B L5
1/8" = 1'-0"



12/16/2016 PROGRESS

		<p>Customer Feedback</p>	<p>SCG SITE C DEVELOPMENT HAWAII, HONOLULU, HI, USA</p>	<p>Comments</p>	<p>Notes</p>	<table border="1"> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Rev	Date	Description				<table border="1"> <tr> <td>Project</td> <td>HOTEL B L5</td> </tr> <tr> <td>Sheet</td> <td>PLAN</td> </tr> <tr> <td>Scale</td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Project	HOTEL B L5	Sheet	PLAN	Scale			
Rev	Date	Description																			
Project	HOTEL B L5																				
Sheet	PLAN																				
Scale																					

024

A

B

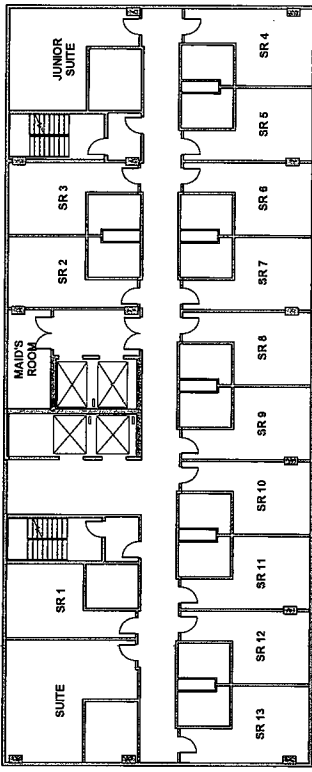
C

D

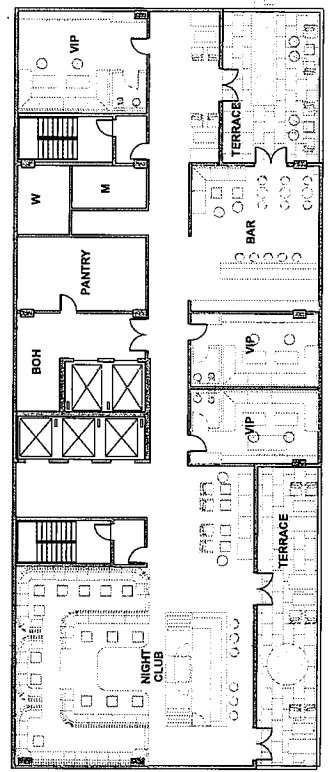
E

1 2 3 4 5

A B C D E



② HOTEL B TYPICAL FLOOR PLAN
1/8" = 1'-0"



① HOTEL B L17 PLAN
1/4" = 1'-0"



1 2 3 4 5

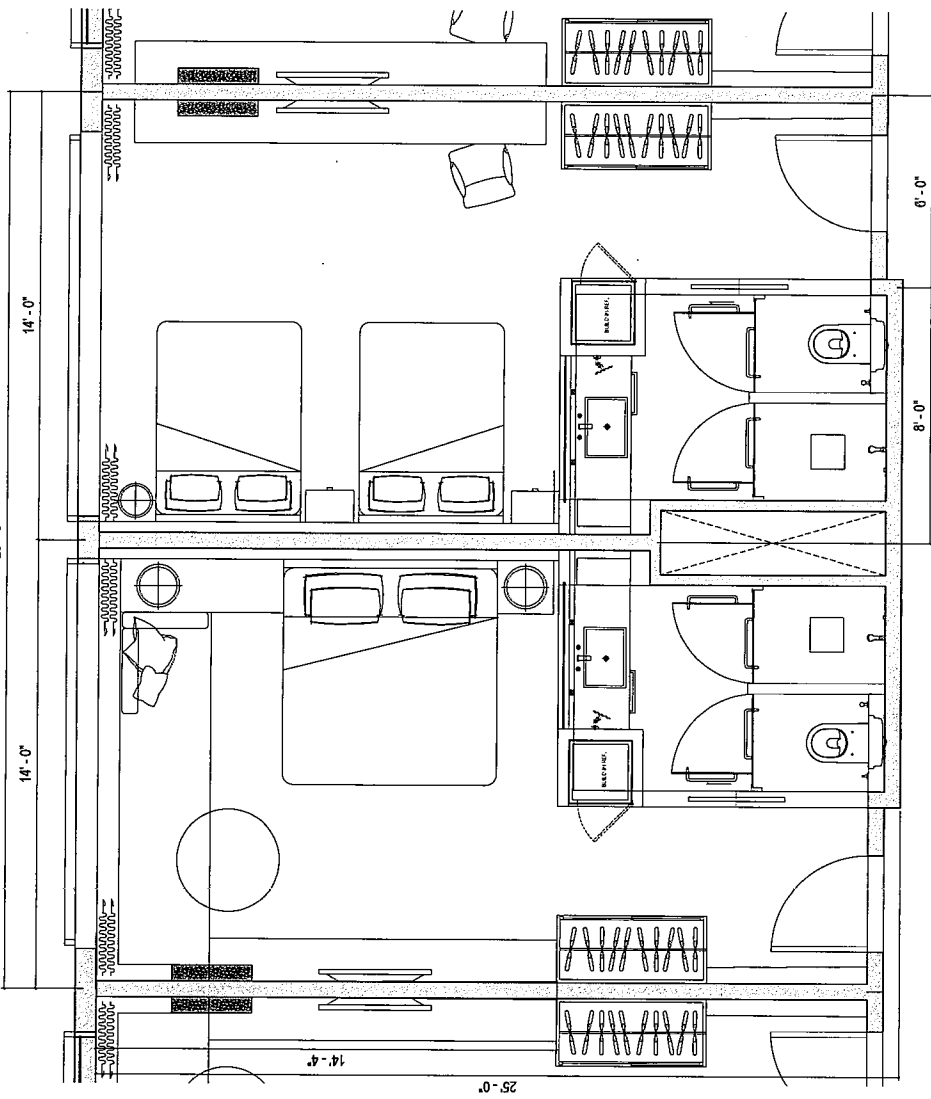
A

B

C

D

E



① 200-KEY HOTEL STANDARD ROOM LAYOUT
3/4" = 1'-0"



12/16/2016 PROGRESS



200 KEY HOTEL STANDARD ROOM LAYOUT
 12/16/2016 PROGRESS
 12/16/2016 PROGRESS

SOG SITE C
 DEVELOPMENT
 1000 W. 10TH ST., SUITE 100
 LOS ANGELES, CA 90015

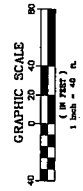
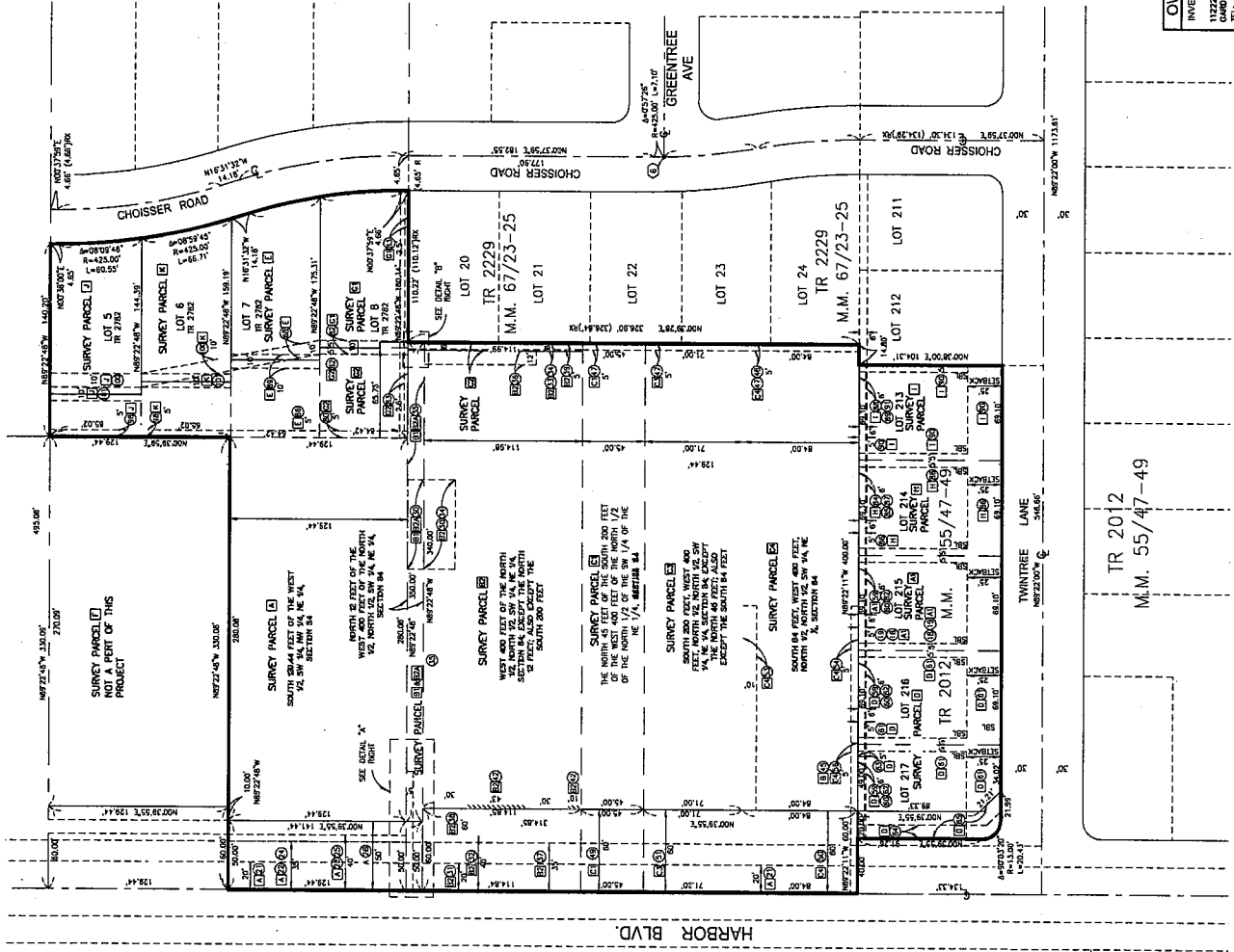
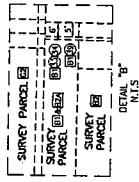
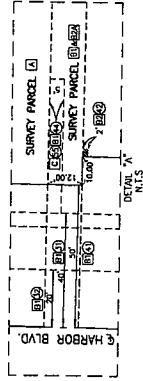
12/16/2016 PROGRESS
 12/16/2016 PROGRESS

NO.	DATE	DESCRIPTION

200 KEY HOTEL STANDARD ROOM LAYOUT
 12/16/2016 PROGRESS
 12/16/2016 PROGRESS

029
 12/16/2016 PROGRESS

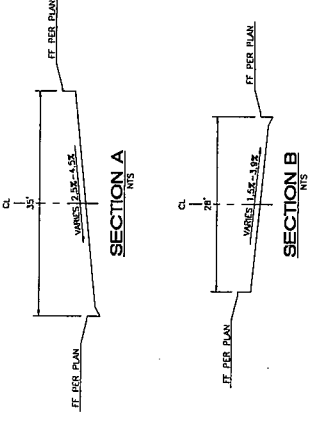
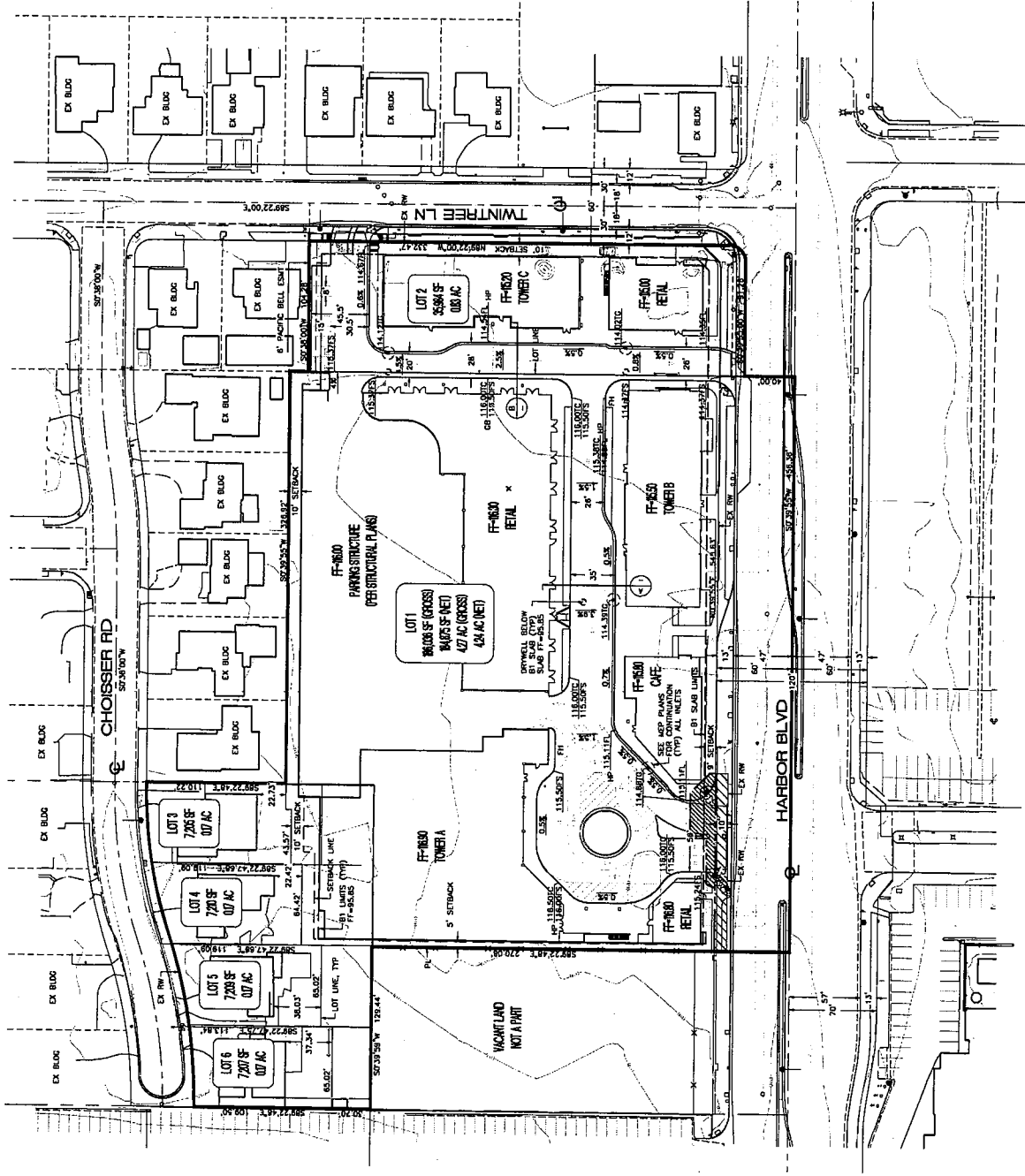
NOTE:
 SEE SHEET 2 FOR EXISTING PARCEL INFO AND EASEMENT NOTIS
 SEE SHEET 4 FOR LEGAL DESCRIPTION
 □ FOR TITLE REPORT EXCEPTIONS SCHEDULE "B"
 ○ FOR TITLE REPORT LEGAL DESCRIPTION SCHEDULE "X"



TENTATIVE TRACT MAP NO. 17455
 FOR COMMERCIAL LOTS, INDIVIDUAL LOTS, HOTEL AND CONDOMINIUM PURPOSES
 EXISTING EASEMENTS
 CITY OF GARDEN GROVE, CALIFORNIA

PREPARED BY
PENCOENG
 Civil Engineers & Surveyors
 159
 W. WILSON, CALIFORNIA 92605 (949) 233-6111
 Civil Engineering - Planning - Surveying

OWNER
 INVESTEL GARDEN RESORTS, LLC
 11222 HARBOR BLVD, STE 1711
 GARDEN GROVE, CA 92640
 TEL: (714) 383-6280



CURVE TABLE

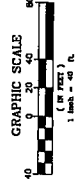
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	31.42'	20.00'	90.00°	20.00'
C2	31.42'	20.00'	90.00°	20.00'
C3	31.42'	20.00'	90.00°	20.00'
C5	23.55'	15.00'	89.97°	14.99'

LOT SUMMARY (LOTS 3-6):

LOT #	EX LOT SIZE (SF)	EXISTING STRUCTURES	EX LOT COVERAGE	NEW LOT SIZE (SF)	NEW LOT COVERAGE
3	11,508	(1) HOUSE 1,079 SF (1) GARAGE 400 SF (1) DRIVEWAY 400 SF (1) TOTAL 2,708 SF	23.5%	7,205	37.8%
4	10,832	(1) HOUSE 1,812 SF (1) GARAGE 411 SF (1) DRIVEWAY N/A (1) TOTAL 2,923 SF	26.4%	7,210	33.8%
5	9,816	(1) HOUSE 1,358 SF (1) GARAGE 420 SF (1) DRIVEWAY 420 SF (1) TOTAL 2,608 SF	26.8%	7,209	36.2%
6	9,204	(1) HOUSE 1,288 SF (1) GARAGE 420 SF (1) DRIVEWAY N/A (1) TOTAL 2,678 SF	22.8%	7,207	28.8%

HATCH LEGEND:

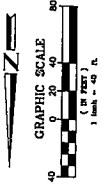
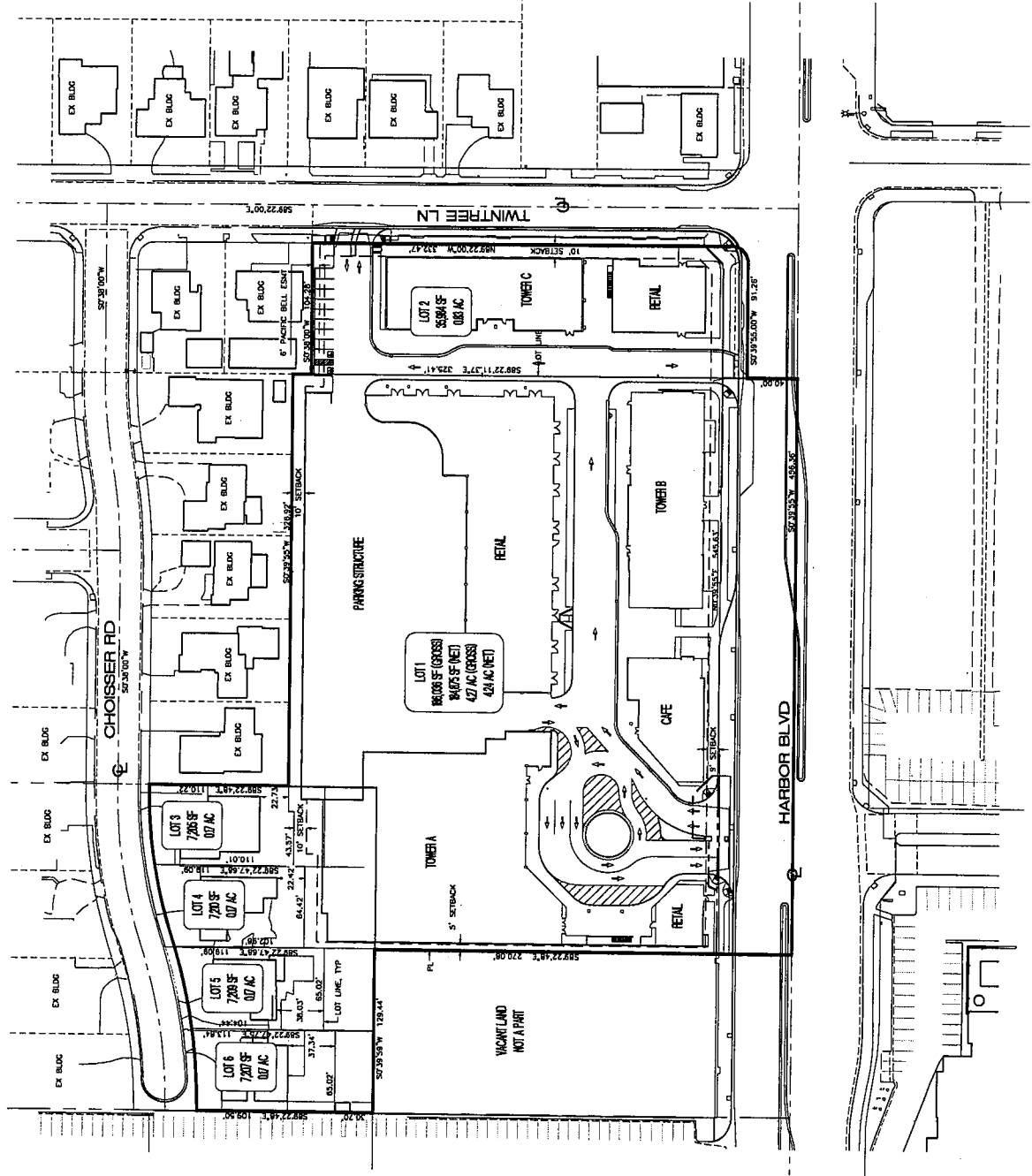
- 10' RW DEDICATION
- LETTERED LOT 'X' (1,161 SF)



OWNER
INVESTEL GARDEN RESORTS, LLC
11222 HARBOR BLVD, STE 171
GARDEN GROVE, CA 92640
TEL: (714) 383-5280

PREPARED BY
PENCOENG
Civil & Structural Engineering
150 IRVINE, CALIFORNIA 92614 (949) 733-8111
Civil Engineering - Planning - Surveying

TENTATIVE TRACT MAP NO. 17455
FOR COMMERCIAL LOTS, INDIVIDUAL LOTS, HOTEL AND CONDOMINIUM PURPOSES
CONCEPTUAL SITE PLAN
CITY OF GARDEN GROVE, CALIFORNIA
SHEET 5 OF 6
DATE PREPARED: 10/20/17



OWNER
INVESTEL GARDEN RESORTS, LLC
11222 HARBOR BLVD, STE 1711
CANTON GROVE, CA 92840
TEL: (714) 383-8280

PREPARED BY
PENCOENG
CALIFORNIA REGISTERED PROFESSIONAL ENGINEER
18442 VAN WALKER BLVD, SUITE 158
IRVINE, CALIFORNIA 92618 (949) 733-8111
Civil Engineering, Planning, Streeplanning

TENTATIVE TRACT MAP NO. 17455
FOR COMMERCIAL LOTS, INDIVIDUAL LOTS, HOTEL AND CONDOMINIUM PURPOSES
PROPOSED PARCELS AND EASEMENT
CITY OF GARDEN GROVE, CALIFORNIA
SHEET 6 OF 6
DATE PREPARED: 10/20/17

RESOLUTION NO. 5898-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE ADOPTING A SUBSEQUENT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SITE C HOTEL RESORT PROJECT.

A. In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel development project known as the "Site C Project" on approximately 5.2 acres of land located at the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road (the "Site"). As approved in 2012, the Site C Project called for up to 769 rooms and ancillary hotel uses such as pools, spas, and fitness centers within one (1) full-service and two (2) limited-service resort hotels with up to 104,000 aggregate square feet of conference/meeting banquet space, hotel restaurant space, and freestanding pad restaurant/entertainment space, and a multi-level parking garage with 1,297 parking spaces. Planned Unit Development No. PUD-128-12 incorporated a conceptual site plan depicting the Site C Project, as it was contemplated in 2012.

B. Investel Garden Resorts, LLC ("Applicant") now requests approval of a Site Plan, Tentative Tract Map, and Development Agreement to implement the Site C Project and proposed modifications to the 2012 conceptual site plan (the "Modified Project"). The number of hotels, maximum number of hotel rooms, and maximum building heights remain the same, but the size of the Site, the configuration of the buildings, the amount and type of ancillary uses, and the internal circulation and site access have been modified.

C. Pursuant to the Modified Project, the number of hotels, maximum number of hotel rooms, and maximum building heights will remain the same as approved in 2012, but the size of the Site, the configuration of the buildings, the amount and type of ancillary uses, and the internal circulation and site access have been modified. The Modified Project will be constructed on 4.3-acres located at the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road at 12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard, 12511, 12531, 12551 and 12571 Twintree Lane, and 12233, 12235, 12237, and 12239 Choisser Road, Assessor's Parcel Nos. 231-491-20, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10; and 231-491-12, 13, 14, 15, 16, 17, 18, and 19.

D. The Modified Project generally includes: (1) a change to two full-service hotels and one limited-service hotel; (2) changes to on-site circulation and access, including a new secondary driveway along Harbor Boulevard at the most southerly portion of the site, and changes to the parking structure including two entrances instead of the previous three entrances, and one level of subterranean parking (maintaining the same 1,297 total spaces approved in 2012); (3) the introduction of retail uses; (4) minor changes to the total square footage of conference/ meeting banquet space, restaurant/retail/entertainment space, hotel ancillary uses (such as

gyms, spas, salon, a hotel shop, and a kids club) and hotel restaurant space; and (5) modifications to the building placements and configuration, including (a) shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard, constructing a new retail building at the northwest corner of the site that connects to hotel a via a second floor terrace, and relocating the valet drop-off for Hotel A; (b) swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building with a connection provided between both structures via the hotel's second floor terrace; and (c) expanding and reconfiguring the usable outdoor roof deck area of Hotel A, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85 feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet. The size of the Modified Project site has been reduced from 5.2-acres to 4.3-acres. The land use actions requested to implement the Modified Project include: (1) Site Plan No. SP-043-2017 depicting the Modified Project; (2) Tentative Tract Map No. TT-17455 to adjust the rear property lines of four (4) existing city-owned parcels located at the northeast corner of the site on Choisser Road to incorporate a portion of these parcels into the Modified Project site and to consolidate existing parcels on the Modified Project site into two (2) lots to facilitate development of the Modified Project and future commercial condominiumization; and (3) Development Agreement No. DA-008-2017, providing the Applicant with a vested right to develop the Modified Project in accordance with Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455.

E. Based on the approval of the Site C Project and adoption of a Mitigated Negative Declaration in 2012, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., the City of Garden Grove prepared an Initial Study to determine if the proposed modifications reflected in the Modified Project will result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts as required by CEQA Section 21166 and CEQA Guidelines Section 15162. Based on the Initial Study and supporting technical analyses, it was determined that the proposed Modified Project qualifies for a Subsequent Mitigated Negative Declaration because the proposed Modified Project along with the mitigation measures identified in the Initial Study cannot, or will not, have any new significant effects on the environment or result in a substantial increase in the severity of previously identified significant effects.

F. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Subsequent Mitigated Negative Declaration listing the mitigation measures and design features to be monitored during project implementation, which is also summarized in Exhibit "A" attached hereto.

G. The Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.

H. The Planning Commission of the City of Garden Grove held a duly noticed public hearing on November 2, 2017, and considered all oral and written testimony presented regarding the initial study, the Subsequent Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program, and the Modified Project.

I. A duly noticed public hearing was held by the Planning Commission on November 2, 2017, and all interested persons were given an opportunity to be heard.

J. The Planning Commission gave due and careful consideration to the matter during its meeting of November 2, 2017.

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED as follows:

1. The Planning Commission of the City of Garden Grove has independently considered the proposed Subsequent 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 Modified Project will have any new significant effect on the environment or result in a substantial increase in the severity of previously identified significant effects.
3. The Planning Commission further finds that the adoption of the Subsequent Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
4. Therefore, the Planning Commission of the City of Garden Grove, in regular session assembled on November 2, 2017, does hereby adopt the Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
5. The record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community and Economic Development.

Exhibit "A"

SUBSEQUENT MITIGATED NEGATIVE DECLARATION

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURES

The following Mitigation Measures, as identified in the Subsequent Mitigation Negative Declaration, and as stipulated in Resolution No. 5898-17 and the Performance Standards of Planned Unit Development No. PUD-128-12, shall be complied with and implemented in the development's Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
AESTHETICS			
Light and Glare			
<p>AES-1 Prior to final site plan approval, a site specific lighting study shall be prepared which incorporates measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City's Zoning Code for parking lot lighting so that lighting within parking areas are directed, positioned, or shielded so as to minimize light spillage. Additionally, the study shall incorporate measures necessary for the project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment.</p>	<p>Site Plan Review</p>	<p>Prior to final site plan approval</p>	<p>Community and Economic Development Department</p>
<p>AES-2 Sufficient technology currently exists to reduce</p>	<p>Site Plan Review</p>	<p>Prior to final</p>	<p>Community and</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>lighting impacts from hotel/resort lighting to a less than significant level. However, given that the project is still in conceptual design and operation is not anticipated to begin until late 2021, identification of specific light reduction measures is premature since light reduction technology is constantly evolving and advancing (i.e., more sophisticated light-reduction technology is anticipated to be available in the future that is not available today). The developer shall include technologically advanced hotel/resort lighting measures in its detailed design plans to ensure that hotel/resort lighting does not result in a significant impact on the surrounding neighborhood.</p>		<p>site plan approval</p>	<p>Economic Development Department</p>
<p>AIR QUALITY</p>			
<p>Construction</p>			
<p>AQ-1 Limit the number of soil hauling trips to 40 truck loads per day or less during soil excavation.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>AQ-2 Use high-volume, low-pressure (HVL) coating application systems with air pressure less than 10 pounds per square inch to reduce overspray and increase transfer efficiency.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community and Economic Development Department /Public Works</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
Operational			
<p>AQ-3 The project should implement a vehicle trip reduction program that includes the following strategies:</p> <ul style="list-style-type: none"> i. Install secure on-site bicycle racks in easily accessible and highly visible locations. ii. Install a bus shelter on the east side of Harbor Boulevard, along the project frontage. iii. Provide transit/shuttle service for guests to local area attractions. iv. Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions 	Grading and building inspections	During grading, building construction and operation	Community and Economic Development Department /Public Works Department
<p>AQ-4 Limit the number of large diesel trucks coming to the site (i.e., for deliveries, trash collection or other services) to less than 20 per day. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds.</p>	During operation of project	On going	Community and Economic Development Department /Public Works Department
<p>AQ-5 Use zero VOC interior paint for re-application purposes.</p>	During operation of project	On going	Community Development Department/Public Works Department
Design Features			
<p>DF-AQ-1 Construction equipment shall be maintained in</p>	Grading and	During grading	Community and

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
proper tune.	building inspections	and building construction	Economic Development Department /Public Works Department
DF-AQ-2 Gasoline or electricity-powered equipment shall be utilized instead of diesel equipment whenever possible.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
DF-AQ-3 The use of heavy construction equipment shall be suspended during first-stage smog alerts.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
DF-AQ-4 All construction vehicles shall be prohibited from excessive idling. Excessive idling is defined as five minutes or longer.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
DF-AQ-5 "Clean diesel" equipment shall be used when modified engines (catalyst equipped or newer Moyer Program retrofit) are available at a reasonable cost.	Grading and building inspections	During grading and building construction	Community and Economic Development Department Public

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>DF-AQ-6 The project must follow SCAQMD rules and requirements with regards to fugitive dust control, which include but are not limited to the following:</p> <ul style="list-style-type: none"> i. All active construction areas shall be watered three (3) times daily. ii. All haul trucks shall be covered or shall maintain at least two (2) feet of freeboard. iii. All unpaved parking or staging areas shall be paved or watered a minimum of two (2) times daily. iv. Speed on unpaved roads shall be reduced to less than 15 mph. v. Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes. vi. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily. vii. All operations on any unpaved surface shall be suspended if winds exceed 25 mph. 	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Works Department Community and Economic Development Department /Public Works Department</p>
<p>DF-AQ-7 Carpooling shall be encouraged for construction workers.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community and Economic Development Department /Public Works</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
DF-AQ-8 Any dirt hauled off-site shall be wetted down or covered.	Grading and building inspections	During grading and building construction	Department Community and Economic Development Department /Public Works Department
DF-AQ-9 Access points shall be washed or swept daily.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
DF-AQ-10 Construction sites shall be sandbagged for erosion control.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
DF-AQ-11 The project shall comply with current California Title 24 standards.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
GEOLOGY AND SOILS			
GEO-1 Prior to the approval of final design plans, a site-	Grading and	Prior to	Community and

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>specific geologic investigation of liquefaction potential shall be performed. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.</p>	<p>Building Plan Review Inspections</p>	<p>approval of final design plans</p>	<p>Economic Development Department /Public Works Department</p>
<p>GEO-2 Prior to the approval of final design plans, a site-specific geotechnical investigation shall be prepared by a registered geologist. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to approval of final design plans</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>GREENHOUSE GAS EMISSIONS</p>			
<p>GHG-1 Install Energy Star rated lighting for all lighting uses that are not part of the building envelope, such as lamps and other "plug-ins" that are not subject to Title 24 regulation.</p>	<p>Grading and building inspections</p>	<p>Prior to the issuance of building permits</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>GHG-2 No hearths allowed.</p>	<p>Grading and building inspections</p>	<p>Prior to the issuance of building</p>	<p>Community and Economic Development</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
GHG-3 Use electric landscaping equipment, such as lawn mowers and leaf blowers.	During operation of project	On going	Community and Economic Development Department /Public Works Department
GHG-4 Implement a water conservation program that includes the following strategies: i. Install low flow fixtures and toilets. ii. Install water efficient irrigation systems and drought tolerant/native landscaping. No turf.	Grading and building inspections	Prior to the issuance of building permits	Community and Economic Development Department /Public Works Department
GHG-5 Implement a waste recycling and composting program to divert over 50% of waste away from a landfill.	During operation of project	On going	Community and Economic Development Department /Public Works Department
HAZARDS AND HAZARDOUS MATERIALS			
HHM-1 Prior to the issuance of a grading permit, soil sampling and analysis shall be performed to determine if any agricultural chemicals remained at the site. If any agricultural chemicals are found, the contamination shall be removed.	Grading inspection	Prior to the issuance of a grading permit	Community and Economic Development Department

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
HHM-2 Prior to the issuance of a grading permit, the project conditions of approval shall require implementation of the Phase 1 study recommendations.	Grading inspection	Prior to the issuance of a grading permit	Community and Economic Development Department
NOISE			
NOI-1 Install an 8-foot masonry block sound wall along eastern property boundary.	Building Plan Review and Inspections	Prior to final of building permit	Community and Economic Development Department
NOI-2 Install 4-foot noise shielding walls on each floor of the parking structure facing the residential neighborhood to the east and the parking surface shall be treated to minimize tire screeching.	Building Plan Review and Inspections	Prior to final of building permit	Community and Economic Development Department
NOI-3 Locate all mechanical equipment at least 100 feet from residential property line.	Grading and Building inspections and during operation of project	On going	Community and Economic Development Department
NOI-4 A "windows closed" condition and upgraded STC-rated windows is required to meet interior noise standards for all hotel rooms.	Building Plan Review and Inspections	Prior to final of building permit	Community and Economic Development Department
NOI-5 Notify the surrounding neighbors prior to beginning the heavy earth work.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works

Mitigation Measures

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
NOI-6 No impact pile driving activities shall be allowed on the project site.	Grading and building inspections	During grading and building construction	Department Community and Economic Development Department Public Works Department
Design Features			
DF-NOI-1 No outdoor amplified music shall be played on the pool deck past 10:00 p.m.	During operation of project	On going	Community and Economic Development Department
DF-NOI-2 All pool equipment should be fully shielded or enclosed from line of sight. Shielding/parapet wall should be at least as high as the equipment.	Building Plan Review and Inspections	On going	Community and Economic Development Department
DF-NOI-3 Delivery, loading/unloading activity, and trash pick-up hours should be limited to daytime (7:00 AM-10:00 PM) hours only.	Grading and Building inspections and during operation of project	On going	Community and Economic Development Department
DF-NOI-4 Limit engine idling time for all delivery vehicles and moving trucks to 5 minutes or less.	Grading and Building inspections and during operation of project	On going	Community and Economic Development Department
DF-NOI-5 A noise monitoring program should be	During operation	On going	Community and

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>implemented during project operations, especially during live events with amplified music, to ensure noise levels do not exceed the City's noise standards.</p>	<p>of project</p>		<p>Economic Development Department</p>
<p>DF-NOI-6 For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have a positive seal and leaks/cracks must be kept to a minimum.</p>	<p>Building inspections and during operation of project</p>	<p>On going</p>	<p>Community and Economic Development Department</p>
<p>DF-NOI-7 All construction activities should take place during day time hours, between 7:00 AM to 10:00 PM, Monday through Saturday. No construction activity shall occur on Sundays or Federal holidays.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>DF-NOI-8 During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices and equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Idling equipment should be turned off when not in use.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>DF-NOI-9 Locate staging area, generators and stationary construction equipment as far from the easterly property line, as reasonably feasible.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Community and Economic Development Department /Public Works Department</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
DF-NOI-10 Construction-related noise activities shall comply with the requirements set forth in the City of Garden Grove Municipal Code Section 8.47.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
DF-NOI-11 A noise and vibration monitoring program will be implemented during construction. The monitoring program will alert construction management personnel when noise levels approach the upper limits of the 8-hour Leq exceedance threshold (80 dBA) along the residential property line. Vibration monitoring should occur during phases of heavy earthmoving and report incidents over 0.25 PPV (in/sec) at the adjacent residential structures.	Grading and building inspections	During grading and building construction	Community and Economic Development Department /Public Works Department
PUBLIC SERVICES AND UTILITIES			
PS-1 An internal fire loop shall be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel.	Grading and Plan Review	Prior to final of building permits	Public Works Department
TRANSPORTATION			
TR-1 Install a traffic signal at the intersection of Harbor Boulevard and Project Access (PA) 1.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
TR-2 Lengthen southbound left turn pocket on Harbor Boulevard at PA 1 to provide at least 200 feet of vehicle storage area.	Grading and Building Plan Review	Prior to final building permits	Public Works Department

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
TR-3 Install northbound right turn pocket on Harbor Boulevard at PA 1 to provide at least 100 feet of storage/deceleration area.	Inspections Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
TR-4 Lengthen driveway throat at PA 1 to provide a minimum of ninety (90) feet of uninterrupted ingress access from the curb face of Harbor Boulevard onto the project site. (Orange County Code of Ordinances, § 7-9-145.4)	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
TR-5 Install a traffic signal at the intersection of Harbor Boulevard and Twintree Lane.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
TR-6 Pay a fair-share contribution of 13% towards the improvements at the intersection of Haster Street and Chapman Avenue to restore acceptable level of service for future cumulative traffic conditions. The recommended improvements identified in this study include: <ul style="list-style-type: none"> • Modify eastbound approach leg on Chapman Avenue to include two (2) left turn lanes, two (2) through lanes, and one (1) right turn lane. • Recommended intersection improvements are expected to fit within the existing right-of-way. 	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
TR-7 Pay a fair-share contribution of 11% towards the improvements at the intersection of Lewis Street and	Grading and Building Plan	Prior to final building	Public Works Department

Mitigation Measures

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>Chapman Avenue to restore acceptable level of service for future cumulative traffic conditions. The recommended improvements identified in this study include:</p> <ul style="list-style-type: none"> • Modify southbound approach leg on Lewis Street to include one (1) left turn lane, one (1) through lane, and one (1) shared through/right turn lane. • Modify westbound approach leg on Chapman Avenue to include one (1) left turn lane, two (2) through lanes, and one (1) shared through/right turn lane. • Recommended intersection improvements are expected to fit within the existing right-of-way. 	<p>Review Inspections</p>	<p>permits</p>	
Design Features			
Traffic			
<p>DF-TR-1 A worksite traffic control plan should be prepared prior to beginning construction, to the satisfaction of the City Engineer.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to beginning of construction</p>	<p>Public Works Department</p>
<p>DF-TR-2 Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Public Works Department</p>
<p>DF-TR-3 Any required lane closures should occur outside of peak travel periods.</p>	<p>Grading and building inspections</p>	<p>During grading and building construction</p>	<p>Public Works Department</p>
<p>DF-TR-4 Construction vehicles should be parked off</p>	<p>Grading and</p>	<p>During grading</p>	<p>Public Works</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
traveled roadways.	building inspections	and building construction	Department
<p>DF-TR-5 The driveway design for PA 1 should be modified to provide additional queuing capacity for vehicles exiting the site.</p> <ul style="list-style-type: none"> • Single westbound left turn lane - 150 feet storage; or • Dual westbound left turn lanes - 75 feet storage 	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
<p>DF-TR-6 PA 1 driveway should provide uninterrupted storage lanes, free from merging traffic or parking vehicles.</p>	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
<p>DF-TR-7 PA 1 driveway should align with Sheraton Driveway across Harbor Blvd.</p>	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
<p>DF-TR-8 The traffic signal at PA 1 should include protected left turn phasing for northbound and southbound movements on Harbor Boulevard.</p>	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
<p>DF-TR-9 PA 2 driveway should be limited to right-out only access.</p>	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
<p>DF-TR-10 PA 3 driveway should be restricted to left-in/right-out only access to restrict vehicles from cutting through the existing residential neighborhood</p>	Grading and Building Plan Review	Prior to final building permits	Public Works Department

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
east of the site. Raised driveway medians, signage, and striping should be installed to restrict access.	Inspections		
DF-TR-11 Install wayfinding signage at all project access driveways and at internal drive aisle intersections. On-site wayfinding shall also be provided to direct vehicles departing the site to utilize the project driveway located on Twintree Lane and the southerly driveway located along Harbor Boulevard. (Refer to DF-P-11 and -12)	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-12 Stop signs, stop bars and stop legends should be installed.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-13 Provide adequate parking, valet parking program, and parking management plans per the detailed findings and recommendations of the Site C Hotel Parking Study.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-14 Full-time valet attendants should be present at drop-off areas in front of Hotel A, Hotel B, and Hotel C to ensure vehicles do not block drive aisles.	During operation of project	On going	Public Works Department
DF-TR-15 Install an electronic parking guidance system that monitors and displays the number of available spots on each floor to guests entering the parking structure. The system will help alert management of when the structure is reaching capacity. Additionally, it will allow guests to more easily find parking spaces, especially when the parking structure begins	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
to reach maximum capacity. (Refer to DF-P-13)			
DF-TR-16 Provide a final detailed on-site circulation plan incorporating the recommendations listed in this report, to the satisfaction of the City of Garden Grove.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-17 The on-site circulation plan should be reviewed by the Garden Grove Fire Department to ensure adequate emergency access is provided. Emergency vehicles must have access to the first floor of the parking structure and be able to drive through one (1) entrance and out the other.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department/Fire Department
DF-TR-18 The on-site circulation plan should be reviewed by the Garden Grove waste management provider to ensure adequate access is provided for trash collection.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-19 Provide crosswalks on all legs of the new traffic signals at Harbor Boulevard and PA 1 and Harbor Boulevard and Twintree Lane.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-20 Internal crosswalks shall be clearly marked. In-road lighting, textured pavement and curb bulb outs are examples of crosswalk enhancement features that should be implemented to improve pedestrian safety and accessibility.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-21 Install a bus shelter on the east side of Harbor Boulevard, along the project frontage.	Grading and Building Plan Review	Prior to final building permits	Public Works Department

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>DF-TR-22 Provide at least five (5) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient and visible locations throughout the hotel property. (Refer to DF-P-24)</p>	<p>Inspections Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-TR-23 Provide shuttle service to Disneyland, the Anaheim Convention Center, and other popular attractions in the area.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>DF-TR-24 Encourage management to display a poster/message board that promotes walking, bicycling, and public transit options to nearby attractions.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Community and Economic Development Department Public Works Department</p>
<p>DF-TR-25 Encourage employees to use alternative modes of transportation, such as ridesharing and public transit by providing monetary incentives and subsidies (i.e., \$50/month). (Refer to DF-P-6)</p>	<p>During operation of project</p>	<p>On going</p>	<p>Community and Economic Development Department /Public Works Department</p>
<p>DF-TR-26 Sight distance at the project access points should be designed per City of Garden Grove and State of California design standards.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
DF-TR-27 A limited use area shall be maintained where a clear line of sight can be established.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-28 The limited use area shall be used for the purpose of prohibiting or clearing obstructions to maintain adequate sight distance at intersections.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-29 Limited use area shall be kept clear of all obstructions over 30 inches high, including vegetation.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-30 No trees, walls or any obstructions shall be allowed in the limited use area.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department
DF-TR-31 Site operations should be periodically reviewed to assure that the traffic operations are satisfactory.	During operation of project	On going	Public Works Department
DF-TR-32 Post "No Parking in Neighborhood" signage on-site near Twintree Lane access. (Refer to DF-PF-27)	Grading and Building inspections and during operation of project	On going	Community and Economic Development Department
DF-TR-33 Participate in the City's approved Transportation Facilities Fee program.	Grading and Building Plan Review Inspections	Prior to final building permits	Public Works Department

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
Parking			
<p>DF-P-1 Utilizing the shared parking concept, the parking demand for the project has been estimated to be 1,110 parking spaces during peak weekday conditions and 1,051 parking spaces during peak weekend conditions. With the added 10% coverage, the project is required to provide a total of 1,221 parking spaces. The project provides a total of 1,297 parking spaces which is sufficient to meet the parking demands of the project.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-2 Implement a parking valet program for registered hotel guests during peak parking demand times. The parking structure includes a valet configuration within the basement level to accommodate approximately 324 parking spaces. All other users (visitors, employees, etc.) can utilize the parking structure for self-parking.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-3 Designate the basement portion of the parking structure for valet parking configuration as provided. Registered guests shall utilize the valet during peak parking demand times. Employees and visitors are encouraged to self-park within the parking structure. This will ensure efficient valet service.</p>	<p>Grading and Building Plan Review Inspections and during operation of project</p>	<p>Prior to final building permits and on going</p>	<p>Public Works Department</p>
<p>DF-P-4 As indicated on the basement floor of the parking structure, the valet parking configuration can allow for up to 324 vehicles to be parked double/tandem.</p>	<p>Grading and Building Plan Review Inspections and</p>	<p>Prior to final building permits and on going</p>	<p>Public Works Department</p>

Mitigation Measures

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>DF-P-5 Offer a valet parking program that can be expanded to meet the changing parking demands for the project. During times of peak occupancy, special events, etc., offer additional valet services for all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration if needed.</p>	<p>during operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-6 Encourage employees to use alternative modes of transportation, such as ridesharing and public transit by providing monetary incentives and subsidies (i.e., \$50/month). (Refer to DF-TR-25)</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-7 Designate rideshare parking spaces in conveniently located areas of the parking structure as additional incentive for employees to carpool.</p>	<p>Grading and Building Plan Review Inspections and during operation of project</p>	<p>Prior to final building permits and on going</p>	<p>Public Works Department</p>
<p>DF-P-8 Designate parking spaces for employees to self-park near the top floors of the parking structure in order to improve the parking convenience for other self-park guests and visitors.</p>	<p>Grading and Building Plan Review Inspections and during operation of project</p>	<p>Prior to final building permits and on going</p>	<p>Public Works Department</p>
<p>DF-P-9 The project shall communicate and share the recommendations in this report with all employees.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>A designated team member can be assigned as the ETC (Employee Transportation Coordinator) to assist in implementing and promoting the Parking Management Strategies onsite.</p>			
<p>DF-P-10 Information about transit options such as bus shuttle, taxi, etc. to Disneyland, airports and other local attractions should be readily available to guests. This information should also be easily found on the hotel website. This will encourage guests to use these forms of transportation as opposed to utilizing parking spaces inside the parking structure.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-11 Install wayfinding signage at all project access driveways and at internal drive aisle intersections. The goal of wayfinding is to take guests from the roadway system into a parking space and then eventually back onto the roadway system in the most efficient way possible. (Refer to DF-TR-11)</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-12 On-site wayfinding shall also be provided to direct vehicles departing the site to utilize the project driveway located on Twintree Lane and the southerly driveway located along Harbor Boulevard. (Refer to DF-TR-11)</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-13 Install an electronic parking guidance system that monitors and displays the number of available spots on each floor to guests entering the parking structure. The system will help alert management of when the structure is reaching capacity.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>Additionally, it will allow guests to more easily find parking spaces, especially when the parking structure begins to reach maximum capacity. (Refer to DF-TR-15)</p>			
<p>DF-P-14 Parking demand for the project should be monitored within the first 12 months of the hotel's operation with an updated observed parking analysis by a registered traffic engineer to ensure that parking is adequate and does not create an overflow parking situation into neighboring residential and commercial uses. If parking problems are identified, the developer shall resolve the issue to the satisfaction of the City of Garden Grove Traffic Engineer.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-15 Valet attendants shall be present at all drop-off areas and in the designated valet area located in the basement of the parking structure.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-16 Valet parking plans should be adaptable and flexible to meet parking demands and special events. Offer a valet parking program that can be expanded. During times of peak occupancy, special events, etc., offer additional valet services to all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration if needed.</p>	<p>Grading and Building Plan Review Inspections and during operation of project</p>	<p>Prior to final building permits and on going</p>	<p>Public Works Department</p>
<p>DF-P-17 The parking structure should be configured in a way in which the drive aisles are wide enough to</p>	<p>Grading and Building Plan</p>	<p>Prior to final building</p>	<p>Public Works Department</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>accommodate emergency vehicles and designed so as to not inhibit the response time of emergency vehicles.</p>	<p>Review Inspections</p>	<p>permits</p>	
<p>DF-P-18 The valet parking plan must not block any major drive aisles or hinder the driving ability of emergency vehicles.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-19 The project will need to provide a detailed valet operations plan prior to occupancy. This will include a number of valet attendants and vehicle stacking areas.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to the issuance of certificates of occupancy</p>	<p>Public Works Department</p>
<p>DF-P-20 In order to provide the maximum amount of vehicle stacking for the valet, the project should expand the drop-off areas located in front of Hotels B and C to accommodate more vehicles.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-21 Valet parking should be adaptable and flexible to meet parking demands and special events. Offer a valet parking program that can be expanded. During times of peak occupancy, special events, etc., offer additional valet services to all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration.</p>	<p>During operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-22 Provide for a bus/van pick-up and drop-off location site for hotel guests and employees.</p>	<p>Grading and Building Plan Review Inspections and</p>	<p>Prior to final building permits and on going</p>	<p>Public Works Department</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
<p>DF-P-23 Encourage alternative transportation methods for employees through transportation management incentives. These would include such things as employee reimbursement for using the transit and providing a transportation coordinator for the staff.</p>	<p>during operation of project</p>	<p>On going</p>	<p>Public Works Department</p>
<p>DF-P-24 Provide at least five (5) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient and visible locations throughout the hotel property. (Refer to DF-TR-22)</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-25 Parking spaces for the physically handicapped shall be provided per Table 11B-208.2 in accordance with the California Building Code.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Public Works Department</p>
<p>DF-P-26 It is anticipated that the emergency services can access the site directly from the main entrance (along Harbor Boulevard) and the side entrance (along Twintree Lane). Emergency vehicles must have access to the first floor of the parking structure and be able to drive through one (1) entrance and out the other. The on-site circulation plan should be reviewed by the Garden Grove Fire Department to ensure adequate emergency access is provided.</p>	<p>Grading and Building Plan Review Inspections</p>	<p>Prior to final building permits</p>	<p>Community Development Department/Fire Department</p>
<p>DF-P-27 Post "No Parking in Neighborhood" signage on-site near Twintree Lane access. (Refer to DF-TR-32)</p>	<p>Grading and Building inspections and</p>	<p>On going</p>	<p>Community and Economic Development</p>

MITIGATION MEASURE	VERIFICATION	TIMING	RESPONSIBLE PARTY
	during operation of project		Department
UTILITIES AND SERVICE SYSTEMS			
USS-1 Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the City Engineer that proper hydromodification methods have been applied to the proposed on-site storm drain improvements.	Grading and Building Plan Review Inspections	Prior to the issuance of a grading permit	Public Works Department

RESOLUTION NO. 5899-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-043-2017 AND TENTATIVE TRACT MAP NO. TT-17455 FOR THE MODIFIED SITE C RESORT HOTEL DEVELOPMENT PROJECT ON PROPERTY LOCATED AT 12222, 12252, 12262, 12272, 12292, AND 12302 HARBOR BOULEVARD, 12511, 12531, 12551 AND 12571 TWINTREE LANE, AND 12233, 12235, 12237, AND 12239 CHOISSER ROAD, ASSESSOR'S PARCEL NOS. 231-421-20, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, AND 10; AND 231-491-12, 13, 14, 15, 16, 17, 18, AND 19.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on November 2, 2017, does hereby approve Site Plan No. SP-043-2017, and Tentative Tract Map No. TT-17455, for land located at the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road at 12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard, 12511, 12531, 12551 and 12571 Twintree Lane, and 12233, 12235, 12237, and 12239 Choisser Road, Assessor's Parcel Nos. 231-421-20, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10; and 231-491-12, 13, 14, 15, 16, 17, 18, and 19 (collectively, the "Site").

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Investel Garden Resorts, LLC (the "Applicant").
2. In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel development project (the "Site C Project") on the Site. Planned Unit Development No. PUD-128-12 incorporates a conceptual site plan depicting the Site C Project, as it was contemplated at the time. The Applicant now requests approval of a Site Plan, Tentative Tract Map, and Development Agreement to implement the Site C Project and proposed modifications to the 2012 conceptual site plan (the "Modified Project"). The request includes: (i) Planning Commission approval of Site Plan No. SP-043-2017 depicting the Modified Project, which includes the same number of hotels, maximum number of hotel rooms, and maximum building heights as approved in 2012, but proposes modifications to the configuration of the buildings, the internal circulation and site access, and the amount and type of ancillary uses; (ii) Planning Commission approval of Tentative Tract Map No. TT-17455 to adjust the rear property lines of four (4) parcels located on Choisser Road and to consolidate existing parcels into two (2) lots to facilitate the development of the Modified Project and future commercial condominiumization; and (iii) City Council approval of Development Agreement

No. DA-008-2017 between the City of Garden Grove and Investel Garden Resorts, LLC, providing the Applicant with a vested right to develop the Modified Project in accordance with Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455.

3. Based on the approval of the Site C Project and adoption of a Mitigated Negative Declaration in 2012, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., the City of Garden Grove prepared an Initial Study to determine if the proposed modifications resulting from the Modified Project will result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts as required by CEQA Section 21166 and CEQA Guidelines Section 15162. Based on the Initial Study and supporting technical analyses, it was determined that the proposed Modified Project qualifies for a Subsequent Mitigated Negative Declaration because the proposed Modified Project, along with the mitigation measures identified in the Initial Study cannot, or will not, have any new significant effects on the environment or result in a substantial increase in the severity of previously identified significant effects.
4. The property has a General Plan Land Use designation of International West Mixed Use and is zoned Planned Unit Development No. PUD-128-12. The subject Site is 4.3-acres and is currently vacant and unimproved. The Project Site abuts a vacant commercial lot to the north (the "Sunbelt Property"); commercial buildings and one-story, single-family homes to the south; one-story, single-family homes to the east; and commercial uses, the Sheraton Hotel, and vacant properties to the west. In accordance with Section 5 of Ordinance No. 2824, the Community and Economic Development Director has determined, in her reasonable discretion, that design of the Modified Project preserves direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard.
5. Existing land use, zoning, and General Plan designations of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 2, 2017, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on November 2, 2017, the Planning Commission adopted Resolution No. 5898-17 adopting a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Modified Project, and Resolution No. 5900-17 recommending approval of Development Agreement No. DA-008-2017 by the Garden Grove City Council.

The facts and findings set forth in Planning Commission Resolution Nos. 5898-17 and 5900-17 are hereby incorporated into this Resolution by reference.

9. The Planning Commission gave due and careful consideration to the matter during its meeting of November 2, 2017.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 and 9.40.060, are as follows:

FACTS:

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel project known as the Site C Project. As approved in 2012, the Site C Project called for up to 769 rooms and ancillary hotel uses such as pools, spas, and fitness centers within one (1) full-service and two (2) limited-service resort hotels with up to 104,000 aggregate square feet of conference/meeting banquet space, hotel restaurant space, and freestanding pad restaurant/entertainment space, and a multi-level parking garage with 1,297 parking spaces on 5.2-acres. Planned Unit Development No. PUD-128-12 incorporated a conceptual site plan depicting the Site C Project, as it was contemplated at the time. The conceptual site plan envisioned two vehicular access points to the Project Site, one on Harbor Boulevard, across from the entrance to the Sheraton Hotel, and another on Twintree Lane. The Planned Unit Development standards require the installation of a traffic signal at the main Project entrance on Harbor Boulevard and related raised median improvements in Harbor Boulevard. Planned Unit Development No. PUD-128-12 allows the number of parking spaces to be reduced below 1,297 to the extent justified by a parking study in the event the approved project consists of less than 769 rooms and/or the prescribed square footages of the total combined conference/ meeting banquet space and restaurant changes.

The Applicant now proposes to develop the Site C Project, and proposes certain modifications to the Project depicted in the 2012 conceptual site plan. The number of hotels, maximum number of hotel rooms, and maximum building heights remain the same, but the size of the Site, the configuration of the buildings, the amount and type of ancillary uses, and the internal circulation and site access have been modified.

The Modified Project consists of 769 hotel rooms and approximately 26,090 square feet of additional hotel ancillary uses within two (2) full-serve and one (1) limited-service hotel, approximately 39,867 square feet of conference/meeting banquet space, approximately 36,885 square feet of

restaurant/retail/entertainment space, approximately 24,014 square feet of hotel restaurant space, and a total of up to 1,297 parking spaces within a multi-level parking structure with one level of subterranean parking. The Modified Project will be constructed on approximately 4.3-acres.

Planned Unit Development No. PUD-128-12 and the 2012 conceptual site plan contemplate the potential development of the Site and the adjacent property located to the north of the Site at 12202 Harbor Boulevard and identified as Assessor's Parcel No. 231-491-21 (the "Sunbelt Property") as part of a single project. Garden Grove City Council Ordinance No. 2824, approving Planned Unit Development No. PUD-128-12 provides that, in the event the Sunbelt Property is not developed as part of a single project with the remainder of the Site, the Community Development Director shall ensure, in his or her reasonable discretion, that access to the Sunbelt Property is adequately maintained through either an access easement between the two properties or preservation of direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard. The Modified Project does not include development of the Sunbelt Property as part of a single project and does not provide for an access easement. Thus, access to and from the Sunbelt property will be maintained directly from Harbor Boulevard. In June 2017, RK Engineering conducted an analysis on behalf of the City analyzing alternatives for providing access to and from the Sunbelt Property from Harbor Boulevard. Based on this analysis, right turn-in and turn-out unsignalized access to and from the Sunbelt Property from Harbor Boulevard is recommended. Under this alternative, outbound vehicles can access southbound Harbor Boulevard by making a right-turn at the driveway and then performing a U-Turn maneuver to southbound Harbor Boulevard at the existing Harbor Boulevard / Target Driveway signalized intersection. Inbound vehicles traveling southbound on Harbor Boulevard can access the Sunbelt Property by making a U-Turn maneuver at the traffic signal to be installed at the Site C / Sheraton Hotel access intersection and then proceed northbound on Harbor Boulevard where vehicles can turn right into the Sunbelt Property. The RK Engineering analysis recommends against creating median breaks in Harbor Boulevard to allow for unprotected left turn movements directly to/from the Sunbelt Property along Harbor Boulevard, finding that doing so would create an operational deficiency and hazard for vehicles traveling on Harbor Boulevard. In accordance with Section 5 of Ordinance No. 2824, the Community and Economic Development Director has determined, in her reasonable discretion, that design of the Modified Project, which provides for U-Turn movements at the signalized intersection at the main Project entrance, preserves direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard.

To facilitate the Modified Project, a Site Plan is required depicting the Modified Project, and a Tentative Tract Map is required to adjust the rear property lines of four (4) existing city-owned parcels located at the northeast corner of the site on Choisser Road to incorporate a portion of these parcels into the Modified Project

Site and to consolidate the existing parcels on the Modified Project Site into two (2) lots to facilitate development of the Modified Project and future commercial condominiumization.

The Modified Project has been designed to comply with the performance standards of Planned Unit Development No. PUD-128-12, including maintaining the same number of hotels and hotel rooms, and complying with the building setbacks, parking, and maximum building heights as approved in 2012.

The Modified Project is located in the Grove District Anaheim Resort, which is designated as a resort destination that encourages hotels, restaurants, and entertainment uses.

FINDINGS AND REASONS:

Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and is consistent with the General Plan.

The Site has a General Plan Land Use Designation of the International West Mixed Use, which is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. Policy ED-1.1 of the Economic Development Element encourages the development and expansion of hotel facilities on key corridors in the City, such as Harbor Boulevard, while Goal LU-9 of the Land Use Element for the International West seeks to develop this area as a tourism and entertainment destination. The Project site is currently vacant and unimproved, and the Modified Project will fulfill the goals of the General Plan.

The Modified Project has been designed to comply with the development standards and performance standards of Planned Unit Development No. PUD-128-12. The number of hotels, maximum number of hotel rooms, and maximum building heights will remain the same as approved in 2012. The proposed modifications to the configuration of the buildings, the amount and type of ancillary uses, and the site access will continue to be in compliance with the intent of Planned Unit Development No. PUD-128-12. The proposed modifications comply with Planned Unit Development No. PUD-128-12. The Modified Project will be compatible with the existing hotel developments in the area, and will further the goals of the General Plan that envisions entertainment/themed resorts in the area.

2. The Project will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access.

The Modified Project will maintain the same vehicular access points on Harbor Boulevard and Twintree Lane as contemplated by the 2012 conceptual site plan, but will introduce a secondary vehicular access point to the Site located on Harbor Boulevard. The main vehicular access to the Project Site from Harbor Boulevard will be aligned with the existing driveway of the Sheraton Hotel, which is located directly across the street from the Project Site, which will facilitate vehicular and pedestrian access between the two (2) hotel developments and from the public right-of-way. A new traffic signal will be installed at this intersection that will allow for left turn and right turn in and out of the Project Site, as well as allow for U-Turns. The Twintree Lane driveway will function as a secondary access point to the Site, and will be designed to allow for left-turn in, and right-turn out of the Project Site along with having a channeled median and the appropriate signage that will restrict access to the surrounding residential neighborhood. The new proposed driveway on Harbor Boulevard will be designed as a right-turn out only of the Project Site. Right-turn into the Project site will not be permitted at this driveway as it is located too close to Twintree Lane. Also, a new traffic signal will be installed at the Harbor Boulevard and Twintree Lane intersection.

The Modified Project will provide an internal vehicular circulation system that complies with the City's minimum drive aisle standards, and will accommodate two-way traffic and provide appropriate access for trash trucks and emergency vehicles. The Modified Project will provide on-site sidewalks that originate from the public right-of-way that allow for pedestrian access to the Site.

The parking for the Project will be provided within a multi-level parking structure that will have one-level of subterranean parking. Based on a shared parking study prepared in 2012, Planned Unit Development No. PUD-128-12 requires a total of 1,297 parking spaces to serve the Project based on the Project's shared land uses, which are compatible and complimentary to one another. The provisions of Planned Unit Development No. PUD-128-12 allow the number of parking spaces to be reduced below 1,297 to the extent justified by a new parking study, in the event of changes to the number of hotel rooms and/or the prescribed square footages of other uses. Due to the proposed modification to the square footages of the approved uses, a new shared parking study was performed to analyze the new peak parking demand for the proposed uses. The new parking study showed that, based on the proposed uses, a total of 1,221 parking spaces will be required for the Modified Project. The Applicant proposes to provide a total of 1,297 parking spaces in conjunction with the Modified Project, which will result in a surplus of 76 parking spaces. Nevertheless, the Site Plan approval is conditioned to ensure that at least 1,221 parking spaces are maintained to serve the Project, based on the square footages analyzed in the shared parking study.

The City's Traffic Engineering Section has reviewed the Modified Project, and the appropriate supplemental conditions of approval have been incorporated that, along with the PUD performance standards and the mitigation measures, will minimize any adverse impacts to surrounding streets.

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

The Modified Project is subject to the performance standards approved in 2012 for Planned Unit Development No. PUD-128-12. The Public Work's Department has reviewed the plans for the Modified Project, and has incorporated supplemental conditions of approval. The proposed development will provide landscaping and proper grading of the site to provide adequate on-site drainage. The PUD performance standards, the supplemental conditions of approval, and the adopted mitigation measures will minimize any adverse impacts to surrounding streets.

4. The Project will not adversely impact the Public Works Department's ability to perform its required function.

The Modified Project is subject to the Public Work's Department performance standards approved in 2012 for Planned Unit Development No. PUD-128-12. The Public Work's Department has reviewed the Modified Project, and has incorporated supplemental conditions of approval and mitigation measures that will minimize any adverse impacts.

5. The Project is compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics.

The Modified Project has been designed in accordance with the development standards of Planned Unit Development No. PUD-128-12. The Project is located in the Grove District Anaheim Resort, which is designated as a resort destination that encourages hotels, restaurants, and entertainment uses. The resort area is improved with hotels, restaurants, and retail uses.

The proposed Modified Project will be compatible with the existing hotel developments in the area. The building elevations will be designed to reflect each hotel brand, and will include unique architectural elements of each hotel. The Modified Project will provide landscaping that is consistent with the Harbor Boulevard landscape treatment pattern. Therefore, the Project will have a reasonable degree of physical, functional, and visual compatibility with neighborhood.

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 Modified Project has been designed in accordance with the development standards of Planned Unit Development No. PUD-128-12, and the proposed modifications to the configuration of the buildings, the amount and type of ancillary uses, and the site access will continue to be in compliance with the intent of PUD-128-12. The Modified Project will provide the required the landscape setbacks along Harbor Boulevard and Twintree Lane that are consistent with the resort area landscape pattern.

Tentative Tract Map:

1. The proposed map is consistent with the General Plan.

The proposed map is consistent with the provisions of the General Plan International West Mixed Use land use designation, which applies to all affected parcels. The International West Mixed Use Land Use designation is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. Policy ED-1.1 of the Economic Development Element encourages the development and expansion of hotel facilities on key corridors in the City, such as Harbor Boulevard, while Goal LU-9 of the Land Use Element for International West seeks to develop this area as a tourism and entertainment destination. The Tentative Tract Map will adjust the rear property lot lines of four (4) existing city-owned parcels located on Choisser Road to incorporate a portion of these parcels into the Project site, and will consolidate the existing parcels into two (2) lots to facilitate the development of the proposed resort hotel Project consisting of hotels and retail, restaurants and entertainment uses. The parcels on Choisser Road will maintain the required minimum lot size of 7,200 square feet. The proposed Modified Project will be compatible with existing hotel developments in the area, and will further the goals of the General Plan that envisions entertainment/themed resorts in the area.

2. The design and improvement of the proposed subdivision are consistent with the General Plan.

The design and improvements of the proposed subdivision are consistent with the General Plan. The proposed Project consists of hotels, restaurants, retail, and entertainment uses and is designed to comply with the applicable development standards of Planned Unit Development No. PUD-128-12. The International West Mixed Use Land Use designation is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. Policy ED-1.1 of the Economic Development

Element encourages the development and expansion of hotel facilities on key corridors in the City, such as Harbor Boulevard, while Goal LU-9 of the Land Use Element for International West seeks to develop this area as a tourism and entertainment destination. The development standards and performance standards approved in 2012 for Planned Unit Development No. PUD-128-12, as well as the supplemental conditions of approval, will ensure that the design and improvement of the project site will be consistent with the spirit and intent of the General Plan.

3. The Site is physically suitable for the proposed type of development.

The Site is physically suitable for the proposed development. The Site is located along Harbor Boulevard, a major thoroughfare, in the City's Grove District Anaheim Resort area and is specifically zoned for the proposed resort hotel development. The total land area associated with the Tentative Tract Map is 4.42-acres, which includes 3.64-acres for Lot 1 and .78-acres for Lot 2. The Modified Project will be constructed on 4.3-acres of the land area. The proposed Tentative Tract Map will consolidate the existing parcels on the Site to facilitate development of the Modified Project, which has been designed to comply with the development standards of Planned Unit Development No. PUD-128-12, including setbacks, building heights, and landscaping. In addition, entrance driveways and on-site drive aisles have been designed per the City's standard and provide adequate access for trash trucks and emergency vehicle access.

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, and the requirements of the California Environmental Quality Act have been satisfied.

The City of Garden Grove City Council prepared an initial study and adopted a Mitigated Negative Declaration pursuant to CEQA in 2012 in conjunction with approval of General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12. The City also prepared an updated environmental analysis to determine if the proposed Modified Project will result in any new significant environmental impacts or a substantial increase in the severity of previously identified significant environmental impacts. Based on the subsequent Initial Study and supporting technical analyses, it was determined that the proposed Modified Project qualifies for a Subsequent Mitigated Negative Declaration because the proposed Modified Project with the mitigation measures identified in the initial study, cannot, or will not, have any new significant effects on the environment or result in a substantial increase in the severity of previously identified significant effects. Concurrently with adoption of this Resolution on November 2, 2017, the

Planning Commission adopted Resolution No. 5898-17 adopting a Subsequent Mitigated Negative Declaration.

5. The Site is physically suitable for the proposed density of the development.

The Site is physically suitable for the Modified Project. Planned Unit Development No. PUD-128-12 expressly allows development of the proposed resort hotel project on the Site at the designed density. The proposed map will consist of two (2) parcels with a combined lot size of 4.42-acres, and the Modified Project will be constructed on 4.3-acres. The property is sufficient in size to accommodate the proposed Modified Project, and complies with the development standards of Planned Unit Development No. PUD-128-12.

6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The design of the subdivision and the proposed improvements are not likely to cause serious public health problems since the conditions of approval will be in place to safeguard the public health. City Departments, including Traffic Division, Water Division, Engineering Division, Fire Department, and the Planning Division, have reviewed the Modified Project. The development standards and the performance standards adopted in 2012 by Planned Unit Development No. PUD-128-12 and the supplemental conditions of approval for the Modified Project will be applied as mitigating measures against potential impacts that the Modified Project may have on the community.

7. 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 subdivision; or, if such easements exist, alternate easements for access or for use will be provided and 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 either avoid development over existing easements or require replacement of existing easements.

8. 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 requirements.

The Modified Project will be constructed on a 4.3-acres, and will accommodate the proposed number of hotels, the proposed square footages for the conference/meeting banquet space, the hotel restaurants, the retail uses, and hotel ancillary uses, and the required parking. The design and improvement of the subdivision is suitable for the proposed Modified Project, and the subdivision, as proposed, comply with the General Plan, Planned Unit Development No. PUD-128-12, and the Subdivision Map Act.

- 9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

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.

- 10. The design, density, and configuration of the subdivision strike a balance between the effect of the subdivision on the housing needs of the region and public service needs. The character of the subdivision is compatible with the design of existing structures, and the lot sizes of the subdivision are substantially compatible with the lot sizes within the general area.

The Site is vacant, and no residential homes are proposed as part of the subdivision. The proposed Modified Project is located in an area known as the Grove District Anaheim Resort, which is designated as a resort destination that encourages hotels, restaurants, and entertainment uses. The resort area is improved with hotels, restaurants, and retail uses.

The Modified Project will have the same number of hotels, hotel rooms, and maximum building heights as approved in 2012, and the proposed modifications to the configuration of the buildings, the amount and type of ancillary uses, and the site access will continue to be in conformance with Planned Unit Development No. PUD-128-12. The Modified Project has been designed to comply with the development standards of Planned Unit Development No. PUD-128-12.

- 11. The subject property is not located within in a state responsibility area or a very high fire hazard severity zone, the proposed subdivision is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.

- 12. The discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the

California Regional Water Quality Control Board. The performance standards adopted in 2012 for Planned Unit Development No. PUD-128-12 and supplemental conditions of approval for the Modified Project, for on and off-site improvements, will ensure 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 and in Resolution No. 5898-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan and Tentative Tract Map possess characteristics that would justify the request in accordance with Municipal Code Sections No. 9.32.030.D.3 (Site Plan), and Section 9.40.060 (Tentative Maps).
2. In order to fulfill the purpose and intent of the Planned Unit Development No. PUD-128-12 and the Municipal Code and thereby promote the health, safety, and general welfare, the Modified Project is required to comply with the performance standards of Planned Unit Development No. PUD-128-12, and the supplemental Conditions of Approval (Exhibit "A") that shall apply to Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455.

EXHIBIT "A"

Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455

12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard
12511, 12531, 12551 and 12571 Twintree Lane
12233, 12235, 12237, and 12239 Choisser Road

SUPPLEMENTAL CONDITIONS OF APPROVAL

1. Whenever used herein, the term "applicant" shall mean and refer to each of the following: Investel Garden Resorts, LLC, the developer of the project, the tenants/business operators on the property, and the property owner(s), and each of their respective successors and assigns. The applicant shall adhere to all Conditions of Approval for the life of the project, regardless of property ownership. Except as otherwise expressly provided herein, any changes to the Conditions of Approval require approval by the applicable hearing body.
2. Approval of this Site Plan and Tentative Tract 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 and Planned Unit Development No. PUD-128-12 shall apply.
3. Except as expressly modified or supplemented herein, Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455 shall be subject to all Performance Standards applicable to Planned Unit Development No. PUD-128-12 ("PUD Performance Standards"), which are hereby incorporated into these Conditions of Approval by this reference. These Conditions of Approval are intended to supplement the PUD Performance Standards to reflect current legal and regulatory requirements and the approved modifications to the Project. In the event any actual or perceived conflict between any PUD Performance Standard and the modified or more specific provisions of these Conditions of Approval, the modified or more specific provisions of these Conditions of Approval shall apply. The City's Community and Economic Development Director is authorized to make interpretations of these Conditions of Approval and to resolve any such actual or perceived conflicts.
4. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in new significant impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to

approval of new and/or amended land use entitlements by the applicable City hearing body.

5. All mitigation measures and design features identified in the Supplemental Mitigated Negative Declaration adopted for the Modified Project (Site C Subsequent Mitigated Negative Declaration and Initial Study) (the "Subsequent Mitigated Negative Declaration") are incorporated herein by this reference and shall be implemented as conditions of approval for Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455. The Mitigation Monitoring and Reporting Program adopted in conjunction with the Subsequent Mitigated Negative Declaration shall be implemented during Project construction throughout operation of the Project, as applicable.
6. 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-043-2017 and Tentative Tract Map No. TT-17455, has begun.
7. In accordance with PUD Performance Standard No. 70, the applicant shall, 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 the Project, including, without limitation, Site Plan No. SP-043-2017, Tentative Tract Map No. 17455, Development Agreement No. DA-008-2017, and/or the Subsequent 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 defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney and 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.

Building Division

8. Notwithstanding any other provision of these Conditions of Approval, all buildings and facilities shall comply with all applicable building codes and regulations that are in effect at the time of permit application, as such codes and regulations are adopted and amended by the City (see Garden Grove

Municipal Code Title 18). The following "Building Division" Conditions of Approval reflect the building codes and regulations in effect at the time of approval of the Site Plan and Tentative Tract Map and are not intended, and shall not be construed, to authorize deviations from the applicable building codes and requirements in effect at the time permits are applied for, should such building codes and regulations change in the future.

9. All buildings and facilities shall conform to requirements of Section 403 of the California Building Code (CBC) for fire, life safety requirements for high rise buildings, including fire sprinklers, fire alarms, fire pumps and fire pump rooms, secondary water supply, standpipe system, emergency voice/alarm communication system, emergency respond radio coverage, fire command, smoke control system, standby and emergency room, stairway communication system, smoke proof stair enclosure, luminous egress path markings, enclosed elevator lobby, and fire service access elevator.
10. Plans shall specify the following: construction type, occupancy group, building area, number of stories.
11. Plans shall provide area analysis: show imaginary property lines between the buildings on the site plan if separated occupancies are assumed.
12. Per Section 11B-258.2 of the CBC, accessible parking shall be provided for each type of parking facility. The applicant shall provide additional accessible parking spaces for the uncovered parking spaces located along the Twintree Lane drive aisle.
13. An accessible means of egress/accessible route from exits at exit-discharge to the public right-of-way shall be provided per Section 1009 of CBC.
14. Valet parking spaces shall be included in total number of parking spaces for calculating the required number of accessible parking spaces.
15. Passenger loading zones must conform to Section 11B-503 of the CBC and shall be provided at facilities with valet parking.
16. Accessible routes at site arrival points and within the site shall be provided in conformance with Section 11B-206 of the CBC.
 - a. Site arrival points: accessible routes shall be provided from public sidewalk/ street, accessible parking, passenger loading zones, public transportation stops to the accessible building entrances they serve.
 - b. Within the site: accessible routes shall be provided connecting accessible buildings.

17. An accessible route from pool area to dining terrace shall be provided.
18. An accessible entry to pool shall be provided per Section 11B-242 of the CBC.
19. An accessible route to the pool deck shall be provided.
20. Buildings shall be solar ready per Section 110.10 of the California Energy Code. Exception: 11 stories or more at hotel occupancies per Section 110.10(a)(3) of the CBC; 4 stories or more at retail/café/restaurant occupancies per Section 110.10(a)(4) of the CBC.
21. Maximum travel distance from each stair to elevator shall be 200 feet per Section 11B-206.2.3.2 of CBC.
22. The plans shall specify locations of accessible parking and EVCS parking in the parking structure. Accessible parking shall also be provided for electric vehicle charging stations per 11B-228.3 of the CBC and Section 5.1.6.5.3 of California Green Code (CGC).
23. An enclosed elevator lobby is required at high rise buildings.
24. Exit arrangements at each space shall meet the requirements of Section 1007.1.1 of CBC for separation distance.
25. The plans shall specify occupancy group for each space. The project shall provide two (2) for occupant loads greater than 49.
26. The plans shall provide a fixture count for plumbing fixtures per Table 422.1 of CPC.
27. Guest rooms with mobility and communication features shall be provided per Section 11B-224 of CBC. Dispersion shall meet section 11B-224.5 of CBC.

Fire Department

28. There shall be no storage within the exit corridors.
29. The Fire Department connections shall be located in front of the hotel project along Harbor Boulevard. Signage and fire hydrants shall be provided on-site in accordance with PUD Performance Standard No. 80.

Planning Services Division

30. A minimum of 1,221 parking spaces are required to serve the Project at the full permitted build-out based on the proposed number of hotel rooms and proposed square footages of uses analyzed in the 2017 Shared Parking Study. In the event the applicant proposes to modify the number of hotel rooms or the square footages of the other proposed uses beyond those analyzed in the 2017 Shared Parking Study, or the applicant proposes to reduce the number of required parking spaces, a new shared parking analysis shall be prepared and approved by the City. The applicant shall implement the recommendations set forth in the 2017 Shared Parking Study and/or any subsequent shared parking analysis approved by the City.
31. The applicant shall apply for and receive approval of Conditional Use Permits for the sale of alcoholic beverages within each hotel and pad building in which alcohol sales are proposed. Separate approval of a Conditional Use Permit shall also be required for the operation of any proposed spa, health club or gym, or any use involving massage.
32. Prior to issuance of building permits, the applicant shall prepare and obtain Planning Services Division approval of a site specific lighting study as required by the Subsequent Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program. All lighting shall comply with the measures identified in the approved lighting study, PUD Performance Standard No. 48, and applicable provisions of Title 9 of the Municipal Code.
33. The applicant shall design the Project to comply with all mitigation measures and design features specified in the Subsequent Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program. In order to verify compliance with all applicable project mitigation measures and design features, these Conditions of Approval, and the PUD Performance Standards, the applicant shall submit plans to the city prior to plan check submittal as described in PUD Performance Standard No. 6.
34. Hours and days of construction and grading shall be as permitted pursuant to Chapter 8.47 of the Garden Grove Municipal Code.

Public Works Environmental Services

35. The applicant shall comply with Assembly Bill (AB) 1826 (Organic Waste Recycling Program) and related laws and regulations, and shall ensure that enclosures are sufficient in size to accommodate organic specific collection containers.

Public Works Engineering Division

36. The applicant shall be subject to Traffic Mitigation Fees, In-Lieu Park 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.
37. Prior to recordation of the final tract map, the applicant shall complete all required easements, vacations and dedications of right-of-way. Any conflicts between existing easements and the proposed improvements shall be resolved prior to the issuance of building permits for said improvements.
38. Prior to the issuance of precise grading plans, the applicant shall receive approval from County of Orange to process final tract map with the City.
39. Street improvement plans prepared by a registered Civil Engineer are required. Harbor Boulevard shall be designed to the City's proposed Smart Street Standards, specifically the existing median on Harbor Boulevard shall be modified per the City Traffic Engineer's recommendations stated in these Conditions of Approval.
40. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
41. The three drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120 (Harbor Boulevard) and B-121 (Twintree Lane).
42. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, if any, shall have wheel stops.
43. Prior to the issuance of the street improvements and grading permit, the applicant shall provide improvement bonds (Faithful Performance, Labor & Material and Monument Bond) acceptable to the City guaranteeing that all work constructed under said permits will be completed according to the approved plans, applicable laws, and in compliance with all terms specified in the permit(s). All bonds shall be in from satisfactory to the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely in the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management).

44. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
45. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
46. A separate street permit is required for work performed within the public right-of-way.
47. Grading plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
48. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
49. The grading plan shall depict accessibility routes for the ADA pathways in conformance with the requirements of the Department of Justice standards, latest edition.
50. 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.
51. 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.
52. 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 onsite.
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
53. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502:
- 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 offsite 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.
54. TIES TO HORIZONTAL CONTROL: Prior to recordation of a final tract 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.
55. DIGITAL MAP SUBMISSION: Prior to recordation of a final tract 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.
56. The applicant and his 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 Contractor 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 his 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 his contractor shall be liable for, at his expense, any re-survey required due to

its negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.

57. 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.
58. 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. The location, color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
59. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
60. Prior to issuance of a grading permit, the applicant submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
61. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
62. Any required lane closures should occur outside of peak travel periods.
63. Construction vehicles should be parked off traveled roadways in a designated parking area.
64. 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 Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents. Additionally, the project is located in a mapped FEMA

flood zone. The project shall comply with all FEMA requirements for flood protection and flood proofing.

65. The applicant shall remove the existing landscape within sidewalk area along Harbor Boulevard and Twintree Lane and construct street frontage improvements as identified below. All landscape, sidewalk and lighting improvements installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Services Division. A separate street improvement, striping and signal plans shall be prepared for Harbor Boulevard and Twintree Lane and submitted to the engineering department for improvements within the City right-of-way.

Harbor Boulevard

- a. The applicant shall remove the existing sidewalk on Harbor Boulevard along the property frontage and construct an eight-foot decorative Alicante patterned sidewalk per City Standard Plan B-137 consistent with the existing sidewalk in the Harbor resort area, in a manner meeting the approval of the City Engineer. Said sidewalk shall be separated from the street curb by a seven-foot landscaped area designed in a manner consistent with the existing landscaping within the resort area meeting the approval of the Planning Services Division Manager.
- b. The applicant shall construct a traffic signal at the intersection of Harbor Boulevard and the project main entrance in a manner meeting the approval of the City Traffic Engineer. The new traffic signal shall include protected left turn phasing and U-Turns for northbound and southbound movements on Harbor Boulevard and allow U-Turn per approved traffic study. A striping plan is required as part of new signal design for the main entrance on Harbor Boulevard to facilitate the proposed crosswalks and relocation of striping.
- c. The applicant shall convert exiting pedestrian signal to a traffic signal at the intersection of Harbor Boulevard and Twintree Lane in a manner meeting the approval of the City Traffic Engineer. A striping plan is required for Harbor Boulevard and Twintree Lane signal modification to facilitate the proposed crosswalks and relocation of striping.
- d. The applicant shall design and reconstruct portion of the existing raised median on Harbor Boulevard per City Standard Plan B-112 (Type A-8) to facilitate ingress and egress at the project main entrance in a manner meeting the approval of the City Traffic Engineer. Said

improvements shall include a 200-foot southbound left turn pocket with a 90-foot taper to provide a full access to the site.

- e. The applicant shall design and construct northbound right turn pocket on Harbor Boulevard to facilitate ingress at the project main entrance in a manner meeting the approval of the City Traffic Engineer. Said improvements shall include a 100-foot northbound right turn pocket with a 60-foot taper and removal/reconstruction of the sidewalk, curb and gutter.
- f. Prior to occupancy, the applicant shall design and construct raised island improvements at the main entrance on Harbor Boulevard to improve on site traffic circulation to be approved by the City Traffic Engineer.
- g. The applicant shall remove all substandard driveway approaches (five total) and existing landscaping on Harbor Boulevard and construct new curb, gutter, landscape and sidewalk per approved street improvement plan.
- h. The applicant shall design the throat at the main entrance with a minimum of ninety (90) feet of uninterrupted ingress access from the curb face of Harbor Boulevard onto the site per approved traffic study. Any deviation from the suggested ingress access length shall be approved by the City Traffic Engineer.
- i. Any further deviation from the approved non-standard circle at the main entrance to the site on Harbor Boulevard shall be approved by the City Traffic Engineer.
- j. The two new driveway approaches to the site on Harbor Boulevard shall be constructed in accordance with City of Garden Grove Standard Plan B-120. Standard Plan B-120 calls for a minimum width of 30-feet for commercial and multi residential projects, with any deviation from the standard requiring approval by the City Traffic Engineer and detailed on the street improvement plan showing all modifications.
- k. The project main entrance shall be aligned with the existing Sheraton Hotel Driveway across Harbor Boulevard per approved traffic study.
- l. The southerly drive approach on Harbor Boulevard should be limited to right turn-out only access per approved traffic study. The drive approach shall be designed in a manner to allow emergency vehicle access.

- m. The applicant shall modify existing bus pad on Harbor Boulevard to adequately fit between southerly driveway approach and north bound right turn pocket per City of Garden Grove Standard Plan B-126.
- n. The applicant shall cold mill (grind) existing asphalt pavement 3-inch uniform depth and replace with 3-inch of asphalt surface course from the edge of the easterly gutter to the median along the property frontage per City Specifications and the direction of the City Engineer.
- o. The applicant shall construct 8-inch curb and gutter replacing the driveway approaches along the property frontage at 47' from centerline in accordance with City Standard Plan B-113 (Type C-8 Modified).
- p. Four new wheelchair ramps and landings shall be constructed per latest Caltrans Standard Plan A88A at the new drive approached on Harbor Boulevard.
- q. The applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Harbor Boulevard with Planning Services Division and Water Division.
- r. Any proposed new landscaping in public right of way shall be consistent with the existing landscaping with the resort area south of the project site and approved by Planning Services Division.
- s. The applicant shall dedicate 10-feet of right-of-way at the project main entrance per Tentative Tract Map No. 17455.
- t. The Applicant shall reserve or grant to the City an easement behind the ultimate right-of-way boundary along Harbor Boulevard for public sidewalk, parkway, traffic signal equipment, utilities, and related purposes per Tentative Tract Map No. 17455.

Twintree Lane

- a. The applicant shall remove the existing sidewalk on Twintree Lane along the property frontage and construct a six-foot decorative Alicante patterned sidewalk per City Standard Plan B-137 consistent with the existing sidewalk in the Harbor resort area, in a manner meeting the approval of the City Engineer. Said sidewalk shall be separated from the street curb by a six-foot landscaped area designed in a manner meeting the approval of the Planning Services Division Manager.

- b. The applicant shall remove all substandard driveway approaches (five total) on Twintree Lane and construct new curb, gutter, landscape and sidewalk per approved street improvement plan.
 - c. The new driveway approach to the site on Twintree Lane shall be constructed in accordance with City of Garden Grove Standard Plan B-121. Standard Plan B-121 calls for a minimum width of 30-feet for commercial and multi residential projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
 - d. The new drive approach on Twintree Lane shall be limited to right turn-out and left turn-in only access per approved traffic study. The drive approach shall be designed in a manner to allow emergency vehicle access.
 - e. The applicant shall construct 6-inch curb and gutter replacing the driveway approaches along the property frontage at 18' from centerline in accordance with City Standard Plan B-114 (Type D-6).
 - f. Two new wheelchair ramps and landing shall be constructed per latest Caltrans Standard Plan A88A at the new drive approach on Twintree Lane.
 - g. The applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk area on Twintree Lane with Planning Services Division and Water Division.
 - h. Any proposed new landscaping in public right-of-way shall be approved by Planning Services Division and maintained by the owner.
66. Nothing in these Supplemental Conditions of Approval or the PUD Performance Standards shall be interpreted or applied to alter the rights and obligations of the parties pursuant to that certain Grove District Resort Hotel Development Agreement dated as of April 9, 2013, by and between the City of Garden Grove and Land & Design, Inc., as subsequently amended, including, without limitation, the City's responsibility for costs associated with installation and completion of "Offsite Infrastructure," as defined in said Agreement.

RESOLUTION NO. 5900-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT NO. DA-008-2017 TO THE CITY COUNCIL FOR THE SITE C HOTEL RESORT PROJECT.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on November 2, 2017, does hereby recommend City Council approval of Development Agreement No. DA-008-2017 for the Site C Hotel Resort Project located at the northeast corner of Harbor Boulevard and Twintree Lane, west of Choisser Road at 12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard, 12511, 12531, 12551 and 12571 Twintree Lane, and 12233, 12235, 12237, and 12239 Choisser Road, Assessor's Parcel Nos. 231-491-20, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10; and 231-491-12, 13, 14, 15, 16, 17, 18, and 19 (collectively, the "Site").

BE IT FURTHER RESOLVED in the matter of Development Agreement No. DA-008-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Investel Garden Resorts, LLC (the "Applicant").
2. In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel development project (the "Site C Project") on the Site. Planned Unit Development No. PUD-128-12 incorporates a conceptual site plan depicting the Site C Project, as it was contemplated at the time. The Applicant now requests approval of a Site Plan, Tentative Tract Map, and Development Agreement to implement the Site C Project and proposed modifications to the 2012 conceptual site plan (the "Modified Project"). The request includes (i) Planning Commission approval of Site Plan No. SP-043-2017 depicting the Modified Project, which includes the same number of hotels, maximum number of hotel rooms, and maximum building heights as approved in 2012, but proposes modifications to the configuration of the buildings, the amount and type of ancillary uses, and the internal circulation and site access; (ii) Planning Commission approval of Tentative Tract Map No. TT-17455 to adjust the rear property lines of four (4) parcels located on Choisser Road and to consolidate existing parcels into two (2) lots to facilitate the development of the Modified Project and future commercial condominiumization; and (iii) Development Agreement No. DA-008-2017 between the City of Garden Grove and Investel Garden Resorts, LLC, providing the Applicant with a vested right to develop the Modified Project in accordance with Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455.
3. Based on the approval of the Site C Project and adoption of a Mitigated Negative Declaration in 2012, pursuant to the California Environmental Quality Act,

California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., the City of Garden Grove City prepared an Initial Study to determine if the proposed modifications resulting from the Modified Project will result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts as required by CEQA Section 21166 and CEQA Guidelines Section 15162. Based on the Initial Study and supporting technical analyses, it was determined that the proposed Modified Project qualifies for a Subsequent Mitigated Negative Declaration because the proposed Modified Project along with the mitigation measures identified in the Initial Study cannot, or will not, have any new significant effects on the environment or result in a substantial increase in the severity of previously identified significant effects.

4. The property has a General Plan Land Use designation of International West Mixed Use and is zoned Planned Unit Development No. PUD-128-12. The subject Site is 4.3-acres and is currently vacant and unimproved. The Project Site abuts a vacant commercial lot to the north (the "Sunbelt Property"); commercial buildings and one-story, single-family homes to the south; one-story, single-family homes to the east; and commercial uses, the Sheraton Hotel, and vacant properties to the west. In accordance with Section 5 of Ordinance No. 2824, the Community and Economic Development Director has determined, in her reasonable discretion, that design of the Modified Project preserves direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 2, 2017, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on November 2, 2017, the Planning Commission adopted Resolution No. 5898-17 adopting a Subsequent Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Modified Project, and Resolution No. 5899-17 approving Site Plan No. SP-043-2017 and Tentative Tract Map. No. TT-17455. The facts and findings set forth in Planning Commission Resolution Nos. 5898-17 and 5899-17 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting on November 2, 2017, and considered all oral and written testimony presented regarding the Modified Project.

FACTS:

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12, and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel project known as the Site C Project. As approved in 2012, the Site C Project called for up to 769 rooms and ancillary hotel uses such as pools, spas, and fitness centers within one (1) full-service and two (2) limited-service resort hotels with up to 104,000 aggregate square feet of conference/meeting banquet space, hotel restaurant space, restaurant/entertainment space, and a multi-level parking garage with 1,297 parking spaces on 5.2-acres. Planned Unit Development No. PUD-128-12 incorporated a conceptual site plan depicting the Site C Project, as it was contemplated at the time. The conceptual site plan envisioned two vehicular access points to the Project Site, one on Harbor Boulevard, across from the entrance to the Sheraton Hotel, and another on Twintree Lane. The Planned Unit Development standards require the installation of a traffic signal at the main Project entrance on Harbor Boulevard and related raised median improvements in Harbor Boulevard. Planned Unit Development No. PUD-128-12 allows the number of parking spaces to be reduced below 1,297 to the extent justified by a parking study in the event the approved project consists of less than 769 rooms and/or the prescribed square footages of the total combined conference/meeting banquet space and restaurant changes.

The Applicant now proposes to develop the Site C Project, and proposes certain modifications to the Project depicted in the 2012 conceptual site plan. The number of hotels, maximum number of hotel rooms, and maximum building heights remain the same, but the size of the Site, the configuration of the buildings, the amount and type of ancillary uses, and the internal circulation and site access have been modified.

The Modified Project consists of 769 hotel rooms and approximately 26,090 square feet of additional hotel ancillary uses within two (2) full-service and one (1) limited-service hotel, approximately 39,867 square feet of conference/meeting banquet space, approximately 36,885 square feet of restaurant/retail/entertainment space, approximately 24,014 square feet of hotel restaurant space, and a total of up to 1,297 parking spaces within a multi-level parking structure with one level of subterranean parking. The Modified Project will be constructed on approximately 4.3-acres.

Planned Unit Development No. PUD-128-12 and the 2012 conceptual site plan contemplate the potential development of the Site and the adjacent property located to the north of the Site at 12202 Harbor Boulevard and identified as Assessor's Parcel No. 231-491-21 (the "Sunbelt Property") as part of a single project. Garden Grove City Council Ordinance No. 2824 approving Planned Unit Development No. PUD-128-12 provides that, in the event the Sunbelt Property is not developed as part of a single project with the remainder of the Site, the Community Development Director shall ensure, in his or her reasonable discretion, that access to the Sunbelt Property is

adequately maintained through either an access easement between the two properties or preservation of direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard. The Modified Project does not include development of the Sunbelt Property as part of a single project and does not provide for an access easement. Thus, access to and from the Sunbelt property will be maintained directly from Harbor Boulevard. In June 2017, RK Engineering conducted an analysis on behalf of the City analyzing alternatives for providing access to and from the Sunbelt Property from Harbor Boulevard. Based on this analysis, right turn-in and turn-out unsignalized access to and from the Sunbelt Property from Harbor Boulevard is recommended. Under this alternative, outbound vehicles can access southbound Harbor Boulevard by making a right-turn at the driveway and then performing a U-Turn maneuver to southbound Harbor Boulevard at the existing Harbor Boulevard / Target Driveway signalized intersection. Inbound vehicles traveling southbound on Harbor Boulevard can access the Sunbelt Property by making a U-Turn maneuver at the traffic signal to be installed at the Site C / Sheraton Hotel access intersection and then proceed northbound on Harbor Boulevard where they can turn right into the Sunbelt Property. The RK Engineering analysis recommends against creating median breaks in Harbor Boulevard to allow for unprotected left turn movements directly to/from the Sunbelt Property along Harbor Boulevard, finding that doing so would create an operational deficiency and hazard for vehicles traveling on Harbor Boulevard. In accordance with Section 5 of Ordinance No. 2824, the Community and Economic Development Director has determined, in her reasonable discretion, that design of the Modified Project, which provides for U-Turn movements at the signalized intersection at the main Project entrance, preserves direct vehicle access to and from the Sunbelt Property from Harbor Boulevard for both northbound and southbound traffic traveling on Harbor Boulevard.

Pursuant to the proposed Development Agreement with the City, the Applicant and/or its successors in interest will granted a vested right to construct and complete development of the Modified Project consistent with Planned Unit Development No. PUD-128-12, Site Plan No. SP-043-2017 and Tentative Tract Map. No. 17455, in exchange for constructing and installing certain public improvements and providing other specified public benefits and development agreement payments to reimburse the City for the cost of certain City services required by the Modified Project that are not otherwise being reimbursed to the City.

FINDINGS AND REASONS:

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

The Development Agreement provides the Applicant and its successors and assigns with a vested right to develop the Modified Project in accordance with Site Plan No. SP-043-2017 and Tentative Tract Map. No. 17455. The Modified Project is consistent with the property’s General Plan Land Use Designation of International West Mixed Use, which is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. Policy ED-1.1

of the Economic Development Element encourages the development and expansion of hotel facilities on key corridors in the City, such as Harbor Boulevard, while Goal LU-9 of the Land Use Element for International West seeks to develop this area as a tourism and entertainment destination. The Project Site is currently vacant and unimproved, and the Modified Project will fulfill the goals of the General Plan. Also, the Modified Project is consistent with the development and performance standards of Planned Unit Development No. PUD-128-12. The Modified Project will be compatible with the existing hotel developments in the area, and will further the goals of the General Plan that envisions entertainment/themed resorts in this area.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT AND OTHER RESOLUTIONS

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in Resolution Nos. 5898-17 and 5899-17.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

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

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)

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

(Space above for Recorder.)

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

Dated: _____

DEVELOPMENT AGREEMENT NO. DA-008-2017

SP-043-2017 and TT-17455

(Investel Garden Resorts, LLC)

THIS DEVELOPMENT AGREEMENT ("Agreement" or "Development Agreement") is made this _____ day of _____, 2017 ("Effective Date"), by the CITY OF GARDEN GROVE, a municipal corporation ("CITY") on the one hand, and INVESTEL GARDEN RESORTS, LLC, a Delaware limited liability company ("DEVELOPER"), on the other hand, pursuant to the authority set forth in Article 2.5 of Chapter 4 of Division I of Title 7, Sections 65864 through 65869.5 of the California Government Code.

RECITALS

The following recitals are a substantive part of this Agreement:

- A. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of a hotel resort development project (the "PROJECT") on that certain real property described on Exhibit "A" attached hereto and incorporated herein by reference (the "PROPERTY"). DEVELOPER is assignee of the "Developer" pursuant to, and has acquired, or will acquire, such PROPERTY in accordance with, that certain Grove District Resort Hotel Development Agreement dated as of April 9, 2013, by and between CITY and Land & Design,

Inc., as subsequently amended (the "DDA"). All Capitalized terms not defined in this Development Agreement, shall have the meaning ascribed to them in the DDA.

- B. On November 13, 2012, the Garden Grove City Council adopted Resolution No. 9153-12 adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program ("MND") for the PROJECT pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 15000 et seq.
- C. On November 13, 2012, the Garden Grove City Council adopted Resolution No. 9154-12 approving General Plan Amendment No. GPA-2-12(B) (the "General Plan Amendment"), which changed the General Plan land use designation of a portion of the PROPERTY to International West Mixed Use.
- D. On November 27, 2012, the Garden Grove City Council adopted Ordinance No. 2824 approving Planned Unit Development No. PUD-128-12 (the "PUD"), which established planned unit development zoning on the PROPERTY to facilitate the development and operation of the PROJECT. The provisions and development standards of the PUD are set forth in Resolution No. 5779-12, adopted by the Garden Grove Planning Commission on October 4, 2012, and include specified Performance Standards with which DEVELOPER must comply in the development of all aspects of the PROJECT. A copy of the PUD Performance Standards are attached hereto as Exhibit "B" and incorporated herein by reference.
- E. In order to implement the PROJECT and certain modifications to site plan, at DEVELOPER's request, on November 2, 2017, the Garden Grove Planning Commission adopted (i) Resolution No. 5904-17 adopting a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the PROJECT, and (ii) Resolution No. 5899-17 approving Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455, subject to certain specified conditions of approval (the "Conditions of Approval"). The Conditions of Approval are attached hereto as Exhibit "C" and incorporated herein by reference.
- F. The CITY and DEVELOPER desire to enter into this Development Agreement for the construction of the PROJECT pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 of Title 7 of the California Government Code (the "Development Agreement Statute").
- G. The PROJECT is a development requiring certain discretionary approvals by the CITY before it may be constructed.

- H. The Development Agreement Statute provides the authority for CITY to enter into binding development agreements with a person having a legal or equitable interest in real property.
- I. DEVELOPER has an equitable interest in the PROPERTY.
- J. As consideration for the benefits gained by DEVELOPER from the vested rights acquired pursuant to the Development Agreement Statute, CITY is requiring that DEVELOPER construct and install as part of development of the PROJECT certain public improvements and provide other public benefits.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Duration of Term. Subject to Sections 12, 13, and 28 of this Development Agreement, the initial term of this Development Agreement and Land Use Entitlements described in Section 2 shall commence on the Effective Date and shall terminate and expire five (5) years from the Effective Date (the "Initial Term"), subject to earlier termination under the provisions set forth herein, and subject to extension under the provisions set forth herein. The initial term of this Development Agreement and Land Use Entitlements shall be automatically extended for up to five (5) additional one (1) year terms (each an "Extension Term") if, prior to expiration of the Initial Term, DEVELOPER (a) provides written notice to CITY that it wishes to extend the term one (1) additional year, and (2) pays CITY a fee in the amount of Twenty Thousand Dollars (\$20,000). If not already terminated by reason of any other provision in this Agreement, or for any other reason, this Development Agreement and all Land Use Entitlements shall automatically terminate and be of no further force and effect upon expiration of the term, regardless of whether the Project has been completed, and DEVELOPER's right to proceed with or complete development of the PROJECT and the use of the PROPERTY pursuant to this Development Agreement shall also automatically terminate and be of no further force and effect.
2. Permitted Uses/Land Use Entitlements. The following uses are permitted on the PROPERTY: a hotel resort consisting of an aggregate total of a maximum of 769 rooms within up to three (3) hotels, approximately 39,867 square feet of conference/meeting banquet space, an aggregate total of approximately 36,885 square feet of restaurant/bar/retail/entertainment space, approximately 24,014 square feet of hotel restaurant space, approximately 26,090 square feet of additional hotel ancillary uses (i.e., fitness centers, pools, gyms, spas, salons, hotel shops, and kids' clubs), and a parking structure containing approximately 1,297 parking spaces. The PROJECT is subject to the Planned Unit Development provisions and development

standards of the PUD zoning that have been approved through the PUD process, including the PUD Performance Standards and the Conditions of Approval. As of the Effective Date, the PROJECT has been granted the following land use entitlements: Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455 (collectively, the "Land Use Entitlements"). Site Plan No. SP-043-2017 allows for construction of the hotels and ancillary amenities, restaurant, retail, and entertainment venues, multi-level parking structure, and related public and private improvements making up the PROJECT, and Tentative and Tract Map No. TT-17455 allows the reconfiguration and consolidation of the existing parcels on the PROPERTY into two lots to facilitate development and condominiumization of the PROJECT. If Site Plan No. SP-043-2017 or Tentative Tract Map No. TT-17455 are amended from time to time, "Land Use Entitlements" shall include such matters as amended. If this Development Agreement is required by law to be amended in order for "Land Use Entitlements" to include such amendments, "Land Use Entitlements" shall not include such amendments unless and until this Development Agreement is amended.

3. Density/Intensity. The density or intensity of the PROJECT is as follows: a hotel facility consisting of an aggregate total of a maximum of 769 rooms within up to three (3) hotels, approximately 39,867 square feet of conference/meeting banquet space, approximately 36,885 square feet of restaurant/bar/retail/entertainment space, approximately 24,014 square feet of hotel restaurant/bar space, and approximately 26,090 square feet of additional hotel ancillary uses (i.e., fitness centers, pools, gyms, spas, salons, hotel shops, and kids' clubs), and a parking structure containing approximately 1,297 above- and below-ground parking spaces.
4. Maximum Height and Building Size. The maximum height and building sizes applicable to the PROJECT are as approved by Site Plan No. SP-043-2017 and are generally as follows: The maximum height of the Hotel "A" tower shall be 240 feet; the maximum height of the portion of Hotel A containing above-ground parking, restaurant and retail space, and pools shall be 75 to 85 feet; the maximum height of Hotel "B" shall be 200 feet; the maximum height of Hotel "C" shall be 130 feet (east side) to 158 feet (west side); and the maximum height of the restaurant building parallel to Harbor Boulevard shall be 38 feet.
5. Reservation or Dedication. The reservation of easements or dedication of property to the CITY to allow the construction of the proposed development shall be as shown on and/or conditioned in the approved Land Use Entitlements.
6. Developer Improvements. DEVELOPER and CITY contemplate a phased construction of the Developer Improvements, which will be pursuant to the Developer's schedule and the DDA. The Developer Improvements, as defined

by the DDA, and as described in Planning Commission Resolution No. 5899-17, shall be, in any such phase, constructed prior to the occupancy of the proposed development or the issuance of any certificate of occupancy for any portion of the development, all in accordance with the terms and conditions of Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455.

7. Scope of PROJECT. The Scope of the PROJECT is as specified in the DDA and the Land Use Entitlements. Subject to the foregoing, the PROJECT generally includes the construction of a hotel resort project consisting of an aggregate total of a maximum of 769 rooms and approximately 26,090 square feet of additional hotel ancillary uses (i.e., fitness centers, pools, gyms, spas, salons, hotel shops, and kids' clubs) within up to three (3) hotels, an aggregate total of approximately 39,867 square feet of conference/meeting banquet space, approximately 36,885 square feet of restaurant/retail/entertainment space, a and approximately 24,014 square feet of hotel restaurant space, a parking structure containing approximately 1,297 above- and below-ground parking spaces, and the reconfiguration and consolidation of the existing parcels on the PROPERTY into two lots, along with related public and private improvements.
8. Resolution/Material Terms. All PUD Performance Standards and Conditions of Approval are material terms of this Development Agreement and breach of any such performance standard or condition of approval shall be deemed to be a breach of this Development Agreement, subject to the right to cure non-compliance as set forth in Section 4 of Exhibit "D" hereto.
9. Development Fees and Development Agreement Payment. As material consideration for City's entering into this Development Agreement, DEVELOPER agrees to make the payments described in this Section 9.
 - 9.1 Development Fees. DEVELOPER shall be responsible for paying, at the time they become due, all development fees for construction of the PROJECT required by the CITY or other agencies with jurisdiction pursuant to applicable law or regulations, the PUD Performance Standards, the Conditions of Approval, and/or this Development Agreement (collectively, "Development Fees"). Development Fees for the PROJECT include (i) non-CITY controlled fees and charges levied by any other public agency, utility, district, or joint powers authority, regardless of whether City collects those fees and charges, including, without limitation, Orange County Sanitation District ("OCSD") and Garden Grove Unified School District ("GGUSD") fees (collectively, "Other Agency Development Fees"); and (ii) "City Development Fees." "City Development Fees" include (a) CITY's normal administrative fees imposed to recover City's costs associated with processing, reviewing, and inspecting project applications, plans, and specifications, including, without limitation, engineering fees, grading and building permit fees, fire services fees, building permit/plan review fees, and electrical,

mechanical and plumbing permit fees (collectively, "Administrative Fees"); and (b) all development impact fees charged by CITY for the purpose of defraying all or a portion of the cost of public facilities and programs related to development of the PROJECT ("Development Impact Fees"), which include, without limitation, art in public places fees, general plan and cultural arts fees, parkway tree fees, commercial driveway fees, water assessment fees, drainage facility fees, and traffic impact mitigation fees for the PROJECT. City Development Fees are currently estimated to total approximately Three Million Three Hundred Ten Thousand Five Hundred Fifty Eight Dollars (\$3,310,558). Exhibit "E" attached hereto illustrates how this estimate was derived. The fees and estimates set forth in Exhibit "E" are intended solely for reference only and to assist the parties in implementing this Agreement and are subject to change or correction and not intended to bind the parties. The type and amount of all Development Impact Fees paid during the Initial Term shall be based on the laws, regulations, and fee schedules in effect as of the Effective Date, without regard to the estimate herein. The type and amount of all Development Impact Fees paid during an Extension Term and all other Development Fees shall be based on the laws, regulations, and fee schedules in effect as of the dates such fees become due, without regard to the estimate herein, unless otherwise specified in a written agreement with CITY or other agencies with jurisdiction.

9.2 Development Agreement Payment. DEVELOPER shall pay a negotiated Development Agreement Payment to the CITY in an amount calculated to equal the positive difference between (1) the final actual total of the City Development Fees paid; and (2) Four Million One Hundred Sixty Three Thousand One Hundred Twenty Nine Dollars (\$4,163,129). For example, if the current estimates of the City Development Fees are accurate, the Development Agreement Payment will be \$852,571. If the final actual amount of City Development Fees paid *is less than* the current estimate, then the amount of the Development Agreement Payment will exceed \$852,571. If the final actual amount of City Development Fees paid *is more than* the current estimate, then the amount of the Development Agreement Payment will be less than \$852,571. If the final actual amount of City Development Fees paid exceeds the current estimate by more than \$852,571, then the amount of the Development Agreement Payment will zero.

10. City Agreement. CITY agrees that the sums to be paid to the CITY, pursuant to Paragraph 9.2, will reimburse CITY for the cost of certain CITY services, equipment, and public infrastructure required by the PROJECT that are not otherwise being reimbursed to CITY, including, but not limited to, additional costs for fire, police, and public works services and equipment and construction of public infrastructure.

11. Development Agreement Payment Due Dates. The Development Agreement Payment set forth in Section 9.2 shall be due and payable prior to the issuance of the first certificate of occupancy for the PROJECT. In the event that not all anticipated City Development Fees have been paid at the time of such payment because development of any portion of the PROJECT has not yet been undertaken or completed, CITY shall hold an amount equal to the reasonably estimated additional sum of City Development Fees applicable to the remaining portion of the PROJECT in trust until such time as the remaining City Development Fees become payable. In the event it is determined that DEVELOPER has overpaid the Development Agreement Payment after all City Development Fees have been paid, CITY shall reimburse DEVELOPER the amount of such overpayment within ninety (90) days of written notice from DEVELOPER to CITY.

12. Termination Provisions.
 - A. This Agreement shall automatically terminate and be of no further force and effect upon the occurrence of any of the following events:
 - (i) Expiration of the term pursuant to Section 1;
 - (ii) If the parties mutually agree in writing to terminate this Agreement;
 - (iii) Entry after all appeals have been exhausted of a final judgment or issuance of a final order from a court of competent jurisdiction directed to CITY invalidating this Agreement;
 - (iv) The DDA is terminated in accordance with its terms; or
 - (v) Title to the PROPERTY re-vests in the CITY pursuant to the terms of the DDA.

 - B. Except for automatic termination pursuant to Section 12.A., above, this Agreement may only be terminated (i) through the periodic review process referred to in Section 13 herein, in accordance with the process and procedures set forth in Exhibit "D", or (ii) upon material breach of the Agreement by DEVELOPER, in which case the process and procedures set forth in Exhibit "D" shall be utilized without regard to the timing of the periodic review.

 - C. Termination of this Agreement pursuant to Sections 12.A. or 12.B shall not excuse DEVELOPER from (i) its indemnification and defense obligations set forth in Section 24 herein, (ii) the payment of any fees or payments required pursuant to Section 9 that have come due but remain unpaid as of the date of termination, or (iii) the payment of any legally recoverable damages incurred by CITY as a result of

DEVELOPER's breach of the Agreement prior to its termination, which obligation shall expressly survive termination of this Agreement.

13. Periodic Review. For so long as this Development Agreement remains in effect, CITY shall review DEVELOPER'S performance under this Development Agreement at least once every twelve (12) months from the Effective Date pursuant to the process described in Exhibit "D". This review shall be conducted by the CITY's Director of Community and Economic Development. DEVELOPER shall demonstrate good faith compliance with the terms of this Development Agreement. If as a result of the review, CITY finds and determines, based upon substantial evidence, that DEVELOPER has not complied in good faith with terms or conditions of this Development Agreement, CITY may terminate this Development Agreement in accordance with the process and procedures set forth in Exhibit "D".

14. City Discretion. So long as the Agreement remains in effect, DEVELOPER shall have the full vested right to construct and complete development of the PROJECT consistent with the PUD and the Land Use Entitlements. Otherwise, CITY retains its right and discretion, under all applicable laws and codes, to approve or disapprove any item related to this PROJECT that it has not specifically agreed to via this Agreement. DEVELOPER acknowledges that it shall comply with all CITY requirements for applications and permits of any nature that apply to the PROJECT and the PROPERTY and that this Agreement does not relieve DEVELOPER of the necessity of filing applications for and obtaining any such permits. This Development Agreement shall not prevent CITY from applying new rules, regulations and policies contained in codes adopted by the International Conference of Building Officials, or other similar body, as part of the then most current versions of the Uniform Building Code, Uniform Fire Code, Uniform Plumbing Code, Uniform Mechanical Code, or National Electrical Code, and also adopted by the CITY, if applicable (Uniform Codes") as long as adoption of the Uniform Codes applies to all development in the CITY. This Development Agreement also shall not prevent CITY from adopting new rules, regulations and policies, including amendments or modifications to Uniform Codes, which directly result from findings by CITY that failure to adopt such rules, regulations or policies would result in a condition injurious or detrimental to the public health and safety, as long as adoption of such rules, regulations or policies apply to all development in the CITY.

15. Improvement Schedule. The following improvements shall be constructed by the stated dates:
 - A. The private PROJECT improvements on the PROPERTY shall be constructed by the dates set forth in the DDA Schedule of Performance, as it may be amended from time to time by the parties.
 - B. All repairs and improvements to the public right-of-way described in the PUD Performance Standards and the Conditions of Approval shall be completed prior to the issuance of any certificates of occupancy or release of any public utilities.
16. Developer Breach. Failure of DEVELOPER to construct improvements as specified, or to pay amounts specified in a timely fashion, shall result in the withholding of building permits, any other permit or certificate of occupancy until the breach is remedied.
17. Non-Liability of Officials and Employees of the City. No member, official, employee or agent of the CITY shall be personally liable to the DEVELOPER, or any successor in interest, in the event of any default or breach by the CITY or for any amount that may become due to the DEVELOPER or its successors, or on any obligations under the terms of this Agreement.
18. Notices. All notices shall be personally delivered or mailed to the below listed address, or to such other address as may be designated by written notice. These addresses shall be used for delivery of service of process.
 - A. Address of DEVELOPER is as follows:
Investel Garden Resorts, LLC
11999 Harbor Boulevard #1711
Garden Grove, CA 92840
Attn: Danny Wei
 - B. Address of CITY is as follows:
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
Attn: City Manager
19. DEVELOPER'S Proposal. The PROJECT shall include DEVELOPER's proposal, as modified by Planning Commission and City Council, including all Conditions of Approval contained in Planning Commission Resolution No. 5899-17, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, the terms of this Agreement shall govern.

20. Licenses, Permits, Fees, and Assessments. At its sole expense, DEVELOPER shall obtain all licenses, permits, and approvals as may be required by this Agreement, or by the nature of the PROJECT.
21. Time of Essence. Time is of the essence in the performance of this Agreement.
22. Successor's In Interest. The provisions of this Agreement shall be binding upon and inure to successors in interest of the parties and shall be specifically binding upon and for the benefit of any future lessees or other owners of an interest in PROPERTY. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the PROPERTY: (i) is for the benefit of and is a burden upon every portion of the PROPERTY; (ii) runs with the PROPERTY and each and every portion thereof; and (iii) is binding upon each party and each of DEVELOPER's transferees during their respective ownership of the PROPERTY or any portion thereof. From and after recordation of this Agreement against the PROPERTY, DEVELOPER, and DEVELOPER's successors in interest, shall have the full right to assign this Agreement as to the PROPERTY, or any portion thereof, in connection with any sale, transfer or conveyance thereof, provided that (i) such assignment is effectuated in accordance with the terms of the DDA, and (ii) DEVELOPER, or its successors in interest, as applicable, expressly assigns the benefits of this Agreement and the assignee expressly assumes the burdens of this Agreement by written instrument approved by CITY, acting through its City Manager. Following an assignment or transfer, the use and enjoyment of the PROPERTY so transferred shall be subject to the terms of this Agreement to the same extent as if the transferee or assignee was the DEVELOPER. Upon the express written assumption and the conveyance of DEVELOPER's interest in the PROPERTY related thereto, the transferring DEVELOPER shall be relieved of its legal duty to perform such assigned obligations with respect to such conveyed property, except to the extent such DEVELOPER is in default hereunder with respect to the particular assigned obligations prior to said transfer.
23. Authority to Execute. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.
24. Indemnification. DEVELOPER agrees to, and shall, to the fullest extent permitted by law, defend (with legal counsel approved or selected by CITY and at DEVELOPER's sole cost and expense), indemnify and hold CITY and CITY's elective and appointive councils, boards, commissions, officers, officials, agents, representatives and employees harmless from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of this

Development Agreement by DEVELOPER, DEVELOPER'S agents, officers or employees, or contractors or subcontractors hired by DEVELOPER, including, without limitation, any claims, liabilities, expenses or damages which may arise from the construction activities of DEVELOPER or DEVELOPER's contractors, subcontractors, agents, or employees which relate to the PROJECT. Additionally, DEVELOPER agrees to, and shall, to the fullest extent permitted by law, defend (with legal counsel approved or selected by CITY and at DEVELOPER's sole cost and expense), indemnify, and hold harmless CITY and CITY's elective and appointive councils, boards, commissions, officers, officials, agents, representatives and employees from and against each and every claim, action, proceeding, cost, fee, legal cost, damage, award or liability of any nature whatsoever arising out of CITY's approval of or its performance under this Development Agreement and/or the Land Use Entitlements. CITY may in its discretion participate in the defense of any such legal action. The provisions of this Section shall not be binding on DEVELOPER to the extent the liability arises out of the gross negligence or willful misconduct of CITY, or its elective and appointive councils, boards, commissions, officers, officials, agents, representatives or employees. DEVELOPER's indemnity obligations set forth in this Development Agreement shall survive termination of this Development Agreement.

25. Modification. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written, regarding the time period that PROJECT land use entitlements shall be valid. Except as otherwise provided in Section 13, Section 34, and Exhibit "D" hereof, this Development Agreement may be modified only by subsequent mutual written agreement executed by CITY and the DEVELOPER and approved by CITY in accordance with the Development Agreement Statute.
26. Recordation. This Agreement and any amendment hereto shall be recorded against the PROPERTY at no cost to CITY, in the Official Records of Orange County by the City Clerk within the period required by Section 65868.5 of the Government Code. Notwithstanding the foregoing, in no event shall any failure or delay in recording this Agreement and any amendment to this Agreement limit or restrict the validity or enforceability of this Agreement.
27. Remedies. The breach or default of any term or provision of this Agreement by either party shall give the nondefaulting party the right to proceed with any and all remedies set forth in this Agreement, including DEVELOPER's right to cure non-compliance as set forth in Section 4 of Exhibit "D" hereto, an action for damages, an action or proceeding at law or in equity to require the defaulting party to perform its obligations and covenants under this Agreement or to enjoin acts or things which may be unlawful or in violation of the provisions of this Agreement, and the right to terminate this Agreement. Venue for such legal action shall be in a court of competent jurisdiction in the County of Orange.

28. Force Majeure. Subject to the party's compliance with the notice requirements as set forth below, neither party hereunder shall be deemed to be in default, and all performance and other dates specified in this Agreement shall be extended, where delays or default are due to causes beyond the control and without the fault of the party claiming an extension of time to perform, which may include, without limitation, the following: war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, assaults, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation, unusually severe weather, inability to secure necessary labor, material or tools, acts or omissions of the other party, or acts or failures to act of any public or governmental entity (except that the CITY's acts or failure to act shall not excuse performance of the CITY hereunder). An extension of the time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause.
29. Attorney's Fees. In addition to any other remedies provided hereunder or available pursuant to law, if either party brings an action or proceeding to enforce, protect or establish any right or remedy hereunder, the prevailing party shall be entitled to recover from the other party its costs of suit and reasonable attorney's fees.
30. Remedies Cumulative. No right, power, or remedy given by the terms of this Agreement is intended to be exclusive of any other right, power, or remedy; and each other and every such right, power, remedy shall be cumulative and in addition to every other right, power, or remedy given by the terms of any such instrument, or by any statute or otherwise.
31. Waiver of Terms and Conditions. The CITY may, in its sole discretion, waive in writing any of the terms and conditions of this Agreement. Waivers of any covenant, term, or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term, or condition.
32. Interpretation and Governing Law. The language in all parts of this Agreement shall, in all cases, be construed as a whole and in accordance with its fair meaning. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the internal laws of the State of California, with regard to conflict of laws rules. The parties understand and agree that this Agreement is not intended to constitute, nor shall be construed to constitute, an impermissible attempt to contract away the legislative and governmental functions of CITY, and in particular, CITY's police powers. In this regard, the parties understand and agree that this Agreement is a current exercise of CITY's police powers and except as expressly provided for herein

this Agreement shall not be deemed to prevent the future exercise by CITY of its lawful governmental powers over the PROPERTY.

33. Severability. If any provision of this Development Agreement shall be adjudged to be invalid, void or unenforceable, such provision shall in no way affect, impair or invalidate any other provision hereof, unless such judgment affects a material part of this Development Agreement, the parties hereby agree that they would have entered into the remaining portions of this Development Agreement not adjudged to be invalid, void or illegal. In the event that all or any portion of this Development Agreement is found to be unenforceable, this Development Agreement or that portion which is found to be unenforceable shall be deemed to be a statement of intention by the parties; and the parties further agree that in such event they shall take all steps necessary to comply with such public hearings and/or notice requirements as may be necessary in order to make valid this Development Agreement or that portion which is found to be unenforceable. Notwithstanding any other provisions of this Development Agreement, in the event that any material provision of this Development Agreement is found to be unenforceable, void or voidable, DEVELOPER and CITY may mutually agree to terminate this Development Agreement in accordance with the provisions of the Development Agreement Statute.
34. Operating Memoranda. The provisions of this Development Agreement require a close degree of cooperation and flexibility between the CITY and DEVELOPER. The parties acknowledge that refinements and further development of the plan for developing the PROJECT pursuant to this Agreement and the Land Use Entitlements may demonstrate that changes are appropriate with respect to the details and performance of the CITY and DEVELOPER under this Agreement. The parties desire to retain a certain degree of flexibility with respect to the details of the performance by CITY and DEVELOPER and with respect to those items covered in general terms under this Agreement. If and when the parties mutually find that changes, adjustments, or clarifications are appropriate to further the intended purposes of this Agreement, they may, unless otherwise required by law, effectuate such changes, adjustments, or clarifications without amendment to this Agreement through operating memoranda ("Operating Memoranda") mutually approved by the parties in writing. Operating Memoranda are not intended to constitute either a substantive change or an amendment to this Development Agreement, but are ministerial clarification; therefore public notices and hearings shall not be required. Operating Memoranda may be used and thus deemed non-substantive and/or procedural if they do not result in, for example: (i) material changes in fees or costs; (ii) an increase in density or intensity of use; (iii) a change in permitted uses; (iv) an increase in the maximum height and size of buildings; (v) a decrease in the amount of land to be dedicated for public purposes; or (vi) the reduction of improvement and construction standards and specifications for the Project. To the maximum extent permitted by law, the

City Manager shall have the authority, on behalf of CITY, to approve and execute such Operating Memoranda.

35. Administration. This Agreement shall be administered and executed on behalf of CITY by the City Manager, or his/her designated representative, following approval of this Agreement by the City Council. Except as otherwise expressly provided herein or in the Development Agreement Statute, the CITY shall maintain authority of this Agreement through the City Manager (or his/her authorized representative). To the extent not inconsistent with the Development Agreement Statute, whenever a reference is made herein to an action or approval to be undertaken by the CITY, the City Manager is authorized to act on behalf of CITY unless specifically provided otherwise or the context should require otherwise. Without limiting the foregoing, the City Manager shall have the authority but not the obligation to issue interpretations, waive terms and conditions, and approve and execute Operating Memoranda on behalf of CITY. The City Manager shall also be authorized to take such action on behalf of the CITY necessary to ensure that the boundaries of the PROPERTY subject to this Development Agreement and to which the Land Use Entitlements apply are the same as the PROPERTY transferred to DEVELOPER pursuant to the DDA, including, without limitation, approving minor modifications to the legal descriptions of the PROPERTY in either or both this Agreement and/or the DDA so that they conform with one another and the intent of the City Council.
36. Subsequent Amendment to Development Agreement Statute. This Agreement has been entered into in reliance upon the provisions of the Development Agreement Statute in effect as of the Effective Date. Accordingly, to the extent that subsequent amendments to the Development Agreement Statute would affect the provisions of this Agreement, such amendments shall not be applicable to this Agreement unless necessary for this Agreement to be enforceable or required by law or unless this Agreement is modified pursuant to the provisions set forth in this Agreement and Government Code Section 65868 as in effect on the Effective Date. The foregoing is not intended as a waiver by DEVELOPER of any rights or remedies it may have as a result of any such change of law.
37. Initiative Measures. Both CITY and DEVELOPER intend that this Development Agreement is a legally binding contract which will supersede any initiative, measure, moratorium, referendum, statute, ordinance or other limitation (whether relating to the rate, timing or sequencing of the development or construction of all or any part of the PROJECT and whether enacted by initiative or otherwise) affecting parcel or subdivision maps (whether tentative, vesting tentative or final), building permits, occupancy certificates or other entitlements to use approved, issued or granted within CITY, or portions of CITY, and which Agreement shall apply to the Project to the extent such initiative, measure, moratorium, referendum, statute, ordinance or other

limitation is inconsistent or in conflict with this Development Agreement. Should an initiative, measure, moratorium, referendum, statute, ordinance, or other limitation be enacted by the citizens of CITY which would preclude construction of all or any part of the Project, and to the extent such initiative, measure, moratorium, referendum, statute, ordinance or other limitation be determined by a court of competent jurisdiction to invalidate or prevail over all or any part of this Development Agreement, DEVELOPER shall have no recourse against CITY pursuant to the Development Agreement, but shall retain all other rights, claims and causes of action under this Development Agreement not so invalidated and any and all other rights, claims and causes of action at law or in equity which DEVELOPER may have independent of this Development Agreement with respect to the PROJECT. The foregoing shall not be deemed to limit DEVELOPER's right to appeal any such determination that such initiative, measure, referendum, statute, ordinance or other limitation invalidates or prevails over all or any part of this Development Agreement.

38. Not for Benefit of Third Parties. This Agreement and all provisions hereof are for the exclusive benefit of CITY and DEVELOPER, its successors and assigns, and shall not be construed to benefit or be enforceable by any third party.
39. Interpretation Consistent with DDA. Unless otherwise specifically provided in either this Development Agreement or the DDA or the context should require otherwise, it is intent of the parties that the terms of this Development Agreement should be interpreted in a manner consistent with the terms of the DDA. Notwithstanding the foregoing, nothing in this Development Agreement shall constitute or be interpreted as an amendment to the DDA, which shall may only be amended in accordance with its own terms.

[SIGNATURES ON FOLLOWING PAGE]

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

CITY:

CITY OF GARDEN GROVE, a municipal corporation

Dated: _____, 2017

By: _____
Scott C. Stiles, City Manager
(Signature Must Be Notarized)

ATTEST:

City Clerk

APPROVED AS TO FORM:

Omar Sandoval
City Attorney

DEVELOPER:

INVESTEL GARDEN RESORTS, LLC, a Delaware limited liability company

By: INVESTEL RESORTS MANAGEMENT, LLC, a Delaware limited liability company

Its: Manager

Dated: _____, 2017

By: _____
Weifeng Zhang

Its: Manager

(Signature Must Be Notarized)

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

TO BE ADDED

EXHIBIT "B"
PUD PERFORMANCE STANDARDS

EXHIBIT "C"
CONDITIONS OF APPROVAL

EXHIBIT "D"

PERIODIC REVIEW PROCESS AND PROCESS FOR MODIFIATION OR TERMINATION OF AGREEMENT

Purpose. This Exhibit D sets forth the process and procedures for conducting the Periodic Review pursuant to Section 13 of the Development Agreement and for modification and termination of the Development Agreement.

1. Submission of Evidence of Good Faith Compliance. Each year, not less than ninety (90) days prior to the yearly anniversary of the Effective Date, DEVELOPER shall submit a written report to the CITY's Director of Community and Economic Development ("Director") on the status of its compliance with the substantive terms of this Development Agreement. Such report shall be in a form which the Director may reasonably establish. During each periodic review, DEVELOPER shall be required to demonstrate good faith compliance with the terms of the Development Agreement. DEVELOPER agrees to furnish such reasonable evidence of good faith compliance as CITY, in its reasonable discretion, may require.

2. Director's Determination. On or before yearly anniversary of the Effective Date, the Director shall make a determination regarding whether or not DEVELOPER has complied in good faith with the provisions and conditions of this Development Agreement. The Director may, at his/her discretion or at the request of the DEVELOPER, host a public information meeting regarding compliance with this Development Agreement. The determination of compliance shall be made in writing with reasonable specificity, and a copy of the determination shall be provided to DEVELOPER in the manner prescribed in Section 18 of the Development Agreement.

3. Failure to Conduct Annual Review. The failure of the Director to conduct the annual review shall not constitute or be asserted by either party as a breach of the Development Agreement by the other party.

4. Period To Cure Non-Compliance. If, as a result of this Annual Review procedure, it is found and determined by the Director that DEVELOPER has not complied in good faith with the provisions and conditions of this Development Agreement, the CITY shall submit to DEVELOPER, by registered or certified mail, return receipt requested, a written notice of non-compliance stating with specificity those obligations of DEVELOPER which have not been performed. Upon receipt of the notice of non-compliance, DEVELOPER shall promptly commence to cure the identified items of non-compliance at the earliest reasonable time after receipt of the notice of non-compliance and shall complete the cure of such items of non-compliance not later than forty-five (45) days after receipt of the notice of non-compliance, or such longer period as is reasonably necessary to remedy such items of non-compliance, provided that DEVELOPER shall continuously and diligently pursue such remedy at all times until such item of non-compliance is cured.

5. Failure To Cure Non-Compliance Procedure. If the Director finds and determines that DEVELOPER, or its successors, transferees, and/or assignees, as the case may be, has not cured or timely commenced to and pursued the cure of an item of non-compliance, and that the CITY intends to terminate or modify this Development Agreement, the Director shall then set a date for a public hearing before the Planning Commission for a recommendation to the City Council and, thereafter for consideration by the City Council in accordance with the notice and hearing requirements of Government Code Sections 65867 and 65868.

6. Termination Or Modification Of Agreement. The CITY may terminate or modify this Development Agreement, or those transferred or assigned rights and obligations, as the case may be, after a finding or determination of noncompliance by the City Council. There shall be no modifications of this Development Agreement unless the City Council acts pursuant to Government Code Sections 65867.5 and 65868.

EXHIBIT "E"

ESTIMATED CITY DEVELOPMENT FEES (FOR REFERENCE ONLY)

SITE C - ESTIMATED DEVELOPMENT FEES (ENTIRE SITE)

BUILDING FEES (\$145,072,953.70 VALUATION)

Fee calculation breakdown (based on 2017 ICC building valuation data):

Tower A	382,749 s.f. x \$150.92/sq.ft. = \$57,764,479.08
Tower B	172,434 s.f. x \$150.92/sq.ft. = \$26,023,739.28
Tower C	118,017 s.f. x \$150.92/sq.ft. = \$17,811,125.64
Parking Structure	447,190 s.f. x \$82.63/sq.ft. = \$36,951,309.70
Restaurant Pad(s)	45,000 s.f. x \$144.94/sq.ft. = \$6,522,300.00

Plan Check Fees

Building Plan review (65% of permit fee)	\$ 270,519.54
Electrical plan review (85% of permit fee)	\$ 353,756.33
Mechanical plan review (85% of permit fee)	\$ 353,756.33
Plumbing plan check (85% of permit fee)	\$ 353,756.33
Green Code plan check (10% of permit fee)	\$ 41,618.39
Plan check energy (10% of permit fee)	\$ 41,618.39
Plan check disabled (10% of permit fee)	\$ 41,618.39
Plan check flood (2% of permit fee)	\$ 8,323.67

Plan Check Subtotal \$ 1,464,967.37

Permit Fees

Issuance of permit (Bldg, Elec, Plumb, Mech)	\$70.00
Building permit fee (Based on Valuation)	\$ 416,183.92
Electrical permit (Fixture count)	\$ 18,864.52
Mechanical permit (Fixture count)	\$ 18,864.52
Plumbing permit (Fixture count)	\$ 18,864.52
Strong motion instrumentation program (CPRC section 2705)	
Com/Ind - \$28/ \$100k valuation	\$ 40,620.43
BSASRF (state) building standards administration special revolving fund	
Valuation Based \$10 +fraction above 100k @ 25K (\$1)	\$ 5,808.91
One stop Increase building permit fees by 2%	\$ 8,323.67
• Art and Public Places Fees	
Valuation based \$500k-1mil (1/4 of 1%)	\$ 290,645.90
+1mil (\$2,500 + \$500 per 1mil)	
General Plan and Cultural Arts	
Valuation Based \$2 + \$1.75 /\$1000	\$ 253,877.66
Plan Retention Fee	
\$4 per page (300 sheets)	\$1,200.00
Building permit documentation Fee	\$5
Certificate of Occupancy	
No Fee with building permit	

Permit Fee Subtotal \$ 1,073,329.05

TOTAL ESTIMATED BUILDING DIVISION FEES \$2,538,296.42

*School District Fee (EXCLUDED) com/Ind \$.56 (718,200 s.f.) \$402,192.00

ENGINEERING DIVISION

GRADING PERMIT FEES



DATE of Fee Calculation: 31-Oct-17

JOB ADDRESS: Site C - Harbor/Twintree PLANNER: Maria Perra

APPLICANT:

CALCULATED BY: RJ JOB DESCRIPTION:

ESTIMATED GRADING FEES

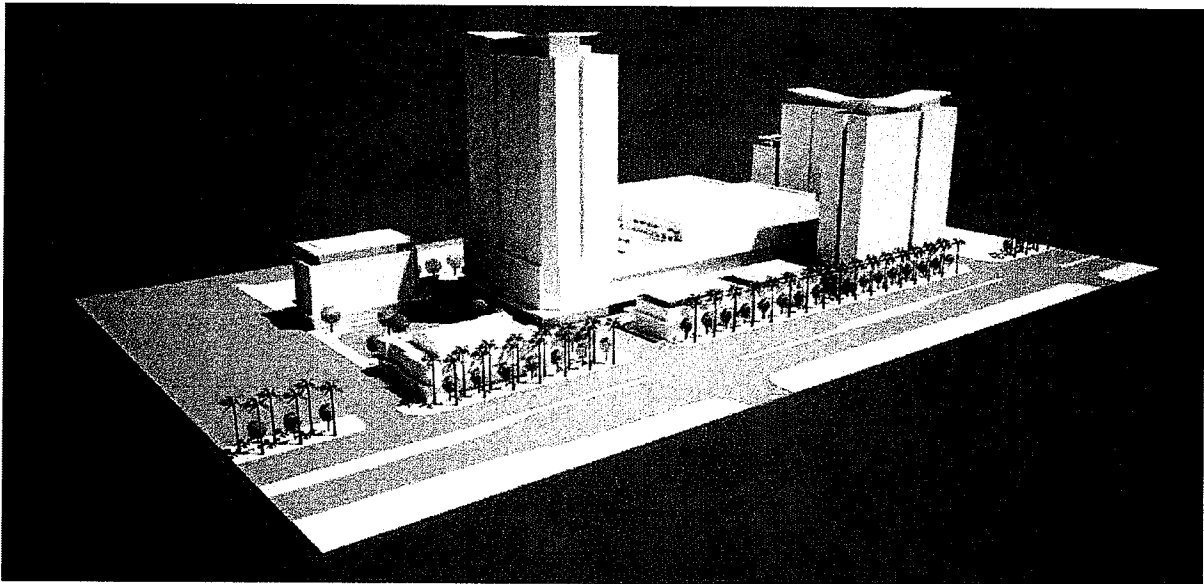
GRADING PERMIT FEE (B912)				<u>\$1,000</u>
INITIAL PLAN CHECK DEPOSIT (B913)				<u>\$250.00</u>
WOMP (B-904) \$135.00/hr x	40	hrs		<u>\$5,400.00</u>
ADDL TIME (B904) \$135.00/hr x	20	hrs		<u>\$2,700.00</u>
ISSUANCE (B920)				<u>\$50.00</u>
PARKWAY TREE (B125) \$2.50 x	850	FT (FRONTAGE)		<u>\$2,125.00</u>
IN LIEU PARK FEE (B130) \$5700X	0	UNITS	x	<u>\$0.00</u>
WATER ASSESS-FRONT FOOTAGE (B123)	\$ 4.5	x	300 FT	<u>\$1,350.00</u>
WATER ASSESS-FRONT FOOTAGE (B123)	\$ 8	x	550 FT	<u>\$4,400.00</u>
WATER ASSESS-SQUARE FOOTAGE (B124)	\$ 950	x	4.3 SF	<u>\$4,085.00</u>
DRAINAGE ASSESSMENT FEE (B135)	\$ 0.19	x	112435 SF	<u>\$21,362.65</u>
TRAFFIC IMPACT MITIGATION (B140)				<u>\$637,539.00</u>
GRADING INSPECTION DEPOSIT (B929)				<u>\$25,000.00</u>
GARDEN GROVE SANITARY DISTRICT (B139)				<u>\$66,000.00</u>
ORANGE COUNTY SANITARY DISTRICT (B137)				
High Demand for Restaurant	Average demand for Hotel		credits to be applied	
ESTIMATED TOTAL				<u>\$772,261.65</u>

This is only an estimate. The actual fees will be determined upon receiving an approved grading, water/sewer, and street improvement plan.

Building Fees		
Plan Check Submittal	\$	1,464,967.37
Permit Fee Subtotal	\$	1,073,329.05
A Total Estimated Building Division Fees	\$	2,538,296.42
Engineering Division - Grading Permit Fees		
B Estimated Total	\$	772,261.65
(A+B) Building & Engineering Total Fees	\$	3,310,558.07

City of Garden Grove

International West Hotel – Harbor East (Site C) Mitigated Negative Declaration



**Prepared by
City of Garden Grove**

August 2012

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1.0 Project Description.....	1
1.1 Introduction	1
1.2 Project Description.....	2
1.3 Financing	4
1.4 Previously Approved Projects in Area.....	4
1.5 Project Location	5
1.6 Environmental Setting.....	6
1.7 Existing Plans and Policies	16
1.8 Requested Discretionary Actions.....	16
1.9 Possible Environmental Effects	18
2.0 Discussion of Environmental Evaluation.....	19
2.1 Aesthetics	19
2.2 Agriculture and Forest Resources	23
2.3 Air Quality	23
2.4 Biological Resources	26
2.5 Cultural Resources	26
2.6 Geology and Soils.....	27
2.7 Green House Gas Emissions.....	29
2.8 Hazards and Hazardous Materials.....	30
2.9 Hydrology and Water Quality	31
2.10 Land Use and Planning.....	33
2.11 Mineral Resources	34
2.12 Noise.....	34
2.13 Population and Housing.....	39
2.14 Public Services	39
2.15 Recreation.....	40
2.16 Transportation.....	41
2.17 Utilities and Service Systems.....	45
2.18 Mandatory Findings of Significance	48
3.0 Mitigation Monitoring.....	49
3.1 Introduction	49
3.2 Project Summary	49
3.3 Mitigation Monitoring Program	51
4.0 Persons Contacted and References	63
4.1 City of Garden Grove	63
4.2 Other Organizations and Individuals Contacted	63
4.3 References.....	63
4.4 Technical Studies.....	65
5.0 Distribution List	67

TECHNICAL APPENDICES (On file at the City of Garden Grove – Planning Department)

Appendix A Shade and Shadow Study, AECOM, August 2012
Appendix B Air Quality and GHG Impact Study, RK Engineering Group, Inc., August 9, 2012
Appendix C Correspondence from Native American Heritage Commission, November 8, 2011
Appendix D Water Quality Management Plan, PSOMAS, July 2012
Appendix E Water Supply Assessment, PSOMAS, July 2012
Appendix F Acoustical Study, RK Engineering Group, Inc., August 3, 2012
Appendix G Traffic Impact Study, RK Engineering Group, Inc., July 27, 2012
Appendix H ULI Shared Parking Study, RK Engineering Group, Inc., July 13, 2012

LIST OF FIGURES

<u>Figure</u>		<u>Page</u>
Figure 1	Regional Location	7
Figure 2	Aerial Vicinity Map.....	8
Figure 3	Conceptual Site Plan.....	9
Figure 4	Existing Site Photos along Harbor Boulevard	10
Figure 5	Post Development Condition Map.....	11

LIST OF TABLES

<u>Table</u>		<u>Page</u>
Table 1	Project Summary.....	3
Table 2	Estimated Water Demand for Proposed Project	46

1.0 PROJECT DESCRIPTION

1.1 INTRODUCTION

This Mitigated Negative Declaration (MND) and accompanying Initial Study (IS) address the environmental impacts of the proposed International West Hotel Project- Harbor East (Site C) (project). The project includes development of a hotel facility and accompanying restaurant/entertainment and conference facility uses on a 5.2-acre site located at the northeast corner of Harbor Boulevard and Twintree Lane, south of the Target parking lot, and west of Choisser Road in the City of Garden Grove. The most southerly portion of the site is currently developed with existing commercial use, Joe's Italian Ice. The commercial buildings to the north of Joe's Italian Ice, such as Crystal Nails, a Smoke Shop, and an Immigration Service, and an RV Park have been demolished. Utilities, asphalt and a swimming pool associated with these prior uses still remain on the site. The southern boundary of the project site includes four (4) existing single-family residences along Twintree Lane just east of Joe's Italian Ice. The northeastern boundary includes four (4) residential properties along Choisser Road, which the City currently owns. This site also includes vacant lots at the north end of the property. The majority of the site has a General Plan Lane Use designation of International West Mixed Use with Low Density Residential on two (2) residential lots along Twintree Lane and four (4) residential properties along Choisser Road and a zoning of HCSP-TZN (Harbor Corridor Specific Plan Transition Zone – North) and R-1 on four (4) residential properties along Choisser Road and two (2) lots along Twintree Lane.

- Implementation of the project includes consideration by the Planning Commission and City Council of a General Plan Amendment to change the General Plan Land Use Designation of two (2) residential properties along Twintree Lane (12251 and 12571 Twintree Lane); APN: 231-521-09 and 10) and four (4) residential properties along Choisser Road (12233, 12235, 12237, and 12239 Choisser Road; APN: 231-491-12, 13, 14, 15, 16, 17, 18, 19) from Low Density Residential to International Mixed Use. These properties will be rezoned from R-1 to PUD to bring them into consistency with the proposed General Plan Designation of International West Mixed Use. The Planning Commission and City Council will also consider a zone change to establish a Planned Unit Development (PUD) zoning with development standards for the development of the hotel project. In summary, eight (8) lots along Harbor Boulevard (12222, 12202, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard; APN: 231-491-20 & 21, 231-521-01, 02, 03, 04, 05, & 06) and two (2) lots along Twintree Lane (12511 and 12531 Twintree Lane; APN: 231-521-07 and 08) will be rezoned from HCSP-TZN to PUD to provide consistency with the current International West Mixed Use General Plan Designation. As part of the PUD, the City will include necessary project details, i.e. conceptual site plan, floor plans, elevations, conceptual landscape, and lighting plan, so a Site Plan/Land Use permit will not be required.
- Furthermore, at a future date, the Planning Commission and City Council will consider a Development Agreement for payment of development related fees, and a Conditional Use Permit to allow for the sale of alcoholic beverages in the hotel, hotel restaurants, and freestanding restaurant/entertainment facilities.

- At a future date, the Planning Commission and City Council will consider a tentative parcel map to consolidate the project site.

The proposed project site is defined as the 5.2 acres of improved and unimproved area located on the east side of Harbor Boulevard, north of Twintree Lane, west of Choisser Road and south of the Target Shopping Center parking lot. It consists of the following parcel addresses and Assessor Parcel Numbers respectively: 12202, 12222, 12252, 12262, 12272, and 12292 Harbor Boulevard (APN: 231-491-20, 231-521-01, 02, 03, 04, 05, & 06); 12511, 12531, 12551, and 12571 Twintree Lane (APN: 231-521-07, 08, 09, and 10); and 12233, 12335, 12237, and 12239 Choisser Road (APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19).

The properties to the north of the site are zoned HCSP-TCB (Harbor Corridor Specific Plan Tourist Commercial "B"), and R-1; and are currently developed with commercial uses including Target, Viva Bargain Center and Coco's restaurant. The properties to the south of the site, across Twintree Lane, are zoned HSCP-TZN and R-1 (Single-Family Residential); and are developed with residential and commercial uses. The properties to the west of the site, across Harbor Boulevard, are zoned PUD-141-01 and are currently vacant fenced lots (which are approved for future hotel uses) or are developed with commercial use and the Sheraton Hotel. The properties to the east of the site are zoned R-1 and are developed with residential uses.

The IS and MND are prepared pursuant to the requirements of Section 15063, 15070, and 15071 of the California Environmental Quality Act (CEQA) Guidelines and Public Resources Code Section 21000 *et seq.* The proposed project is considered a "project" under CEQA, and the City of Garden Grove (City), as the Lead Agency, has concluded that an MND would be the proper level of analysis for this project under CEQA. This conclusion is based on the information and analysis contained in the IS and the references cited therein, showing that the impacts caused by the proposed project are either less than significant or significant but mitigable with incorporation of appropriate mitigation measures. This conclusion is supported by CEQA Guidelines Section 15070, which states an MND shall be prepared when "(a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) The initial study identifies potentially significant effect, but: (1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment."

1.2 PROJECT DESCRIPTION

The proposed project consists of development of one (1) full-service hotel, two (2) limited-service hotels, conference/meeting banquet space, several restaurants and an indoor entertainment venue that is open to the public on an approximately 5.2-acre site in the City of Garden Grove. The proposed project would consist of 769 rooms within one (1) full-service

(maximum height of 263 feet) and two (2) limited-service resort hotels (maximum height of 200 feet), ranging from 10- to 19-stories, with approximately 39,000 square feet of conference /meeting banquet space and 45,000 square feet of restaurant/entertainment space included on-site via freestanding pads, a parking structure with a maximum height of 75 feet (east side and a parking structure with a maximum height of 85 feet (west side, with ballroom and pre-function use on top) immediately adjacent to each other with 1,297 total spaces. See Table 1 below. Hotel ancillary uses would include conference/meeting banquet, fitness room and spa, restaurants, and bars. Project approval includes:

- General Plan Amendment No. GPA-2-12(B) to change the General Plan Land Use designation of two (2) residential properties along Twintree Lane (12251 and 12571 Twintree Lane; APN: 231-521-09 and 231-521-10) and four (4) residential properties along Choisser Road (12233, 12235, 12237, and 12239; APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19)) from Low Density Residential to International West Mixed Use with an accompanying zone change from R-1 to PUD;
- Establishing a Planned Unit Development zoning with development standards – eight (8) lots along Harbor Boulevard (12222, 12202, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard; APN: 231-491-20 & 21, 231-521-01, 02, 03, 04, 05, & 06); and two (2) lots along Twintree Lane (12511 and 12531 Twintree Lane; APN: 231-521-07 and 08) will be rezoned from HCSP-TZN to PUD, while two (2) residential properties along Twintree Lane (12251 and 12571 Twintree Lane; APN: 231-521-09 and 10) and four (4) properties along Choisser Road (12233, 12235, 12237 and 12239 Choisser Road; APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19) will be rezoned from R-1 to PUD to provide consistency with the proposed International West Mixed Use General Plan Designation. The PUD will include all necessary requirements so a Site Plan/Land Use Permit application will not be required);
- Tentative Tract Map No. 17455 and Development Agreement No. DA-185-12 are an integral part of the project, and the Planning Commission and City Council will consider these approvals at a future date.; and
- A future Conditional Use Permit, to allow for the sale of alcoholic beverages in the hotel, hotel restaurants, and freestanding restaurants, will be considered by the Planning Commission.

**Table 1
Project Summary**

Total Hotel Rooms (one full-service and two limited-service)	769 keys/rooms
Full-Service Hotel (max. height)	263 ft
Harbor Limited-Service Hotel (max. height)	200 ft
Twintree Limited-Service Hotel (max. height)	130 ft (E. side) to 190 ft (W. side)
Parking Structure / Ballroom & Pre Function (max.	85 ft

height)	
Parking Structure (East Side) (max. height)	75 ft
Restaurants Off Harbor (max. height) (max. height)	40 ft
Restaurant/Venue Northeast Corner (max. height)	75 ft
Restaurant/Entertainment (four pads @ 7,500 sf and one pad @ 15,000 sf)	45,000 sf
Hotel Restaurant	20,000 sf
Additional Hotel Ancillary	Restaurant, Bars, Fitness Rooms and Spa
Conference/Meeting Banquet	39,000 sf
Parking Spaces Provided	1,297

The project proposes one full access point onto Harbor Boulevard and one access point onto Twintree Lane which will be designated as a right out/left in only driveway. The project would include two parking structures immediately adjacent to each other with a total of 1,297 parking spaces.

The physical improvements for the project site will be compatible with the Community Design Guidelines as stated in the General Plan. The proposed development will comply with the goals and objectives of the Community Design Element of the City's adopted General Plan including provisions for attractive building design, landscaping, and signage. All development plans will be subject to, and be governed by, the approved PUD for the site.

Although aesthetic impacts are subjective, the project's intention is to create a themed resort environment through enhanced architectural elements. The concept has structures that vary in height and massing. The hotel structures will range between 10 to 19 stories with a maximum height of 263 feet for the full-service hotel and a maximum height of 200 feet for the limited-service hotels. The height of the parking structure/ballroom and pre-function will be a maximum of 85 feet and the parking structure on the east side will be a maximum of 75 feet. The future free-standing restaurant/entertainment facilities will range between 40 feet high along Harbor Boulevard to 75 feet high for the proposed restaurant/entertainment facility at the northeast corner of the site.

1.3 FINANCING

The site is located within the Garden Grove Successor Agency for Community Development's Redevelopment Project Area and, as such, financing assistance has been considered for related costs and improvements necessary for the site. The project proponent has entered into a Disposition and Development Agreement with the Garden Grove Agency for Community Development that details the financing points for the project.

1.4 PREVIOUSLY APPROVED PROJECTS IN AREA

In January of 2008, the City approved the expansion of the existing Embassy Suites Hotel that is located approximately 1/2 mile north of the project site just north of Chapman Avenue. The project proposed the expansion of an existing 374-room Embassy Suites Hotel, including the addition of a new 17-story, 238-room hotel tower to the existing 374-room hotel, along with the

addition of 56,000 square feet of new banquet and meeting rooms to the existing facility. The overall improvement plans included creating a resort type hotel, adding a new restaurant and spa, and renovating the on-site circulation and parking arrangements that will also include the two existing hotels in front of the Embassy Suites. The project has not been constructed at this time.

Another recently approved project, the Water Park Hotel, is located approximately ½ mile south of the proposed project site. It is located on a 12.1 acre site on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue. The proposed project will include an approximately 605 room hotel, an approximately 130,000 square foot water park, approximately 9,500 square feet of restaurant space on a detached approximately 14,850 foot restaurant pad, and a 5-level parking structure. Hotel ancillary uses will include meeting space, retail, and restaurant uses inside the hotel facility. The project has not been constructed at this time.

The proposed International West Hotel – Harbor East (Site C) project has been considered in a previously adopted Environmental Impact Report (EIR). The 2008 EIR for the General Plan 2030 Update included the project's proposed uses and maximum intensity in analyzing build-out within the International West Mixed Use Land Use area.

1.5 PROJECT LOCATION

The proposed project site is located in the City of Garden Grove in the west portion of Orange County, bordered by the cities of Anaheim on the north, Orange and Santa Ana to the east, Fountain Valley to the south, and Westminster to the west (Figure 1, Regional Location). Regional access to the project vicinity is provided via State Route 22 (SR-22), and Interstate 5 (I-5).

The City is in proximity to a number of major Orange County attractions including: Disneyland and the Anaheim Convention Center, which are less than one-half mile to the north; Anaheim Convention Center, which are less than one-half mile to the north; Anaheim Stadium and "The Honda Center," which are approximately one mile to the northeast of the City; the Pacific Ocean is nine miles to the southwest; Orange County "John Wayne Airport," is approximately seven miles to the southeast; and Knott's Berry Farm is six miles to the northwest. The Garden Grove Freeway (SR-22) runs in an east-west direction through the City. The Santa Ana Freeway (I-5) and the Orange Freeway (SR-57), to the northeast, and the San Diego Freeway (I-405), to the southwest, provide connections to the SR-22.

The City is approximately 18.1 square miles (approximately 11,584 acres) of relatively flat topography. The average elevation is 85 feet above sea level. Most of the City is located east of Dale Street; however, there is an area west of Hoover Street, which is connected to the main portion of the City by a narrow strip of land extending along Garden Grove Boulevard. The northern boundary of the City is irregular; the furthest north the City extends is approximately 900 feet north of Katella Avenue. The southern boundary is also irregular, with a narrow strip of land extending as far south as Margarita Avenue, south of McFadden Avenue. To the west,

Garden Grove extends past Valley View Street to the Bolsa Chica Channel. Much of the eastern boundary of the City is formed by Lewis Street; however, there is a small section in the southeast corner of the City, which extends beyond Lewis Street to Siemon Street.

The project site is approximately 5.2 acres limited to the west by Harbor Boulevard and to the east by existing residential units; to the north by the Target Center parking lot and to the south by Twintree Lane. Local access to the project site is currently provided via Harbor Boulevard, Twintree Lane, and Choisser Road (Figure 2, Aerial Vicinity Map; Figure 3, Conceptual Site Plan; Figure 4, Existing Site Photos; and Figure 5, Post Development Condition Map). The project site is currently identified as Site "C" and within the City's 2008 General Plan as International Mixed Use.

The project site is located within an urbanized area of Garden Grove, and it is generally surrounded by mixed uses. As previously stated, commercial uses such as Target are located just north of the project site and east of Harbor Boulevard. Sheraton Garden Grove-Anaheim South, Crown Plaza Resort Hotel Anaheim-Garden Grove, Marriott Suites and Homewood Suites are located northwest of the project site. Vacant lots and commercial uses (Satellite – Real Estate, Loans, Insurance and Income Tax) are to the west, across from Harbor Boulevard. Residential and commercial uses are located to the south, across from Twintree Lane, and residential use to the east.

The majority of the existing site is fenced and not accessible to the public. The fencing covers the northern vacant portion of the site as well as the demolished RV Park. Just north of Twintree Lane along Harbor Boulevard is a commercial use, Joe's Italian Ice. The commercial buildings to the north of Joe's Italian Ice, such as Crystal Nails, a Smoke Shop, and Immigration Service, and an RV Park have been demolished. Utilities, asphalt and a swimming pool associated with these prior uses still remain on the site. The southern boundary of the project site includes four (4) existing single-family residences along Twintree Lane, just east of Joe's Italian Ice. The northeastern boundary includes four (4) existing single-family residents along Choisser, which the City currently owns.

1.6 ENVIRONMENTAL SETTING

The City is virtually built-out with approximately 98.4 percent of the community developed; the remaining 1.6 percent, approximately 121 acres, is vacant.

Demographics/Population

According to the 2008 General Plan Update EIR, the City's existing population was an estimated 172,781 persons as of January of 2007. According to U.S. Census, the City's total population in 2009 was 166,327 persons (U.S. Census 2009C). And according to SCAG, the City's population for 2010 was 170,883 persons and 189,445 persons by 2030 (SCAG 2011).

The community is made up of approximately 20.6 percent Caucasian, 33.9 percent Asian, and 45.5 percent Hispanic and other (U.S. Census 2009a).



 Project Area

Figure 2
Aerial Vicinity Map

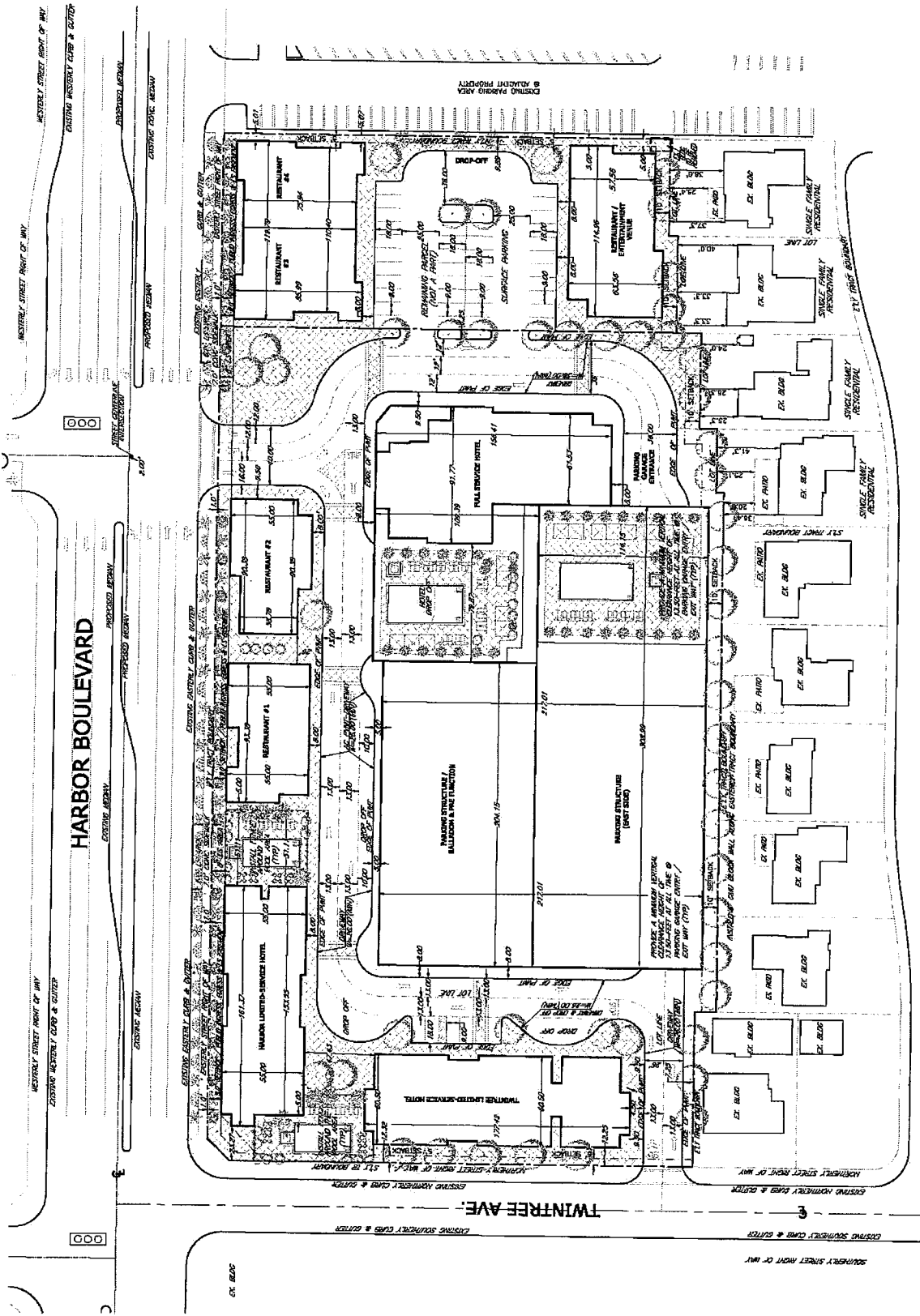
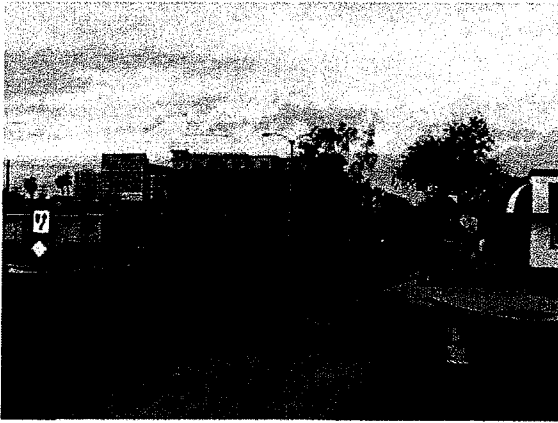


Figure 3
Conceptual Site Plan



Looking northeast toward Sheraton Hotel and Joe's Italian Ice from the corner of Twintree Lane and Harbor Boulevard.



Looking east across Harbor Boulevard from Sheraton Hotel driveway at fenced project site with closed RV Park. On-site commercial uses, Crystal Nails (which recently closed), Smoke Shop, and Joe's Italian Ice.



Looking at the vacant fenced parcels on the project site. Back side of Choisser homes are in background.



Looking at the most northern part of the site from Harbor Boulevard. Target Shopping Center parking and Viva Bargain Center are shown in background.

Figure 4
Existing Site Photos along Harbor Boulevard

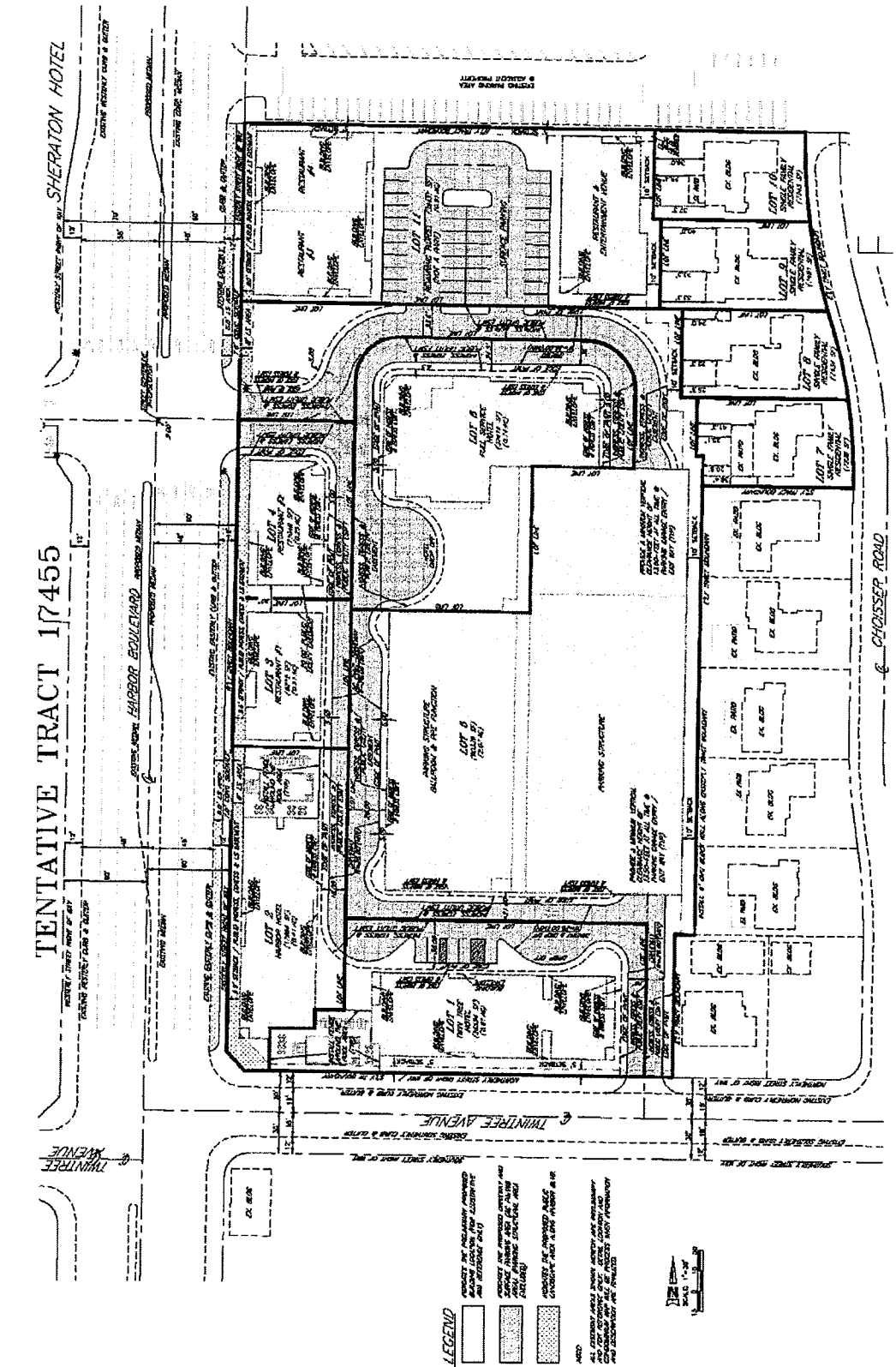


Figure 5
Post Development Condition Map

Housing

The City's housing unit was an estimated 46,703 dwelling units in 2000. As of 2009, the City's housing unit was an estimated 44,581 dwelling units, with a vacancy rate of 5.2 and an average household size of 3.80 persons (U.S. Census 2009b). SCAG's statistical summary of the City's housing units in 2010 was 47,755 dwelling units and 47,759 dwelling units by 2030 (SCAG 2011).

Geology/Soils

Although there are no Alquist-Priolo Earthquake Fault Zones within the City of Garden Grove, two fault splays associated with the in-active Pelican Hills Fault Zone traverse the central and western portions of the City in a northwest to southeast trending direction. Most of the City is considered to be in areas of moderate, high, or very high liquefaction potential. Much of the City is also in areas of moderate and/or high dynamic settlement potential.

Hydrology/Drainage

The City of Garden Grove is within the Westminster Watershed. The Westminster Watershed covers 74.1 square miles in the southwestern corner of Orange County. Three main tributaries drain this watershed. The Los Alamitos Channel drains into the San Gabriel River; the Bolsa Chica Channel empties into the Anaheim Bay-Huntington Harbour complex; and the East Garden Grove-Wintersburg Channel drains through Bolsa Bay into Huntington Harbour.

The City's Public Works Department, Water Services Division, is the primary water service provider of potable water to the residents of Garden Grove, serving an area of approximately 17.8 square miles. The Water Services Division is responsible for maintaining the City's wells, reservoirs, water connections for imported water, and distribution systems.

The City's Public Works Department is responsible for constructing and maintaining City flood control channels and storm drains within the City. The system is designed to control the movement of rainwater to a flood control channel where it flows to the ocean. Federal, State, regional, and local regulations require the City to control the discharge of pollutants to the storm drain system.

The eastern portion of the City of Garden Grove is located within a 100-year flood hazard area. The western portion of the City is also located within the dam inundation areas of the Prado Dam and Carbon Canyon Dam. According to United States Army Corps of Engineers dam inundation maps, in the event of a dam failure at the Prado Dam, the flood wave would reach Garden Grove in approximately 7.5 hours and would be approximately 4 feet deep. If Carbon Dam failed, the flood wave would reach Garden Grove in approximately 9.25 hours and would be two feet deep.

Biological Resources

There are no known rare or endangered species present in the City.

Noise

The City is impacted by freeway and roadway noise, as well as noise associated with the operations at the Los Alamitos Air Base and the railroad line (both of which are located on the western portion of the City and would not impact the project site).

Air Quality

The City is located in the South Coast Air Quality Basin. There are presently six ambient air pollutants which are of special concern in the Basin: carbon monoxide, ozone, sulfur dioxide, lead, particulate matter, and fine particulate matter. Federal and State standards for sulfur dioxide and lead are met in the Air Basin. The other four pollutants exceed both the State and Federal standards.

Cultural Resources

There is only one known prehistoric archaeological site in the City and the proposed project site is not located within this location. There are twelve known historic archaeological sites within the City. Also, there are three existing historic structures that are considered candidates for nomination to the National Register of Historic Places. As stated in the November 8, 2011 letter from the Native American Heritage Commission (on file with the City of Garden Grove, Planning Department and also as Appendix C to this document), no Native American cultural resources were identified in the project site.

Recreation

The City currently has fourteen City-owned parks totaling 157.1 acres. Applying the total park acreage, the City population yields a ratio of parkland to population of 0.91 acre to 1,000 persons. In addition to the specific parks, the City also has six facilities that can and do incorporate unique recreational and related activities. These facilities are the Community Meeting Center, H. Louis Lake Senior Center, Garden Grove Sports and Recreation Center, Courtyard Center, and Atlantis Play Center.

Public Services

Public services include schools, libraries, and fire and police protection services.

There are five public school districts and three community college districts that serve the City. Currently, thirty-four of the sixty-one schools serving Garden Grove are above the existing capacity levels. The use of portable classrooms on their campuses helps reduce the overcrowding problems currently experienced.

The City of Garden Grove Fire Department (GGFD) provides fire protection throughout the community. There are currently seven stations located throughout the City, including Fire Station No. 1 (11301 Acacia Parkway), which is approximately 1.3 miles southwest of the project site, Fire Station No.3 (12132 Trask Avenue), which is approximately 1.2 miles south of the site, and Fire Station No. 6 (12111 Chapman Avenue), which is approximately half a mile to the northwest of site. The Citywide average response time is approximately 4 minutes 25

seconds with a standard response time of being on the scene in five minutes. Due to the proximity of the project site to Fire Stations Nos. 1, 3, and 6, response time can be less than the average noted time.

The City of Garden Grove Police Department (GGPD) provides law enforcement within the community. The Garden Grove Police Department has 162 sworn law enforcement officers, 13 reserve officers, and 40 patrol cars. The current deployment standard for normal patrol conditions is one officer assigned to each patrol car. The average response time for emergency 911 calls within the City is approximately 3 minutes and 54 seconds. The Police Department has approximately 60 civilian personnel and several special units and services that support the community. These include night special assignment deputies, neighborhood watch, gang suppression, anti-graffiti program, school resource officers, detective services, and youth services.

The County of Orange operates three libraries within the City: Chapman Library (9182 Chapman Avenue); Garden Grove Regional Library (11200 Stanford Avenue); and West Garden Grove Library (11962 Bailey Street).

Utilities and Service Systems

Public facilities include water, wastewater, storm drainage as well as utilities such as natural gas and electricity.

The City of Garden Grove Water Services Division is responsible for providing water throughout the City. The Division has a Capital Improvement Program that identifies and prioritizes proposed improvements to the water delivery system. Older facilities are continually replaced with newer facilities, based on priority need. The City of Garden Grove Water Services Division has not identified any deficiencies in the existing service infrastructure in the immediate area of the proposed project.

The Garden Grove Sanitary District (GGSD), as a subsidiary district of the City of Garden Grove, is responsible for the collection and disposal of wastewater within the City. The Sewage Collection System Master Plan (2005) identifies a number of deficiencies within the City associated with total build-out of the City. The areas that contain deficient sewer capacities would not be impacted by the proposed project. The GGSD installed a new sewer line to accommodate future development of the International West Resort Area in October 2007.

The Orange County Flood Control District operates and maintains a number of flood control channels within the City. The City's Public Works Department also operates and maintains several storm drainage facilities. There are areas within the City that are subject to flooding during periods of significant rainfall, none of which would be impacted by the implementation of the proposed project. The City of Garden Grove's Master Plan of Drainage identifies areas where improvements are needed to reduce the impacts from storm drainage.

Solid waste within the City is handled by GGSD. The waste stream is processed and sorted at the CVT Regional Material Facility and Transfer stations in the City of Anaheim. The non-recyclable waste is primarily disposed of at one of the three active Orange County Landfills: Olinda Alpha Landfill, Frank R. Bowerman Landfill, and Prima Deshecha Landfill. The City's Source Reduction and Recycling Element (SRRE) addresses waste generation within the community. Additionally, the City has adopted development standards to ensure safe and efficient recycling facilities are provided in each project.

Southern California Edison (SCE) provides electricity within the City. There are currently two SCE 220 kV high voltage easements that traverse the City, neither of which would be impacted by the implementation of the proposed project.

The Southern California Gas Company provides natural gas within the City. Three companies currently provide cable television services: Time Warner Cable, AT&T, and Verizon. AT&T and Verizon are providers of telephone services in the City.

Hazards and Hazardous Materials

There are more than 340 businesses that handle hazardous materials within the City. Of these, seven handle acutely or highly hazardous materials. Six of the seven businesses that handle acutely or highly hazardous materials are located within the Central Industrial District. There are no Federal Superfund sites located within the City. The City of Garden Grove Fire Department is responsible for responding to hazardous material releases within the City.

The project site is more than four miles west of a closed landfill (the former Longsdon Pit). The landfill site was formerly operated by the County of Orange and is now owned by the GGSD. When in operation, the Longsdon Pit was licensed to accept ordinary household and commercial refuse, scrap metal, and inert nondecomposable solids. The license specifically prohibited the site from accepting deleterious chemicals or liquids containing such chemicals. The landfill was closed in 1960.

Aesthetics

The City offers a variety of aesthetics. Residential areas vary in appearance from well-maintained to run-down and from dense and intense to a more spacious, open character. New residential, commercial, and industrial developments are typically attractive, while many older developments are in need of repair and/or appropriate landscaping enhancements.

Project Site

The proposed project site is defined as the 5.2 acres of improved and unimproved area located on the east side of Harbor Boulevard, north of Twintree Lane and south of the Target Shopping Center parking lot. It consists of the following parcel addresses and Assessor Parcel Numbers, respectively: 12202, 12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard (APN: 231-491-20, 21, 231-521-01, 02, 03, 04, 05, & 06); 12511, 12531, 12551, and 12571 Twintree Lane (APN: 231-521-07, 08, 09, and 10); and 12233, 12335, 12237, and 12239 Choisser Road (APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19). The properties to the north of the site are

zoned HCSP-TCB (Harbor Corridor Specific Plan Tourist Commercial “B”), and R-1; and are currently developed with commercial uses including Target, Viva Bargain Center and Coco’s. The properties to the south of the site, across Twintree Lane, are zoned HSCP-TZN and R-1 (Single-Family Residential); and are developed with residential and commercial uses. The properties to the west of the site, across Harbor Boulevard, are zoned PUD-141-01 and are currently vacant fenced lots or are developed with commercial use and the Sheraton Hotel. The properties to the east of the site are zoned R-1 and are developed with residential uses.

The project site is located along the east side of Harbor Boulevard, which is a major street that provides access through the City to cities located in North Orange County as well as the beach communities to the south.

Through the City’s adoption of General Plan Update in August of 2008, the project site’s land use designation including the area along the Harbor Corridor, north of SR-22 and Trask Avenue to north of Chapman Avenue, was designated as International West Mixed Use. This area is generally referred to as the International West Resort Area. The International West Mixed Use designation is intended to provide a mix of uses, including resort, entertainment, retail, hotel, and some higher density residential that are appropriate for a major entertainment and tourism destination. Development in International West Mixed Use should enliven the street and embody the entertainment/resort theme. Although the 2008 General Plan Update EIR addressed buildout for the area, it did not address the specifics of the proposed project, and therefore, additional environmental review is required.

1.7 EXISTING PLANS AND POLICIES

As mentioned, the recently adopted General Plan land use designation for the project site is International West Mixed Use. Proposed project approvals include the adoption of a Planned Unit Development in order to implement a hotel development that is consistent with the International West Mixed Use General Plan land use designation.

The site has a General Plan Land Use designation of International West Mixed Use and Low Density Residential and a zoning of HCSP-TZN (Harbor Corridor Specific Plan Transition Zone – North) and R-1 (Single-Family Residential). Although the General Plan Land Use Designations and zoning classifications are consistent with each other, six (6) of the residential properties within the project site are not consistent with the remaining properties’ Land Use Designations and zoning classifications. Approval of the proposed General Plan Amendment and Zone Change to change the General Plan Land Use Designations of the six (6) residential properties from Low Density Residential to International West Mixed Use and to change the zoning of the entire site to a new PUD designation would result in the Land Use Designations and the zoning of the properties being consistent with each other.

1.8 REQUESTED DISCRETIONARY ACTIONS

The following actions by the City of Garden Grove are required to implement the proposed project. The first five actions will require approval from the City of Garden Grove Planning Commission and City Council:

- **Approval of the Mitigated Negative Declaration (MND):** This document is prepared to analyze the potential environmental impacts of the project, and it includes measures to mitigate those impacts to below a level of significance, as necessary. The MND for the project is prepared in accordance with CEQA, the State CEQA Guidelines, and the City's policies to implement CEQA and will be approved by the City in accordance with the same requirements. The City will consider and evaluate the MND along with any comments received during the public review period and will approve the MND if there is no substantial evidence that the proposed project will have a significant effect on the environment.
- **Adoption of Mitigation Monitoring Program (MMP):** The City will evaluate and adopt a Mitigation Monitoring Program (MMP), prepared in accordance with CEQA, the State CEQA Guidelines, and the City's policies to implement CEQA. The City will consider the MMP related to the changes made to the project or conditions of project approval that were adopted in order to mitigate or avoid significant effects on the environment.
- **Approval of General Plan Amendment:** The City will evaluate and approve General Plan Amendment GPA-2-12(B) to change the General Plan Land Use Designation of two (2) residential properties along Twintree Lane (12251 & 12571 Twintree Lane) and four (4) properties on Choisser Road (12233, 12235, 12237, and 12239 Choisser Road) from Low Density Residential to International West Mixed Use.
- **Approval of Zone Change:** The City will evaluate and approve a Planned Unit Development to rezone the properties from HCSP-TZN (Harbor Corridor Specific Plan Transit Zone – North) and R-1 (Single-Family Residential) to Planned Unit Development No. PUD-128-12. As part of the PUD, the City will include necessary project details, i.e. conceptual site plan, floor plans, elevations, conceptual landscape, and lighting plan, so a Site Plan/Land Use permit will not be required.
- **Approval of Development Agreement:** The City will evaluate and approve a Development Agreement for payment of development related fees.
- **Approval of Detailed Site Plans:** The City will conduct Site Plan Reviews in approving the project. The Garden Grove Municipal Code contains the process for the approval of the Site Plan Review, as established in Chapter 15.47 of the said document.
- **Approval of Grading:** The City will evaluate and approve the grading plan based on the grading permit process established by the City's Building Codes and will issue a grading permit.
- **Approval of a National Pollutant Discharge Elimination System Permit:** The Applicant will process a request for NPDES permit issued by the California (Santa Ana) Regional Water Quality Control Board (RWQCB) under the construction storm water program.

- **Approval of Demolition, Building, and Occupancy Permits:** A demolition permit will be obtained from the City of Garden Grove for each structure or group of structures to be demolished in order to allow for construction of the new hotels and parking structures for the hotels. Grading and building permits, as needed, will be obtained from the City for each phase independently.

1.9 POSSIBLE ENVIRONMENTAL EFFECTS

The MND evaluates the potential impacts associated with implementation of the proposed project. The MND provides project-level analysis of all potentially significant environmental issues. The IS evaluated the following environmental disciplines for potential environmental effects associated with development of the proposed project:

Land Use/Planning	Transportation/Parking	Public Services/Service Systems
Population/Housing	Biological Resources	Utilities and Services
Geology/Soils	Recreation	Aesthetics
Hydrology/Water Quality	Hazards & Hazardous Materials	Cultural Resources
Air Quality	Noise	Greenhouse Gas Emissions
Mineral Resources	Mandatory Findings of Significance	Agricultural and Forestry Resources

Upon completion of the Initial Study it was determined that the project could have the following potential environmental effects: Aesthetics, Air Quality, Hazards & Hazardous Materials, Noise, Public Services, Transportation, and Utilities and Service Systems. As a result, measures have been recommended for incorporation into the Project to reduce potential impacts to insignificant levels. The environmental disciplines for which mitigation measures have been recommended include:

Aesthetics	Air Quality	Hazards & Hazardous Materials
Noise	Public Services	Transportation
Utilities and Service Systems		

2.0 DISCUSSION OF ENVIRONMENTAL EVALUATION

The first step in the environmental evaluation process for the project is completion of the City of Garden Grove Environmental Checklist Form. Completion of the Checklist identifies those environmental disciplines that could have significant environmental impacts with implementation of the proposed project. Included beside each environmental discipline is a box identifying the level of potential impact associated with that discipline. A box is checked depending upon the degree of potential impact of the project for that specific discipline.

Once the Checklist is completed, the next step is to fully explain the box that was checked. If the project is anticipated not to have an impact on a specific discipline, the explanation will briefly explain why the project will not have an impact. If the project could potentially have a significant impact, the explanation will provide information explaining how the project could impact or be impacted by the discipline. For those disciplines where significant potential impacts could occur, measures are recommended that can be incorporated into the project to mitigate the impacts to a level of insignificance.

The completed Environmental Checklist Form for the project is attached to this Mitigated Negative Declaration along with the supporting Technical Appendices. Below are expanded explanations to each environmental discipline listed in the Checklist. Because measures have been recommended to reduce impacts to insignificant levels, a Mitigated Negative Declaration has been prepared for the proposed project pursuant to the California Environmental Quality Act. Written responses are provided for each discipline checked, including "No Impact."

Proposed mitigation measures, which will reduce any potentially significant impacts identified in this section to a level of less than significant, are set forth in Section 3.3.

2.1 AESTHETICS

The proposed project would not have a substantial effect on a scenic vistas or scenic highways as no scenic vistas or other scenic resources have been identified within the City of Garden Grove. In addition, the physical development and improvements for this site would be compatible with the applicable Community Design Element Guidelines as stated in the 2008 General Plan and listed below for the International West Mixed Use Area and with other improvements and developments in the area, which are also compatible with the International West Mixed Use designation.

- Enhance the existing streetscape and extend it along the entire length of Harbor Boulevard to connect the southern portion of the corridor with the north.
- Apply streetscape enhancements such as consistent sidewalk widths, high quality accent paving pattern curb-adjacent planted parkways, with occasional breaks for expanded sidewalk/access to street edges, continuous parkway planting, and intersections with special accent treatments to visually set this area apart from other areas in the City.

- Include gathering places or nodes.
- Consider additional public spaces and linkages between spaces along the corridor with redevelopment. Public spaces should engage and entertain users through design, art, fountains, and landscaping.
- Taller development should be setback from the street with pedestrian amenities adjacent to the street.
- Buildings should relate to the street.
- Pedestrian path should be well landscaped.

Therefore, no impacts related to scenic vistas or scenic highways are anticipated.

The City of Garden Grove is mostly built out and the aesthetic character of the City is fully urbanized. Currently, the immediate surrounding land uses along Harbor Boulevard consist primarily of commercial and hotel uses. There also are existing vacant lots across Harbor Boulevard (which are intended for new development under the International West Mixed Use designation) and residential areas south and east of the site.

Aesthetic impacts are very subjective by their nature. The intent of the project is to create an attractive hotel, restaurant/entertainment development that would add to the visual interest of the streetscape and maintain a similar ambiance with the surrounding hotel, commercial and residential areas. The area just north of the project area includes larger hotel and restaurants that, through the use of street landscaping, are consistent in character and are also consistent with the overall vision that is encouraged by the goals and objectives of the 2008 General Plan for the International West Mixed Use area.

The proposed development along with the project related design implementation measures (i.e., future detailed site plan, landscape plan, lighting plan review/approval) would be compatible with the goals and objectives of the Community Design Guidelines contained in the 2008 General Plan for the International West Mixed Use area. Additionally, the project would be in harmony with the existing improvements and hotel developments in the area and would assist in improving the visual character of the site. For example, the parking structure wall adjacent to the residential properties to the east would be architecturally treated to provide an attractive and softer elevation, which will be required as a condition of approval for the project. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the site and the surrounding area, and the impact would be less than significant.

Since the project's conceptual site plan has not defined the lighting details; a site specific lighting study will be required prior to final site plan approval. The study will incorporate measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City's Zoning Code for parking lot lighting by, for example, requiring that lighting within parking areas is directed, positioned, and/or shielded so as to minimize light spillage. Additionally, the study would incorporate measures necessary to ensure the project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the 2008 General Plan for providing adequate lighting to maintain a safe public environment.

Implementation of the following mitigation measures (also in Section 3.3) would reduce the potential lighting impacts to less than significant.

Light and Glare

AES-1 Prior to final site plan approval, a site specific lighting study shall be prepared which incorporates measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City's Zoning Code for parking lot lighting so that lighting within parking areas are directed, positioned, or shielded so as to minimize light spillage. Additionally, the study shall incorporate measures necessary for the project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment.

AES-2 Sufficient technology currently exists to reduce lighting impacts from hotel/resort lighting to a less than significant level. However, given that the project is still in conceptual design and operation is not anticipated to begin until late 2014, identification of specific light reduction measures is premature since light-reduction technology is constantly evolving and advancing (i.e., more sophisticated light-reduction technology is anticipated to be available in the future that is available today). The developer shall include technologically advanced hotel/resort lighting measures in its detailed design plans to ensure that hotel/resort lighting does not result in a significant impact on the surrounding neighborhood.

A shade and shadow study (see Appendix A) was conducted to analyze the potential shade and shadow impacts on adjacent properties from the proposed project under "worst-case" development assumptions: hotels (full-service hotel at 263 feet, limited-service hotels at 200 feet and 130/190 feet), parking structures at 75 feet (eastern) and 85 feet (western), immediately adjacent to each other, restaurants off of Harbor Boulevard at 40 feet, and a restaurant/entertainment venue at 75 feet. The thresholds for analyzing the potential shade and shadow impacts here are consistent with those used in the City of Garden Grove's prior environmental analysis for the approved Water Park Hotel. Specifically, a project would have a significant impact if:

- Shadow-sensitive use areas (where sunlight is important to its function) would be shaded by project-related structures for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (Between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October), compared to existing conditions.

Of the total amount of the sun's energy available during a daylight period, approximately 85 percent of it reaches the earth between 9:00 a.m. and 3:00 p.m. The California Energy Commission defines this time period as the useable solar sky-space¹. Useable sky-space, at the winter solstice, is that portion of the sky lying between the position of the sun (i.e., sun angle or

¹ Jaffe, M., *Protecting Solar Access: A Guidebook for California Communities*, March 1980.

azimuth) when it is 45 degrees to either side of true south (i.e., the portion of the sky covered or traversed by the sun between 9:00 a.m. and 3:00 p.m.). It should be noted that the hours of 9:00 a.m. to 3:00 p.m. (for October through early April when daylight exposure occurs for a shorter period of time) and 9:00 a.m. and 5:00 p.m. (for early April through October when daylight exposure occurs for a longer period of time) are utilized as a threshold for shade/shadow impacts, as these hours of the day are the most likely to include activities where the sunlight is important to its function.

Consequences of shadows upon land use may be positive, including cooling effects during warm weather, or negative, such as the loss of natural light necessary for solar energy purposes or the loss of warming influences during cool weather. Shadow effects are dependent upon several factors, including the local topography, the height and bulk of the project's structural elements, sensitivity of adjacent land uses, season, and duration of shadow projection. Facilities and operations sensitive to the effects of shading include routinely usable outdoor spaces associated with residential, recreational or institutional uses, commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor areas, nurseries, and existing solar collectors. These uses are considered sensitive because sunlight is important to function, physical comforts, or commerce.

According to the shade and shadow study (Appendix A), the project would introduce new shadows casting onto immediate surrounding residential uses as well as onto the adjacent roadways and sidewalks. The threshold above states that a significant shadow impact would result if shadow-sensitive uses would be shaded for "more than" three hours between the hours of 9:00 am and 3:00 pm Pacific Standard Time (between late October and early April). This condition is applicable to the Winter and Spring Equinox diagrams. As a result of the analysis, between the hours of 9:00 am and 3:00 pm, during both the Winter and Spring, the project would shade sensitive uses for approximately two hours, and therefore, the impact would be less than significant.

The threshold further states that a significant shadow impact would result if shadow-sensitive uses would be shaded for "more than" four hours between the hours of 9:00 am and 5:00 pm Pacific Daylight Time (between early April and late October). As a result of the analysis, between the hours of 9:00 am and 5:00 pm, during the Autumn Equinox condition, the project's full-service hotel and eastern parking structure, as originally designed, would shade sensitive uses for approximately 4.5 hours which is slightly more than the four hours threshold. This impact would occur to the two most northerly residential properties at the end of Choisser Road. To ensure that the impact is reduced to less than significant (i.e., less than 4 hours during the Autumn Equinox), the project site plan was redesigned following the preliminary shade/shadow analysis to reduce the original height of the Twintree limited-service hotel and the eastern parking structure to alleviate the potentially significant shadow impact on the adjacent residential uses. In addition, the City currently owns the four most northern homes on Choisser Road (12233, 12235, 12237, and 12239 Choisser Road) and they are part of the future Tentative Tract Map, GPA and PUD and they will become a part of the proposed project. The above factors reduce the project's potential shadow impacts to less than significant for these

two most northerly residential properties. Other properties adjacent to the project site that may experience new shadows casting for approximately four hours under the Summer and Autumn Equinox condition are currently occupied by mature trees and dense vegetation, which cast existing shadows at these portions of the residential lots. Therefore, these areas would not be considered to be shadow sensitive and a less than significant impact would occur.

2.2 AGRICULTURE AND FOREST RESOURCES

The site has an existing General Plan Land Use Designation of International West Mixed Use and Low Density Residential, and a zoning of HCSP-TZN (Harbor Corridor Specific Transition Zone) and R-1 (Single-Family Residential). The project site is not zoned for farmland or forestland and is not located within an area that is used or zoned for farming or forest uses. In addition, the project would not conflict with a Williamson Act contract since the project site is not subject to a Williamson Act contract. Therefore, since the project is located in an urbanized area that includes commercial and residential uses, no impact is anticipated to agricultural or forest resources.

2.3 AIR QUALITY

The project is located in the South Coast Air Quality Basin with the South Coast Air Quality Management District (SCAQMD) monitoring and regulating the air quality within the Basin. An Air Quality Study (see Appendix B) has been prepared to analyze the air quality impacts associated with the project by evaluating both short-term and long-term impacts and comparing them to the SCAQMD regional and localized significance thresholds. A project's air quality impacts can be separated into short-term impacts from construction and long-term impacts from project operations.

Short-Term Impacts

As indicated in the project's Air Quality Impact Study (Appendix B), temporary construction activity emissions would occur during project build-out and include fugitive dust from construction activities (i.e., demolition, grading, and exhaust emission) at the project site. The project is expected to take approximately 2 to 2 ½ years to complete. Project construction would include demolition of the existing boarded up buildings associated with the past RV Park, and the existing commercial businesses along Harbor Boulevard. Construction would also include site grading, building construction, painting/architectural coating, and site paving. The project's potential short-term impacts were calculated and compared to SCAQMD significance thresholds. The project's emissions from construction would not exceed the SCAQMD regional and localized significance thresholds, with the implementation of the following required mitigation measures (also in Section 3.3). Therefore, the short-term construction impact would be less than significant after mitigation.

Vehicle Emissions:

AQ-1 Construction equipment shall be maintained in proper tune.

AQ-2 Gasoline or electricity-powered equipment shall be utilized instead of diesel equipment whenever possible.

AQ-3 The use of heavy construction equipment shall be suspended during first stage smog alerts.

AQ-4 All construction vehicles shall be prohibited from excessive idling. Excessive idling is defined as five minutes or longer.

AQ-5 "Clean diesel" equipment shall be used when modified engines (catalyst equipped or newer Moyer Program retrofit) are available at a reasonable cost.

Fugitive Dust Emissions and Control:

AQ-6 All active construction areas shall be watered three (3) times daily.

AQ-7 All haul trucks shall be covered or shall maintain at least two (2) feet of freeboard.

AQ-8 All unpaved parking or staging areas shall be paved or watered three (3) times daily.

AQ-9 Speed on unpaved roads shall be reduced to less than 15 mph.

AQ-10 Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.

AQ-11 Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.

AQ-12 All operations on any unpaved surface shall be suspended if winds exceed 25 mph.

AQ-13 Daily disturbance area shall be limited to two (2) acres or less.

Off-Site Impacts:

AQ-14 Carpooling shall be encouraged for construction workers.

AQ-15 Any required lane closures shall be limited to off-peak travel periods.

AQ-16 Construction vehicles shall be parked off traveled roadways.

AQ-17 Any dirt hauled off-site shall be wet down or covered.

AQ-18 Access points shall be washed or swept daily.

AQ-19 Receipt of materials shall be during non-peak traffic hours.

AQ-20 Construction sites shall be sandbagged for erosion control.

Long-Term Impacts

Long-term emissions are generated by the operation of the project over the project's life cycle. Long-term emissions include vehicle exhaust traveling to and from the project site, as well as electricity and natural gas generated by the future project uses. The project's operational impacts would not exceed the SCAQMD localized thresholds. With mitigation, the project's operational impacts would not exceed the SCAQMD "regional" significance thresholds. The required mitigation measures are as follows and can be found in Section 3.3, as well.

Operational Emissions Reduction Measures:

AQ-21 Prior to the issuance of building permits, the building construction design shall demonstrate to the satisfaction of the City Building Department that it exceeds the minimum statewide energy requirements of Title 24 by 20 percent. This shall be accomplished by including the following items but not limited to:

- a. Use of low emission water heaters
- b. Use of central air heating systems
- c. Use of energy efficient appliances
- d. Use of increased insulation
- e. Use of energy-efficient parking lot lights
- f. Use of lighting controls and energy efficient lighting
- g. Use of energy efficient windows
- h. Use of alternative energy (i.e., solar paneling)

Transportation Management Techniques to Reduce Vehicle Emissions:

AQ-22 Prior to the issuance of certificates of occupancy, the below recommendations of the TDM shall be implemented:

- a. Use of shuttle service, public transit and carpooling shall be encouraged.
- b. Design of a Walkable community shall be encouraged.
- c. Improvement of sidewalk network shall be encouraged.
- d. Use of bicycle lanes, rack or storage area shall be encouraged to facilitate use of bikes.
- e. Participation in City's existing TDM (Transportation Demand Management) Programs shall be required.
- f. A mix of uses on the site (i.e., hotel, restaurant, recreation, and retail) shall be required to minimize off-site travel.

Therefore, the project's operational impacts would be mitigated to a level less than significant.

Construction activities associated with the proposed project could result in odorous emissions from paint, coatings, solvents, gas powered vehicles and equipment, and diesel exhaust associated with construction equipment. However, because of the temporary nature of these emissions and the highly diffusive properties of diesel exhaust, nearby receptors would not be affected by diesel exhaust odors associated with project construction. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. The proposed project's operational activities would not involve any major sources of odor and would not be located in an area with existing odors. As a result, the proposed project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

2.4 BIOLOGICAL RESOURCES

Due to the urban, built-out nature of the City and surrounding area, biological resources in Garden Grove are almost non-existent. According to Section 8.1 of the Garden Grove General Plan Environmental Impact Report (May 2008), no known rare or endangered plant or animal species have been identified within the City of Garden Grove. The project site is located within a highly urbanized area and has been developed in the past with a recreational vehicle park (now closed), commercial uses along Harbor Boulevard and residential uses along Twintree Lane.

As the project site does not contain any standing surface water, there would be no potential impact on riparian habitats or other sensitive riparian natural communities. In addition, there would not be any potential impacts on federally protected wetlands, marshes, or vernal pools.

The project would not conflict with any local policies or ordinances protecting biological resources. Additionally, as indicated in the 2008 Environmental Impact Report for the City of Garden Grove's General Plan Update, the projected development intensity for the International West Mixed Use area would not conflict with any local, regional or state habitat conservation plan. No biological resource impacts are anticipated. No further mitigation would be required.

2.5 CULTURAL RESOURCES

The site is located in a highly urbanized area and the 2008 Environmental Impact Report that was prepared for the City of Garden Grove's General Plan Update states that no significant historical, archaeological, paleontological, or geological resources were identified within the International West Mixed Use area. Nor are there any known burial sites within the project site area. In addition, the Native American Heritage Commission was consulted in November of 2011, and no Native American resources were found within one-half mile of the project site (refer to November 8, 2011 Native American Heritage Commission correspondence on file with the City Planning Department and Appendix C of this document). Additionally, a majority of the site has already been altered by previous development. Nevertheless, the project would include earthmoving and the excavation of soils. If unanticipated archaeological resources, paleontological resources, or human remains are discovered during construction, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with Public

Resources Code Section 21083.2. No cultural resources impacts are anticipated. No further mitigation would be required.

2.6 GEOLOGY AND SOILS

Although some exposure to seismic-related hazards is expected, the project design, construction, and engineering would conform to the strict regulatory requirements set forth in Section 5.7.1 of the City's 2008 General Plan Update EIR. Applicable Federal, State, and local regulatory policies and law include, but not limited to the Federal Soil Protection Act, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, International Building Code (IBC), California Building Code (CBC), Fire Code, and City of Garden Grove Municipal Code, such as Title 18, Building Codes and Regulations. In addition, the City has identified protective measures within the goals and implementation measures incorporated into the proposed General Plan Update. These measures acknowledge safety concerns pertaining to seismic ground shaking. Adherence to the applicable codes and requirements would ensure that potential impacts due to seismic ground shaking would be less than significant.

According to the California Department of Conservation, approximately two-thirds of the City of Garden Grove (including the proposed project) is located in a liquefaction hazard zone. In addition to the goals and implementation measures identified in the General Plan to reduce seismic hazard impacts, mitigation requiring site-specific geologic investigation of liquefaction potential for subsequent new development projects within the City has been identified (see Mitigation Measure GEO-1 below).

GEO-1 Prior to the approval of final design plans, a site-specific geologic investigation of liquefaction potential shall be performed. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.

With compliance with the goals and policies of the proposed General Plan, the City's Building Code, potential impacts related to liquefaction would be less than significant.

The proposed project site is relatively flat and would not normally be subject to landslides or mudslides. All excavation work will be done in accordance with all applicable building codes and standards to minimize the threat of a landslide or mudslides. No impact would occur.

According to the City's 2008 General Plan Update EIR, the City is characterized as gentle slopes ranging from 0 to 2 percent with 99 percent of the City built out. The project site is gently sloping from north to south with elevations ranging from 118 to 114.3 feet. The proposed project would be built on infill sites covered by primarily disturbed vegetation and/or impermeable surfaces. Considering this fact, project site development would result in minimal soil erosion or loss of top soil. The project would include excavation and grading of the site to accommodate the proposed development and this will require preparation of a grading plan. Grading plans would include an approved drainage and erosion control plan to minimize the impacts from

erosion and sedimentation during grading. Drainage patterns are from east to west towards Harbor Boulevard then south along the gutters toward Twintree Lane, and south towards Twintree Lane then west along the gutter towards Harbor Boulevard. Site drainage would meet Engineering Services Division standards requiring storm water drainage to flow off the site. This storm water drainage would comply with applicable Water Quality Management Plan (WQMP) and Storm Water Pollution Prevention Plan (SWPPP) provisions, which would allow the overall drainage pattern to flow to the adjoining streets or storm drains in and around the subject site depending on the magnitude of the project's intensity and density. If drainage easements are required for storm drain purposes, the location of the easement(s) and the size of storm drains would be determined before site preparation begins. All construction involving excavation and/or grading must adhere to the requirements of the Engineering Services Division. All improvements must adhere to applicable codes including the California Building Code, and State and Federal Occupational Safety requirements. The impact would be less than significant.

There are several factors that can cause vertical displacement or subsidence of the land surface such as the withdrawal of oil, gas, or water from underlying formations, decomposition of buried organic material, and construction of heavy manmade structures above underlying poorly consolidated materials. It is not expected that any of these or any other conditions typically contributing to subsidence would occur in the project area. In addition, all new construction related to the proposed project must adhere to the requirements of the Engineering Services Division to address any subsidence of the land. And all improvements related to the proposed project must adhere to applicable codes including the California Building Code, and State and Federal Occupational Safety requirements. The impact would be less than significant.

According to the City's 2008 General Plan Update EIR, the amount of compaction may vary from a few inches to several feet and may be significant in areas of thick soil cover. Topsoil, recent alluvium and weathered bedrock are typically porous and may be subject to hydro-collapse; therefore, these materials can be considered unsuitable for the support of engineered fills and structures. Alluvial sediments, deposited by an ancestral Santa Ana River, underlie the City of Garden Grove. Proposed Implementation Measure SAF-IMP-6C requires all new development to have a site specific geology report prepared by a registered geologist and submitted, which would ensure impacts related to expansive soils impacts would be evaluated on a project-by-project basis (see Mitigation Measure GEO-2).

GEO-2 Prior to the approval of final design plans, a site-specific geotechnical investigation shall be prepared by a registered geologist. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.

Therefore, compliance with the goals and policies of the proposed General Plan, the City's Building Code would ensure potential impacts related to expansive soils would be less than significant.

The proposed project would be served by the City's sewers system and therefore, no alternative wastewater disposal system would be needed to support the project. No impact would occur.

2.7 GREENHOUSE GAS EMISSIONS

As indicated in the Air Quality Impact Study (Appendix B), on the local level, the South Coast Air Quality Management District (SCAQMD) is currently devising an acceptable methodology to properly analyze GHG emissions. The SCAQMD has adopted an interim GHG significance threshold for industrial projects that only applies when AQMD is the lead agency. To meet the goal of AB 32, which is to reduce GHG emissions to 1990 level by 2020, the California Air Resources Board (ARB) developed an inventory for statewide GHG emissions in 1990. ARB also estimated the emissions that would occur in 2020 without implementation of GHG reduction measures, termed a business-as-usual (BAU) scenario.

In the absence of quantified thresholds established at the state level, lead agencies have discretion to determine the threshold of significance applied to projects under CEQA. Certain air districts and municipalities have developed approaches for projects to determine a level of emissions under which their impact would not be cumulatively considerable. SCAQMD is in the process of developing thresholds for commercial and residential projects and in 2010, recommended a tiered approach (Tiers 1, 2, 3, 4 – Option 1, 4 – Option 2, and 5) to determining GHG significance. Although this approach has not been adopted by SCAQMD, the City has taken a similar approach to evaluating GHG impacts of projects under CEQA. Further, the City has identified a percent reduction target (Tier 4 threshold) that projects could demonstrate that would not be cumulatively considerable. The City has determined that projects need to demonstrate a 28.4 percent reduction below 2020 BAU.

During the construction phase, GHG emissions would be released through the burning of fossil fuels in construction equipment. There are no significance criteria for these emissions at this time. However, in order to provide as much information as possible, the GHG emissions associated with construction are listed in Table 9 of Appendix B. The project's worst-case GHG emissions during construction would be approximately 69 Metric Tons of CO₂ equivalents amortized over 30 years.

The GHG emissions were estimated under a business-as-usual (BAU) (Year 2020 without implementation of GHG reduction measures) and mitigated scenario in Year 2020 to determine if the proposed project would result in a significant impact to greenhouse gases and impede implementation of AB 32. Under a BAU scenario the GHG estimated emissions were 19,600.6 MTCO₂e per year. Under a mitigated and with regulations (Pavley I, Low Carbon Fuel Standards) scenario the estimated emissions were 13,854.7 MTCO₂e per year. The analysis incorporates an emissions credit for the existing land use. Both scenarios include the emissions related to the use of mobile, electricity, natural gas, waste and water sources, however, the mitigated scenario includes reductions that result from state and federal measures and regulations implemented after the statewide BAU 2020 emissions were estimated. These reductions include the renewable portfolio standard, low carbon full standard, and vehicle efficiency standards. The mitigated scenario also includes the GHG reductions that would result

from implementing the project design features including: transportation demand management plan, building construction 20 percent above Title 24, and parking management plan as indicated in the Section 5.0 of Appendix B. These designs exceed existing code standards and reduce project related GHG emissions. The emissions from the two (2) scenarios were compared to determine whether the proposed project attains at least a 28.4 percent reduction from BAU scenario.

The estimated operational emissions are 13,854.7 MTCO₂e per year as indicated in Table 12 of Appendix B. The project is anticipated to have a 29.3 percent reduction when compared to the BAU scenario. Implementation of the currently adopted state-led measures and project design features would result in a GHG emissions reduction of greater than 28.4 percent from a BAU scenario; therefore, the impacts to the proposed project would be considered less than significant when the Mitigation Measures AQ-21 and AQ-22 are implemented. Finally, the project would not conflict with any applicable plan, policy or regulation adopted for the purposes of reducing GHG emissions. The impact would be less than significant.

2.8 HAZARDS AND HAZARDOUS MATERIALS

As the proposed project includes commercial/retail uses, hazardous materials, including paints, solvents, and other materials, may be stored on-site and used in daily operations or maintenance of the property. However, the proposed project would comply with applicable Federal, State, and local regulations pertaining to the transport, storage, use and/or disposal of hazardous materials on the project site. A Limited Phase II Environmental Site Assessment (ESA) was conducted in March 2009 on the vacant parcel below the Sunbelt property (12222 Harbor Boulevard). Based on the soil sample results presented in the report, PHASE ONE, INC. (the report preparers) did not find evidence of contamination in any of the soil piles sampled. The soil piles may be used during the grading for the future development of the property. Further investigation was not recommended. Additionally, a Phase 1 ESA was prepared in June 2010 for the parcels that contained the CC Camperland RV Park (12262 – 1296 Harbor Boulevard). Based on the analysis of this study, PHASE ONE, INC. recommends performing near surface soil sampling and analysis to determine if any agricultural chemicals remained at the site. The project conditions of approval will require implementation of the Phase 1 recommendations prior to grading. See Mitigation Measures HHM-1 and HHM-2 below (also in Section XXII).

- HHM-1 Prior to the issuance of a grading permit, near surface soil sampling and analysis shall be performed to determine if any agricultural chemicals remained at the site. If any agricultural chemicals are found, the contamination shall be removed.
- HHM-2 Prior to the issuance of a grading permit, the project conditions of approval shall require implementation of the Phase 1 study recommendations.

In addition to the implementation of the above Mitigation Measures, the proposed project would not create a significant hazard nor emit hazardous emissions or handle hazardous or acutely

hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Therefore, potential impact would be less than significant.

The project site is not located on a site that has been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur.

The proposed project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip. Therefore, the project would not result in a safety hazards for people residing or working in the project area. No impact is anticipated.

The proposed project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact is anticipated.

The project site is located in urbanized area of the City and is not located adjacent to any wildlands or an area where residences are intermixed with wildlands. Based on the location of the project site, there would be no impact related to exposure of people or structures to a risk of loss, injury, or death involving a wildfire. No impact is anticipated.

2.9 HYDROLOGY AND WATER QUALITY

Numerous Federal and State statutes, regulations and programs are designed to protect and enhance water quality including, without limitation, the Federal Water Pollution Control Act and its amendments (Federal Clean Water Act), the Porter-Cologne Water Act, the National Pollutant Discharge Elimination Program, the Municipal Stormwater Permitting Program, the Water Quality Control Plan for the Santa Ana River Basin. The Project must comply with these requirements, in addition to the water quality requirements of the Garden Grove Municipal Code, Garden Grove Sanitary District, and the Garden Grove Public Works Water Service Division. Pursuant to the Federal Clean Water Act, the discharge of pollutants to waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. Municipal and industrial stormwater discharges are also regulated under the NPDES program. The California State Water Resources Board maintains the California NPDES program through the Regional Water Quality Control Boards.

Construction activities that disturb one acre of land or more must apply for coverage under the State Water Resources Control Board General Construction Activity Stormwater Permit. To obtain coverage, a Storm Water Pollution Prevention Plan (SWPPP) must be prepared describing BMPs for erosion and sediment controls, runoff water quality monitoring, waste disposal requirements, post-construction control measures and non-stormwater management controls must be prepared. The Project will be required to obtain coverage under the General Construction Activity Stormwater Permit and a SWPPP will be required. Construction activities for the Project will include activities such as clearing and grading that will expose surface soils and could result in sediment and runoff in downstream receiving waters along with other

miscellaneous waste. The control of construction-related pollutants, however, will be achieved through the implementation of BMPs identified in the SWPPP.

Further, a Preliminary WQMP has been prepared for the Project to comply with the NPDES Stormwater Program (Appendix D). A final WQMP is required prior to the issuance of any grading or building permits. Although impervious surfaces will be increased, the WQMP addresses site design BMPs such as minimizing impervious areas, maximizing permeability, and minimizing directly connected impervious areas. The WQMP also incorporates non-structural and structural source control BMPs, as defined in the Orange County DAMP. Post-development, storm water run-off will be treated by one or more BMPs including porous landscaping lined vegetation swales, Filterra Bio-filtration Planters, and bio-infiltration BMPs. Retained flows will be treated and metered prior to direction to off-site storm drains and the public storm drain system. The incorporation of BMPs prescribed in the WQMP will minimize impervious areas in addition to reducing potential pollutants that enter the surface flows as a result of project implementation, to the maximum extent practicable as required by the Regional Water Quality Control Board. With the SWPPP, WQMP, and BMPs, the Project will not violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff or otherwise substantially degrade water quality.

No on-site groundwater resources will be used for the construction and operation of the Project. The Project will not exceed existing or projected water uses presented in the Harbor Boulevard Site C Hotels Water Supply Assessment. The Project will not substantially deplete groundwater supplies or interfere substantially with groundwater resources.

The Project will be constructed on previously disturbed land. Although the Project will increase impervious surfaces, the Project will not substantially alter the existing drainage pattern of the site or area. The drainage system is designed to control the flow rate of on-site runoff. And, the Project will not alter the course of a stream or a river.

Post-construction, stormwater runoff will flow through curb openings into lined bio-swales and bio-retention areas located north of the property line along Twintree Lane. Once site-runoff enters the storm drain line, it will flow south and west towards the City storm drain located at the corner of Harbor Boulevard and Twintree Lane where the private storm drain line connects into the back of the catch basins located on Twintree Lane. Off-site stormwater will be conveyed to catch basins located at the southwesterly corner of Harbor and Twintree. Once the storm runoff enters the City owned facility, drainage is conveyed southwest discharging into the East Garden Grove-Wintersburg Channel which drains through Bolsa Bay into Huntington Harbor. Implementation of the proposed storm drainage system will ensure that the Project will not create or contribute runoff water which will exceed the capacity of existing or planned drainage systems.

According to the 2008 General Plan Update EIR, the proposed project site is not located within 100-year flood zone. However, the project area is located within the Regular Flood Hazard Zone "X", as determined by the Federal Emergency Management Agency (FEMA) Flood

Insurance Rate Map No. 06059C0141J (Community No. 060220, Panel No. 0141J), issued on December 3, 2009. Flood Zone "X", which is not subject to the Flood Hazard Overlay Zone, includes areas of 500-year flood; with average depths of less than one foot, or with drainage areas less than one square mile, and areas protected by levees from 100-year floods. Titles 6, 9, and 14 of the City's Municipal Code provide regulations to minimize flooding, and losses resulting from flood. In particular, Title 9, Chapter 12 establishes a Flood Hazard Overlay Zone, which includes the City's floodplain management regulations. The risk of flood is also addressed in the City's Emergency Management Plan. In addition, per City's requirement, grading improvement plans would be prepared to address potential flooding in designing the placement of the buildings, the height of the building pads, and related improvements to ensure the proposed development meets the FEMA requirements. Compliance with the City's Municipal Code, the City's Emergency Management Plan and grading improvement plan restrictions would reduce potential flood impacts to less than significant.

The western portion of the City is also located within the dam inundation areas of the Prado Dam and Carbon Canyon Dam. According to United States Army Corps of Engineers dam inundation maps, in the event of a dam failure at the Prado Dam, the flood wave would reach Garden Grove in approximately 7.5 hours and would be approximately 4 feet deep. If Carbon Dam failed, the flood wave would reach Garden Grove in approximately 9.25 hours and would be two feet deep. Compliance with the City's Municipal Code (i.e., Title 9), the goals, policies, and implementation measures included in the proposed General Plan Update, and the City's *Emergency Management Plan* (which addresses the flooding risk for the City), the potential flood impacts would be less than significant.

The project site is located at a distance from the coast, absent of large bodies of water, or hilly or mountainous areas that have the potential to cause mudflows. Therefore, seiche, tsunami, or mudflows are not anticipated to occur in the project vicinity. No impact would occur.

2.10 LAND USE AND PLANNING

The project site is currently occupied by a commercial use (Joe's Italian Ice), residential, and vacant land uses. The commercial buildings to the north of Joe's Italian Ice, such as Crystal Nails, a Smoke Shop, and Immigration Service, and an RV Park have been demolished. Utilities, asphalt and a swimming pool associated with these prior uses still remain on the site. The existing structures on the project site will be demolished for new construction. The project site is located directly adjacent to residential units to the east, commercial uses to the north, residential and commercial uses to the south (across Twintree Lane), and vacant and commercial uses to the west, across Harbor Boulevard. The proposed Planning Unit Development zoning designation and subsequent intended development of the site would be compatible with the surrounding area in intensity and density, and would not disrupt the physical arrangement of any existing residential, or commercial development in the area. During construction, there may be minor disruptions in traffic patterns or a nominal increase in noise. These impacts are considered less than significant as these disruptions will be for a short duration.

The properties located at 12202, 1222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard (APN: 231-491-20, and 21, and 231-521-01, 02, 03, 04, 05, 09, and 10), and 12511 and 12531 Twintree Lane (APN: 231-521-07 and 08) have a General Plan Land Use Designation of International West Mixed Use and are zoned HCSP-TNZ (Harbor Corridor Specific Plan – Transition Zone North). These properties would be rezoned to Planned Unit Development No. PUD-128-12, which would be consistent with the existing General Plan Designation of International West Mixed Use, and would facilitate the development of the proposed project. The properties located at 12251 and 12571 Twintree Lane (APN: 231-521-09 and 10), and at 12233, 12235, 12237, and 12239 Choisser Road (APN: 231-491-12 through 19) have a General Plan Land Use Designation of Low Density Residential and are zoned R-1 (Single-Family Residential). The land use designations for these properties would change from Low Density Residential to International West Mixed Use, and the properties would be rezoned from R-1 to Planned Unit Development PUD-128-12.

With these modifications, no conflict with the General Plan Land Use Designation or the property's zoning would occur. Impact would be less than significant.

The proposed project is located within a highly urbanized area of Orange County. The Final Environmental Impact Report prepared and certified, in August 2008, as a part of the General Plan Update (State Clearinghouse No. 2008041079, the General Plan EIR), analyzed intense commercial development for this area, including hotels, restaurants, and entertainment venues, and associated potential impacts such as increased traffic in the area, water and sewer concerns, and design issues. According to the 2008 General Plan Update EIR, the project is not located within an area that is subject to any habitat conservation plan or natural community conservation plan. Since 2008, no new plans have been adopted.

2.11 MINERAL RESOURCES

The City's 2008 General Plan Update EIR concluded that there are no mineral resources within the City of Garden Grove. There would be no impact. No further mitigation would be required.

2.12 NOISE

An Acoustical Study (see Appendix F) has been prepared for the project and analyzed noise generated from the additional traffic the project would create (roadway noise), exterior noise generated from the hotel's outdoor swim area, interior noise generated from the hotel and restaurant, the loading/unloading area, outdoor pool equipment, the trash compactor, the parking structures, and noise generated during construction of the project. Two sensitive noise areas (single-family dwelling units) are located directly east and south (across Twintree Lane) of the project site. The acceptable exterior noise level standard for residential/mixed land uses within the City of Garden Grove is 65 dBA CNEL.

In the Acoustical Study (Appendix F), the RK Engineering, Group, Inc. utilized the project's Traffic Study and short-term noise measurements to calculate the existing roadway noise levels, Year 2014 without project roadway noise levels, and Year 2014 with project noise levels, as indicated in Tables 2 through 5 of Appendix F. It is expected that roadway traffic along Harbor

Boulevard would be the main source of off-site noise impacting the project site. According to the Traffic Impact Study performed by RK Engineering Group, Inc. (Appendix G), the project would generate approximately 4,352 ADT along Harbor Boulevard (s/o Chapman Avenue) and approximately 388 ADT along Twintree Lane (e/o Harbor Boulevard). The results of the roadway analysis indicated that the roadway network currently experiences noise levels of 49.1 to 68.1 dBA CNEL at a distance of 100 feet from the centerline of the analyzed road. The 2014 without project noise levels would range from 49.3 to 68.1 dBA CNEL at a distance of 100 feet from the centerline. The 2014 noise levels with the project would range from 49.3 to 68.6 dBA CNEL at a distance of 100 feet from the centerline. Based on this comparison, the project would increase noise levels along the subject roadways by approximately 0.0 to 0.6 dBA CNEL. A change of 5 dB or more would be considered a significant impact. Therefore, the project's contribution to the adjacent roadway noise environment would be less than significant.

The project site has four exterior areas (outdoor swim areas) which would be considered "water recreation areas". Two of the outdoor swim areas are located at ground level, one is located on the 3rd/4th story level and one is located on the 7th/8th floor. The City has a normally acceptable limit of 50-70 dBA CNEL for "water recreation areas" (as indicated in City of Garden Grove Noise Element, page 7-6, Table 7-1). The projected roadway noise along Harbor Boulevard would be below the City's threshold and therefore, there would be no significant impact on the "water recreation areas".

According to the Acoustical Study, the projected exterior combined Noise Equivalency Level (Leq) for the nearest adjacent properties would range between 51.3 to 56.9 dBA Leq during daytime hours (7AM – 10PM) and 49.2 to 51.1 dBA Leq during nighttime hours (10PM – 7AM). The hotel and restaurant hours of operation are expected to occur during daytime hours; however, this analysis includes nighttime operations as well, for comparison purposes. Noise levels associated with the hotel and restaurant operations are not expected to significantly impact the adjacent residential units. Also, additional noise level reduction measures are outlined below and can be also found in Section 3.3 to further reduce potential noise levels to less than significant.

Roadway Noise Reduction Measures:

NOI-1 Roadway noise impact standards from the City of Garden Grove's Noise Standards (Garden Grove Municipal Code Section 8.47, Noise Control) shall be followed.

NOI-2 Prior to the approval of the final design plans, the project architect shall demonstrate to the satisfaction of the Planning Director that the final hotel(s), parking structure(s) and restaurant(s) layout further reduce potential roadway noise impacts from Harbor Boulevard and Twintree Lane to the residential units, located adjacent to the project site.

NOI-3 Additional noise barrier analysis shall be conducted, which will specifically indicate the amount of noise attenuation provided by the Hotel towers to the adjacent residential area. Hotel towers will further shield roadway noise propagating from Harbor Boulevard.

The City of Garden Grove has a residential/retail interior noise standard of 45 dBA CNEL (page 7-5 of the City of Garden Grove Noise Element, Appendix A). The City's interior noise standard of 45 dBA CNEL would be met with a "windows closed" condition to reduce by approximately 19.1 dBA CNEL, and commercially glazed glass with an STC value of at least 25 as indicated in Table 6 of Appendix F. A "window closed" condition requires a means of mechanical ventilation per the Unified Building Code, which will be required as a condition of approval for the project. The "windows closed" condition would be sufficient to meet the 45 dBA CNEL interior noise standard set-forth by the City. Interior noise impacts for on-site uses would be less than significant.

Stationary noise impacts associated with the project would include loading/unloading area noise, parking structure noise, and outdoor pool equipment. The exterior noise levels at or near the site property lines are expected to increase approximately 0.0 to 3.8 dBA (depending on the L (%) noise criteria). Typically it takes a change of 3 dB or more to hear a noticeable change in the noise environment. A change of 3 dBA is perceivable; however, it is difficult to distinguish. The human ear would notice a change of 10 dBA and it would sound twice as loud as the original sound. A change of 3.8 dBA in noise level would be considered minimal because of the difficulty in the ears ability to distinguish the additional sound from the original sound. Therefore, the change in noise level would be considered minimal during the day and nighttime hours. Furthermore, the architectural building design of the hotel structure and the parking structure would provide sufficient shielding from the traffic noise along Harbor Boulevard.

Two sensitive noise areas (single-family dwelling units) are located directly east and south (across Twintree Lane) of the project site. The stationary noise impacts were projected to these residential homes. The residential units to the east would experience a reduction in traffic noise (from Harbor Boulevard) and an increase in noise from the parking structures. It takes a change of 3 dB to hear a noticeable difference. As shown in Table 9 of Appendix F, the overall noise level at the east property line is expected to increase by approximately 0.2 to 3.6 dBA during daytime hours over the existing condition (depending on the L (%) noise criteria examined). The impact would be less than significant as it would not exceed the City's noise criteria. However, it is possible that intermittent noise from horns, cars, and engine idling could be heard at these residential units. An 8-foot shielding wall is recommended along the eastern property line where the noise levels are not obstructed by a structure, as indicated in Exhibit E of Appendix F. Therefore, implementation of the following required mitigation measures (also in Section 3.3) would further reduce the east property line stationary noise impact to less than significant.

Stationary Noise Reduction Measures:

NOI-4 An 8-foot shielding wall shall be provided along the east property line.

NOI-5 Delivery truck operations and loading and unloading activities shall be limited to daytime hours between the hours of 7:00 AM to 10:00 PM.

NOI-6 All delivery trucks associated with the future uses shall not idle for more than 5 minutes.

NOI-7 Any trash compactor/pool equipment shall be shielded by a 6 to 8 feet high parapet wall, or fully enclosed. The mechanical equipment shall be placed at a distances furthest from the nearest residential dwelling units. The height of the walls shall be at least as high as or higher than the mechanical equipment (i.e., 4 feet).

NOI-8 The parking structure shall have 4-foot or higher shielding walls for each floor that faces the residential units to the east. The parking structure's surface shall be treated to minimize tire screeching noise.

NOI-9 Once the project is in operation, noise monitoring shall occur to ensure the project site is operating within the City's criteria.

An increase in noise from the parking structures would also occur along the southern area of the project site. The hotel towers and parking structures would provide shielding from traffic and other stationary noise sources located on the project site. As shown in Table 10 of Appendix F, the overall noise level at the south property line is expected to increase by approximately 0.9 to 2.5 dBA during daytime hours over the existing condition (depending on the L (%) noise criteria examined). Noise associated with the loading/unloading of trucks would occur near the southern property line as well. The two parking structures immediately adjacent to each other and the hotel towers would partially shield noise levels propagating from the area to the adjacent residential areas. It is recommended that loading/unloading activities be limited to the hours of 7AM to 10PM.

Noise associated with condenser equipment would be enclosed or on top of the hotel towers. It is recommended that any condenser units not enclosed be shielded by parapet walls with a height equal or greater than the height of the unit itself. Condenser unit noise would not significantly impact the adjacent residential areas.

Noise levels associated with the parking structures would vary depending on the time of year, the time of day, and the number of parking stalls and number of vehicles. The anticipated noise level from the parking structures to the subject property lines ranges from 42.7 to 46.3 dBA Leq. Noise levels would be highest during AM/PM peak hours. As indicated in Tables 9 and 10 of Appendix F, the noise levels would not exceed the City's noise criteria. The above-mentioned recommendations are included in the above-mentioned Mitigation Measures NOI-4 through NOI-9, and implementation of these required mitigation measures would further reduce the south property line stationary noise impact to less than significant.

Construction noise represents a short-term impact on the ambient noise levels. As the degree of construction would vary for different areas of the project site, the noise levels associated with construction would vary. Construction noise levels would also vary during construction phases. The project site is expected to be under construction for approximately two years. Noise generated by construction equipment would include trucks, graders, bull dozers, concrete mixers and portable generators. The peak noise level for most of the equipment that will be

utilized during the construction phase would be approximately 70 to 90 dBA at a distance of 50 feet from the noise source. During construction, the City does not have a maximum permissible noise level; however, the City ordinance has permissible hours of operation (Garden Grove Municipal Code Section 8.47.060d). In addition, the project would not generate any vibration impact during the construction phase because the estimated construction equipment for the development does not utilize any heavy pile driving or other vibration impacting equipment. Should the need for use of this type of equipment be identified during the refinement of project design plans, a vibration impact study will be required to be prepared prior to issuance of building permits. The study will need to demonstrate to the satisfaction of the Community Development Department, Planning Services Division and City Engineer that any identified vibration impacts would be mitigated to less than significant levels or alternative construction techniques would be implemented.

As mentioned previously, there are two existing noise sensitive receiver areas (residential homes) located directly east and south (across Twintree Lane) of the project site. The construction noise levels would fluctuate depending on the distance and number of equipment operating at the same time. Under a worst-case scenario, the noise level would range from 74.0 to 77.9 dBA equivalent noise level (Leq) during the different phases of construction, depending on the analyzed property line, distance, and equipment usage (refer to Table 12 in Appendix F). The City has adopted the Noise Performance Standards from the City's Noise Ordinance (Garden Grove Municipal Code Section 8.47.060d) and construction activities must follow the Noise Ordinance regulations. In addition, implementation of the following required mitigation measures (also in Section 3.3) would reduce the construction impact to less than significant.

Construction Noise Reduction Measures:

NOI-10 Construction operations shall follow the City's General Plan and the noise ordinance which states that operations cannot exceed the stipulations set-forth in Garden Grove Municipal Sections 8.47.050 and 8.47.060.

NOI-11 Construction shall not occur during the hours of 10:00 PM to 7:00 AM.

NOI-12 During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.

NOI-13 Idling equipment shall be turned off when not in use.

NOI-14 Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.

The project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip. No impacts are anticipated.

2.13 POPULATION AND HOUSING

The site is currently developed with one (1) commercial business (Joe's Italian Ice) along Harbor Boulevard and four (4) residences along Twintree Lane. Additional commercial businesses and an RV Park within the site have been demolished. Utilities, asphalt, and a swimming pool associated with these prior uses still remain on the site. These uses will be displaced as a result of the proposed development. This minimal displacement would not necessitate the construction of replacement housing elsewhere. In June 2011, the City approved a relocation plan that will be implemented for residents and businesses that would be impacted by the project. Many of the residents on Twintree Lane facing relocation are renters. According to the relocation plan, posted on the city's website, renters may be entitled to rental or down-payment assistance not to exceed \$5,250 provided they meet certain eligibility requirements such as having lived in the home for at least 90 days. The total estimated budget for the relocation-related payments for this project is \$497,000. Additionally, the City will work with Joe's Italian Ice to find a new location. In addition, the four most northern Choisser homes, which are currently owned by the City, will be leased.

The proposed development would not increase population and housing in the immediate area, other than temporary transient occupancy due to the nature of the proposed development. In addition, the proposed project is located in a highly urbanized area and all infrastructure is already in place. Additionally, the project would be within the density limits permitted under the General Plan land use designation of International West Mixed Use. The proposed project will provide an increase in service-related employment opportunities and potential increase in needed housing for the additional employees. The City completed a comprehensive General Plan Update in 2008 which also included an update to their Housing Element. As of 2009, the City's housing unit was an estimated 44,581 dwelling units, with a vacancy rate of 5.2 and an average household size of 3.80 persons (U.S. Census 2009b). SCAG's statistical summary of the City's housing units in 2010 was 47,755 dwelling units and 47,759 dwelling units by 2030 (SCAG 2011). Based on information contained in the City's Housing Element and the recent U.S. Census data, there is an ample amount of housing available in Garden Grove to house the potential project generated service-related employment increases. Furthermore, the development of the project is within the thresholds that were considered and addressed within the EIR for the City's General Plan and will therefore, not induce substantial population growth directly or indirectly. No further mitigation would be required.

2.14 PUBLIC SERVICES

The City of Garden Grove Fire Department (GGFD) provides emergency response service to the project area. The project would not induce significant growth and would not result in a substantial new demand for fire protection services. However, the project construction would slightly increase the need for fire protection services. The proposed project would be required to comply with all applicable fire code and ordinance requirements for construction, access, water mains, fire flows, and hydrants. GGFD would review the proposed project to determine the specific fire requirements applicable to this development and to ensure compliance with these requirements. Additionally, the Water Supply Assessment (WSA) prepared for the project indicated an internal fire loop would most likely be required to be constructed around the site to

provide adequate fire fighting capability to all structures located on the parcel. Implementation of the GGFD requirements along with the WSA requirement, which is stated below as a mitigation measure (also included in Section 3.3), would result in a less than significant impact to the fire protection services.

PS-1 An internal fire loop shall be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel.

The Garden Grove Police Department provides police protection in the area. The project would not induce growth beyond that planned for the site and would not result in substantial new demand for police protection services. Due to the nature of the proposed use, it is likely that there would be minimal increased demand for police protection. In order to mitigate the anticipated impacts associated with the project, such as an increase in calls for service, the development shall comply with the conditions of approval of the Police Department. The impact would be less than significant.

The proposed development is a transient use that would not increase the number of children within the Garden Grove Unified School District. This development is subject to the mitigation school fees currently applied to new development in the City by the Garden Grove Unified School District. The developer would provide the Community Development Department a proof of payment of appropriate school fees, adopted by the Garden Grove Unified School District, prior to the issuance of building permits in accordance with the provisions of state law. There would be no impact.

The proposed project is not located on a site that was previously developed as a park or is a site that is designated for park land. The proposed project includes outdoor pool(s) providing recreation for persons staying at the hotel. The project would not require the creation of additional parkland or increase the burden on existing parks and/or other recreational facilities. There would be no impact.

The project would not increase demands on other governmental services other than those addressed in this analysis. There would be no impact.

No further mitigation would be required.

2.15 RECREATION

The project includes outdoor pool(s) for guests staying at the hotel(s). Based on the proposed commercial/resort use of the project, no increase in use of the existing parks within the immediate area is anticipated that could substantially cause the deterioration of an existing park. No impacts are anticipated.

The project includes construction of outdoor pools for the proposed hotel guests. The project does not include new housing that would require the creation of open space or require the

payment of park-in-lieu fees to assist in mitigating the impacts to the existing park system within the City. No impacts are anticipated.

2.16 TRANSPORTATION

A Traffic Study (see Appendix G) has been prepared for the proposed project. The Traffic Study evaluated the existing traffic conditions in the vicinity of the project site; existing plus project traffic conditions; the Project Buildout (Year 2014) without Project traffic conditions; the Project Buildout (Year 2014) with Project traffic conditions; the project's parking requirements; and determination of on-site and off-site improvements and system management actions needed to achieve City of Garden Grove level of service requirements. The project proposes one full access point onto Harbor Boulevard and one access point onto Twintree Lane, which will be designated as a right out/left in only driveway. The Traffic Study concluded that the project is expected to generate approximately 8,256 net trip-ends per day, with 447 vehicles per hour during the AM peak hour (7:00 AM to 9:00 AM) and 617 net vehicles per hour during the PM peak hour (4:00 PM to 6:00 PM).

The Traffic Study analyzed the Level of Service (LOS) of intersections within the area of the project site (study area) that would be directly impacted by the proposed project. The acceptable LOS for intersections within the City of Garden Grove is D or better. For existing traffic conditions, all study area intersections are currently operating at acceptable LOS during peak hours with the exception of the following intersections: Harbor Boulevard/Twintree Lane and Harbor Boulevard/Blue Spruce Avenue. It should be noted that the intersection of Harbor Boulevard and Twintree Lane is currently failing with existing traffic conditions. At the City's discretion, full eastbound and westbound movements could be restricted to achieve an acceptable LOS; however, it would be more inconvenient for the neighborhood traffic along Twintree Lane. Existing plus project traffic conditions are projected to operate at acceptable levels of service during peak hours except for the intersections of Harbor Boulevard at Project Access 1/Sheraton Driveway, Harbor Boulevard at Twintree Lane and Harbor Boulevard at Blue Spruce Avenue. The project would significantly impact only the study area intersection of Harbor Boulevard at Project Access 1/Sheraton Driveway based upon the City of Garden Grove Criteria. Project Build out (Year 2014) without Project would be the same as the existing traffic conditions. Project Build out (Year 2014) with Project would have a significant impact to the study area intersections of Harbor Boulevard at Project Access 1/Sheraton Driveway, Harbor Boulevard at Twintree Lane and Harbor Boulevard at Blue Spruce Avenue. A list of mitigation measures needed to restore the LOS of these intersections back to existing conditions is stated below (also included in Section 3.3), and implementation of these required mitigation measures would reduce the impact to less than significant.

On-Site:

TRANS-1 The on-site circulation system per the detailed site plan shall be constructed.

- a. A minimum of one (1) entry lane and two (2) exit lanes shall be provided at Project Access 1 Driveway at Harbor Boulevard.

TRANS-2 The following project access points on Harbor Boulevard shall be provided:

a. Project Access 1 – full access, signalized.

TRANS-3 The following project access point on Twintree Lane shall be provided:

a. Project Access 2 – right out and left in only access.

TRANS-4 Stop signs, stop bars and stop legends shall be installed at Project Access 2.

TRANS-5 Project Access 1 / Sheraton Driveway shall line-up and be reconfigured with the installation of a traffic signal.

TRANS-6 Channelization median and signage to restrict access to the residential neighborhood along Twintree Lane shall be installed.

TRANS-7 A minimum of 1,297 parking spaces shall be provided within the site.

Area-Wide:

TRANS-8 Any remaining street half-section improvements on Harbor Boulevard, directly adjacent to the project boundaries, shall be completed.

TRANS-9 Any remaining street half-section improvements on Twintree Lane, directly adjacent to the project boundaries, shall be completed.

TRANS-10 The Project shall participate in the installation of the following off-site improvements:

- a. Harbor Boulevard (NS) at Project Access 1 (EW):
 - i. Install traffic signal.
 - ii. Reconfigure NB left turn median.
 - iii. Reconfigure SB left turn median.
 - iv. Install SB left turn pocket with 225 feet of storage. Refer to Section 6.0 of the Appendix G for the minimum queuing capacity required for this lane.
 - v. Reconfigure EB Sheraton Driveway to be full access.
 - vi. Install shared left/through/right lane.

TRANS-11 Traffic signing/stripping shall be implemented in conjunction with detailed construction plans for the project site.

Fair Share

TRANS-12 The project shall contribute to the City's fair share improvement program for those intersections improvements that are not called out as solely the project's responsibility. Table 10 in Appendix G identified the project traffic contribution to the study area intersections.

Regional Funding Mechanisms

TRANS-13 The project shall participate in the City's sponsored regional transportation funding programs or as agreed upon with the City of Garden Grove.

Two of the study area intersections analyzed are listed as part of the 2009 Orange County Congestion Management Program (CMP): Harbor Boulevard (NS) at Katella Avenue (EW) and Harbor Boulevard (NS) at CA-22 WM Ramps/Banner Drive (EW). In addition, Harbor Boulevard and Katella Avenue are listed as part of the CMP highway system. Both of the intersections are projected to operate at acceptable LOS during all existing and future conditions studied in the Traffic Study based upon CMP criteria. Therefore, no CMP improvements or mitigation measures would be required as a result of the implementation of the proposed project. There would be no impact.

In addition, traffic signal warrants have been performed at the Harbor Boulevard at Project Access 1/Sheraton Driveway for Existing Plus Project and Project Buildout (Year 2014) With Project traffic conditions. In order to show a worse-case scenario, additional traffic volumes have been added to the Sheraton Driveway to account for full access with the installation of a traffic signal. The proposed Project Access 1 intersection is projected to warrant a traffic signal based upon peak hour traffic signal warrant criteria and the average daily traffic signal warrant criteria.

Queuing analysis has been performed under Project Buildout (Year 2014) With project conditions at the intersection of Harbor Boulevard (NS) at Project Access 1 (EW). Based on the analysis, some queuing for the westbound approach would occur within the site. There is sufficient on-site storage to accommodate these vehicles, however, the interior north/south of Project Access 1 may be blocked for short period of time while vehicles wait to exit the site. To minimize queuing entering the site, two (2) entry lanes are recommended for Project Access.

The project does not involve any change to air traffic patterns that would result in a substantial safety risk and therefore, no impact for this issue would occur.

Finally, during construction, increased vehicle trips or traffic congestion may occur, but would be temporary in nature and would not create a significant impact. All projects involving construction in the public right-of-way would be required to submit a traffic safety plan to minimize traffic congestion. Therefore, implementation of Mitigation Measures TRANS-1 through TRANS-13 would reduce the impact to less than significance.

For the proposed project, the City provided alternative parking rates for the hotel and conference center land uses. These rates differ from the parking rates described in the City's Municipal Parking Code Section 9.16.040.150 as this code was in place prior to major hotel development occurring in the City. According to the City, the alternative parking rates for hotel and conference center are substantiated based on empirical data from an adjoining City hotel study, and alternative rates were applied to the existing hotel developments located along Harbor Boulevard. The remaining restaurant land uses for the project site are based on the parking rates provided in the City's Municipal Code. The total parking requirements for the project would equal 1,656 parking spaces. As a result of the mixed-use nature of the proposed project, a shared parking analysis (ULI Shared Parking Study, see Appendix H) was completed

to determine the overall peak parking demand of the intended uses. The proposed uses are compatible with one another and lend themselves to the use of shared parking because the uses are complimentary (i.e., hotel, banquet facility, and restaurant), and people could go there for more than one purpose in one trip. The project developer plans to seek relief from parking standards based on the difference in peak usage hours for individual (complimentary) uses, which would reduce the demand for parking spaces. Furthermore, some of the uses of the project would use multiple uses within the project site. The shared parking analysis also assured that sufficient parking is provided due to the complimentary uses, which would reduce the demand for parking spaces. This analysis also investigated the number of parking spaces required to meet the ULI parking model and suffice the City's parking code for onsite parking.

Based upon the results of the ULI Shared Parking Study (see Appendix H), the proposed project would have an estimated peak parking demand of 1,179 parking spaces. To ensure adequate parking is provided and to prevent offsite parking, the ULI Shared Parking Study recommends that an additional 10 percent of parking stalls be provided onsite. The 10 percent additional parking would provide for an ease of use in locating a parking stall and it would reduce the probability of offsite parking. Therefore, the project proposes to include two parking structures immediately adjacent to each other along with additional surface parking with a total of 1,297 parking spaces. However, based on the parking rates provided in Table 16 above, the proposed project would have a parking deficiency of 21.6 percent. In addition to the proposed parking conditions, implementation of the Mitigation Measure TRANS-14 below would not create potentially significant impact to parking. The impact related to parking supplies would be less than significant.

Parking

TRANS-14 Prior to the issuance of certificates of occupancy, the below recommendations of the shared parking assessment Exhibit G (found in Appendix H) shall be implemented for the proposed project:

- a. Implement a valet and self-park parking program.
- b. Provide for a bus/van pick-up and drop-off location site for hotel guests and employees.
- c. Encourage alternative transportation methods for employees through transportation management incentives, such as employee reimbursement for using the transit and providing a transportation coordinator for the staff
- d. Provide a total of three (3) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient locations throughout the hotel property (Exhibit G).
- e. Post "No Parking in Neighborhood" signage (Exhibit G).
- f. Dedicate up to three (3) bus parking spots for buses (Exhibit G).
- g. Provide a plan to monitor the project's peak parking demand as needed to refine parking management operations at the site.
- h. Provide emergency vehicles access to the first floor of the parking structure that can be able to drive through one (1) entrance and out the other.

It is anticipated that the emergency services can access the site directly from the main entrance (along Harbor Boulevard) and the side entrance (along Twintree Avenue). The Traffic Study has been reviewed and approved by the City traffic engineer. Police and Fire have also reviewed and approved the proposed emergency access. Police and Fire services in the area are adequate to accommodate the development provided the project complies with the standard conditions of approval.

The proposed development would not impact existing or proposed policies pertaining to public transportation, bicycle, or pedestrian facilities, and alternative transportation. With the implementation of transit service and provision of alternative transportation services and incentives, the (project's) automobiles traffic demand can be reduced significantly. The project would be served by several shuttles serving the recreational activities located in the nearby vicinity of the site, such as the Disneyland Theme Park and the Anaheim Convention Center. No on-street bike lanes are currently striped on Harbor Boulevard adjacent to the project site, however, they are proposed to be installed under the City's General Plan provisions. Although the traffic demand impacts are less than significant, the implementation of transit service and provision of alternative transportation incentives would further lessen any auto traffic demand.

2.17 UTILITIES AND SERVICE SYSTEMS

The proposed project would implement the requirements of the Regional Water Quality Control Board (RWQCB). Therefore, the proposed project would not exceed treatment requirements of the RWQCB. The impact would be less than significant.

The project site is located in a highly urbanized area and storm water drainage facilities are in place. Since the project site improvements increase the impervious area and the project is located in North Orange County, Hydrologic Conditions of Concern, the following would be considered: 1) Streams located downstream are found to be potentially susceptible to hydromodification; and 2) Post development volume for the 2-year, 24-hour storm exceeds the pre-development runoff volume by more than 5 percent or time of concentration of post-development 2-year, 24-hour storm event exceeds the pre-development by 5 percent.

As indicated in the Post-Development Drainage Management Area Map (see Attachment S of Appendix D), drainage from the project site would flow into on-site storm drain systems maintained by the owner/management company hired to oversee maintenance, and into off-site public storm drains located on Harbor Boulevard starting at the intersection of Harbor Boulevard and Twintree Lane owned and maintained by the City of Garden Grove. These storm drains drain into the East Garden Grove Wintersburg Channel (Facility No. C05) owned and maintained by the County of Orange. The East Garden Grove Channel drains through Bolsa Bay into Huntington Harbour, which outlets to the Pacific Ocean. The site is located in the Anaheim Bay-Huntington Harbour Watershed which is under the jurisdiction of the Santa Ana Regional Water Quality Control Board.

Appendix XVI-3b of the Orange County Technical Guidance Document provides the "Regional Stream Susceptibility Map". See Attachment M of Appendix D. The map shows that the runoff

from the project site would flow into CO5 Channel. At the end of the channel near the Pacific Ocean, it shows that a portion of which is “unstable”. With the implement of the Mitigation Measure USS-1 below, the impact would be less than significant.

USS-1 Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the City Engineer that proper hydromodification methods have been applied to the proposed on-site storm drain improvements.

Due to the size of the proposed project, the State of California’s Senate Bill (SB) 610 requires that a Water Supply Assessment (WSA) be completed to evaluate the potential effects of the proposed development on current and future water supply. The WSA also evaluated the additional water demands that would need to be served by the City as a result of the development of the proposed project (Appendix E).

According to the WSA, the total water demand for the proposed project is 217.3 AFY for the proposed hotels, restaurants, and ancillary uses on the project site (see Table 2 below). Taking this 217.3 AFY of water demand for the proposed new uses and subtracting out 4.8 AFY of existing water use from land uses on the existing site to be removed; the total net new demand for the proposed project is 212.5 AFY.

**Table 2
Estimated Water Demand for Proposed Project**

Projected Land Use	Quantity	Units	Demand Factor		Water Demand	
					GPD	AFY
Hotel	769	Rooms	150	gpd/room	115,350	129.2
Conference/Banquet	39,000	SF	350	gpd/ksf	13,650	15.3
Restaurant/Entertainment	45,000	SF	1,000	gpd/ksf	45,000	50.4
Hotel Restaurant ¹	20,000	SF	1,000	gpd/ksf	20,000	22.4
TOTAL						217.3
¹ To provide a worst cast water demand, the restaurant space associated with the hotels was included in the demand projection separately from the hotel demand.						

In 2009/10, the City’s water demand was approximately 26,000 acre-feet per year (AFY), which was actually 3,480 AFY less than what was projected in the 2005 Urban Water Management Plan (UWMP) and 3,972 AFY less than projected in the City’s 2008 Water Master Plan. These totals include unaccounted for water. The 2009/10 demand is also 3,206 AFY less than what was actually used in 2005/2006 (four years prior). In essence, this means that City businesses and residents are using substantially less water than was originally forecast, which is likely due to the following factors:

- a. The 2005 UWMP and Water Master Plan conservatively over-estimated water demand;
- b. Development has slowed due to the economic downturn;
- c. Water demand is being reduced due to effective conservation efforts being undertaken by the City and consumers and due to more stringent codes and more efficient

- appliances (e.g., high-efficiency clothes washing machines, low flow toilets, more efficient landscape irrigation, etc.);
- d. The City adopted substantial water rate increases over the past few years;
 - e. 2009/10 was the first year Metropolitan Water District of Southern California (Metropolitan) enacted its Water Allocation Plan; and
 - f. Precipitation was above average in 2009/10.

At the end of the 20-year planning period for this WSA, as required by SB 610, City water demand for 2029/30 is projected to be approximately 30,472 AFY. Analysis of water supply projects for the City demonstrates that projected supplies would meet demand through fiscal year 2029/30. The City's sources of supply consist of groundwater and imported surface water. The City's water supply project assumes that up to 62 percent will be groundwater and the remaining 38 percent will be imported water during normal, single-dry, and multiple dry years, which is consistent with Orange County Water District (OCWD) conservative planning estimates. Both the imported water and groundwater sources have been confirmed as reliable by Metropolitan and OCWD, respectively. Additionally, analyses of normal, single-dry, and multiple-dry year scenarios also demonstrate the City's ability to meet demand during the 20-year analysis period.

Also, if necessary, the City can meet its water demand by: (1) increasing production of groundwater beyond the Basin Production Percentage (BPP) up to the basin safe yield; (2) increasing imported water purchases from available storage programs; and/or (3) decreasing demand through water conservation measures, which has proved effective in reducing citywide demands well below 10 percent.

Reliability of future water supplies to the region would be ensured through continued implementation of the OCWD Groundwater Management Plan, OCWD's Long Term Facilities Plan, local agency programs, and the combined efforts and programs among member agencies of Metropolitan and cooperative agencies, including all water wholesalers and retailers, the Orange County Sanitation District, the Santa Ana Regional Water Quality Control Board, and the Santa Ana Watershed Project Authority.

In conclusion, the information included in the WSA identified a sufficient and reliable water supply for the City, now and into the future, including a sufficient water supply for the proposed project. These supplies are also sufficient to provide for overall City-wide growth at the rate projected in the City's 2008 Water Master Plan. Therefore, the impact would be less than significant.

Additionally, existing infrastructure is adequate to provide the estimated water demand to the project site; however, an internal fire loop would most likely be required to be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel. Therefore, implementation of the mitigation measures in Section 3.3 would reduce the impact to less than significance.

The Garden Grove Sanitary District (GGSD) provides sewer service to the City. GGSD and the Orange County Sanitation District (OCSD) charge fees for sewerage connection to construct new sewer infrastructure and/or incremental expansions to the existing sewerage system to accommodate individual development. New development cannot connect to sewer systems unless there is sufficient capacity and therefore, new development is not permitted to exceed the available capacity of wastewater conveyance systems or treatment facilities.

Per October 12, 2011 OCSD correspondence to David Entsminger at the City, the proposed project's dry weather flows would be approximately 170,000 gallons per day, and would be discharged through the City's local sewer line along Harbor Boulevard, down to Garden Grove Boulevard, then west and connection with OCSD's Newhope Placentia trunk line in vicinity of Garden Grove Boulevard and Newhope Street. OCSD takes into account wet weather in forms of applying a peaking factor to dry weather flows. Upon OCSD's evaluation of existing wastewater flows through the Newhope Placentia trunkline, the capacity of the trunkline is deemed adequate for the additional wastewater volumes introduced by the proposed project, even when it is raining. No impact would occur.

Solid waste disposal services are administered by the Garden Grove Sanitary District (GGSD). Collection services are provided via a contract with a private trash collection contractor. The waste stream is processed and sorted at the CVT Regional Material Facility and Transfer stations in the City of Anaheim. The non-recyclable waste is primarily disposed of at one of the three active Orange County Landfills: Olinda Alpha Landfill, Frank R. Bowerman Landfill, and Prima Deshecha Landfill. The City's Source Reduction and Recycling Element (SRRE) addresses waste generation within the community. Additionally, the City has adopted development standards to ensure safe and efficient recycling facilities are provided in each project.

According to GGSD, there is sufficient capacity to accommodate the solid waste generated by the project and the project's new development is not anticipated to negatively impact the solid waste diversion rate. As part of the development of this project site, the overall solid waste disposal system would be coordinated with the GGSD and their contractor for specific matters such as trash pick-up times, number and types of trash receptacles, and the locations of such trash receptacles. The project would comply with federal, state, and local statute and regulations related to solid waste and to the extent possible, implement methods to address recycling practices pertaining to solid waste.

2.18 MANDATORY FINDINGS OF SIGNIFICANCE

The project would not have significant impact to fish habitat or wildlife species or populations, rare or endangered plant or animals, or important examples of the major periods of California history or prehistory. Based on the results of the traffic, air quality and noise technical studies (Appendices A, E and F under a separate cover), the project would not have significant cumulative impacts. Lastly, the project would not have significant environmental effects on human beings. No mitigation measures would be required.

3.0 MITIGATION MONITORING

3.1 INTRODUCTION

In accordance with Public Resources Code Section 21081.6(a)(1), a Mitigation Monitoring Program has been prepared for the project. CEQA states that a public agency shall adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The report or monitoring program shall be designed to ensure compliance during project implementation.

The discussion in Section 3.0 recommends several mitigation measures that shall be incorporated into the project to reduce or eliminate potential adverse effects. Measures described herein are to be applied in addition to project compliance with all applicable federal and California law, including, but not limited to, the Clean Water Act as implemented through the NPDES Program, the California Building Code and applicable City codes and ordinances.

The Mitigation Monitoring Program contained in this Section 3.0 lists each required mitigation measure categorized by impact area, with an accompanying identification of the factors listed below. Measures are numbered sequentially. For each mitigation measure the following items are specified:

- Implementation mechanism;
- Timing and verification; and
- Responsible Agency

The Mitigation Monitoring Program will serve to document compliance with adopted mitigation measures and conditions of approval required to render insignificant the project's potential environmental impacts.

The Agency and project developer shall demonstrate compliance with each mitigation measure in a written report submitted to the applicable enforcement agency prior to the specified compliance date and provide periodic (at a minimum annual) reports regarding compliance with such conditions.

3.2 PROJECT SUMMARY

The proposed project consists of development of a full-service hotel, two limited-service hotels, conference/meeting banquet, several restaurants and an indoor entertainment venue that is open to the public on an approximately 5.2-acre site in the City of Garden Grove. The proposed project would consist of 769 rooms within one (1) full-service (maximum height of 263 feet) and limited-service resort hotels (maximum height of 200 feet), ranging from 10- to 19-stories, with approximately 39,000 square feet of conference/meeting banquet and 45,000 square feet of restaurant/entertainment space included on-site via freestanding pads, and two parking structures (an approximate 75 feet east side parking structure and an approximate 85 feet west side parking structure with ballroom and pre function use) immediately adjacent to each other

with 1,297 total spaces. Hotel ancillary uses would include conference/meeting banquet, fitness room and spa, restaurant, and bars. Project approval includes:

- General Plan Amendment No. GPA-2-12(B) to change the General Plan Land Use designation of two (2) residential properties along Twintree Lane (12251 and 12571) (APN: 231-521-09 and 231-521-10) and four (4) residential properties along Choisser (12233, 12235, 12237, and 12239) (APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19) from Low Density Residential to International West Mixed Use with an accompanying zone change from R-1 to PUD;
- Establishing a Planned Unit Development zoning with development standards – two (2) residential properties along Twintree Lane 12251 and 12571 Twintree Lane (APN: 231-521-09 and 10); eight (8) lots along Harbor Boulevard 12222, 12202, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard; APN: 231-491-20 & 21, 231-521-01, 02, 03, 04, 05, & 06; two (2) lots along Twintree Lane 12511 and 12531 (APN: 231-521-07 and 08) will be rezoned from HCSP-TZN to PUD, and four (4) residential properties along Choisser Road 12233, 12235, 12237 and 12239 Choisser Road (APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19) will be rezoned from R-1 to PUD to provide consistency with the proposed International West Mixed Use General Plan Designation. The PUD will include all necessary requirements so a Site Plan/Land Use Permit application will not be required;
- Tentative Tract Map No. 17455 and Development Agreement No. DA-185-12 are integral parts of the project. They will be considered at a future date by Planning Commission and City Council; and
- A future Conditional Use Permit, to allow for the sale of alcoholic beverages in the hotel, hotel restaurants, and freestanding restaurants, will be considered at a future date by the Planning Commission.

3.3 MITIGATION MONITORING PROGRAM

Mitigation Measure	Verification	Timing	Responsible Party
AESTHETICS (SECTION 2.1)			
Light and Glare			
<p>AES-1 Prior to final site plan approval, a site specific lighting study shall be prepared which incorporates measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City's Zoning Code for parking lot lighting so that lighting within parking areas are directed, positioned, or shielded so as to minimize light spillage. Additionally, the study shall incorporate measures necessary for the project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment.</p>	<p>Site Plan Review</p>	<p>Prior to final of site plan approval</p>	<p>Community Development Department</p>
<p>AES-2 Sufficient technology currently exists to reduce lighting impacts from hotel/resort lighting to a less than significant level. However, given that the project is still in conceptual design and operation is not anticipated to begin until late 2014, identification of specific light reduction measures is premature since light-reduction technology is constantly evolving and advancing (i.e., more sophisticated light-reduction technology is anticipated to be available in the future that is available today). The developer shall include technologically advanced hotel/resort lighting measures in its detailed design plans to ensure that hotel/resort lighting does not significant impact the</p>	<p>Site Plan Review</p>	<p>Prior to final of site plan approval</p>	<p>Community Development Department</p>

Mitigation Measure	Verification	Timing	Responsible Party
surrounding neighborhood.			
AIR QUALITY (SECTION 2.2)			
Vehicle Emissions			
AQ-1 Construction equipment shall be maintained in proper tune.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-2 Gasoline or electricity-powered equipment shall be utilized instead of diesel equipment whenever possible.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-3 The use of heavy construction equipment shall be suspended during first stage smog alerts.	Grading and building inspections	During grading and building construction	Community Development Department /Public Works Department
AQ-4 All construction vehicles shall be prohibited from excessive idling. Excessive idling is defined as five minutes or longer.	Grading and building inspections	During grading and building construction	Community Development Department /Public Works Department
AQ-5 "Clean diesel" equipment shall be used when modified engines (catalyst equipped or newer Moyer Program retrofit) are available at a reasonable cost.	Grading and building inspections	During grading and building construction	Community Development Department /Public Works Department
Fugitive Dust Emissions and Control			
AQ-6 All active construction areas shall be watered three (3) times daily.	Grading and building inspections	During grading and building construction	Community Development Department /Public Works Department
AQ-7 All haul trucks shall be covered or shall maintain at least two (2) feet of freeboard.	Grading and building inspections	During grading and building construction	Community Development

Mitigation Measure	Verification	Timing	Responsible Party
			Department /Public Works Department
AQ-8 All unpaved parking or staging areas shall be paved or watered three (3) times daily.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-9 Speed on unpaved roads shall be reduced to less than 15 mph.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-10 Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-11 Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-12 All operations on any unpaved surface shall be suspended if winds exceed 25 mph.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-13 Daily disturbance area shall be limited to two (2) acres or less.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
Off-Site Impacts			
AQ-14 Carpooling shall be encouraged for construction workers.	Grading and building inspections	During grading and building construction	Community Development Department/Public

Mitigation Measure	Verification	Timing	Responsible Party
			Works Department
AQ-15 Any required lane closures shall be limited to off-peak travel periods.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-16 Construction vehicles shall be parked off traveled roadways.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-17 Any dirt hauled off-site shall be wet down or covered.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-18 Access points shall be washed or swept daily.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-19 Receipt of materials shall be during non-peak traffic hours.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
AQ-20 Construction sites shall be sandbagged for erosion control.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
Operational Emissions Reduction Measures			
AQ-21 Prior to the issuance of building permits, the building construction design shall demonstrate to the satisfaction of the City Building Department that it exceeds the minimum statewide energy	Grading and building inspections	Prior to the issuance of building permits	Community Development Department/Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
<p>requirements of Title 24 by 20 percent. This shall be accomplished by including the following items but not limited to:</p> <ul style="list-style-type: none"> a. Use of low emission water heaters b. Use of central air heating systems c. Use of energy efficient appliances d. Use of increased insulation e. Use of energy-efficient parking lot lights f. Use of lighting controls and energy efficient lighting g. Use of energy efficient windows h. Use of alternative energy (i.e., solar paneling) 			
Transportation Management Techniques to Reduce Vehicle Emissions			
<p>AQ-22 Prior to the issuance of certificates of occupancy, the below recommendations of the TDM shall be implemented:</p> <ul style="list-style-type: none"> a. Use of shuttle service, public transit and carpooling shall be encouraged. b. Design of a Walkable community shall be encouraged. c. Improvement of sidewalk network shall be encouraged. d. Use of bicycle lanes, rack or storage area shall be encouraged to facilitate use of bikes. e. Participation in City's existing TDM (Transportation Demand Management) Programs shall be required. f. A mix of uses on the site (i.e., hotel, restaurant, recreation, and retail) shall be required to minimize off-site travel. 	Grading and building inspections	Prior to the issuance of certificates of occupancy	Community Development Department/Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
GEOLOGY AND SOILS (SECTION 2.6)			
GEO-1 Prior to the approval of final design plans, a site-specific geologic investigation of liquefaction potential shall be performed. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.	Grading and Building Plan Review Inspections	Prior to approval of final design plans	Community Development Department/Public Works Department
GEO-2 Prior to the approval of final design plans, a site-specific geotechnical investigation shall be prepared by a registered geologist. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.	Grading and Building Plan Review Inspections	Prior to approval of final design plans	Community Development Department/Public Works Department
HAZARDS AND HAZARDOUS MATERIALS (SECTION 2.8)			
HHM-1 Prior to the issuance of a grading permit, near surface soil sampling and analysis shall be performed to determine if any agricultural chemicals remained at the site. If any agricultural chemicals are found, the contamination shall be removed.	Grading inspection	Prior to the issuance of a grading permit	Community Development Department
HHM-2 Prior to the issuance of a grading permit, the project conditions of approval shall require implementation of the Phase 1 study recommendations.	Grading inspection	Prior to the issuance of a grading permit	Community Development Department
NOISE (SECTION 2.12)			
Roadway Noise Reduction Measures			

Mitigation Measure	Verification	Timing	Responsible Party
NOI-1 Roadway noise impact standards from the City of Garden Grove's Noise Standards (Garden Grove Municipal Code Section 8.47, Noise Control) shall be followed.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-2 Prior to the approval of the final design plans, the project architect shall demonstrate to the satisfaction of the Planning Director that the final hotel(s), parking structure(s) and restaurant(s) layout further reduce potential roadway noise impacts from Harbor Boulevard and Twintree Lane to the residential units, located adjacent to the project site.	Grading and Building Plan Review Inspections	Prior to final of building permits	Community Development Department
NOI-3 Additional noise barrier analysis shall be conducted, which will specifically indicate the amount of noise attenuation provided by the Hotel towers to the adjacent residential area. Hotel towers will further shield roadway noise propagating from Harbor Boulevard.	Grading and Building Plan Review Inspections	Prior to final of building permits	Community Development Department
Stationary Noise Reduction Measures			
NOI-4 An 8-foot shielding wall shall be provided along the east property line.	Building Plan Review and Inspections	Prior to final of building permit	Community Development Department
NOI-5 Delivery truck operations and loading and unloading activities shall be limited to daytime hours between the hours of 7:00 AM to 10:00 PM.	Grading and Building inspections and during operation of project	On going	Community Development Department/Police Department Code Enforcement Department
NOI-6 All delivery trucks associated with the future uses shall not idle for more than 5 minutes.	Grading and Building inspections and during operation of project	On going	Community Development Department/Police

Mitigation Measure	Verification	Timing	Responsible Party
			Department Code Enforcement Department
NOI-7 Any trash compactor/pool equipment shall be shielded by a 6 to 8 feet high parapet wall, or fully enclosed. The mechanical equipment shall be placed at a distances furthest from the nearest residential dwelling units. The height of the walls shall be at least as high as or higher than the mechanical equipment (i.e., 4 feet).	Building Plan Review and Inspections	On going	Community Development Department/Police Department Code Enforcement Department
NOI-8 The parking structure shall have 4-foot or higher shielding walls for each floor that faces the residential units to the east. The parking structure's surface shall be treated to minimize tire screeching noise.	Building Plan Review and Inspections	Prior to final of building permit	Community Development Department
NOI-9 Once project is in operation, noise monitoring shall occur to ensure the project site is operating within the City's criteria.	After final	On going	Community Development Department
Construction Noise Reduction Measures			
NOI-10 Construction operations shall follow the City's General Plan and the noise ordinance which states that operations cannot exceed the stipulations set-forth in Garden Grove Municipal Sections 8.47.050 and 8.47.060.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-11 Construction shall not occur during the hours of 10:00 PM to 7:00 AM.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-12 During construction, the contractor shall ensure all construction equipment is equipped with appropriate	Grading and building inspections	During grading and building construction	Community Development

Mitigation Measure	Verification	Timing	Responsible Party
noise attenuating devices.			Department/Public Works Department
NOI-13 Idling equipment shall be turned off when not in use.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
NOI-14 Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.	Grading and building inspections	During grading and building construction	Community Development Department/Public Works Department
PUBLIC SERVICES AND UTILITIES (SECTION 2.14)			
PS-1 An internal fire loop shall be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel.	Grading and Plan Review	Prior to final of building permits	Public Works Department
TRANSPORTATION (SECTION 2.16)			
On-Site			
TRANS-1 The on-site circulation system per the detailed site plan shall be constructed. a. A minimum of one (1) entry lane and two (2) exit lanes shall be provided at Project Access 1 Driveway at Harbor Boulevard.	Grading and Building Plan Review Inspections	Prior to final of building permits	Community Development Department/Public Works Department
TRANS-2 The following project access points on Harbor Boulevard shall be provided: a. Project Access 1 – full access, signalized.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-3 The following project access point on Twintree Lane shall be provided: a. Project Access 2 – right out and left in only access.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-4 Stop signs, stop bars and stop legends shall be installed at Project Access 2.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
TRANS-5 Project Access 1 / Sheraton Driveway shall line-up and be reconfigured with the installation of a traffic signal.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-6 Channelization median and signage to restrict access to the residential neighborhood along Twintree Lane shall be installed.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-7 A minimum of 1,297 parking spaces shall be provided within the site.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
Area-Wide			
TRANS-8 Any remaining street half-section improvements on Harbor Boulevard, directly adjacent to the project boundaries, shall be completed.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-9 Any remaining street half-section improvements on Twintree Lane, directly adjacent to the project boundaries, shall be completed.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-10 The Project shall participate in the installation of the following off-site improvements: a. Harbor Boulevard (NS) at Project Access 1 (EW): i. Install traffic signal. ii. Reconfigure NB left turn median. iii. Reconfigure SB left turn median. iv. Install SB left turn pocket with 225 feet of storage. Refer to Section 6.0 of the Appendix G for the minimum queuing capacity required for this lane. v. Reconfigure EB Sheraton Driveway to be full access. vi. Install shared left/through/right lane.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
TRANS-11 Traffic signing/stripping should be implemented in	Grading and Plan Review	Prior to final of	Public Works

Mitigation Measure	Verification	Timing	Responsible Party
conjunction with detailed construction plans for the project site.		building permits	Department
Fair Share			
TRANS-12 The project shall contribute to the City's fair share improvement program for those intersections improvements that are not called out as solely the project's responsibility. Table 10 in Appendix G identified the project traffic contribution to the study area intersections.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
Regional Funding Mechanisms			
TRANS-13 The project shall participate in the City's sponsored regional transportation funding programs or as agreed upon with the City of Garden Grove.	Grading and Building Plan Review Inspections	Prior to final of building permits	Public Works Department
Parking			
<p>TRANS-14 Prior to the issuance of certificates of occupancy, the below recommendations of the shared parking assessment Exhibit G (found in Appendix H) shall be implemented for the proposed project:</p> <ul style="list-style-type: none"> a. Implement a valet and self-park parking program. b. Provide for a bus/van pick-up and drop-off location site for hotel guests and employees. c. Encourage alternative transportation methods for employees through transportation management incentives, such as employee reimbursement for using the transit and providing a transportation coordinator for the staff d. Provide a total of three (3) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient locations throughout the hotel 	Grading and Building Plan Review Inspections	Prior to the issuance of certificates of occupancy	Public Works Department

Mitigation Measure	Verification	Timing	Responsible Party
property (Exhibit G). e. Post "No Parking in Neighborhood" signage (Exhibit G). f. Dedicate up to three (3) bus parking spots for buses (Exhibit G). g. Provide a plan to monitor the project's peak parking demand as needed to refine parking management operations at the site. h. Provide emergency vehicles access to the first floor of the parking structure that can be able to drive through one (1) entrance and out the other.			
UTILITIES AND SERVICE SYSTEMS (SECTION 2.17)			
USS-1 Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the City Engineer that proper hydromodification methods have been applied to the proposed on-site storm drain improvements.	Grading and Building Plan Review Inspections	Prior to the issuance of a grading permit	Public Works Department

4.0 PERSONS CONTACTED AND REFERENCES

4.1 CITY OF GARDEN GROVE

Community Development Department

Susan Emery, Director
Karl Hill, Planning Manager
Ding Victoria, Building Manager
Maria Parra, Urban Planner

Economic Development

Greg Blodgett, Senior Project Manager
Paul Guerrero, Senior Economic Development Specialist
Greg Brown, Senior Project Manager
Grace Lee, Economic Development Specialist

Police Department

Ed Levia, Sergeant, Intelligence Investigator

Fire Department

Jim Hughes, Fire Prevention Officer

Public Works

Bill Murray, Public Works Director
David E. Entsminger, Water Services Division Manager
Dan Candelaria, Traffic Engineer
Albert Holmon, Solid Waste Programs

4.2 OTHER ORGANIZATIONS AND INDIVIDUAL CONTACTED

RK Engineering Group – Bob Kahn, Rogier Goedecke and Michael Dickerson
PSOMAS – Michael Swan, Bob Talafus and Peter Fitzpatrick
Native American Heritage Commission
Orange County Sanitation District

4.3 REFERENCES

City of Garden Grove

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4.4 TECHNICAL STUDIES

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2. Air Quality and GHG Impact Study, RK Engineering Group, Inc., August 9, 2012
3. Water Quality Management Plan, PSOMAS, July 2012
4. Water Assessment Analysis, PSOMAS, July 2012
5. Acoustical Study, RK Engineering Group, Inc., August 3, 2012
6. Traffic Impact Study, RK Engineering Group, Inc., July 27, 2012
7. ULI Shared Parking Study, RK Engineering Group, Inc., July 13, 2012

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5.0 DISTRIBUTION LIST

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1400 Tenth Street
Sacramento, CA 95814

Pacific Bell
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Garden Grove, CA 92841

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City of Garden Grove
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Southern California Edison Company
Planning Department
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Garden Grove, CA 92840

Southern California Gas Company
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Garden Grove, CA 92841

City of Garden Grove Police Department
Kevin Raney, Police Chief
11301 Acacia Parkway
Garden Grove, CA 92840

Orange County Public Library
Garden Grove Regional Branch
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Garden Grove, CA 92840

City of Garden Grove Public Works
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Garden Grove, CA 92843

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Anaheim, CA

City of Garden Grove Engineering Division
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Garden Grove Unified School District
Dr. Laura Schwalm, PhD, Superintendent
10331 Stanford Avenue
Garden Grove, CA 92840

City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

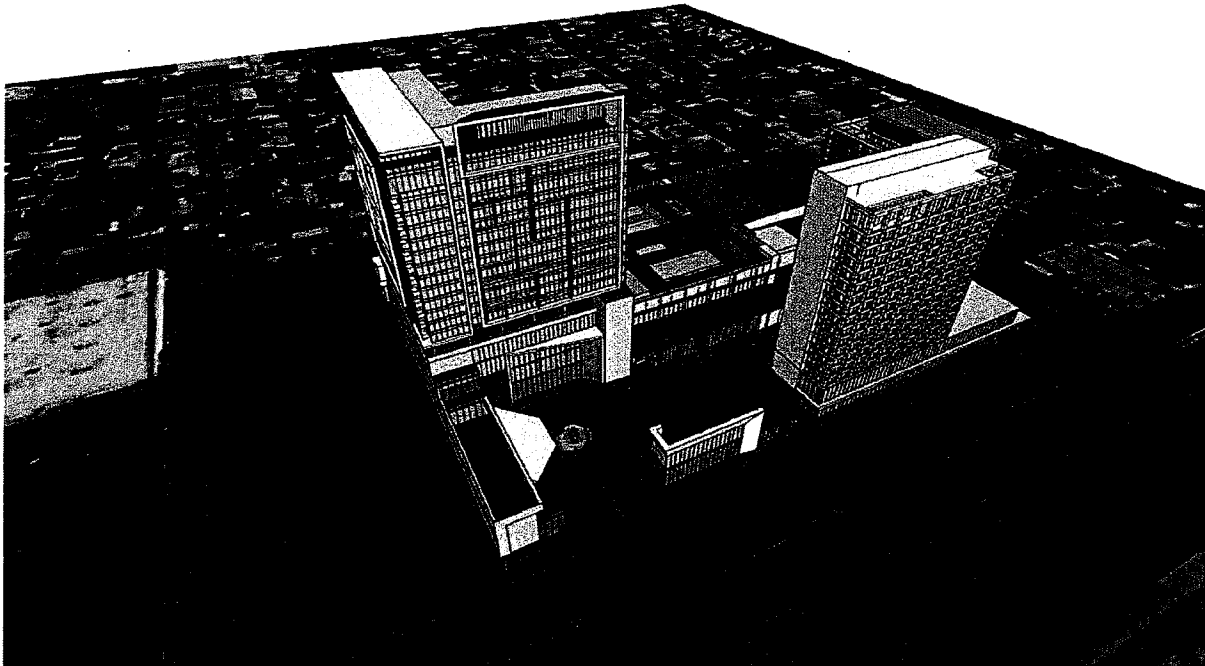
Santa Ana Regional Water Quality Control
Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

OC Flood Control District
Glassell Field Office
2301 North Glassell Street
Orange, CA 92865

EXHIBIT E
complete environmental report with
technical studies available at
www.ci.garden-grove.ca.us

City of Garden Grove

Site C Subsequent Mitigated Negative Declaration and Initial Study



Prepared by
City of Garden Grove

September 2017

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PREFACE

This document is a Subsequent Initial Study/Mitigated Negative Declaration (“**Subsequent IS/MND**”) to the previously approved IS/MND (hereafter referred to as “**2012 IS/MND**”; State Clearinghouse [SCH] #2012081036) for the *International West Hotel – Harbor East Site C: General Plan Amendment No. GPA-2-12(B); Planned Unit Development No. PUD-128-12; Tentative Tract Map No. 17455; and Development Agreement No. DA-185-12 Project* (hereafter referred to as the “**2012 Project**”). The 2012 IS/MND was approved by the Garden Grove City Council on November 13, 2012 and a Notice of Determination (NOD) was subsequently filed with the Orange County Clerk Recorder’s Office on November 28, 2012 and the SCH. As part of approval of the 2012 IS/MND, a mitigation monitoring and reporting program was adopted for the 2012 Project, and the following General Plan Amendment and Planned Unit Development zoning was implemented for the 2012 Project site:

- General Plan Amendment No. GPA-2-12(B), which changed the General Plan Land Use designation of two (2) residential properties along Twintree Lane (12551 and 12571 Twintree Lane; APN: 231-521-09 and 231-521-10) and four (4) residential properties) along Choisser Road (12233, 12235, 12237, and 12239 Choisser Road; APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19) from Low Density Residential to International West Mixed Use with an accompanying zone change from R-1 to PUD; and
- Establishment of a Planned Unit Development zoning with development standards for eight (8) lots along Harbor Boulevard (12222, 12202, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard; APN: 231-491-20 & 21, 231-521-01, 02, 03, 04, 05, & 06; and two (2) lots along Twintree Lane (12511 and 12531 Twintree Lane; APN: 231-521-07 and 08), which were rezoned from HCSP-TZN to PUD; and two (2) residential properties along Twintree Lane (12551 and 12571 Twintree Lane, APN: 231-521-09 and 10) and four (4) residential properties along Choisser Road (12233, 12235, 12237 and 12239 Choisser Road, APN: 231-491-12, 13, 14, 15, 16, 17, 18, & 19), which were rezoned from R-1 to PUD, to provide consistency with the International West Mixed Use General Plan Designation.

Since 2012 the General Plan Amendment and Planned Unit Development zoning have been implemented, existing site improvements have been removed, including on-site trees and vegetation, and all on-site structures and on-site utilities have been demolished, including asphalt and a swimming pool associated with prior site uses. Construction of the 2012 Project, however, has not been initiated and the project site remains undeveloped. Presently, the current project developer has proposed a revised site plan and project description for the site (hereafter referred to as the “**Modified Project**”). The Modified Project maintains the same number of hotels and hotel rooms as the 2012 Project, but the maximum building heights, configuration of the buildings, the amount and type of ancillary uses, and the site access have been modified. Specifically, the design- and configuration-related differences between the 2012 Project and the Modified Project include:

- Changes to on-site circulation and access, including a new second driveway along Harbor Boulevard at the most southerly portion of the site, and changes to the parking structure including one entrance rather than the previous two entrances and one level of subterranean parking;
- Introduction of retail uses;
- Modifications to the 2012 Project's building heights, placement, and configuration, including:
 - (A) Reducing the maximum building height of Hotel A from 263 feet to 240 feet, and reducing the maximum building height of the west side elevation of Hotel C from 190 feet to 158 feet;
 - (B) Shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard, constructing a new retail building at the northwest corner of the site that connects to Hotel A via a second floor terrace, and relocating the valet drop-off for Hotel A;
 - (C) Swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building with a connection provided between both structures via the hotel's second floor terrace; and
 - (D) Expanding and reconfiguring the usable outdoor roof deck area of Hotel A, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85 feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet.
- The Modified Project site area would also be reduced from 5.2 acres to 4.3 acres.

For additional details of the Modified Project, refer to the project description section in the Environmental Checklist Form, which includes figures and a table comparing the 2012 Project with the Modified Project (see Table 1).

Due to some of the design changes of the Modified Project, as well as changes to existing conditions with respect to development growth in the area that has occurred since approval of the 2012 Project, the City of Garden Grove (City) has prepared a Subsequent Initial Study in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21166 and the State CEQA Guidelines, California Code of Regulations (CCR) Section 15162. Under CEQA Guidelines Section 15162, further environmental review is required when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Subsequent IS/MND provides an analysis of the changes between the 2012 Project and the Modified Project, which includes an update to the mitigation monitoring and reporting program that was previously adopted as part of the 2012 IS/MND. The changes to existing conditions that have occurred since 2012 and the proposed design changes of the Modified Project have necessitated updates to a number of technical appendices for the Modified Project. To assist reviewers in comparing the 2012 Project and Modified Project, the updated technical appendices include comparison tables showing how previously adopted mitigation measures and design features have been incorporated into the Modified Project and/or modified. See Section XXIII (Mitigation Measures) for a complete list of the measures that would be deemed part of the conditions of Modified Project approval.

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TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
Subsequent Mitigated Negative Declaration.....	1
Environmental Checklist Form	3
Environmental Factors Potentially Affected	15
Determination	15
Evaluation of Environmental Impacts	16
I. Aesthetics	17
II. Agriculture and Forest Resources	20
III. Air Quality	21
IV. Biological Resources	29
V. Cultural Resources	30
VI. Geology and Soils.....	31
VII. Green House Gas Emissions.....	35
VIII. Hazards and Hazardous Materials	38
IX. Hydrology and Water Quality	41
X. Land Use and Planning	43
XI. Mineral Resources.....	44
XII. Noise	45
XIII. Population and Housing.....	55
XIV. Public Services.....	56
XV. Recreation.....	59
XVI. Transportation and Traffic	59
XVII. Tribal Cultural Resources	69
XVIII. Utilities and Service Systems	70
XIX. Mandatory Findings of Significance	74
XX. Earlier Analysis	76
XXI. Technical Studies	76
XXII. Impacts Adequately Addressed	76
XXIII. Mitigation Measures/Design Features	77
XXIV. References	89

TECHNICAL APPENDICES (See the attached CD at the end of this document)

- Appendix A Shade and Shadow Study, AECOM, September 2017
- Appendix B Site "C" Hotel Air Quality and Greenhouse Gas Impact Study, RK Engineering Group, Inc., September 13, 2017
- Appendix C Correspondence from Native American Heritage Commission, November 8, 2011 and July 6, 2017
- Appendix D Preliminary Geotechnical Engineering Study Report, Geotechnical Solutions, Inc., October 2, 2012
- Appendix E Water Quality Management Plan, PSOMAS, July 2012
- Appendix F Water Supply Assessment, PSOMAS, July 2012
- Appendix G Site "C" Hotel Noise Impact Study, RK Engineering Group, Inc., September 13, 2017
- Appendix H Site "C" Traffic Impact Study, RK Engineering Group, Inc., September 13, 2017
- Appendix I ULI Shared Parking Study, RK Engineering Group, Inc., September 13, 2017

LIST OF FIGURES

<u>Figure</u>		<u>Page</u>
Figure 1	Aerial Vicinity Map	4
Figure 2	Existing General Plan Land Use Designations.....	9
Figure 3	Existing Zoning	10
Figure 4	Conceptual Site Plan	11
Figure 5	Existing Easements Data Map.....	12
Figure 6	Post Development Condition Map.....	13

LIST OF TABLES

<u>Table</u>		<u>Page</u>
Table 1	Project Summary Comparison	6
Table 2	Unmitigated Regional Significance Construction Emissions (lbs/day)	23
Table 3	Mitigated Regional Significance Construction Emissions (lbs/day).....	23
Table 4	Unmitigated Localized Significance Construction Emissions (lbs/day)	24
Table 5	Mitigated Localized Significance Construction Emissions (lbs/day).....	24
Table 6	Unmitigated Regional Significance Operational Emissions (lbs/day).....	25
Table 7	Mitigated Regional Significance Operational Emissions (lbs/day)	25
Table 8	Unmitigated Localized Significance Operational Emissions (lbs/day).....	26
Table 9	Mitigated Localized Significance Operational Emissions (lbs/day)	26
Table 10	Construction Greenhouse Gas Emissions	35
Table 11	Operational Greenhouse Gas Emissions SCAQMD Tier 3 Significance.....	36
Table 12	Operational Greenhouse Gas Emissions SCAQMD Tier 4 (Compliance Option 1) Significance.....	37
Table 13	Existing Plus Project Conditions Roadway Noise Impact Analysis (dBA CNEL)	46
Table 14	Opening Year 2021 Conditions Roadway Noise Impact Analysis (dBA CNEL)	47
Table 15	Daytime (7:00Am-10:00PM) Exterior Noise Levels From Stationary Sources Eastern Property Line (dBA)	47
Table 16	Nighttime (10:00PM-7:00AM) Exterior Noise Levels From Stationary Sources Eastern Property Line (dBA)	48
Table 17	Construction-Related Vibration Reference Levels.....	50
Table 18	Typical Construction Vibration Levels	50
Table 19	Construction Vibration Analysis	51
Table 20	Unmitigated Construction-Related Noise Levels (dBA).....	52
Table 21	Mitigated Construction-Related Noise Levels (dBA)	53

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SUBSEQUENT MITIGATED NEGATIVE DECLARATION

Title of Project (including any commonly used name for the project): Site C Project (herein referred to as the “**Modified Project**”) (and formerly referred to as *International West Hotel – Harbor East (Site C): General Plan Amendment No. GPA-2-12(B); Planned Unit Development No. PUD 128 12; Tentative Tract Map No. 17455; and Development Agreement No. DA-185-12*)

Brief Description of Project: The Modified Project consists of development of two (2) full-service hotels, one (1) limited-service hotel, conference/meeting banquet space, several restaurants and bars, retail uses, and pools (including a surf pool), on an approximately 4.3-acre site in the City of Garden Grove. For details, refer to the project description section in the Environmental Checklist Form.

Project Location (see also attached map): The project site is located at the northeast corner of Harbor Boulevard and Twintree Lane, south of the Target Shopping Center parking lot, and west of Choisser Road in the City of Garden Grove.

Name of the Project Proponent: Investel Garden Resorts, LLC

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

Finding: Pursuant to the California Environmental Quality Act, the City of Garden Grove has determined that the proposed project will not have any new significant effects or a substantial increase in the severity of previously approved significant effects (Public Resources Code § 21167; CEQA Guidelines § 15162). The attached initial study supports this finding.

Mitigation Measures: Refer to the Section XXIII of the Evaluation of Environmental Impacts.

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ENVIRONMENTAL CHECKLIST FORM

1. PROJECT TITLE:

Site C Project (Modified Project)

2. LEAD AGENCY:

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

3. CONTACT PERSON:

Maria Parra, Urban Planner
Planning Services Division
City of Garden Grove
(714) 741-5312

4. PROJECT LOCATION:

The Modified Project is located at the northeast corner of Harbor Boulevard and Twintree Lane, south of the Target Shopping Center parking lot, and west of Choisser Road at 12222, 12252 (address has two APNs), 12262, 12272, 12292, and 12302 Harbor Boulevard (APN: 231-491-20, 231-521-01, 02, 03, 04, 05, & 06); 12511, 12531, 12551, and 12571 Twintree Lane (APN: 231-521-07, 08, 09, and 10); and 12233, 12235, 12237 and 12239 Choisser Road (APN: 231-491-12,13,14,15,16,17,18 & 19) in the City of Garden Grove. See Figure 1, Aerial Vicinity Map.

5. PROJECT SPONSOR:

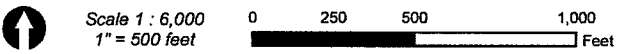
Investel Garden Resorts, LLC
11999 Harbor Blvd #1711
Garden Grove, CA 92840

6. ENVIRONMENTAL SETTING:

The project site is located within an urbanized area of the City of Garden Grove, and it is generally surrounded by mixed uses. A vacant lot and commercial uses, such as Target, are located just north of the project site and on the east side of Harbor Boulevard. Sheraton Garden Grove-Anaheim South, Crown Plaza Resort Hotel Anaheim-Garden Grove Marriott Suites and Homewood Suites are located northwest of the project site, across Harbor Boulevard to the west. Vacant lots are to the west, across Harbor Boulevard. Residential and commercial uses are located to the south, across Twintree Lane, and residential uses are located to the east.



Source: ESRI (2017), OC Landbase (2017), City of Garden Grove (2017), and AECOM (2017).



Site C Project

Figure 1
Aerial Vicinity Map

The former four (4) single-family residences along Twintree Lane on the southern boundary of the project site and all former on-site commercial buildings, which included Joe's Italian Ice, Crystal Nails, a Smoke Shop, Immigration Service, and an RV Park, have been demolished, as have all associated utilities (with the exception of one Edison power pole). The northeastern corner of the project site includes portions of four (4) existing single-family residences along Choisser, which the City currently owns. The existing site is fenced and not accessible to the public. Fencing also covers the adjacent vacant lot to the north.

The project site has a General Plan Land Use designation of International West Mixed Use and a zoning of Planned Unit Development No. PUD-128-12. The properties to the north of the site are zoned PUD-128-12; the properties to the south of the site, across Twintree Lane, are zoned HCSP-TZN and R-1; the properties to the west of the site, across Harbor Boulevard, are zoned PUD-141-01; and the properties to the east of the site are zoned R-1.

7. EXISTING AND PROPOSED GENERAL PLAN DESIGNATION:

The Modified Project is consistent with the project site's existing General Plan land use designation of International West Mixed Use. See Figure 2, Existing General Plan Land Use Designation.

8. EXISTING AND PROPOSED ZONING:

The Modified Project is consistent with the project site's existing zoning designation of Planned Unit Development No. PUD-128-12. See Figure 3, Existing Zoning.

9. DESCRIPTION OF PROJECT:

The Modified Project consists of development of two (2) full-service hotels ("A" and "B"), one (1) limited-service hotel (Twintree Lane Hotel "C"), conference/meeting banquet space, several restaurants and bars, retail uses, and pools (including a surf pool), on an approximately 4.3-acre site in the City of Garden Grove. Specifically, the Modified Project would consist of 769 rooms within two (2) full-service (maximum heights of 240 feet and 200 feet) and one (1) limited-service (maximum height of 130 feet [east side]/158 feet [west side]) resort hotels, ranging from 14 to 19 stories, with approximately 39,867 square feet of conference/meeting banquet space, 36,885 square feet of restaurant/retail/entertainment space, 24,014 square feet of hotel restaurant space, 26,090 square feet of additional hotel ancillary uses (i.e., gyms, spas, salon, a hotel shop, and a kids' club), and a total of 1,297 above- and below-ground parking spaces. The above-ground parking structure would have a maximum height of 75 feet on the east side and a maximum height of 85 feet on the west side (with hotel pool on top). See Table 1, below, and Figure 4, Conceptual Site Plan. The surf pool area (10,613 square feet) would be an outdoor pool environment with machine-generated waves for hotel guest recreational use. The restaurants, bars, retail uses, spas, the salon, and hotel shop, would be open to the public. Three access driveways, two along Harbor Boulevard and one along Twintree Lane would serve the project site.

Project approval includes:

- Site Plan No. SP-043-2017 depicting the Modified Project.
- Tentative Tract Map No. 17455 (see Figure 5, Existing Easements Data Map and Figure 6, Post Development Condition Map).
- Development Agreement No. DA-008-2017. A new Development Agreement number has been assigned to the project, and DA-185-12 is no longer valid.
- Conditional Use Permits to allow for the sale of alcoholic beverages and live entertainment in the hotel, hotel restaurants, and freestanding restaurants, and to allow the operation of a spa with massage will be considered in the future.

The following project summary table shows the previously approved 2012 Project compared to the Modified Project.

Table 1
Project Summary Comparison

	Approved 2012 Project Summary (November 13, 2012)	Modified Project¹ Summary
Project Site Area	5.2 acres	4.3 acres
Total Hotel Rooms	769 keys	769 keys
Full-Service Hotel "A" – 402 keys (max. height) ²	263 ft	240 ft
Full-Service Hotel "B" – 200 keys (max. height)	200 ft	200 ft
Twintree Lane Hotel "C" – 167 keys (max. height)	130 ft (east side) to 190 ft (west side)	130 ft (east side) to 158 ft (west side)
Parking structure (West Side) (max. height)	85 ft	85 ft ³
Parking structure (East Side) (max. height)	75 ft	75 ft ³
Restaurant off Harbor + parallel to Harbor (in podium) (max. height)	40 ft	38 ft
Restaurant/Venue northeast corner (max. height)	75 ft	N/A
Restaurant/Retail/Entertainment	45,000 sf	36,885 sf
Hotel restaurant	20,000 sf	24,014 sf
Additional Hotel Ancillary	Restaurant, Bars, Fitness Rooms, and Spa	26,090 sf of bars, fitness rooms, and spa
Conference/meeting banquet (including pre-function & break-out)	39,000 sf	39,867 sf
Parking spaces	1,297	1,297

	Approved 2012 Project Summary (November 13, 2012)	Modified Project¹ Summary
Access	Two Access Points	Three Access Points

NOTES:

¹ Orientation/configuration of the buildings and on-site circulation has been modified.

² Hotel A includes an outdoor pool deck (29,483 sf; hotel guest use only).

³ The Modified Project includes one combined multi-level parking structure (with one entrance rather than the previous two entrances) with one level of subterranean parking.

Specific design- and configuration-related differences between the 2012 Project and the Modified Project include:

- Changes to on-site circulation and access, including a new second driveway along Harbor Boulevard at the most southerly portion of the site, and changes to the parking structure including one entrance rather than the previous two entrances and one level of subterranean parking.
- Introduction of retail uses.
- Modifications to the 2012 Project's building heights, placement, and configuration, including:
 - (A) Reducing the maximum building height of Hotel A from 263 feet to 240 feet, and reducing the maximum building height of the west side elevation of Hotel C from 190 feet to 158 feet;
 - (B) Shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard; constructing a new retail building at the northwest corner of the site that connects to Hotel A via a second floor terrace, and relocating the valet drop-off for Hotel A;
 - (C) Swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building, with a connection provided between both structures via the hotel's second floor terrace; and
 - (D) Expanding and reconfiguring the usable outdoor roof deck area of Hotel A, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85 feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet.

- The Modified Project site area would also be reduced from 5.2 acres to 4.3 acres.

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

City of Garden Grove Planning Commission

City of Garden Grove City Council



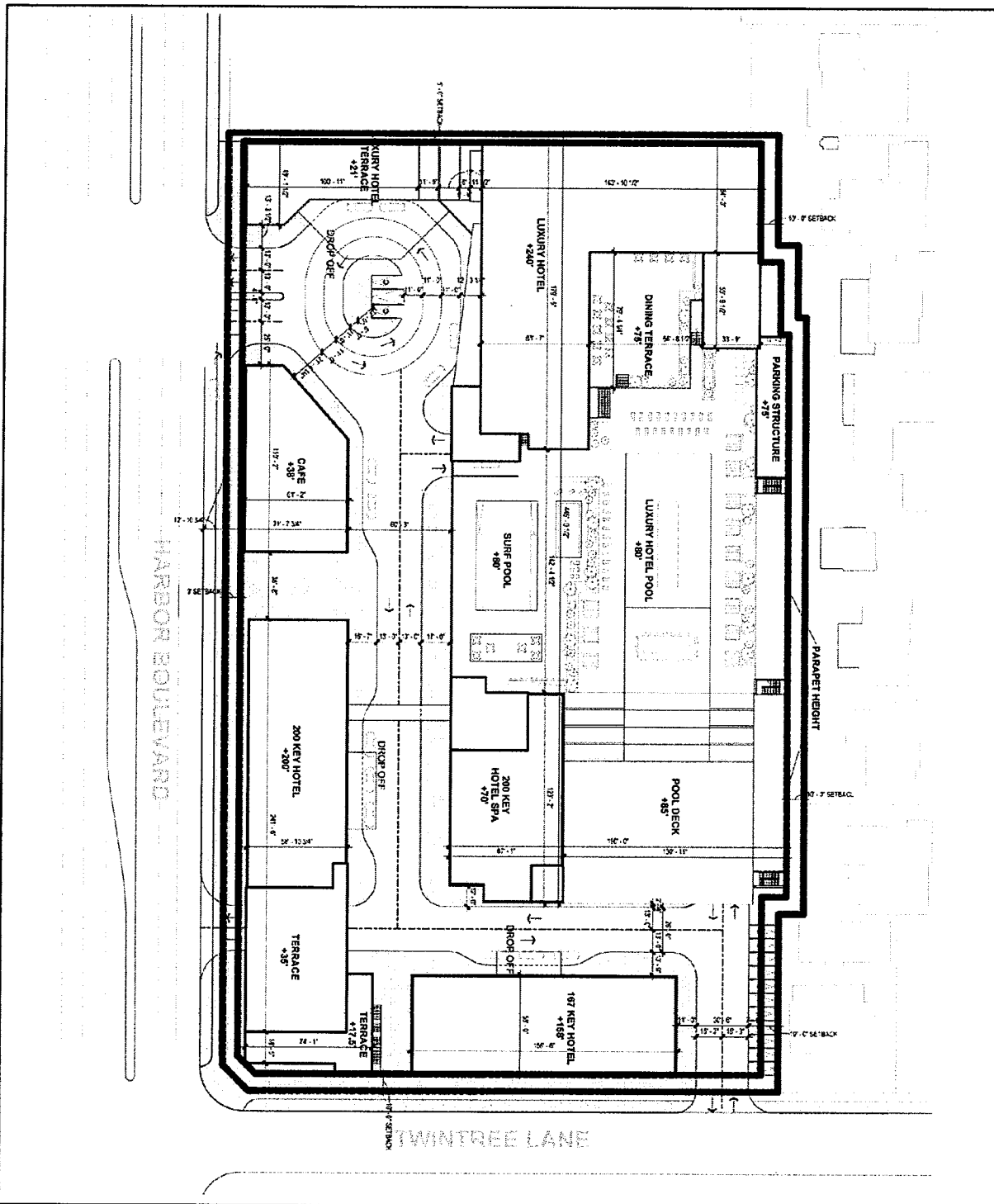
Site C Project

Figure 2
Existing General Plan Land Use Designations




Site C Project

Figure 3
Existing Zoning

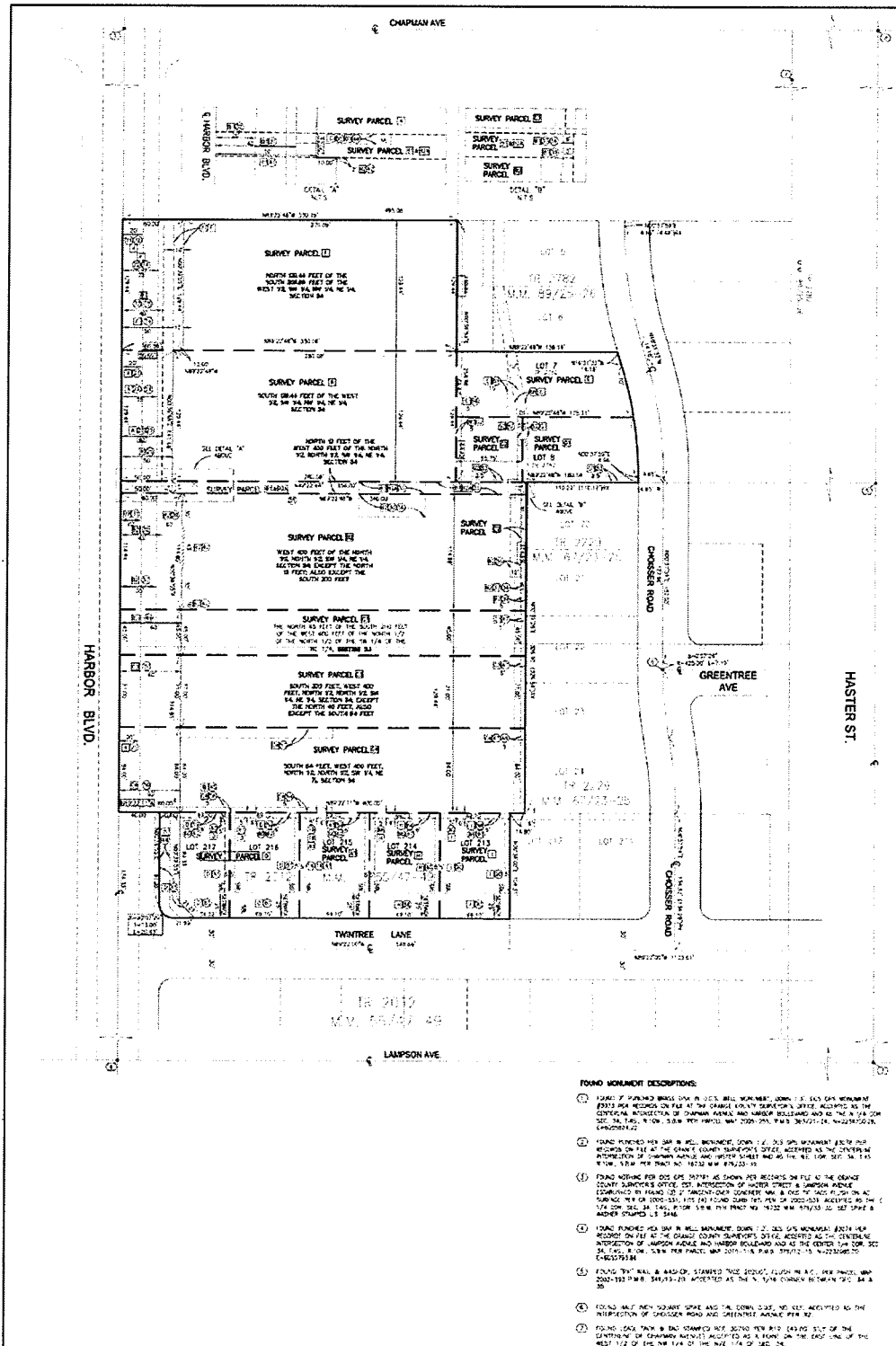


Sources: Archibler Architecture (2016), City of Garden Grove (2017), and AECOM (2017).


 Not to Scale

Site C Project

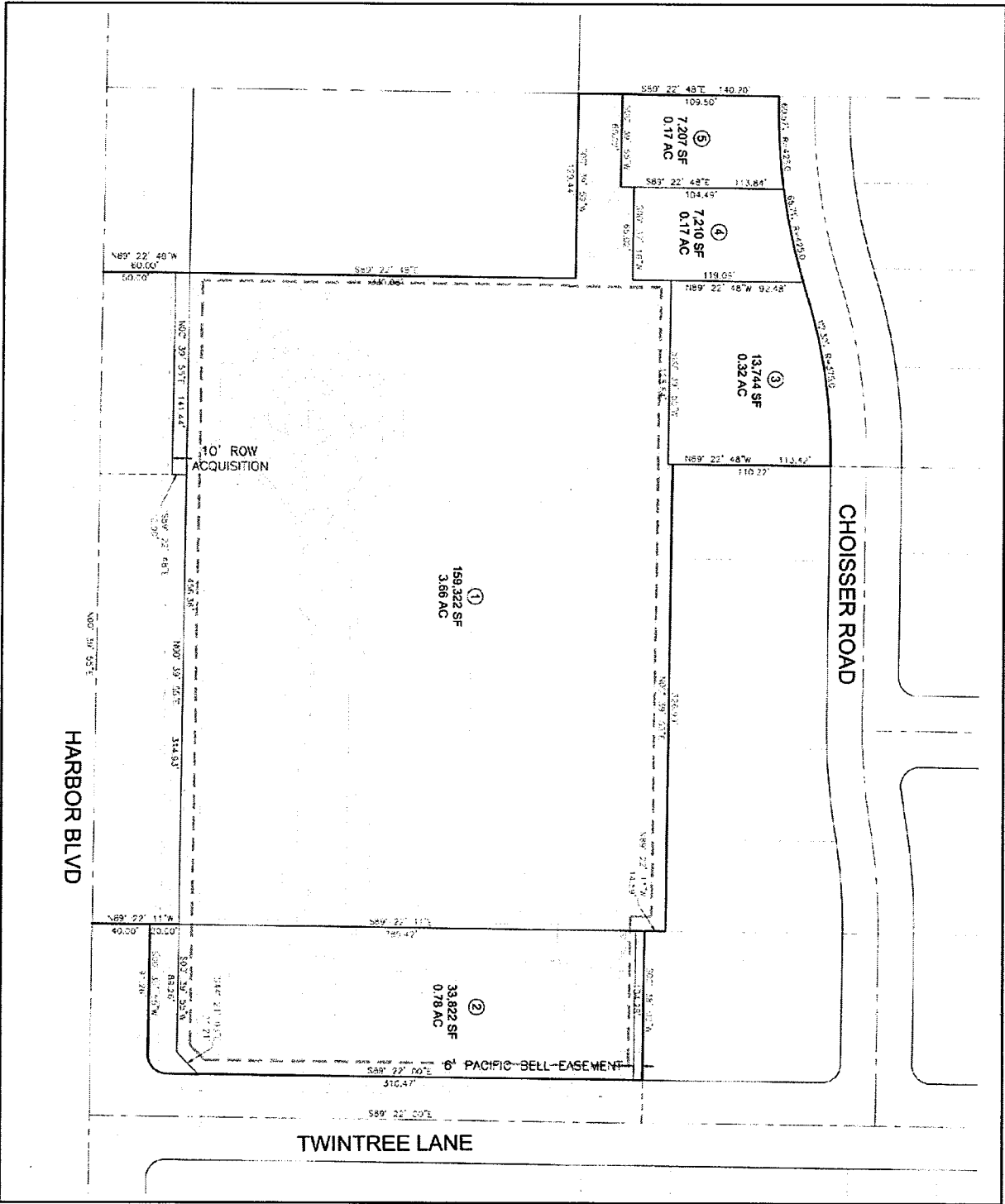
Figure 4
Conceptual Site Plan



Not to Scale

Site C Project

Figure 5 Existing Easements Data Map



Source: Pence Eng. (2017), City of Garden Grove (2017), and ASCOM (2017).



Not to Scale

Site C Project

Figure 6
Post Development Condition Map

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities/Services Systems
<input type="checkbox"/> Mandatory Findings of Significance		

DETERMINATION:

On the basis of this initial evaluation:

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

Maria C Parra
Signature

Maria C Parra
Printed Name

9/21/17
Date

For:
City of Garden Grove

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “*No Impact*” answers that are adequately supported by the information sources a lead agency cited in the parentheses following each questions. A “*No Impact*” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “*No Impact*” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
2. All answers must take into account 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: Less Than Significant With Mitigation Incorporated*” applies where the incorporation of mitigation measures has reduced an effect from “*Potentially Significant Impact*” to a “*Less than Significant Impact.*” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “*Earlier Analysis,*” as described in (5) below, may be cross-referenced.)
5. Earlier Analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such efforts were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “*Less than Significant with Mitigation Measures Incorporated,*” describe the mitigating measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is elected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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I. AESTHETICS

a. Have a substantial effect on a scenic vista or scenic highway?	<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. Substantially degrade the existing visual character or quality of the site and its surroundings?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Response (a and b): The 2012 IS/MND concluded that the 2012 Project would have no impact to scenic vistas or scenic highways because no scenic vistas or other scenic resources (including highways) were identified within the City. These conclusions would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site and no new scenic vistas or highways have been designated. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (c): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact to the existing visual character or quality of the site and its surroundings. This conclusion was based on: (1) the proposed physical development and improvements at the project site being compatible with the applicable Community Design Element Guidelines for the International West Mixed Use Area (2008 General Plan) and with other improvements and developments in the area; and (2) the proposed physical development and improvements at the project site blending with the built-out and urbanized character of the City and especially in harmony with the existing improvements and hotel developments in the vicinity.

This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms as the 2012 Project and the same aesthetic as the 2012 Project, but with reduced maximum building heights and a smaller project site. Changes associated with the configuration and orientation of buildings, ancillary uses, and access and circulation would not alter the conclusion. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (d): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact related to light and glare unless mitigated. In the absence of specific lighting details within the conceptual site plan for the 2012 Project, the 2012 IS/MND included Mitigation

Measures (shown below) AES-1 and AES-2 to require (1) a site-specific lighting study and (2) incorporation of the most current light-reduction technologies at the time of future construction. Mitigation Measures AES-1 and AES-2 were included to ensure the 2012 Project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment and that project lighting did not result in a significant impact on the surrounding neighborhood. The adopted mitigation requirements from 2012 (AES-1 and AES-2) and the conclusion remain the same for the Modified Project as it is a similar development located on the same (except smaller) project site. In addition, construction would occur only during daytime hours, and therefore, no nighttime lighting impacts associated with construction would occur. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Additionally, as part of the Modified Project, the previous shade and shadow study was revised (see Appendix A of this Subsequent IS/MND) to analyze the potential shade and shadow impacts on adjacent properties resulting from the changes to the building heights, configuration, and orientation associated with the Modified Project under "worst-case" development assumptions: hotels (full service Hotel "A" at 240 feet, full service Hotel "B" at 200 feet [along Harbor] and limited service Twintree Lane Hotel "C" 130 [east side]/158 [west side] feet [along Twintree]), a multi-level parking structure at 75 feet (east side) and 85 feet (west side), and a restaurant off of Harbor Boulevard at 38 feet. The thresholds for analyzing the potential shade and shadow impacts here are consistent with those used in previous City of Garden Grove environmental analysis for the 2012 Project. Specifically, a project would have a significant impact if:

- Shadow-sensitive use areas (where sunlight is important to its function) would be shaded by project-related structures for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (Between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October), compared to existing conditions.

Of the total amount of the sun's energy available during a daylight period, approximately 85 percent of it reaches the earth between 9:00 a.m. and 3:00 p.m. The California Energy Commission defines this time period as the useable solar sky-space¹. Useable sky-space, at the winter solstice, is that portion of the sky lying between the position of the sun (i.e., sun angle or azimuth) when it is 45 degrees to either side of true south (i.e., the portion of the sky covered or traversed by the sun between 9:00 a.m. and 3:00 p.m.). It should be noted that the hours of 9:00 a.m. to 3:00 p.m. (for October through early April when daylight exposure occurs for a shorter period of time) and 9:00 a.m. and 5:00 p.m. (for early April through October when daylight exposure occurs for a longer period of time) are utilized as a threshold for shade/shadow impacts, as these hours of the day are the most likely to include activities where the sunlight is important to its function.

¹ Jaffe, M., *Protecting Solar Access: A Guidebook for California Communities*, March 1980.

Shading refers to the effect of shadows cast upon adjacent areas by proposed structures. Consequences of shadows upon land use may be positive, including cooling effects during warm weather, or negative, such as the loss of natural light necessary for solar energy purposes or the loss of warming influences during cool weather. Shadow effects are dependent upon several factors, including the local topography, the height and bulk of the project's structural elements, sensitivity of adjacent land uses, season, and duration of shadow projection. Facilities and operations sensitive to the effects of shading include routinely usable outdoor spaces associated with residential, recreational or institutional uses, commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor areas, nurseries, and existing solar collectors. These uses are considered sensitive because sunlight is important to function, physical comforts, or commerce.

As discussed in the shade and shadow study, the Modified Project would introduce new shadows casting onto immediate surrounding residential uses as well as onto the adjacent roadways and sidewalks. The threshold above states that a significant shadow impact would result if shadow-sensitive uses would be shaded for "more than" three hours between the hours of 9:00 am and 3:00 pm Pacific Standard Time (between late October and early April). This condition is applicable to the Winter Solstice and Spring Equinox diagrams. As a result of the analysis, between the hours of 9:00 am and 3:00 pm, during Winter, the Modified Project would cast shadows on three residential properties (12233, 12235, and 12237 Choisser Road) to the northeast and east of the project site for three hours. However, the City currently owns these northern Choisser homes (12233, 12235, and 12237 Choisser Road). These factors render the shadow impact less than significant for these three properties. In addition, during Spring the Modified Project would cast shadows on two properties (12233 and 12235 Choisser Road) for approximately two hours. Shadow impacts during Spring would be less than significant.

The threshold further states that a significant shadow impact would result if shadow-sensitive uses would be shaded for "more than" four hours between the hours of 9:00 am and 5:00 pm Pacific Daylight Time (between early April and late October). As a result of the analysis, between the hours of 9:00 am and 5:00 pm, during the Autumn Equinox condition, the Modified Project's full-service Hotel "A" and parking structure would shade sensitive uses for four hours. This impact would occur to the four most northerly residential properties at the end of Choisser Road (12233, 12235, 12237, and 12239 Choisser Road). In addition, during Summer the Modified Project would cast shadows on one property (12235 Choisser Road) for approximately four hours. However, the City currently owns the four most northern Choisser homes (12233, 12235, 12237, and 12239 Choisser Road). These factors render the shadow impact less than significant for these four properties. Other properties adjacent to the project site that would experience new shadows casting for less than four hours, and therefore, the impact would be less than significant.

Mitigation Measures:

Light and Glare

AES-1 Prior to final site plan approval, a site specific lighting study shall be prepared which incorporates measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City’s Zoning Code for parking lot lighting so that lighting within parking areas are directed, positioned, or shielded so as to minimize light spillage. Additionally, the study shall incorporate measures necessary for the project’s compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment.

AES-2 Sufficient technology currently exists to reduce lighting impacts from hotel/resort lighting to a less than significant level. However, given that the project is still in conceptual design and operation is not anticipated to begin until late 2021, identification of specific light reduction measures is premature since light reduction technology is constantly evolving and advancing (i.e., more sophisticated light-reduction technology is anticipated to be available in the future that is not available today). The developer shall include technologically advanced hotel/resort lighting measures in its detailed design plans to ensure that hotel/resort lighting does not result in a significant impact on the surrounding neighborhood.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST 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 Department 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.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 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, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Forestland (as defined in Public Resources Code Section 12220(g)), timber land (as defined by Public Resources code Section 4526), or timberland zoned Timberland Production (as Defined by Government Code Section 51104(g))?

d. Result in the loss of forestland or conversion of forest land to non-forest use?

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?

Response (a through e): The 2012 IS/MND concluded that the 2012 Project would have no impacts to agriculture and forest resources, including impacts related to Farmland, land zoned for agricultural use (including Williamson Act contract land), forestland, timberland, or other changes that could result in the conversion of Farmland or forestland. These conclusions were based on the project site being in a highly urbanized area that is not zoned for farmland or forestland, and that is not located within an area that is used or zoned for farming or forest uses or subject to a Williamson Act contract.

These conclusions would remain the same with the Modified Project, which would be located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No mitigation measures related to agriculture and forestry resources were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

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

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient

air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

d. Expose sensitive receptors to substantial pollutant concentrations?

e. Create objectionable odors affecting a substantial number of people?

The 2012 IS/MND included an Air Quality and Greenhouse Gas Impact Study for the 2012 Project. Changes to existing conditions that have occurred since 2012 and the proposed design changes of the Modified Project have necessitated an update to this technical study for the Modified Project. The following analysis is a summary of the updated *Site "C" Hotel Air Quality and Greenhouse Gas Impact Study* (see Appendix B of this Subsequent IS/MND).

Response (a): An Air Quality Management Plan (AQMP) describes air pollution control strategies to be taken by a City, County, or Region classified as a nonattainment area. The main purpose of an AQMP is to bring the area into compliance with Federal and State air quality standards. CEQA requires that certain projects be analyzed for consistency with the AQMP. For the Modified Project to be consistent with the 2016 AQMP adopted by the South Coast Air Quality Management District (SCAQMD), the pollutants emitted from the Modified Project should not exceed the SCAQMD daily threshold or cause a significant impact on air quality, or it must already have been included in the AQMP projection. A project may also be deemed as consistent with the AQMP if feasible mitigation measures are implemented and shown to reduce the impact level to less than significant. The AQMP uses the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. As demonstrated in the Updated Air Quality and Greenhouse Gas Impact Study and summarized in responses (b) through (d), below, the Modified Project would comply with the applicable thresholds of significance with mitigation measures incorporated. Therefore, the Modified Project is consistent with the SCAQMD 2016 AQMP and the impact is considered less than significant with mitigation. It should be noted that the 2012 IS/MND concluded the impact to be less than significant.

Response (b and c):

Construction

Regional Construction Emissions

The California Emissions Estimator Model (CalEEMod) was used to estimate on-site and off-site construction emissions as shown in Table 2. Regional emissions include on-site and offsite emissions associated with construction. The unmitigated regional construction emissions incorporate standard SCAQMD fugitive dust control measures, per Rule 403. As shown, daily emissions of criteria pollutants are expected to be below the allowable threshold, with the exception of Volatile Organic Compounds (VOC), nitrous oxides (NOx), and particulate matter

(both coarse particulate matter with a diameter of 10 microns or less [PM10] and fine particulate matter with a diameter of 2.5 microns or less [PM2.5]) emissions.

Table 2
Unmitigated Regional Significance Construction Emissions (lbs/day)

Activity	VOC	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Site Preparation	4.65	48.26	23.13	0.04	9.69	6.22
Grading	17.27	545.85	140.05	1.29	168.15	85.74
Building Construction	7.37	58.47	52.74	0.17	11.37	4.27
Paving	1.27	11.85	12.89	0.02	0.88	0.66
Architectural Coating	84.15	1.86	5.74	0.02	1.67	0.52
Maximum ¹	84.15	545.85	140.05	1.29	168.15	85.74
SCAQMD Threshold	75	100	550	150	150	55
Exceeds Threshold (?)	Yes	Yes	No	No	Yes	Yes

¹ Maximum daily emissions (lbs/day)

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

Mitigation Measures AQ-1 and AQ-2 would be required to reduce the Modified Project's impact to a level that is less than significant. Table 3 shows the mitigated regional construction emissions levels.

Table 3
Mitigated Regional Significance Construction Emissions (lbs/day)

Activity	VOC	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Site Preparation	4.65	48.26	23.13	0.04	9.69	6.22
Grading	3.49	53.62	22.59	0.09	5.60	3.20
Building Construction	7.37	58.47	52.74	0.17	11.37	4.27
Paving	1.27	11.85	12.89	0.02	0.88	0.66
Architectural Coating ²	71.53	1.86	5.74	0.02	1.67	0.52
Maximum ¹	71.53	58.47	52.74	0.17	11.37	6.22
SCAQMD Threshold	75	100	550	150	150	55
Exceeds Threshold (?)	No	No	No	No	No	No

¹ Maximum daily emissions (lbs/day)

² Mitigation measures are required during the architectural coating phase of construction to ensure VOC emission levels do not exceed 75 lbs/day. In order to reduce VOC emissions, the use of water based paints and primers are recommended. Additionally, contractors should use painting equipment with high transfer efficiency. For example, high volume, low-pressure (HVLP) coating application systems that operated at air pressure between 0.1 and 10 pounds per square inch gauge (psig) spray equipment can significantly reduce the amount of VOC emissions caused by overspray and increase transfer efficiency by 65% or more. A conservative 15% reduction in VOC emissions is assumed with the implementation of recommended mitigation.

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

In addition to Mitigation Measures AQ-1 and AQ-2, the Modified Project must follow all SCAQMD rules and requirements with regard to fugitive dust control. Compliance with the SCAQMD rules is assumed in Table 3 and included as part of the Modified Project's design features (see Section XXIII). A fugitive dust control plan would be prepared and submitted to SCAQMD prior to the start of construction as required by SCAQMD. With the implementation of

Mitigation Measures AQ-1 and AQ-2, the daily regional emissions would be below the SCAQMD thresholds of significance. Therefore, regional construction emission impacts would be mitigated to a level that is less than significant.

Localized Construction Emissions

Table 4 illustrates the unmitigated construction-related localized significance thresholds (LSTs) for the project area, and Table 5 illustrates construction-related LSTs with Mitigation Measures AQ-1 and AQ-2 incorporated. As shown in Table 5, the emissions would be below the SCAQMD thresholds of significance for localized construction emissions with implementation of Mitigation Measures AQ-1 and AQ-2. Therefore, the impact would be mitigated to a level that is less than significant.

**Table 4
Unmitigated Localized Significance Construction Emissions (lbs/day)**

LST Pollutants¹	CO	NO_x	PM₁₀	PM_{2.5}
On-site Emissions	140.05	545.85	168.15	85.74
SCAQMD Construction Threshold ²	1,253	183	13	7
Exceeds Threshold (?)	No	Yes	Yes	Yes

¹ Reference LST thresholds are from 2006-2008 SCAQMD Mass rate Localized Significant Thresholds for construction and operation Tables C-1 through C-6 for a disturbance area of 5 acres and at a receptor distance of 25 meters.

² Reference: Source Receptor Area 17 (Central Orange County) Thresholds.

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

**Table 5
Mitigated Localized Significance Construction Emissions (lbs/day)**

LST Pollutants¹	CO	NO_x	PM₁₀	PM_{2.5}
On-site Emissions	52.74	58.47	11.37	6.22
SCAQMD Construction Threshold ²	1,253	183	13	7
Exceeds Threshold (?)	No	No	No	No

¹ Reference LST thresholds are from 2006-2008 SCAQMD Mass rate Localized Significant Thresholds for construction and operation Tables C-1 through C-6 for a disturbance area of 5 acres and at a receptor distance of 25 meters.

² Reference: Source Receptor Area 17 (Central Orange County) Thresholds.

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

Construction Traffic

Construction traffic is expected to be heaviest during the site preparation and grading phases, when a total of approximately 104,138 cubic yards of soil would be hauled from the site. CalEEMod estimates emission levels during all phases of construction related to both on-road and off-road mobile sources. In order to ensure mobile source emissions do not exceed the allowable daily emissions, the Modified Project shall limit the number of hauling trips from the

site to 40 truckloads per day or less. With implementation of Mitigation Measure AQ-1, emission levels associated with on-site and offsite construction traffic would be below the applicable thresholds set forth by the State of California and the SCAQMD. Therefore, the impact would be mitigated to a level that is less than significant.

Operation

Regional Operational Emissions

Long-term operational air pollutant emission impacts of the Modified Project would be associated with stationary and mobile sources, and are shown in Table 6. The Modified Project is expected to exceed the allowable daily emissions thresholds for VOC and NOx at the regional level. Mitigation Measures AQ-3 through AQ-5 would be required to reduce the Modified Project's impact to a level that is less than significant. Table 7 shows the mitigated regional operational emissions levels.

Table 6
Unmitigated Regional Significance Operational Emissions (lbs/day)

Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile Sources	38.78	149.39	443.7	1.57	67.07	20.43
Energy Sources	1.21	10.98	9.22	0.07	0.83	0.83
Area Sources	24.55	0.00	0.22	0.00	0.00	0.00
Total	64.54	160.37	453.14	1.64	67.91	21.27
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold (?)	Yes	Yes	No	No	No	No

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

Table 7
Mitigated Regional Significance Operational Emissions (lbs/day)

Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile Sources	29.59	33.82	215.91	0.52	23.29	7.08
Energy Sources	1.16	10.53	8.85	0.06	0.80	0.80
Area Sources	23.42	0.00	0.12	0.00	0.00	0.00
Total	54.17	44.35	224.88	0.58	24.09	7.88
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold (?)	No	No	No	No	No	No

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

With the implementation of Mitigation Measures AQ-3 through AQ-5, the daily regional emissions would be below the SCAQMD thresholds of significance. Therefore, the impact would be mitigated to a level that is less than significant.

Localized Operational Emissions

Table 8 shows the calculated emissions for the Modified Project's operational activities compared with appropriate LSTs, and Table 9 shows operational emissions with implementation of Mitigation Measures AQ-3 through AQ-5. It should be noted that the LST analysis only includes on-site sources; however, the CalEEMod software outputs do not separate on-site and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in Tables 8 and 9 include all on-site Modified Project related stationary sources and five percent of the Modified Project related new mobile sources. This percentage is an estimate of the amount of Modified Project related new vehicle traffic that would occur on-site, per SCAQMD recommendations.

**Table 8
Unmitigated Localized Significance Operational Emissions (lbs/day)**

LST Pollutants¹	CO	NO_x	PM₁₀	PM_{2.5}
On-site Emissions ²	31.62	18.45	4.19	1.86
SCAQMD Construction Threshold ³	1,253	183	3	2
Exceeds Threshold (?)	No	No	Yes	No

¹ Reference LST thresholds are from 2006-2008 SCAQMD Mass rate Localized Significant Thresholds for construction and operation Tables C-1 through C-6 for a disturbance area of 5 acre and at a receptor distance of 25 meters.

² Per LST methodology, mobile source emissions do not need to be included except for land use emissions and on-site vehicle emissions. It is estimated that approximately 5% of mobile emissions will occur on the project site.

³ Reference: Source Receptor Area 17 (Central Orange County) Thresholds.

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

**Table 9
Mitigated Localized Significance³ Operational Emissions (lbs/day)**

LST Pollutants¹	CO	NO_x	PM₁₀	PM_{2.5}
On-site Emissions ²	19.77	12.22	1.97	1.15
SCAQMD Construction Threshold ³	1,253	183	3	2
Exceeds Threshold (?)	No	No	No	No

¹ Reference LST thresholds are from 2006-2008 SCAQMD Mass rate Localized Significant Thresholds for construction and operation Tables C-1 through C-6 for a disturbance area of 5 acre and at a receptor distance of 25 meters.

² Per LST methodology, mobile source emissions do not need to be included except for land use emissions and on-site vehicle emissions. It is estimated that approximately 5% of mobile emissions will occur on the project site.

³ Reference: Source Receptor Area 17 (Central Orange County) Thresholds.

Note: The Site "C" Hotel Air and Greenhouse Gas Impact Study, City of Garden Grove provides emissions for both the summer and winter timeframes; this table provides the winter timeframe, which typically has higher emissions.

Table 9 indicates that the operational emission rates would not exceed the LST thresholds for the nearest sensitive receptors at 25 meters with the implementation of Mitigation Measures AQ-3 through AQ-5. Therefore, the impact would be mitigated to a level that is less than

significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (d): In addition to the analysis of regional and localized significance thresholds, the updated *Site "C" Hotel Air Quality and Greenhouse Gas Impact Study* included an analysis of carbon monoxide hot spots and a discussion of naturally occurring asbestos.

Carbon Monoxide Hot Spots

A carbon monoxide (CO) hot spot is a localized concentration of CO that is above the state or federal 1-hour or 8-hour ambient air quality standards. High levels of localized CO are associated with traffic congestion and idling or slow-moving vehicles. In the CO attainment re-designation request to the U.S. Environmental Protection Agency (EPA), the SCAQMD has demonstrated that there are no "hot spots" anywhere in the South Coast Air Basin. Additionally, based on the results of the Site "C" Hotel Traffic Impact Study (see Appendix H of this Subsequent IS/MND), all nearby study area intersections were shown to operate at level of service D or better with the addition of the Modified Project and mitigation measures. Therefore, the Modified Project would not significantly contribute to the formation of CO Hot Spots in the vicinity of the project site. Therefore, the impact would be less than significant.

Naturally Occurring Asbestos

The Modified Project is located in Orange County, which is not among the counties that are found to have serpentine and ultramafic rock in their soils. Therefore, the potential risk for naturally occurring asbestos during project construction is small. However, standard rules and regulations would apply to properly handle asbestos if it did occur. Therefore, the impact would be less than significant.

Overall Conclusion

As discussed under responses (b) and (c), above, the Modified Project would not expose sensitive receptors to substantial pollutant concentrations with the implementation of Mitigation Measures AQ-1 through AQ-5. The impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (e): The Modified Project does not contain land uses that would typically be associated with significant odor emissions. Onsite restaurant uses may emit odors; however these are not typically considered offensive and several standard control measures would be implemented to reduce food odors. The Modified Project would be required to comply with standard building code requirements related to exhaust ventilation, as well as comply with SCAQMD Rule 402. Rule 402 requires that a person may 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. Modified Project-related odors are not expected to meet the criteria of being a nuisance. Therefore, the impact would be less than significant. The 2012 IS/MND also concluded the impact to be less than significant.

Mitigation Measures:

Note: To assist reviewers in comparing the primary changes between the 2012 Project and Modified Project, the updated Air Quality and Greenhouse Gas Impact Study (see Appendix B of this Subsequent IS/MND) includes a comparison table showing how previously adopted 2012 mitigation measures and design features (DF) have been incorporated into and/or modified to address (1) new potentially significant environmental effects, (2) potential increases in the severity of previously identified potentially significant effects, or in some cases (3) a decrease in the severity (or elimination of) previously identified potentially significant effects.

Construction

- AQ-1 Limit the number of soil hauling trips to 40 truck loads per day or less during soil excavation.
- AQ-2 Use high-volume, low-pressure (HVLV) coating application systems with air pressure less than 10 pounds per square inch to reduce overspray and increase transfer efficiency.

Operational

- AQ-3 The project should implement a vehicle trip reduction program that includes the following strategies:
- i. Install secure on-site bicycle racks in easily accessible and highly visible locations.
 - ii. Install a bus shelter on the east side of Harbor Boulevard, along the project frontage.
 - iii. Provide transit/shuttle service for guests to local area attractions.
 - iv. Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions
- AQ-4 Limit the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection or other services) to less than 20 per day. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds.
- AQ-5 Use zero VOC interior paint for re-application purposes.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES

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"/>
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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 U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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"/>
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f. Conflict with the provisions of an adopted Habitat 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"/>
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Response (a through f): The 2012 IS/MND concluded that the 2012 Project would have no impacts to biological resources, including impacts related to special-status species, riparian habitat or other sensitive natural communities, federally-protected wetlands, wildlife movement, local policies or ordinances protecting biological resources, or provisions of any habitat conservation plans. These conclusions were based on: (1) a lack of biological resources due to the urban, built-out nature of the City and surrounding area; (2) no known rare or endangered plant or animal species identified within the City (2008 General Plan EIR); (3) the project site not containing any standing surface water that could support riparian habitats, sensitive riparian natural communities, or federally protected wetlands, marshes, or vernal pools; and (4) no conflicts with any local policies or ordinances protecting biological resources, or any local, regional or state habitat conservation plans (2008 General Plan EIR).

These conclusions would remain the same with the Modified Project, which would be located on the same (except smaller) project site that is currently a fenced, vacant lot with all previous site improvements and on-site trees and vegetation removed. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No mitigation measures related to biological resources were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
V. CULTURAL RESOURCES				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 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 Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a through d): The 2012 IS/MND concluded that the 2012 Project would have no impacts to cultural resources, including impacts related to historical resources, archaeological resources, paleontological resources or sites or unique geologic features, or human remains. These conclusions were based on: (1) the site being located within a highly urbanized area with no significant historical, archaeological, paleontological, or geological resources or any known burial sites within the project site and vicinity (2008 General Plan EIR); (2) previous disturbance of the project site; and (3) consultation with the Native American Heritage Commission (NAHC), which identified no Native American resources within one-half mile of the project site (see Appendix C of this Subsequent IS/MND).

These conclusions would remain the same with the Modified Project, which would be located on the same (except smaller) project site that has experienced previous disturbance and is currently a fenced, vacant lot with all previous site improvements and on-site trees and vegetation removed. Additionally, as part of this Subsequent IS/MND the City conducted additional noticing (following up the previous 2012 IS/MND consultation effort with the NAHC) for the Modified Project pursuant to Assembly Bill (AB) 52 and tribal cultural resources. The City received the tribal consultation list from the NAHC on July 6, 2017, and notices were mailed to local tribes on June 30, 2017 and July 6, 2017. The City received no requests for government-to-government consultation and one letter from a tribe stating the project site (including the subterranean parking element of the Modified Project) has little cultural significance (refer also to Section XVII, Tribal Cultural Resources). No new significant impacts would occur as a result

of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased. It should be noted the 2012 IS/MND stated that, if unanticipated archaeological resources, paleontological resources, or human remains are discovered during construction, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with Public Resources Code Section 21083.2, which would also apply to the Modified Project.

Mitigation Measures: No mitigation measures related to cultural resources were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
VI. GEOLOGY AND SOILS				
a. Expose people or structures to 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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- of off-site landslides, 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 risks of life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a[i] and a[ii]): The 2012 IS/MND concluded that the 2012 Project would have less-than-significant impacts associated with rupture of a known earthquake fault and strong seismic ground shaking. These conclusions were based on: (1) the seismic parameters of the site being similar to those of other areas in seismically active Orange County; (2) no expected fault rupture in the immediate vicinity of the project site; and (3) adherence to all applicable codes and requirements, such as the City's 2008 General Plan, Federal Soil Protection Act, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, International Building Code (IBC), California Building Code (CBC), Fire Code, and the City's Municipal Code.

These conclusions would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site that would adhere to the same applicable codes, standards, and requirements, which would similarly ensure proper design for all Modified Project design components. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (a[iii]): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact related to liquefaction unless mitigated. The 2012 IS/MND stated that approximately two-thirds of the City of Garden Grove (including the project site) is located in a liquefaction hazard zone according to the California Department of Conservation. It was determined in the 2012 IS/MND that, in addition to the goals and implementation measures identified in the General Plan to reduce seismic hazard impacts, mitigation requiring site-specific geologic investigation of liquefaction potential for subsequent new development projects within the City has been identified and would be required for the 2012 Project. The 2012 IS/MND concluded that with compliance with the goals and policies of the General Plan, the City's Building Code, and 2012 Mitigation Measure GEO-1 (shown below), potential impacts related to liquefaction would be less than significant.

It should be noted that a preliminary geotechnical investigation of the underlying soil and groundwater conditions has been performed to evaluate geotechnical suitability, which included some site-specific information associated with the potential for liquefaction (the Preliminary Geotechnical Engineering Study Report, October 2, 2012, is included as Appendix D of this Subsequent IS/MND). The preliminary geotechnical investigation found that, with proper engineering measures, design and construction at the project site is feasible from a geotechnical point of view. Specific considerations identified in the preliminary study regarding liquefaction consisted of the following: susceptibility to liquefaction and settlement during an earthquake would require deep foundations such as piles or caissons for heavy structures; and the fairly deep groundwater conditions at the site would allow for lighter structures to be supported by conventional shallow footings, provided appropriate depth of over-excavation and re-compaction is implemented. The preliminary geotechnical study also determined that, due to the present and historic groundwater elevations, construction of up to two stories below grade of subterranean parking is feasible. The 2012 Mitigation Measure GEO-1 (shown below) remains applicable, as the preliminary geotechnical investigation identified the need for further investigation and detailed studies for each building (with any remedial measures during design

and construction) once the buildings are defined and foundation loads are known. This mitigation requirement and the previously identified less-than-significant conclusion remains the same for the Modified Project as it is a similar development located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (a[iv]): The 2012 IS/MND concluded that the 2012 Project would have no impact associated with landslides because the project site is relatively flat and would not normally be subject to landslides or mudslides. This conclusion would remain the same with the Modified Project, which would be located on the same (except smaller) project site that is currently a fenced, vacant lot with all previous site improvements and on-site trees and vegetation removed. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (b and c): The 2012 IS/MND concluded that the 2012 Project would have less-than-significant impacts associated with soil erosion or loss of topsoil and unstable soils or geologic units. These conclusions were based on: (1) the project site being covered by primarily disturbed vegetation and/or impermeable surfaces; (2) preparation of a required grading plan with drainage and erosion control plan to minimize erosion and sedimentation during grading; (3) adherence to Engineering Services Division standards and requirements for storm water and drainage, which includes compliance with applicable Water Quality Management Plan (WQMP) and Storm Water Pollution Prevention Plan (SWPPP) provisions; and (4) adherence to Engineering Services Division standards and requirements for subsidence of land, as well as to applicable codes (e.g., CBC) and State and Federal Occupational Safety requirements.

These conclusions would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site that would adhere to the same applicable codes, standards, and requirements. It should be noted that the project site is currently a fenced, vacant lot with all previous site improvements and on-site trees and vegetation removed. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (d): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact related to expansive soils unless mitigated. The 2012 IS/MND stated that alluvial sediments, deposited by an ancestral Santa Ana River, underlie the City of Garden Grove. Implementation Measure SAF-IMP-6C of the City's General Plan requires all new development to have a site-specific geology report prepared by a registered geologist and submitted, which would ensure impacts related to expansive soils impacts would be evaluated on a project-by-project basis. The 2012 IS/MND concluded that compliance with the goals and policies of the General Plan, the City's Building Code, and the 2012 Mitigation Measure GEO-2 (shown below), would ensure potential impacts related to expansive soils would be less than significant.

It should be noted that a preliminary geotechnical investigation of the underlying soil and groundwater conditions has been performed (see Appendix D of this Subsequent IS/MND) to evaluate geotechnical suitability, which included some site-specific information associated with the potential for expansive soils. The preliminary geotechnical investigation found that, with proper engineering measures, design and construction at the project site (including the subterranean parking element) is feasible from a geotechnical point of view. Specific information in the preliminary study regarding expansive soils identified that the near-surface soils are non-expansive to very low expansive, resulting in a low concern regarding expansion of soils. The 2012 Mitigation Measure GEO-2 (shown below) remains applicable, as the preliminary geotechnical investigation identified the need for further investigation and detailed studies for each building (with any remedial measures during design and construction) once the buildings are defined and foundation loads are known. This mitigation requirement and the previously identified less-than-significant conclusion remains the same for the Modified Project as it is a similar development located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (e): The 2012 IS/MND concluded that the 2012 Project would have no impact associated with an alternative wastewater disposal system because it would be served by the City's sewer system. This conclusion would remain the same with the Modified Project, which would also be served by the City's sewer system. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures:

- GEO-1 Prior to the approval of final design plans, a site-specific geologic investigation of liquefaction potential shall be performed. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.

- GEO-2 Prior to the approval of final design plans, a site-specific geotechnical investigation shall be prepared by a registered geologist. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS

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

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

The 2012 IS/MND included an Air Quality and Greenhouse Gas Impact Study for the 2012 Project. Changes to existing conditions that have occurred since 2012 and the proposed design changes of the Modified Project have necessitated an update to this technical study for the Modified Project. The following analysis is a summary of the updated *Site "C" Hotel Air Quality and Greenhouse Gas Impact Study* (see Appendix B of this Subsequent IS/MND).

Response (a):

Construction

Greenhouse gas (GHG) emissions were estimated for on-site and off-site construction activity using CalEEMod. GHG emissions from Modified Project construction equipment and worker vehicle emissions are shown in Table 10. Emissions include all phases of construction. The total construction emissions would be 5,220.70 metric tons of CO₂e. Construction emissions are averaged over 30 years and added to the long term operational emissions, pursuant to SCAQMD recommendations.

**Table 10
Construction Greenhouse Gas Emissions**

Activity	Emissions (MTCO ₂ e) ¹		
	On-site	Off-site	Total
Site Preparation	105.09	5.45	110.54
Grading	245.86	525.7	771.56
Building Construction	611.09	3,508.12	4,119.21
Paving	107.25	12.01	119.26
Coating	16.62	83.51	100.13
Total	1,085.91	4,134.79	5,220.70
Averaged over 30 years²	36.2	137.83	174.02

¹ MTCO₂e=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, nitrous oxide, and/or hydrofluorocarbons).

² The emissions are averaged over 30 years and added to the operational emissions, pursuant to SCAQMD recommendations.

Operation

GHG emissions were estimated for on-site and off-site operational activity using CalEEMod. Greenhouse gas emissions from mobile sources, area sources and energy sources are shown in Table 11. As shown in Table 11, the total annual unmitigated GHG emissions would be 30,397.85 metric tons of CO₂e.

**Table 11
Operational Greenhouse Gas Emissions
SCAQMD Tier 3 Significance**

Emission Source	Emissions (MTCO ₂ e) ¹	
	Unmitigated (BAU) ²	With Mitigation
Mobile Source	23,013.08	7,539.97
Energy Source	6,832.64	5,520.59
Area Source	0.06	0.03
Water	147.48	132.73
Waste	230.57	115.28
Subtotal (Operational)	30,223.83	13,308.60
Construction (averaged over 30 years)	174.02	174.02
Total Annual Emissions	30,397.85	13,482.62
SCAQMD Tier 3 Significance Threshold ³	3,000	3,000
Exceed Tier 3 Threshold (?)	Yes	Yes

¹ MTCO₂e=metric tons of carbon dioxide equivalents.

² BAU = Business as usual. BAU is used to estimate future emissions from a project. BAU is based on current regulatory requirements and is considered the level from which GHG reductions must occur.

³ Per South Coast Air Quality Management District (SCAQMD) Draft Guidance Document - Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008

The analysis first compares the Modified Project's GHG emissions to the SCAQMD's Tier 3 approach, which limits GHG emissions to 3,000 MTCO₂e. As shown in Table 11, both unmitigated and mitigated GHG emissions are expected to exceed 3,000 MTCO₂e. Therefore, the SCAQMD Tier 4 approach is applicable. The Modified Project must demonstrate a 30% reduction in GHG emissions is attainable compared to business as usual (BAU) conditions. Per SCAQMD guidelines, BAU is based on current regulatory requirements, and is considered the level from which GHG reductions must occur.

Table 12 shows the SCAQMD Tier 4 (compliance option 1) significance analysis. With the implementation of Mitigation Measures AQ-3 through AQ-5 and GHG-1 through GHG-5, the Modified Project would provide a 55.6% reduction in emissions, greater than 30% reduction from BAU conditions required by SCAQMD. Additionally, it is demonstrated that with Mitigation Measures AQ-3 through AQ-5 and GHG-1 through GHG-5, the Modified Project would achieve greater than 40% reduction in GHG emissions and is therefore consistent with the latest 2017 CARB Scoping Plan.

Table 12
Operational Greenhouse Gas Emissions
SCAQMD Tier 4 (Compliance Option 1) Significance

Project Alternative	Emissions (MTCO ₂ e) ¹
Unmitigated (BAU) ²	30,397.85
Mitigated	13,482.62
Reduction in Emissions	55.6%
SCAQMD Tier 4 Threshold for GHG Reduction ³	30%
Project Consistent with SCAQMD Significance Guidelines?	Yes
CARB 2017 Scoping Plan Target GHG Reduction ⁴	40%
Project Consistent with CA ARB Scoping Plan?	Yes
Significant Impact?	No

¹ MTCO₂e=metric tons of carbon dioxide equivalents.

² BAU = Business as usual. BAU is used to estimate future emissions from a project. BAU is based on current regulatory requirements and is considered the level from which GHG reductions must occur.

³ Per South Coast Air Quality Management District (SCAQMD) Draft Guidance Document - Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008

⁴ Per California Air Resources Board 2017 Climate Change Scoping Plan Update, January 2017

It should be noted that the above analysis applies project-specific mitigation measures to achieve GHG reductions and does not assume any reductions based on adopted plans or future regulation that may further reduce emissions.

Based on the established thresholds of significance, the Modified Project would not generate GHG emissions, either directly and indirectly, that may have a significant impact on the environment. Therefore, the impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (b): The Modified Project is consistent with the City of Garden Grove General Plan Land Use Designation and Zoning requirements and is consistent with the 2017 California Air Resources Board Climate Change Scoping Plan Update as indicated in Table 12. The Modified Project would not exceed the GHG emission thresholds outlined in the SCAQMD Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold with the implementation of Mitigation Measures AQ-3 through AQ-5 and GHG-1 through GHG-5. As such, the Modified Project is consistent with the applicable plans, policies and regulations for the purpose of reducing GHG gases. Therefore, the impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Mitigation Measures: See Mitigation Measures AQ-3 through AQ-5, above (Section III. Air Quality).

Note: To assist reviewers in comparing the primary changes between the 2012 Project and Modified Project, the updated Air Quality and Greenhouse Gas Impact Study (see Appendix B of this Subsequent IS/MND) includes a comparison table showing how previously adopted 2012 mitigation measures and design features (DF) have been incorporated into and/or modified to

address (1) new potentially significant environmental effects, (2) potential increases in the severity of previously identified potentially significant effects, or in some cases (3) a decrease in the severity (or elimination of) previously identified potentially significant effects.

- GHG-1 Install energy star rated lighting for all lighting uses that are not part of the building envelope, such as lamps and other “plug-ins” that are not subject to Title 24 regulation.
- GHG-2 No hearths allowed.
- GHG-3 Use electric landscaping equipment, such as lawn mowers and leaf blowers.
- GHG-4 Implement a water conservation program that includes the following strategies:
 - i. Install low flow fixtures and toilets
 - ii. Install water efficient irrigation systems and drought tolerant/native landscaping. No turf.
- GHG-5 Implement a waste recycling and composting program to divert over 50% of waste away from a landfill.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input 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 create a significant hazard for people residing or working in the project area? | <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 for people residing or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

working in the project area?

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazards for people residing or working in the project area?

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fire, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Response (a): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to the routine transport, use, or disposal of hazardous materials because it would comply with applicable Federal, State, and local regulations (i.e., Comprehensive Environmental Response, Compensation, and Liability Act, Title 22 of the California Code of Regulations, California Health and Safety Code, Occupational Safety and Health Act, Garden Grove Municipal Code) pertaining to the transport, storage, use and/or disposal of hazardous materials on the project site. The Modified Project would introduce the same or similar land uses (commercial/retail) involving routine transport and use of substances that are classified as hazardous materials (such as paints, solvents, and other materials). This conclusion would remain the same with the Modified Project, which would adhere to the same applicable codes, standards, and requirements. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (b): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact related to a reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment unless mitigated. The 2012 IS/MND identified Phase I and limited Phase II studies that were performed for the project site, which did not find any evidence of contamination in any of the soil piles sampled but recommended performing additional soil sampling and analysis to determine if any agricultural chemicals (from the previous Camperland RV Park) remained at the site. The 2012 IS/MND concluded that the 2012 Project conditions of approval would require implementation of the Phase 1 recommendations prior to grading, which were included in the 2012 IS/MND as Mitigation Measures HHM-1 and HHM-2 (shown below). These same 2012 mitigation requirements remain applicable to the Modified Project as it is a similar development located on the same (except smaller) project site that is currently a fenced, vacant lot with all previous site improvements and on-site trees and vegetation removed. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (c): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to hazardous emissions or handling hazardous or acutely hazardous

materials, substances, or waste within one-quarter mile of an existing or proposed school. This conclusion would remain the same with the Modified Project. Earl Warren Elementary School is located within 0.25-mile of the project site. However, the Modified Project would comply with applicable Federal, State, and local regulations pertaining to the transport, storage, use and/or disposal of hazardous materials on the project site, as well as implement the Phase 1 recommendations for possible agricultural chemical contamination at the project site prior to grading. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (d through h): The 2012 IS/MND concluded that the 2012 Project would have no impact related to being located on a listed hazardous materials site, being located within an airport land use plan or within two miles of a public airport or private airstrip, interfering with an emergency response or emergency evacuation plan, or exposing people or structure to significant risk involving wildland fire. These conclusions were based on: (1) the project site is not located on a site that has been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; (2) the project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip; (3) development of the project site would not physically interfere with an adopted emergency response plan or emergency evacuation plan; and (4) the project site is located in urbanized area of the City and is not located adjacent to any wildlands or an area where development is intermixed with wildlands.

These conclusions would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site, which has not been added to a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and which remains more than two miles from a public airport or private airstrip. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures:

- HHM-1 Prior to the issuance of a grading permit, soil sampling and analysis shall be performed to determine if any agricultural chemicals remained at the site. If any agricultural chemicals are found, the contamination shall be removed.

- HHM-2 Prior to the issuance of a grading permit, the project conditions of approval shall require implementation of the Phase 1 study recommendations.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or 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 (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted?)	<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, in a manner which would result in substantial erosion or siltation on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place structures within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunamis, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a through f): The 2012 IS/MND concluded that the 2012 Project would have less-than-significant impacts related to water quality standards or waste discharge requirements, groundwater, and alteration of existing drainage patterns. These conclusions were based on: (1) compliance with numerous Federal and State statutes, regulations and programs designed to protect and enhance water quality including, without limitation, the Federal Water Pollution

Control Act and its amendments (Federal Clean Water Act), the Porter-Cologne Water Act, the National Pollutant Discharge Elimination Program, the Municipal Stormwater Permitting Program, and the Water Quality Control Plan for the Santa Ana River Basin; (2) compliance with the Garden Grove Municipal Code and the Garden Grove Sanitary District regarding water quality requirements; (3) obtaining coverage under the General Construction Activity Stormwater Permit and preparation of a Storm Water Pollution Prevention Plan (SWPPP) and associated best management practices (BMPs), such as silt fences, erosion control blankets, stabilized construction exit, above grade concrete washout, etc.; (4) the development of a Preliminary Water Quality Management Plan (WQMP) that incorporates non-structural and structural source control BMPs, as defined in the Orange County Drainage Area Master Plan (DAMP); the availability of a sufficient and reliable water supply according to the Water Supply Assessment (WSA [see Appendix F of this Subsequent IS/MND]; refer to Section XVIII, Utilities and Service Systems, for additional details), along with no use of on-site groundwater resources; and (5) minimal disturbance to the existing drainage pattern of the project site and area, as the drainage system (curb openings, lined bio-swales, and bio-retention areas) would be designed to control the flow rate of on-site runoff.

These conclusions would remain the same with the Modified Project, which would adhere to the same applicable codes, standards, and requirements, and that is a similar development located on the same (except smaller) project site. It should be noted that with the reduced project site (5.2 acres reduced to 4.3 acres) the Modified Project would introduce less impervious surfaces compared to the 2012 Project. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (g and h): The 2012 IS/MND concluded that the 2012 Project would have no impacts associated with the placement of housing or structures within a 100-year flood hazard area because the project site is not located within the 100-year flood hazard area. The project site is located within the Regular Flood Hazard Zone "X", which includes areas of 500-year flood with average depths of less than one foot, or with drainage areas less than one square mile, and areas protected by levees from 100-year floods.

These conclusions would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (i): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to flooding. This conclusion was based on: (1) the project site is not located within the 100-year flood hazard area; but is located within the Regular Flood Hazard Zone "X", which includes areas of 500-year flood with average depths of less than one foot, or with drainage areas less than one square mile, and areas protected by levees from 100-year floods; (2) compliance with the City's Municipal Code, the City's Emergency Management Plan, and grading improvement plan restrictions; and (3) compliance with the City's Municipal Code

(i.e., Title 9), the goals, policies, and implementation measures included in the proposed General Plan Update, and the City's *Emergency Management Plan* (which addresses the flooding risk for the City).

This conclusion would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (j): The 2012 IS/MND concluded that the 2012 Project would have no impact associated with inundation by seiche, tsunami, or mudflow because the project site is located at a distance from the coast, is not located near any large bodies of water that could be subject to seiche activity, or located near hilly or mountainous areas that have the potential for mudflows.

This conclusion would remain the same with the Modified Project, which would be located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No mitigation measures related to hydrology and water quality were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
X. LAND USE AND PLANNING				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a and b): The 2012 IS/MND concluded that the 2012 Project would have less-than-significant impacts related to physically dividing an established community and land use plans, policies, and regulations. These conclusions were based on implementation of proposed General Plan land use designation and Planned Unit Development zoning changes for the site that would be compatible with the surrounding area in intensity and density.

These conclusions would remain the same with the Modified Project, which would be located on the same (except smaller) project site. It should be noted that the General Plan Amendment and Planned Unit Development zoning was implemented for the project site following approval of the 2012 Project. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not conflict with any land use plan, policy, or regulation. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (c): The 2012 IS/MND concluded that the 2012 Project would have no impact related to conflicting with a habitat conservation plan or natural community conservation plan. This conclusion was based on the project site being located in a highly urbanized area of Orange County that is not subject to any habitat conservation plan or natural community conservation plan (2008 General Plan EIR), and with no new plans being adopted in the area since the 2008 General Plan EIR and the 2012 IS/MND.

Mitigation Measures: No mitigation measures related to land use and planning were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
XI. MINERAL RESOURCES				
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"/>

Response (a and b): The 2012 IS/MND concluded that the 2012 Project would have no impact to mineral resources, including to loss of availability of a known mineral resource of value or a locally-important mineral resource recovery site, because there are no mineral resources within the City of Garden Grove (2008 General Plan EIR).

These conclusions would remain the same with the Modified Project, which would be located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No mitigation measures related to mineral resources were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
XII. NOISE				
a. Exposure of persons to or generated of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standard of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. A permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The 2012 IS/MND included a Noise Impact Study for the 2012 Project. Changes to existing conditions that have occurred since 2012 and the proposed design changes of the Modified Project have necessitated an update to this technical study for the Modified Project. The following analysis is a summary of the updated *Site "C" Hotel Noise Impact Study* (see Appendix G of this Subsequent IS/MND).

Response (a):

Roadway Noise Impacts

This assessment analyzes the traffic-related noise impacts from the Modified Project to the adjacent roadway network. Increases in traffic noise levels are analyzed along Harbor Boulevard, adjacent to the project site. Vehicular access to the project site would be restricted through the Twintree neighborhood, and roadway noise impacts on Twintree Lane are expected to be minimal. As a result, a roadway noise impact was not conducted along Twintree Lane.

Existing Plus Project Conditions

Table 13 indicates the Existing Plus Project noise levels along Harbor Boulevard and compares the change in roadway noise level to without project conditions. As shown, the Modified Project is anticipated to have minimal impact to the existing traffic noise levels. Noise levels are expected to increase by approximately 0.7 dBA CNEL Harbor Boulevard. Typically, the human ear can barely perceive the change in noise level of 3 dB, and therefore, the minor increase in noise is considered less than significant. Furthermore, noise levels along Harbor Boulevard would remain within the conditionally acceptable limits for residential and transient lodging land uses.

**Table 13
Existing Plus Project Conditions
Roadway Noise Impact Analysis (dBA CNEL)¹**

EXISTING CONDITIONS						
Roadway²	Segment	CNEL at 100 ft (dBA)	Distance to Contour (ft)³			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Harbor Boulevard	Chapman Ave. to Lampson Ave.	67.2	65	141	303	653
EXISTING PLUS PROJECT CONDITIONS						
Harbor Boulevard	Chapman Ave. to Lampson Ave.	67.9	72	155	334	721
CHANGE AS A RESULT OF PROJECT						
Harbor Boulevard	Chapman Ave. to Lampson Ave.	+0.7	+7	+14	+31	+68

¹ Exterior noise levels calculated at 5 feet above ground level.

² Noise levels calculated from centerline of subject roadway.

³ Refer to Appendix C of Appendix G for projected noise level calculations.

Opening Year 2021 Conditions

Table 14 compares the change in roadway noise levels for Opening Year 2021 conditions without and with the Modified Project. Future noise levels are expected to increase by approximately 0.5 dBA CNEL along Harbor Boulevard, as a result of the Modified Project. The minor increase in noise is considered less than significant. Noise levels along Harbor Boulevard would remain within the conditionally acceptable limits for residential and transient lodging land uses. Therefore, the Modified Project is not expected to cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Table 14
Opening Year 2021 Conditions
Roadway Noise Impact Analysis (dBA CNEL)¹

EXISTING CONDITIONS						
Roadway ²	Segment	CNEL at 100 ft (dBA)	Distance to Contour (ft) ³			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
Harbor Boulevard	Chapman Ave. to Lampson Ave.	68.3	77	166	357	770
EXISTING PLUS PROJECT CONDITIONS						
Harbor Boulevard	Chapman Ave. to Lampson Ave.	68.8	83	179	386	833
CHANGE AS A RESULT OF PROJECT						
Harbor Boulevard	Chapman Ave. to Lampson Ave.	+0.5	+6	+13	+29	+63

¹ Exterior noise levels calculated at 5 feet above ground level.

² Noise levels calculated from centerline of subject roadway.

³ Refer to Appendix C of Appendix G for projected noise level calculations.

Stationary Source Noise Impacts

The stationary noise impacts associated with the Modified Project would include on-site generated noise such as condenser unit noise from heating, ventilation, and air conditioning (HVAC) units, noise from automobiles in the parking structure, loading/unloading, deliveries and trash truck activities, and noise from amplified music at the rooftop pool/lounge areas. The Modified Project must not exceed the City's stationary daytime and nighttime noise standard for residential uses at the east property line.

Tables 15 and 16 indicate the daytime and nighttime, respectively, stationary noise levels associated with operations at the project site along the east property line. Noise levels account for all noise sources operating simultaneously and the implementation of Mitigation Measures NOI-1 through NOI-3. When combined with the existing ambient noise level, the stationary noise impacts would result in noise levels of approximately 51.3 dBA Leq level during daytime and 51.2 dBA Leq level during nighttime at the residential land uses near the eastern property line.

Table 15
Daytime (7:00AM –10:00PM) Exterior Noise Levels From Stationary Sources
Eastern Property Line (dBA)

Source ¹	Adjusted Noise Levels (dBA) ^{2,3}						
	Distance from Reference Source (feet).	Leq	Lmax (max)	L2 (1 min)	L8 (5 min)	L25 (15 min)	L50 (30 min)
HVAC Equipment	100	32.0	32.0	32.0	32.0	32.0	32.0
Parking Structure	25	44.1	56.0	49.5	47.0	44.9	42.7
Delivery/Trash Trucks	25	46.8	64.5	59.0	48.5	42.0	39.0
Rooftop Pool/Amplified Music	150	39.1	51.8	45.0	42.7	39.7	38.2
Adjusted Ambient	--	47.0	53.7	52.2	50.1	48.7	45.7

Source ¹	Adjusted Noise Levels (dBA) ^{2,3}						
	Distance from Reference Source (feet).	Leq	Lmax (max)	L2 (1 min)	L8 (5 min)	L25 (15 min)	L50 (30 min)
Measurement ⁴							
Total Combined Exterior Noise Impact		51.3	65.6	60.4	53.9	51.2	48.6
City of Garden Grove Noise Level Criteria		n/a	75.0	70.0	65.0	60.0	55.0
Change in Noise Level as a Result of Project		+4.2	+11.8	+8.1	+3.7	+2.5	+2.9
Significant Impact (?) ⁵		NO	NO	NO	NO	NO	NO

¹ Exterior noise levels calculated at eastern property line.

² Noise levels include the attenuation effects of the proposed property line wall.

³ See Appendix E of Appendix G for dBA calculations.

⁴ A 5 dB reduction in ambient noise was assumed for the noise attenuation from the of property line

⁵ A significant impact is assumed if the following occurs:

- (1) An individual stationary noise source exceeds the City's noise criteria, without the combined effect of existing ambient noise.
- (2) The existing ambient noise level is below the City's noise level criteria and the combined effect of stationary noise exceeds the City's noise level criteria.
- (3) The existing ambient noise level is above the City's noise level criteria and the combined effect of stationary noise results in a 3 dB increase or more.

Table 16
Nighttime (10:00PM – 7:00AM) Exterior Noise Levels From Stationary Sources
Eastern Property Line (dBA)

Source ¹	Adjusted Noise Levels (dBA) ^{2,3}						
	Distance from Reference Source (feet).	Leq	Lmax (max)	L2 (1 min)	L8 (5 min)	L25 (15 min)	L50 (30 min)
HVAC Equipment	100	32.0	32.0	32.0	32.0	32.0	32.0
Parking Structure	25	44.1	56.0	49.5	47.0	44.9	42.7
Delivery/Trash Trucks	25	53.9	71.6	66.1	55.6	49.1	46.1
Rooftop Pool/Amplified Music	150	39.1	51.8	45.0	42.7	39.7	38.2
Adjusted Ambient Measurement ⁴	--	46.7	61.2	52.0	49.7	47.7	45.6
Total Combined Exterior Noise Impact		51.2	66.7	60.3	53.7	50.7	48.5
City of Garden Grove Noise Level Criteria		n/a	75.0	70.0	65.0	60	55.0
Change in Noise Level as a Result of Project		+4.4	+5.5	+8.3	+4.0	+3.0	+2.9
Significant Impact (?) ⁵		NO	NO	NO	NO	NO	NO

¹ Exterior noise levels calculated at eastern property line.

² Noise levels include the attenuation effects of the proposed property line wall.

³ See Appendix E of Appendix G for dBA calculations.

⁴ A 5 dB reduction in ambient noise was assumed for the noise attenuation from the of property line

⁵ A significant impact is assumed if the following occurs:

- (1) An individual stationary noise source exceeds the City's noise criteria, without the combined effect of existing ambient noise.
- (2) The existing ambient noise level is below the City's noise level criteria and the combined effect of stationary noise exceeds the City's noise level criteria.
- (3) The existing ambient noise level is above the City's noise level criteria and the combined effect of stationary noise results in a 3 dB increase or more.

With the implementation of Mitigation Measures NOI-1 through NOI-3, noise levels associated with the Modified Project would be within the City's allowable limits for both daytime and nighttime conditions. The results of the stationary noise analysis indicate that noise impacts

would not result in substantial permanent increase. Therefore, the impact would be mitigated to a level that is less than significant.

Interior Noise Levels

The future interior noise level was calculated for the sensitive receptor locations using a typical “windows open” and “windows closed” condition. A “windows open” condition assumes 12 dBA of noise attenuation from the exterior noise level. A “windows closed” condition” assumes 20 dBA of noise attenuation from the exterior noise level. In order to meet the State of California interior noise standard of 45 dBA CNEL, a “windows closed” condition with upgraded STC windows is required.

With windows closed condition and upgraded STC rated windows, all interior habitable areas would be below 45 dBA CNEL. Per the Unified Building Code (UBC) a “windows closed” condition requires mechanical ventilation.

In order to comply with the City of Garden Grove’s Noise Criteria, the Modified Project would implement Mitigation Measure NOI-4. Therefore, the impact would be mitigated to a level that is less than significant.

Overall Conclusion

Therefore, with the implementation of Mitigation Measures NOI-1 through NOI-4, the Modified Project would not result in exposure of persons to or generate of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standard of other agencies. The impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (b):

Construction Vibration

To determine the vibratory impacts during construction, the reference construction equipment vibration levels (see Table 17) were utilized and then extrapolated to the nearest sensitive receptors. For the Modified Project, the nearest sensitive receptors are residential homes located approximately 25 feet from the eastern property line. For purposes of assessing structural impacts from vibration, the nearest sensitive receptors are considered “older residential structures”. No historic or fragile buildings are known within the vicinity of the project site.

Table 17
Construction-Related Vibration Reference Levels

GUIDELINE VIBRATION DAMAGE POTENTIAL THRESHOLD CRITERIA		
Structure and Condition	Peak Particle Velocity (PPV) (inches/second)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins ancient monuments	0.12	0.08
Fragile buildings	0.20	0.10
Historic and some old buildings	0.50	0.25
Older residential structures	0.50	0.30
New residential structures	1.00	0.50
Modern industrial/commercial buildings	2.00	0.50
GUIDELINE VIBRATION ANNOYANCE POTENTIAL CRITERIA		
Human Response	PPV (inches/second)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.90	0.10
Severe	2.00	0.40

See Appendix G for additional information regarding the Caltrans Transportation and Construction-Induced Vibration Guidance Manual, June 2004.

The primary source of vibration during construction would be from activity associated with the excavation of and foundation for the subterranean parking structure. The construction vibration assessment utilizes the referenced vibration levels and methodology set forth within the Caltrans Transportation and Construction Induced Vibration Guidance Manual. Table 18 shows the referenced vibration levels.

Table 18
Typical Construction Vibration Levels¹

Equipment	PPV (inches/second) at 25 feet	Approximate Vibration Level (LV) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86

Equipment	PPV (inches/second) at 25 feet	Approximate Vibration Level (LV) at 25 feet
Jackhammer	0.035	79
Small bulldozer	0.003	58

¹ Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.

Table 19 provides the construction-related vibration analysis. The estimated vibration levels at the nearest sensitive receptors are compared to the Caltrans Vibration Manual thresholds. The vibratory impact from pile driving activity is estimated to be 0.650 PPV (in/sec) at the nearest sensitive receiver from a distance of 25 feet away. The annoyance potential of vibration from pile driving activities would be considered “severe”. The damage potential to the nearest structure would be within the “new structure” category.

Table 19
Construction Vibration Analysis¹

Construction Activity	Distance to Nearest Structure	Duration	Calculated Vibration Level – PPV (in/sec)	Damage Potential Level	Annoyance Criteria Level
Impact Pile Driving	25 feet	Continuous/Frequent	0.650	New Structures	Severe
Caisson Drilling	25 feet	Continuous/Frequent	0.089	Extremely fragile historic buildings, ruins, ancient monuments	Distinctly Perceptible

¹ Vibration analysis is based on the Caltrans Guidance Manual for Transportation and Construction-Induced Vibration, June 2004.

Based on the results of this analysis, the vibration impacts from impact pile driving have the potential to exceed the allowable limits for structural damage and human annoyance thresholds. Table 19 shows that caisson drilling would have significantly lower impacts on the adjacent residential homes. Therefore, no impact pile driving shall occur as a part of the Modified Project and caisson drilling should be used as a feasible alternative construction method. With the implementation of Mitigation Measure NOI-5 and NOI-6, vibration levels associated with the construction of the Modified Project would be mitigated to a level that is less than significant. It should be noted that the 2012 IS/MND concluded the impact to be less than significant.

Response (c):

As discussed under response (a), above, noise levels along Harbor Boulevard would remain within the conditionally acceptable limits for residential and transient lodging land uses, operational noise levels would be within the City’s allowable limits for both daytime and nighttime conditions with the implementation of Mitigation Measures NOI-1 through NOI-3, and all interior habitable areas would be below 45 dBA CNEL threshold with implementation of Mitigation Measure NOI-4. Therefore, the Modified Project is not expected to cause a substantial permanent increase in ambient noise levels in the project vicinity above levels

existing without the project. The impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (d):

During construction, the contractors would be required to comply with the Noise Ordinance from the City of Garden Grove's Municipal Code. The City provides exemptions for construction activity during certain hours of the day. All construction activities would take place during the specified daytime hours, between 7AM to 10PM, Monday through Saturday. No construction activity shall occur on Sundays or Federal holidays. Nonetheless, the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (2006) provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction. For residential uses, the daytime noise threshold is 80 dBA Leq for an 8-hour period. In compliance with the City's Municipal Code, it is assumed construction would not occur during the noise-sensitive nighttime hours.

The EPA has compiled data regarding the noise-generated characteristics of typical construction activities and indicates that typical construction equipment can have noise impacts over 90 decibels.

The potential short-term noise impacts from construction activity are calculated and provided in Table 20. The estimated construction noise levels are calculated using the Federal Highway Administration Roadway Construction Noise Model Version 1.1. Noise levels are calculated based on the average distance of equipment over an 8-hour period near the center of site; approximately 170 feet from residential property line. The construction-related noise levels are shown for each phase of construction.

**Table 20
Unmitigated Construction-Related Noise Levels (dBA)¹**

Phase	Equipment	Quantity	Calculated Noise Level (dBA) ²		Combined Noise Level (dBA)	
			Lmax	Leq	Lmax	Leq
Site Preparation	Rubber Tired Dozers	3	71	67.1	81.0	77.0
	Tractors/Loaders/Backhoes	4	73.4	69.4		
Grading	Excavators	1	70.1	66.1	80.6	76.7
	Graders	1	74.1	70.4		
	Rubber Tired Dozers	1	71	67.1		
	Tractors/Loaders/Backhoes	3	73.4	69.4		
Building Construction	Cranes	1	69.9	62.0	90.5	84.3
	Forklifts	3	64.1	57.1		
	Generator Sets	1	70.0	67.0		
	Tractors/Loaders/Backhoes	3	73.4	69.4		
	Welders	1	63.4	59.4		
	Pile Driver	1	90.6	83.7		

Phase	Equipment	Quantity	Calculated Noise Level (dBA) ²		Combined Noise Level (dBA)	
			Lmax	Leq	Lmax	Leq
Paving	Cement and Mortar Mixers	2	68.2	64.2	83.3	77.0
	Pavers	1	66.6	63.6		
	Paving Equipment	2	78.9	71.9		
	Rollers	2	69.4	62.4		
	Tractors/Loaders/Backhoes	1	73.4	69.4		
Arch. Coating	Air Compressors	1	67	63.1	67.0	63.1
Maximum Construction Phase Noise Level - Leq (dBA)						84.3
FTA Construction Noise Criteria (Detailed Assessment: 8-Hour Leq)						80
Potentially Significant Short-Term Noise Impact (Yes/No?)						Yes

¹ Construction noise levels calculated using the Federal Highway Administration Roadway Construction Noise Model Version 1.1. Noise levels calculated based on average distance of equipment over an 8-hour period (center of site); approximately 170 feet from residential property line.

² Construction noise criteria based on the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (May 2006).

As shown in Table 20, the use of impact pile driving equipment would result in noise levels that exceed the FTA criteria for residential uses. Table 21 shows the mitigated noise levels with caisson drilling (Mitigation Measure NOI-6), as a feasible alternative construction method to impact pile driving. During the construction period, the contractors would be required to comply with all applicable City Ordinances.

Table 21
Mitigated Construction-Related Noise Levels (dBA)¹

Phase	Equipment	Quantity	Calculated Noise Level (dBA) ²		Combined Noise Level (dBA)	
			Lmax	Leq	Lmax	Leq
Site Preparation	Rubber Tired Dozers	3	71	67.1	81.0	77.0
	Tractors/Loaders/Backhoes	4	73.4	69.4		
Grading	Excavators	1	70.1	66.1	80.6	76.7
	Graders	1	74.1	70.4		
	Rubber Tired Dozers	1	71	67.1		
	Tractors/Loaders/Backhoes	3	73.4	69.4		
Building Construction	Cranes	1	69.9	62.0	90.7	76.0
	Forklifts	3	64.1	57.1		
	Generator Sets	1	70.0	67.0		
	Tractors/Loaders/Backhoes	3	73.4	69.4		
	Welders	1	63.4	59.4		
	Caisson Drilling	1	73.7	66.7		
Paving	Cement and Mortar Mixers	2	68.2	64.2	83.3	77.0
	Pavers	1	66.6	63.6		
	Paving Equipment	2	78.9	71.9		
	Rollers	2	69.4	62.4		
	Tractors/Loaders/Backhoes	1	73.4	69.4		
Arch. Coating	Air Compressors	1	67	63.1	67.0	63.1
Maximum Construction Phase Noise Level - Leq (dBA)						77.0

FTA Construction Noise Criteria (Detailed Assessment: 8-Hour Leq)	80
Potentially Significant Short-Term Noise Impact (Yes/No?)	No

¹ Construction noise levels calculated using the Federal Highway Administration Roadway Construction Noise Model Version 1.1. Noise levels calculated based on average distance of equipment over an 8-hour period (center of site); approximately 170 feet from residential property line.

² Construction noise criteria based on the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (May 2006).

Underlined = Mitigation Measure NOI-6

Mitigation Measure NOI-5 and several project design features (DF-NOI-7 through DF-NOI-11) would also serve to reduce noise impacts during construction. Therefore, construction of the Modified Project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (e and f):

The project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip and no airport noise impacts were observed during noise monitoring of the site for the Updated Noise Study. No impacts would occur. The 2012 IS/MND also concluded that no impacts would occur.

Mitigation Measures:

Note: To assist reviewers in comparing the primary changes between the 2012 Project and Modified Project, the updated Noise Impact Study (see Appendix G of this Subsequent IS/MND) includes a comparison table showing how previously adopted 2012 mitigation measures and DFs have been incorporated into and/or modified to address (1) new potentially significant environmental effects, (2) potential increases in the severity of previously identified potentially significant effects, or in some cases (3) a decrease in the severity (or elimination of) previously identified potentially significant effects.

- NOI-1 Install an 8-foot masonry block sound wall along eastern property boundary.
- NOI-2 Install 4-foot noise shielding walls on each floor of the parking structure facing the residential neighborhood to the east and the parking surface shall be treated to minimize tire screeching.
- NOI-3 Locate all mechanical equipment at least 100 feet from residential property line.
- NOI-4 A “windows closed” condition and upgraded STC rated windows is required to meet interior noise standards for all hotel rooms.
- NOI-5 Notify the surrounding neighbors prior to beginning the heavy earth work.

NOI-6 No impact pile driving activities shall be allowed on the project site.

Project Design Features (DF)

- DF-NOI-1 No outdoor amplified music shall be played on the pool deck past 10 p.m.
- DF-NOI-2 All pool equipment should be fully shielded or enclosed from line of sight. Shielding/parapet wall should be at least as high as the equipment.
- DF-NOI-3 Delivery, loading/unloading activity, and trash pick-up hours should be limited to daytime (7AM-10PM) hours only.
- DF-NOI-4 Limit engine idling time for all delivery vehicles and moving trucks to 5 minutes or less.
- DF-NOI-5 A noise monitoring program should be implemented during project operations, especially during live events with amplified music, to ensure noise levels do not exceed the City's noise standards.
- DF-NOI-6 For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have a positive seal and leaks/cracks must be kept to a minimum.
- DF-NOI-7 All construction activities should take place during daytime hours, between 7AM to 10PM, Monday through Saturday. No construction activity shall occur on Sundays or Federal holidays.
- DF-NOI-8 During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices and equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Idling equipment should be turned off when not in use.
- DF-NOI-9 Locate staging area, generators and stationary construction equipment as far from the easterly property line, as reasonably feasible.
- DF-NOI-10 Construction related noise activities shall comply with the requirements set forth in the City of Garden Grove Municipal Code Section 8.47.
- DF-NOI-11 A noise and vibration monitoring program will be implemented during construction. The monitoring program will alert construction management personnel when noise levels approach the upper limits of the 8-hour Leq exceedance threshold (80 dBA) along the residential property line. Vibration monitoring should occur during phases of heavy earthmoving and report incidents over 0.25 PPV (in/sec) at the adjacent residential structures.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes or 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 housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response (a): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to inducing population growth. This conclusion was based on: (1) the temporary transient occupancy associated with the nature of hotel land uses; (2) the project site being located in a highly urbanized area with all necessary infrastructure already in place; (3) the 2012 Project being within the permitted density limits of the General Plan land use designation; (4) sufficient housing stock in the City to accommodate potential housing needs related to the increase in service-related employment opportunities; and (5) the 2012 Project being within the thresholds considered and addressed in the City’s 2008 General Plan EIR regarding direct and indirect population growth.

This conclusion would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site that maintains the same number of hotels and hotel rooms as the 2012 Project and would have similar service housing needs compared to the 2012 Project. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not affect temporary transient occupancy. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (b and c): The 2012 IS/MND concluded that the 2012 Project would have less-than-significant impacts related to the displacement of existing housing and people. These conclusions were based on: (1) minimal displacement of one commercial business and four residences; (2) development of a relocation plan with relocation assistance to be implemented for residents and businesses impacted by development at the project site; and (3) City ownership of four adjacent homes, which would be leased to renters.

These conclusions would remain the same with the Modified Project as it is a similar development located on the same (except smaller) project site. It should be noted that the

commercial business and four residences that were present on the project site at the time of the analysis within the 2012 IS/MND have since been demolished following approval of the 2012 Project. No further displacement would be required for the Modified Project. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No mitigation measures related to population and housing were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XIV. 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 checked="" type="checkbox"/>	<input 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"/>

Response (Fire Protection): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact related to fire protection services unless mitigated. The 2012 IS/MND stated that the 2012 Project would be required to comply with all applicable fire code and ordinance requirements for construction, access, water mains, fire flows, and hydrants, and would be reviewed by the City of Garden Grove Fire Department (GGFD). Furthermore, the WSA (Appendix E of this Subsequent IS/MND) that was prepared for the 2012 Project indicated an internal fire loop would be required to be constructed around the site to provide adequate firefighting capability to all structures located on the project site, which was included in the 2012 IS/MND as Mitigation Measure PS-1. The 2012 IS/MND concluded that with implementation of all GGFD requirements and the 2012 Mitigation Measure PS-1 (shown below), the 2012 Project would result in a less-than-significant impact to fire protection services. This conclusion and the same 2012 mitigation requirement would remain the same for the Modified Project as it is a similar development located on the same (except smaller) project site that maintains the same number of hotels and hotel rooms as the 2012 Project. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not substantially affect fire protection service ratios. The Modified Project would have a comparable demand to the 2012 Project for fire protection

services. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (Police Protection): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact to police protection services. This conclusion was based on: (1) the nature of the proposed hotel land use; (2) that the proposed development would not induce population growth beyond that already planned for the project site; and (3) compliance with conditions of approval from the Police Department.

This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site that maintains the same number of hotels and hotel rooms as the 2012 Project. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not substantially affect police protection service ratios. The Modified Project would have a comparable demand to the 2012 Project for police protection services. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (Schools, Parks, and Other Public Facilities): The 2012 IS/MND concluded that the 2012 Project would have no impacts to schools, parks, and other public facilities. These conclusions were based on: (1) the temporary transient occupancy associated with the nature of hotel land uses; (2) payment of school fees to Garden Grove Unified School District that are applied to new development in the City; (3) the proposed development not being located on a site previously developed as a park; and (4) the provision of on-site recreation.

This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures:

PS-1 An internal fire loop shall be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that the substantial physical deterioration of the facility would occur or be accelerated?

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response (a and b): The 2012 IS/MND concluded that the 2012 Project would have no impact to recreation, including impacts related to increased use and deterioration of existing neighborhood and regional parks and facilities and effects on the environment associated with provision of new recreational facilities. These conclusions were based on: (1) the temporary transient occupancy associated with the nature of hotel land uses; (2) the provision of recreational pools on-site as part of the development proposal; and (3) no proposed housing that would require the creation of open space or require payment of park-in-lieu fees to the existing park system within the City.

This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No mitigation measures related to recreation were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XVI. TRANSPORTATION AND TRAFFIC

a. Conflict with an applicable plan, ordinance or policy established measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit, and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b. Conflict with an applicable congestion management

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The 2012 IS/MND included a Traffic Impact Study and a Parking Study for the 2012 Project. Changes to existing conditions that have occurred since 2012 and the proposed design changes of the Modified Project have necessitated an update to these technical studies for the Modified Project. The following analysis is a summary of the updated *Site "C" Hotel Traffic Impact Study* (see Appendix H of this Subsequent IS/MND) and *Garden Grove Site "C" Mixed Use Hotel ULI Shared Parking Study* (see Appendix I of this Subsequent IS/MND).

Response (a): The Traffic Impact Study evaluated the existing traffic conditions in the vicinity of the project site; existing plus project traffic conditions; Opening Year (2021) Without Project Conditions; Opening Year (2021) With Project Conditions; the Modified Project's parking requirements; and determination of on-site and off-site improvements and system management actions needed to achieve City of Garden Grove level of service requirements. The Modified Project proposes a total of three (3) access driveways: Project Access 1 (PA 1) is the northernmost driveway on Harbor Boulevard and would serve as the main entrance to the project site; Project Access 2 (PA 2) is the southerly driveway on Harbor Boulevard, between PA 1 and Twintree Lane, which would be designated as right-out only; and Project Access 3 (PA 3) is located on Twintree Lane, approximately 250 feet west of Harbor Boulevard, which would be restricted to a limited access left-in/right-out only driveway. The Traffic Impact Study concluded that the Modified Project is expected to generate approximately 9,257 net new trip-ends per day, with 470 net new trips per hour during the AM peak hour (7:00 AM to 9:00 AM) and 714 net new trips per hour during the PM peak hour (4:00 PM to 6:00 PM).

The Traffic Impact Study analyzed the Level of Service (LOS) of a total of 19 intersections within the area of the project site (study area) that could be impacted by the Modified Project. The acceptable LOS for intersections within the City of Garden Grove is D or better. For existing traffic conditions, all study area intersections are currently operating at acceptable LOS during peak hours with the exception of the following intersection: Harbor Boulevard at Twintree Lane.

Existing plus project traffic conditions are projected to operate at acceptable LOS during peak hours except for the intersections of Harbor Boulevard at PA 1 and Harbor Boulevard at Twintree Lane. However, with the implementation of Mitigation Measures TR-1 through TR-5, all study area intersections are projected to operate at acceptable LOS with the Modified Project under the existing plus project traffic condition. It should be noted that Harbor Boulevard at Twintree Lane is an unsignalized intersection and the City does not have established criteria for determining significant impacts at unsignalized intersections. However, this intersection meets traffic signal warrant criteria during peak hour conditions, and a traffic signal is recommended to accommodate the Modified Project (see Mitigation Measure TR-5).

Opening Year (2021) Without Project Conditions are projected to operate at acceptable LOS during peak hours except for the intersections of Harbor Boulevard at PA 1, Harbor Boulevard at Twintree Lane, Haster Street at Chapman Avenue, and Lewis Street at Chapman Avenue. Opening Year (2021) With Project Conditions are projected to operate at unacceptable LOS for the same four intersections. However, with the implementation of Mitigation Measures TR-1 through TR-7, all study area intersections are projected to operate at acceptable LOS with the Modified Project under the Opening Year (2021) with Project traffic condition.

Regarding parking requirements, the City provided alternative parking rates for the hotel and conference center land uses, which differ from the parking rates described in the City's Municipal Parking Code. Based upon the City of Garden Grove's Municipal Code the proposed uses would require 1,628 parking spaces. As a result of the mixed-use nature of the Modified Project, a shared parking analysis was completed to determine the overall peak parking demand of the intended uses. The shared parking analysis determined that the Modified Project would be required to provide a total of 1,221 parking spaces. The Modified Project provides a total of 1,297 parking spaces which is sufficient to meet the parking demands.

With the implementation of Mitigation Measures TR-1 through TR-7, the Modified Project would not conflict with an applicable plan, ordinance or policy established measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation. Therefore, the impact would be mitigated to a level that is less than significant. The 2012 IS/MND also concluded the impact to be less than significant with the implementation of mitigation.

Response (b): Two of the study area intersections are part of the 2015 Orange County Congestion Management Program (CMP): Harbor Boulevard (NS) at Katella Avenue (EW); and Harbor Boulevard (NS) at CA-22 WB Ramps / Banner Drive (EW). The CMP statute requires that the CMP highway system intersections maintain a LOS grade of E or better.

Both of the intersections are projected to operate at acceptable LOS during all existing and future conditions studied in the Traffic Impact Study based upon CMP criteria. No CMP improvements or mitigation measures would be required as a result of the implementation of the Modified Project. Therefore the impact would be less than significant. The 2012 IS/MND also concluded the impact to be less than significant.

Response (c): The project does not involve any change to air traffic patterns that would result in a substantial safety risk and therefore, no impact for this issue would occur. The 2012 IS/MND also concluded that no impact would occur.

Response (d): As discussed above, the Modified Project would be served by a total of three (3) access driveways: PA 1 is the northernmost driveway on Harbor Boulevard and would serve as the main entrance to the project site; PA 2 is the southerly driveway on Harbor Boulevard, between PA 1 and Twintree Lane, which would be designated as right-out only; and PA 3 is located on Twintree Lane, approximately 250 feet west of Harbor Boulevard, which would be restricted to a limited access left-in/right-out only driveway.

PA 1 would serve as the main entrance to the project site. Upon entering the site from PA 1, vehicles immediately approach a roundabout and porte-cochere area where drivers may proceed towards the valet parking area for Hotel A, or make a right hand turn and proceed to self-park in the structure, or continue towards Hotels B and C valet/drop-off areas. The short driveway throat leading into the site from PA 1 is approximately 30 feet upon ingress. The access design may result in potential conflict points as drivers merge into the site, leading to backups onto Harbor Boulevard.

An HCM queuing analysis was performed at PA 1 to determine the appropriate storage lengths for vehicles entering and exiting the site. The queuing analysis found that, with implementation of Mitigation Measures TR-2 through TR-4, potential conflicts due to backups onto Harbor Boulevard would be appropriately addressed.

With the incorporation of Mitigation Measures TR-2 through TR-4, the Modified Project would not substantially increase hazards due to a design feature. Therefore, the impact would be mitigated to a level that is less than significant. It should be noted that the 2012 IS/MND concluded the impact to be less than significant.

Response (e): It is anticipated that the emergency services can access the site directly from the main entrance (PA 1; along Harbor Boulevard) and from PA 2 (Harbor Boulevard) and PA 3 (Twintree Avenue). The Traffic Study has been reviewed and approved by the City traffic engineer. Police and Fire have also reviewed and approved the proposed emergency access. Police and Fire services in the area are adequate to accommodate the development provided the project complies with the design features and standard conditions of approval. Therefore, the impact would be less than significant. The 2012 IS/MND also concluded the impact to be less than significant.

Response (f): The Modified Project would not impact existing or proposed policies pertaining to public transportation, bicycle, or pedestrian facilities, and alternative transportation. With the implementation of transit service and provision of alternative transportation services and incentives (see design features), the Modified Project's automobiles traffic demand can be reduced substantially. The Modified Project would be served by several shuttles serving the

recreational activities located in the nearby vicinity of the project site, such as the Disneyland Theme Park and the Anaheim Convention Center. No on-street bike lanes are currently striped on Harbor Boulevard adjacent to the project site, however, they are proposed to be installed under the City's General Plan provisions. Although the traffic demand impacts are less than significant, the implementation of transit service and provision of alternative transportation incentives would further lessen any auto traffic demand. The 2012 IS/MND also concluded the impact to be less than significant.

Mitigation Measures:

Note: To assist reviewers in comparing the primary changes between the 2012 Project and Modified Project, the updated Traffic Impact Study and Parking Study (see Appendices H and I, respectively, of this Subsequent IS/MND) includes a comparison table showing how previously adopted 2012 mitigation measures and DFs have been incorporated into and/or modified to address (1) new potentially significant environmental effects, (2) potential increases in the severity of previously identified potentially significant effects, or in some cases (3) a decrease in the severity (or elimination of) previously identified potentially significant effects.

- TR-1 Install a traffic signal at the intersection of Harbor Boulevard and Project Access (PA) 1.

- TR-2 Lengthen southbound left turn pocket on Harbor Boulevard at PA 1 to provide at least 200 feet of vehicle storage area.

- TR-3 Install northbound right turn pocket on Harbor Boulevard at PA 1 to provide at least 100 feet of storage/deceleration area.

- TR-4 Lengthen driveway throat at PA 1 to provide a minimum of ninety (90) feet of uninterrupted ingress access from the curb face of Harbor Boulevard onto the project site. (Orange County Code of Ordinances, § 7-9-145.4)

- TR-5 Install a traffic signal at the intersection of Harbor Boulevard and Twintree Lane.

- TR-6 Pay a fair-share contribution of 13% towards the improvements at the intersection of Haster Street and Chapman Avenue to restore acceptable level of service for future cumulative traffic conditions. The recommended improvements identified in this study include:
 - Modify eastbound approach leg on Chapman Avenue to include two (2) left turn lanes, two (2) through lanes, and one (1) right turn lane.
 - Recommended intersection improvements are expected to fit within the existing right-of-way.

TR-7 Pay a fair-share contribution of 11% towards the improvements at the intersection of Lewis Street and Chapman Avenue to restore acceptable level of service for future cumulative traffic conditions. The recommended improvements identified in this study include:

- Modify southbound approach leg on Lewis Street to include one (1) left turn lane, one (1) through lane, and one (1) shared through/right turn lane.
- Modify westbound approach leg on Chapman Avenue to include one (1) left turn lane, two (2) through lanes, and one (1) shared through/right turn lane.
- Recommended intersection improvements are expected to fit within the existing right-of-way.

Project Design Features (DF) –Traffic

DF-TR-1 A worksite traffic control plan should be prepared prior to beginning construction, to the satisfaction of the City Engineer.

DF-TR-2 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.

DF-TR-3 Any required lane closures should occur outside of peak travel periods.

DF-TR-4 Construction vehicles should be parked off traveled roadways.

DF-TR-5 The driveway design for PA 1 should be modified to provide additional queuing capacity for vehicles exiting the site.

- Single westbound left turn lane – 150 feet storage; or
- Dual westbound left turn lanes – 75 feet storage

DF-TR-6 PA 1 driveway should provide uninterrupted storage lanes, free from merging traffic or parking vehicles.

DF-TR-7 PA 1 driveway should align with Sheraton Driveway across Harbor Blvd.

DF-TR-8 The traffic signal at PA 1 should include protected left turn phasing for northbound and southbound movements on Harbor Boulevard.

DF-TR-9 PA 2 driveway should be limited to right-out only access.

- DF-TR-10 PA 3 driveway should be restricted to left-in/right-out only access to restrict vehicles from cutting through the existing residential neighborhood east of the site. Raised driveway medians, signage, and striping should be installed to restrict access.
- DF-TR-11 Install wayfinding signage at all project access driveways and at internal drive aisle intersections. On-site wayfinding shall also be provided to direct vehicles departing the site to utilize the project driveway located on Twintree Lane and the southerly driveway located along Harbor Boulevard.
- DF-TR-12 Stop signs, stop bars and stop legends should be installed.
- DF-TR-13 Provide adequate parking, valet parking program, and parking management plans per the detailed findings and recommendations of the Site C Hotel Parking Study.
- DF-TR-14 Full-time valet attendants should be present at drop-off areas in front of Hotel A, Hotel B and Hotel C to ensure vehicles do not block drive aisles.
- DF-TR-15 Install an electronic parking guidance system that monitors and displays the number of available spots on each floor to guests entering the parking structure. The system will help alert management of when the structure is reaching capacity. Additionally, it will allow guests to more easily find parking spaces, especially when the parking structure begins to reach maximum capacity.
- DF-TR-16 Provide a final detailed on-site circulation plan incorporating the recommendations listed in this report, to the satisfaction of the City of Garden Grove.
- DF-TR-17 The on-site circulation plan should be reviewed by the Garden Grove Fire Department to ensure adequate emergency access is provided. Emergency vehicles must have access to the first floor of the parking structure and be able to drive through one (1) entrance and out the other.
- DF-TR-18 The on-site circulation plan should be reviewed by the Garden Grove waste management provider to ensure adequate access is provided for trash collection.
- DF-TR-19 Provide crosswalks on all legs of the new traffic signals at Harbor Boulevard and PA 1 and Harbor Boulevard and Twintree Lane.
- DF-TR-20 Internal crosswalks shall be clearly marked. In-road lighting, textured pavement and curb bulb outs are examples of crosswalk enhancement features that should be implemented to improve pedestrian safety and accessibility.
- DF-TR-21 Install a bus shelter on the east side of Harbor Boulevard, along the project frontage.

- DF-TR-22 Provide at least five (5) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient and visible locations throughout the hotel property.
- DF-TR-23 Provide shuttle service to Disneyland, the Anaheim Convention Center and other popular attractions in the area.
- DF-TR-24 Encourage management to display a poster/message board that promotes walking, bicycling and public transit options to nearby attractions.
- DF-TR-25 Encourage employees to use alternative modes of transportation, such as ridesharing and public transit by providing monetary incentives and subsidies (i.e., \$50/month).
- DF-TR-26 Sight distance at the project access points should be designed per City of Garden Grove and State of California design standards.
- DF-TR-27 A limited use area shall be maintained where a clear line of sight can be established.
- DF-TR-28 The limited use area shall be used for the purpose of prohibiting or clearing obstructions to maintain adequate sight distance at intersections.
- DF-TR-29 Limited use area shall be kept clear of all obstructions over 30 inches high, including vegetation.
- DF-TR-30 No trees, walls or any obstructions shall be allowed in the limited use area.
- DF-TR-31 Site operations should be periodically reviewed to assure that the traffic operations are satisfactory.
- DF-TR-32 Post "No Parking in Neighborhood" signage on-site near Twintree access.
- DF-TR-33 Participate in the City's approved Transportation Facilities Fee program.

Project Design Features (DF) –Parking

- DF-P-1 Utilizing the shared parking concept, the parking demand for the project has been estimated to be 1,110 parking spaces during peak weekday conditions and 1,051 parking spaces during peak weekend conditions. With the added 10% overage, the project is required to provide a total of 1,221 parking spaces. The project provides a total of 1,297 parking spaces which is sufficient to meet the parking demands of the project.
- DF-P-2 Implement a parking valet program for registered hotel guests during peak parking demand times. The parking structure includes a valet configuration within the

basement level to accommodate approximately 324 parking spaces. All other users (visitors, employees, etc.) can utilize the parking structure for self-parking.

- DF-P-3 Designate the basement portion of the parking structure for valet parking configuration as provided. Registered guests shall utilize the valet during peak parking demand times. Employees and visitors are encouraged to self-park within the parking structure. This will ensure efficient valet service.
- DF-P-4 As indicated on the basement floor of the parking structure, the valet parking configuration can allow for up to 324 vehicles to be parked double/tandem.
- DF-P-5 Offer a valet parking program that can be expanded to meet the changing parking demands for the project. During times of peak occupancy, special events, etc., offer additional valet services for all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration if needed.
- DF-P-6 Encourage employees to use alternative modes of transportation, such as ridesharing and public transit by providing monetary incentives and subsidies (i.e., \$50/month).
- DF-P-7 Designate rideshare parking spaces in conveniently located areas of the parking structure as additional incentive for employees to carpool.
- DF-P-8 Designate parking spaces for employees to self-park near the top floors of the parking structure in order to improve the parking convenience for other self-park guests and visitors.
- DF-P-9 The project shall communicate and share the recommendations in this report with all employees. A designated team member can be assigned as the ETC (Employee Transportation Coordinator) to assist in implementing and promoting the Parking Management Strategies onsite.
- DF-P-10 Information about transit options such as bus shuttle, taxi, etc. to Disneyland, airports and other local attractions should be readily available to guests. This information should also be easily found on the hotel website. This will encourage guests to use these forms of transportation as opposed to utilizing parking spaces inside the parking structure.
- DF-P-11 Install wayfinding signage at all project access driveways and at internal drive aisle intersections. The goal of wayfinding is to take guests from the roadway system into a parking space and then eventually back onto the roadway system in the most efficient way possible.

- DF-P-12 On-site wayfinding shall also be provided to direct vehicles departing the site to utilize the project driveway located on Twintree Lane and the southerly driveway located along Harbor Boulevard.
- DF-P-13 Install an electronic parking guidance system that monitors and displays the number of available spots on each floor to guests entering the parking structure. The system will help alert management of when the structure is reaching capacity. Additionally, it will allow guests to more easily find parking spaces, especially when the parking structure begins to reach maximum capacity.
- DF-P-14 Parking demand for the project should be monitored within the first 12 months of the hotel's operation with an updated observed parking analysis by a registered traffic engineer to ensure that parking is adequate and does not create an overflow parking situation into neighboring residential and commercial uses. If parking problems are identified, the developer shall resolve the issue to the satisfaction of the City of Garden Grove Traffic Engineer.
- DF-P-15 Valet attendants shall be present at all drop-off areas and in the designated valet area located in the basement of the parking structure.
- DF-P-16 Valet parking plans should be adaptable and flexible to meet parking demands and special events. Offer a valet parking program that can be expanded. During times of peak occupancy, special events, etc., offer additional valet services to all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration if needed.
- DF-P-17 The parking structure should be configured in a way in which the drive aisles are wide enough to accommodate emergency vehicles and designed so as to not inhibit the response time of emergency vehicles.
- DF-P-18 The valet parking plan must not block any major drive aisles or hinder the driving ability of emergency vehicles.
- DF-P-19 The project will need to provide a detailed valet operations plan prior to occupancy. This will include a number of valet attendants and vehicle stacking areas.
- DF-P-20 In order to provide the maximum amount of vehicle stacking for the valet, the project should expand the drop-off areas located in front of Hotel B and C to accommodate more vehicles.
- DF-P-21 Valet parking should be adaptable and flexible to meet parking demands and special events. Offer a valet parking program that can be expanded. During times of peak occupancy, special events, etc., offer additional valet services to all guests and

visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration.

- DF-P-22 Provide for a bus/van pick-up and drop-off location site for hotel guests and employees.
- DF-P-23 Encourage alternative transportation methods for employees through transportation management incentives. These would include such things as employee reimbursement for using the transit and providing a transportation coordinator for the staff.
- DF-P-24 Provide at least five (5) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient and visible locations throughout the hotel property.
- DF-P-25 Parking spaces for the physically handicapped shall be provided per Table 11B-208.2 in accordance with the California Building Code.
- DF-P-26 It is anticipated that the emergency services can access the site directly from the main entrance (along Harbor Boulevard) and the side entrance (along Twintree Avenue). Emergency vehicles must have access to the first floor of the parking structure and be able to drive through one (1) entrance and out the other. The on-site circulation plan should be reviewed by the Garden Grove Fire Department to ensure adequate emergency access is provided.
- DF-P-27 Post "No Parking in Neighborhood" signage on-site near Twintree access.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XVII. TRIBAL CULTURAL RESOURCES

a. 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:

- | | | | | | |
|-----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i. | 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), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. | 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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.

Response (a[i] and a[ii]): The AB 52 requirements for noticing, consultation, and evaluation of tribal cultural resources went into effect in July of 2015 and, therefore, was not part of the State CEQA Guidelines at the time of evaluation within the 2012 IS/MND. As part of this Subsequent IS/MND, the City conducted additional noticing (following up the previous 2012 IS/MND consultation effort with the NAHC for cultural resources [see Appendix C of this Subsequent IS/MND]) for the Modified Project pursuant to AB 52 and tribal cultural resources. The City received the tribal consultation list from the NAHC on July 6, 2017, and notices were mailed to local tribes on June 30, 2017 and July 6, 2017. The AB 52 noticing period for the Modified Project ended on August 12, 2017. The City received no requests for government-to-government consultation and one letter from a tribe stating the project site (including the subterranean parking element of the Modified Project) has little cultural significance. As discussed in the analysis for cultural resources, the project site is located within a highly urbanized area with no significant historical, archaeological, paleontological, or geological resources or any known burial sites within the project site and vicinity (2008 General Plan EIR). Additionally, previous consultation with the NAHC identified no Native American resources within one-half mile of the project site. Based on the conditions of the project site and the responses from local tribes, the Modified Project is not expected to result in any impacts to tribal cultural resources. Therefore, the Modified Project would have less-than-significant impacts related to tribal cultural resources. It should be noted the 2012 IS/MND stated that, if unanticipated archaeological resources, paleontological resources, or human remains are discovered during construction, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with Public Resources Code Section 21083.2, which would also apply to the Modified Project.

Mitigation Measures: No mitigation measures related to tribal cultural resources were included in the 2012 IS/MND and no mitigation measures would be required for the Modified Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

e. Result in determination by the wastewater treatment provider, which serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Response (a): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB) because it would implement the requirements of Santa Ana RWQCB and would, therefore, not exceed treatment requirements. This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not substantially affect the generation of wastewater. The Modified Project would have a comparable demand to the 2012 Project for wastewater treatment needs. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (b): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to construction of new or expansion of existing water or wastewater treatment facilities. This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not affect the need to construct new or expand existing water or wastewater treatment facilities. The Modified Project would have a comparable demand to the 2012 Project for water and wastewater treatment needs. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (c): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact associated with an increase in impervious surfaces at the project site in relation to storm water drainage facilities unless mitigated. The 2012 IS/MND included a Water Quality Management Plan (WQMP) (Appendix E of this Subsequent IS/MND), which indicated that runoff from the project site would flow into the East Garden Grove-Wintersburg Channel (Facility No. C05) owned and maintained by the County of Orange, which drains through Bolsa Bay into Huntington Harbour. The Regional Stream Susceptibility Map (Attachment M of the WQMP) for Anaheim Bay-Huntington Harbour identifies a portion of the end of the C05 channel where it outlets to the Pacific Ocean as “unstable”. The 2012 IS/MND concluded that with implementation of Mitigation Measure USS-1 (shown below), the 2012 Project would result in a less-than-significant impact to storm water drainage facilities. This conclusion and the same 2012 mitigation requirement would remain the same for the Modified Project as it is a similar development that would be located on the same (except smaller) project site. It should be noted that with the reduced project site (5.2 acres reduced to 4.3 acres) the Modified Project would introduce less impervious surfaces compared to the 2012 Project. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (d): The 2012 IS/MND concluded that the 2012 Project would have a potentially significant impact related to available water supplies unless mitigated. The 2012 IS/MND included a detailed Water Supply Assessment (WSA) (Appendix F of this Subsequent IS/MND), which indicated that there was sufficient and reliable water supply for the City, including a sufficient water supply for the 2012 Project. These supplies were also determined to be sufficient to provide for overall City-wide growth at the rate projected in the City’s 2008 Water Master Plan. Additionally, it was determined that existing infrastructure would be adequate to provide the estimated water demand to the project site; however, an internal fire loop would be required to be constructed around the project site to provide adequate fire fighting capability to all structures located on the project site. The 2012 IS/MND concluded that with implementation of Mitigation Measure PS-1 (shown below), the 2012 Project would result in a less-than-significant impact to water supply (for fire fighting). This conclusion and the same 2012 mitigation requirement would remain the same for the Modified Project as it is a similar development that would be located on the same (except smaller) project site. It should be noted that the WSA continues to represent a conservative estimate of anticipated water demands because the Modified Project is a similar development that maintains the same number of hotels and hotel rooms as the 2012 Project, the site footprint has been reduced from 5.2 to 4.3 acres, and the overall square-footage of land uses proposed would be comparable to the 2012 Project. The Modified Project would have a comparable demand to the 2012 Project for water supply needs. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (e): The 2012 IS/MND concluded that the 2012 Project would have a less-than-significant impact related to wastewater treatment capacity. This conclusion was based on correspondence with the Orange County Sanitation District (OCSD), in which it was determined that the capacity of the Newhope Placentia trunkline that would serve the proposed

development was deemed adequate for the expected additional wastewater volumes. This conclusion would remain the same with the Modified Project as it is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not substantially affect the generation of wastewater. The Modified Project would have a comparable demand to the 2012 Project for wastewater conveyance and treatment capacity. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (f and g): The 2012 IS/MND concluded that the 2012 Project would have less-than-significant impacts related to landfill capacity and compliance with applicable statutes and regulations for solid waste. These conclusions were based on: (1) the City's existing Source Reduction and Recycling Element (SRRE) that addresses waste generation within the community; (2) the City's existing adopted development standards to ensure the provision of safe and efficient recycling facilities for each development project; (3) sufficient capacity to accommodate the proposed development according to the Garden Grove Sanitation District (GGSD); (4) coordination of the overall solid waste disposal system between GGSD and their private waste collection contractor for specific trash pick-up times and number and location of trash receptacles associated with the proposed development; and (5) compliance with federal, state, and local statute and regulations related to solid waste and to the extent possible, implementation of methods to address recycling practices pertaining to solid waste. These conclusions would remain the same with the Modified Project, which would adhere to the same applicable standards and regulations, and that is a similar development that maintains the same number of hotels and hotel rooms and would be located on the same (except smaller) project site. The changes associated with the Modified Project, such as reduced building heights, changes to building placement and configuration, introduction of retail uses, changes to site circulation and access, and the addition of one level of subterranean parking, would not substantially affect the generation of solid waste. The Modified Project would have a comparable demand to the 2012 Project for solid waste disposal. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: See Mitigation Measure PS-1, above (Section XIV. Public Services).

USS-1 Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the City Engineer that proper hydromodification methods have been applied to the proposed on-site storm drain improvements.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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"/>
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c. Does the project have environmental effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Response (a): As described in the analysis within this Subsequent IS/MND, implementation of the Modified Project would not degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of major periods of California history or prehistory. The Modified Project would not have significant impact to fish habitat or wildlife species or populations, rare or endangered plant or animals, or important examples of the major periods of California history or prehistory. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (b): As described in the analysis within this Subsequent IS/MND, the Modified Project would not result in significant impacts that cannot be mitigated to a level that is less than significant. Based on the results of the Air Quality and Greenhouse Gas Impact Study, the Noise Impact Study, and the Traffic Impact Study (see Appendices B, G, and H of this Subsequent IS/MND) the Modified Project would not have any individually limited or cumulatively considerable impacts. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Response (c): As described in the analysis within this Subsequent IS/MND, implementation of the Modified Project would not cause substantial adverse effects on human beings, either directly or indirectly. The effects of the Modified Project that could have an impact on human beings have been reduced to below a level of significance with the implementation of mitigation

measures and design features. No new significant impacts would occur as a result of the changes associated with the Modified Project, and the severity of previously identified impacts would not be increased.

Mitigation Measures: No additional mitigation measures would be required.

XX. EARLIER ANALYSIS

Earlier analyses may have been used where pursuant to tiering, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). The following earlier analyses were used here:

- The City of Garden Grove General Plan 2030 Update.
- The City of Garden Grove Existing Conditions Report.
- The City of Garden Grove Final Environmental Impact Report for the General Plan 2030 Update, State Clearinghouse No. 200804107.
- Title 9 of the Garden Grove Municipal Code.
- International West Hotel – Harbor East (Site C) Initial Study/Mitigated Negative Declaration, August 2012.

XXI. TECHNICAL STUDIES (attached under a separate cover):

1. Shade and Shadow Study, AECOM, September 2017
2. Site “C” Hotel Air Quality and Greenhouse Gas Impact Study, RK Engineering Group, Inc., September 13, 2017
3. Correspondence from Native American Heritage Commission, November 8, 2011 and July 6, 2017
4. Preliminary Geotechnical Engineering Study Report, Geotechnical Solutions, Inc., October 2, 2012
5. Water Quality Management Plan, PSOMAS, July 2012
6. Water Supply Assessment, PSOMAS, July 2012
7. Site “C” Hotel Noise Impact Study, RK Engineering Group, Inc., September 13, 2017
8. Site “C” Traffic Impact Study, RK Engineering Group, Inc., September 13, 2017
9. ULI Shared Parking Study, RK Engineering Group, Inc., September 13, 2017

XXII. IMPACTS ADEQUATELY ADDRESSED:

1. Aesthetics
2. Agriculture And Forest Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Geology and Soils
7. Greenhouse Gas Emissions
8. Hazards and Hazardous Materials
9. Hydrology and Water Quality
10. Land Use and Planning
11. Mineral Resources
12. Noise
13. Population and Housing
14. Public Services
15. Recreation
16. Transportation and Traffic

- 17. Tribal Cultural Resources
- 18. Utilities and Service Systems

XXIII. MITIGATION MEASURES/DESIGN FEATURES:

All guidelines, development standards, and conditions of approval for the subject project shall be adhered to in order to mitigate impacts on the property or surrounding area. In addition, the following mitigation measures and design features (DF) are also deemed to be part of the conditions of approval.

Aesthetics

Light and Glare

- AES-1 Prior to final site plan approval, a site specific lighting study shall be prepared which incorporates measures to ensure that the project will be in compliance with Chapter 16, Development Standards, of the City's Zoning Code for parking lot lighting so that lighting within parking areas are directed, positioned, or shielded so as to minimize light spillage. Additionally, the study shall incorporate measures necessary for the project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment.

- AES-2 Sufficient technology currently exists to reduce lighting impacts from hotel/resort lighting to a less than significant level. However, given that the project is still in conceptual design and operation is not anticipated to begin until late 2021, identification of specific light reduction measures is premature since light reduction technology is constantly evolving and advancing (i.e., more sophisticated light-reduction technology is anticipated to be available in the future that is not available today). The developer shall include technologically advanced hotel/resort lighting measures in its detailed design plans to ensure that hotel/resort lighting does not result in a significant impact on the surrounding neighborhood.

Air Quality

Construction

- AQ-1 Limit the number of soil hauling trips to 40 truck loads per day or less during soil excavation.

- AQ-2 Use high-volume, low-pressure (HVLP) coating application systems with air pressure less than 10 pounds per square inch to reduce overspray and increase transfer efficiency.

Operational

- AQ-3 The project should implement a vehicle trip reduction program that includes the following strategies:

- i. Install secure on-site bicycle racks in easily accessible and highly visible locations.
- ii. Install a bus shelter on the east side of Harbor Boulevard, along the project frontage.
- iii. Provide transit/shuttle service for guests to local area attractions.
- iv. Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions

AQ-4 Limit the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection or other services) to less than 20 per day. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds.

AQ-5 Use zero VOC interior paint for re-application purposes.

Design Features

DF-AQ-1 Construction equipment shall be maintained in proper tune.

DF-AQ-2 Gasoline or electricity-powered equipment shall be utilized instead of diesel equipment whenever possible.

DF-AQ-3 The use of heavy construction equipment shall be suspended during first stage smog alerts.

DF-AQ-4 All construction vehicles shall be prohibited from excessive idling. Excessive idling is defined as five minutes or longer.

DF-AQ-5 "Clean diesel" equipment shall be used when modified engines (catalyst equipped or newer Moyer Program retrofit) are available at a reasonable cost.

DF-AQ-6 The project must follow SCAQMD rules and requirements with regards to fugitive dust control, which include but are not limited to the following:

- i. All active construction areas shall be watered three (3) times daily.
- ii. All haul trucks shall be covered or shall maintain at least two (2) feet of freeboard.
- iii. All unpaved parking or staging areas shall be paved or watered a minimum of two (2) times daily.
- iv. Speed on unpaved roads shall be reduced to less than 15 mph.
- v. Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.

- vi. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.
- vii. All operations on any unpaved surface shall be suspended if winds exceed 25 mph.

DF-AQ-7 Carpooling shall be encouraged for construction workers.

DF-AQ-8 Any dirt hauled off-site shall be wet down or covered.

DF-AQ-9 Access points shall be washed or swept daily.

DF-AQ-10 Construction sites shall be sandbagged for erosion control.

DF-AQ-11 The project shall comply with current California Title 24 standards.

Geology and Soils

GEO-1 Prior to the approval of final design plans, a site-specific geologic investigation of liquefaction potential shall be performed. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.

GEO-2 Prior to the approval of final design plans, a site-specific geotechnical investigation shall be prepared by a registered geologist. The project shall be required to comply with all mitigation, conditions and/or performance criteria recommended by the investigation. Proof of compliance with this measure shall be given by the City Engineer and Planning Director prior to the approval of the final design plans.

Greenhouse Gas Emissions

Also see Mitigation Measures AQ-3 through AQ-5, above.

GHG-1 Install energy star rated lighting for all lighting uses that are not part of the building envelope, such as lamps and other “plug-ins” that are not subject to Title 24 regulation.

GHG-2 No hearths allowed.

GHG-3 Use electric landscaping equipment, such as lawn mowers and leaf blowers.

GHG-4 Implement a water conservation program that includes the following strategies:

- i. Install low flow fixtures and toilets.
- ii. Install water efficient irrigation systems and drought tolerant/native landscaping. No turf.

GHG-5 Implement a waste recycling and composting program to divert over 50% of waste away from a landfill.

Hazards and Hazardous Material

HMM-1 Prior to the issuance of a grading permit, soil sampling and analysis shall be performed to determine if any agricultural chemicals remained at the site. If any agricultural chemicals are found, the contamination shall be removed.

HMM-2 Prior to the issuance of a grading permit, the project conditions of approval shall require implementation of the Phase 1 study recommendations.

Noise

NOI-1 Install an 8-foot masonry block sound wall along eastern property boundary.

NOI-2 Install 4-foot noise shielding walls on each floor of the parking structure facing the residential neighborhood to the east and the parking surface shall be treated to minimize tire screeching.

NOI-3 Locate all mechanical equipment at least 100 feet from residential property line.

NOI-4 A “windows closed” condition and upgraded STC rated windows is required to meet interior noise standards for all hotel rooms.

NOI-5 Notify the surrounding neighbors prior to beginning the heavy earth work.

NOI-6 No impact pile driving activities shall be allowed on the project site.

Project Design Features (DF)

DF-NOI-1 No outdoor amplified music shall be played on the pool deck past 10 p.m.

DF-NOI-2 All pool equipment should be fully shielded or enclosed from line of sight. Shielding/parapet wall should be at least as high as the equipment.

DF-NOI-3 Delivery, loading/unloading activity, and trash pick-up hours should be limited to daytime (7AM-10PM) hours only.

DF-NOI-4 Limit engine idling time for all delivery vehicles and moving trucks to 5 minutes or less.

- DF-NOI-5 A noise monitoring program should be implemented during project operations, especially during live events with amplified music, to ensure noise levels do not exceed the City's noise standards.
- DF-NOI-6 For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have a positive seal and leaks/cracks must be kept to a minimum.
- DF-NOI-7 All construction activities should take place during daytime hours, between 7AM to 10PM, Monday through Saturday. No construction activity shall occur on Sundays or Federal holidays.
- DF-NOI-8 During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices and equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Idling equipment should be turned off when not in use.
- DF-NOI-9 Locate staging area, generators and stationary construction equipment as far from the easterly property line, as reasonably feasible.
- DF-NOI-10 Construction related noise activities shall comply with the requirements set forth in the City of Garden Grove Municipal Code Section 8.47.
- DF-NOI-11 A noise and vibration monitoring program will be implemented during construction. The monitoring program will alert construction management personnel when noise levels approach the upper limits of the 8-hour Leq exceedance threshold (80 dBA) along the residential property line. Vibration monitoring should occur during phases of heavy earthmoving and report incidents over 0.25 PPV (in/sec) at the adjacent residential structures.

Public Services

- PS-1 An internal fire loop shall be constructed around the site to provide adequate fire fighting capability to all structures located on the parcel.

Transportation

- TR-1 Install a traffic signal at the intersection of Harbor Boulevard and Project Access (PA) 1.
- TR-2 Lengthen southbound left turn pocket on Harbor Boulevard at PA 1 to provide at least 200 feet of vehicle storage area.
- TR-3 Install northbound right turn pocket on Harbor Boulevard at PA 1 to provide at least 100 feet of storage/deceleration area.

- TR-4 Lengthen driveway throat at PA 1 to provide a minimum of ninety (90) feet of uninterrupted ingress access from the curb face of Harbor Boulevard onto the project site. (Orange County Code of Ordinances, § 7-9-145.4)
- TR-5 Install a traffic signal at the intersection of Harbor Boulevard and Twintree Lane.
- TR-6 Pay a fair-share contribution of 13% towards the improvements at the intersection of Haster Street and Chapman Avenue to restore acceptable level of service for future cumulative traffic conditions. The recommended improvements identified in this study include:
- Modify eastbound approach leg on Chapman Avenue to include two (2) left turn lanes, two (2) through lanes, and one (1) right turn lane.
 - Recommended intersection improvements are expected to fit within the existing right-of-way.
- TR-7 Pay a fair-share contribution of 11% towards the improvements at the intersection of Lewis Street and Chapman Avenue to restore acceptable level of service for future cumulative traffic conditions. The recommended improvements identified in this study include:
- Modify southbound approach leg on Lewis Street to include one (1) left turn lane, one (1) through lane, and one (1) shared through/right turn lane.
 - Modify westbound approach leg on Chapman Avenue to include one (1) left turn lane, two (2) through lanes, and one (1) shared through/right turn lane.
 - Recommended intersection improvements are expected to fit within the existing right-of-way.

Project Design Features (DF) –Traffic

- DF-TR-1 A worksite traffic control plan should be prepared prior to beginning construction, to the satisfaction of the City Engineer.
- DF-TR-2 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.
- DF-TR-3 Any required lane closures should occur outside of peak travel periods.
- DF-TR-4 Construction vehicles should be parked off traveled roadways.

- DF-TR-5 The driveway design for PA 1 should be modified to provide additional queuing capacity for vehicles exiting the site.
- Single westbound left turn lane – 150 feet storage; or
 - Dual westbound left turn lanes – 75 feet storage
- DF-TR-6 PA 1 driveway should provide uninterrupted storage lanes, free from merging traffic or parking vehicles.
- DF-TR-7 PA 1 driveway should align with Sheraton Driveway across Harbor Blvd.
- DF-TR-8 The traffic signal at PA 1 should include protected left turn phasing for northbound and southbound movements on Harbor Boulevard.
- DF-TR-9 PA 2 driveway should be limited to right-out only access.
- DF-TR-10 PA 3 driveway should be restricted to left-in/right-out only access to restrict vehicles from cutting through the existing residential neighborhood east of the site. Raised driveway medians, signage, and striping should be installed to restrict access.
- DF-TR-11 Install wayfinding signage at all project access driveways and at internal drive aisle intersections. On-site wayfinding shall also be provided to direct vehicles departing the site to utilize the project driveway located on Twintree Lane and the southerly driveway located along Harbor Boulevard.
- DF-TR-12 Stop signs, stop bars and stop legends should be installed.
- DF-TR-13 Provide adequate parking, valet parking program, and parking management plans per the detailed findings and recommendations of the Site C Hotel Parking Study.
- DF-TR-14 Full-time valet attendants should be present at drop-off areas in front of Hotel A, Hotel B and Hotel C to ensure vehicles do not block drive aisles.
- DF-TR-15 Install an electronic parking guidance system that monitors and displays the number of available spots on each floor to guests entering the parking structure. The system will help alert management of when the structure is reaching capacity. Additionally, it will allow guests to more easily find parking spaces, especially when the parking structure begins to reach maximum capacity.

- DF-TR-16 Provide a final detailed on-site circulation plan incorporating the recommendations listed in this report, to the satisfaction of the City of Garden Grove.
- DF-TR-17 The on-site circulation plan should be reviewed by the Garden Grove Fire Department to ensure adequate emergency access is provided. Emergency vehicles must have access to the first floor of the parking structure and be able to drive through one (1) entrance and out the other.
- DF-TR-18 The on-site circulation plan should be reviewed by the Garden Grove waste management provider to ensure adequate access is provided for trash collection.
- DF-TR-19 Provide crosswalks on all legs of the new traffic signals at Harbor Boulevard and PA 1 and Harbor Boulevard and Twintree Lane.
- DF-TR-20 Internal crosswalks shall be clearly marked. In-road lighting, textured pavement and curb bulb outs are examples of crosswalk enhancement features that should be implemented to improve pedestrian safety and accessibility.
- DF-TR-21 Install a bus shelter on the east side of Harbor Boulevard, along the project frontage.
- DF-TR-22 Provide at least five (5) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient and visible locations throughout the hotel property.
- DF-TR-23 Provide shuttle service to Disneyland, the Anaheim Convention Center and other popular attractions in the area.
- DF-TR-24 Encourage management to display a poster/message board that promotes walking, bicycling and public transit options to nearby attractions.
- DF-TR-25 Encourage employees to use alternative modes of transportation, such as ridesharing and public transit by providing monetary incentives and subsidies (i.e., \$50/month).
- DF-TR-26 Sight distance at the project access points should be designed per City of Garden Grove and State of California design standards.
- DF-TR-27 A limited use area shall be maintained where a clear line of sight can be established.

- DF-TR-28 The limited use area shall be used for the purpose of prohibiting or clearing obstructions to maintain adequate sight distance at intersections.
- DF-TR-29 Limited use area shall be kept clear of all obstructions over 30 inches high, including vegetation.
- DF-TR-30 No trees, walls or any obstructions shall be allowed in the limited use area.
- DF-TR-31 Site operations should be periodically reviewed to assure that the traffic operations are satisfactory.
- DF-TR-32 Post “No Parking in Neighborhood” signage on-site near Twintree access.
- DF-TR-33 Participate in the City’s approved Transportation Facilities Fee program.

Project Design Features (DF) –Parking

- DF-P-1 Utilizing the shared parking concept, the parking demand for the project has been estimated to be 1,110 parking spaces during peak weekday conditions and 1,051 parking spaces during peak weekend conditions. With the added 10% overage, the project is required to provide a total of 1,221 parking spaces. The project provides a total of 1,297 parking spaces which is sufficient to meet the parking demands of the project.
- DF-P-2 Implement a parking valet program for registered hotel guests during peak parking demand times. The parking structure includes a valet configuration within the basement level to accommodate approximately 324 parking spaces. All other users (visitors, employees, etc.) can utilize the parking structure for self-parking.
- DF-P-3 Designate the basement portion of the parking structure for valet parking configuration as provided. Registered guests shall utilize the valet during peak parking demand times. Employees and visitors are encouraged to self-park within the parking structure. This will ensure efficient valet service.
- DF-P-4 As indicated on the basement floor of the parking structure, the valet parking configuration can allow for up to 324 vehicles to be parked double/tandem.
- DF-P-5 Offer a valet parking program that can be expanded to meet the changing parking demands for the project. During times of peak occupancy, special events, etc., offer additional valet services for all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration if needed.

- DF-P-6 Encourage employees to use alternative modes of transportation, such as ridesharing and public transit by providing monetary incentives and subsidies (i.e., \$50/month).
- DF-P-7 Designate rideshare parking spaces in conveniently located areas of the parking structure as additional incentive for employees to carpool.
- DF-P-8 Designate parking spaces for employees to self-park near the top floors of the parking structure in order to improve the parking convenience for other self-park guests and visitors.
- DF-P-9 The project shall communicate and share the recommendations in this report with all employees. A designated team member can be assigned as the ETC (Employee Transportation Coordinator) to assist in implementing and promoting the Parking Management Strategies onsite.
- DF-P-10 Information about transit options such as bus shuttle, taxi, etc. to Disneyland, airports and other local attractions should be readily available to guests. This information should also be easily found on the hotel website. This will encourage guests to use these forms of transportation as opposed to utilizing parking spaces inside the parking structure.
- DF-P-11 Install wayfinding signage at all project access driveways and at internal drive aisle intersections. The goal of wayfinding is to take guests from the roadway system into a parking space and then eventually back onto the roadway system in the most efficient way possible.
- DF-P-12 On-site wayfinding shall also be provided to direct vehicles departing the site to utilize the project driveway located on Twintree Lane and the southerly driveway located along Harbor Boulevard.
- DF-P-13 Install an electronic parking guidance system that monitors and displays the number of available spots on each floor to guests entering the parking structure. The system will help alert management of when the structure is reaching capacity. Additionally, it will allow guests to more easily find parking spaces, especially when the parking structure begins to reach maximum capacity.
- DF-P-14 Parking demand for the project should be monitored within the first 12 months of the hotel's operation with an updated observed parking analysis by a registered traffic engineer to ensure that parking is adequate and does not create an overflow parking situation into neighboring residential and commercial uses. If parking problems are identified, the developer shall

resolve the issue to the satisfaction of the City of Garden Grove Traffic Engineer.

- DF-P-15 Valet attendants shall be present at all drop-off areas and in the designated valet area located in the basement of the parking structure.
- DF-P-16 Valet parking plans should be adaptable and flexible to meet parking demands and special events. Offer a valet parking program that can be expanded. During times of peak occupancy, special events, etc., offer additional valet services to all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration if needed.
- DF-P-17 The parking structure should be configured in a way in which the drive aisles are wide enough to accommodate emergency vehicles and designed so as to not inhibit the response time of emergency vehicles.
- DF-P-18 The valet parking plan must not block any major drive aisles or hinder the driving ability of emergency vehicles.
- DF-P-19 The project will need to provide a detailed valet operations plan prior to occupancy. This will include a number of valet attendants and vehicle stacking areas.
- DF-P-20 In order to provide the maximum amount of vehicle stacking for the valet, the project should expand the drop-off areas located in front of Hotels B and C to accommodate more vehicles.
- DF-P-21 Valet parking should be adaptable and flexible to meet parking demands and special events. Offer a valet parking program that can be expanded. During times of peak occupancy, special events, etc., offer additional valet services to all guests and visitors. The valet personnel can utilize the lower levels of the parking structure to expand the capacity of the valet configuration.
- DF-P-22 Provide for a bus/van pick-up and drop-off location site for hotel guests and employees.
- DF-P-23 Encourage alternative transportation methods for employees through transportation management incentives. These would include such things as employee reimbursement for using the transit and providing a transportation coordinator for the staff.
- DF-P-24 Provide at least five (5) onsite bicycle racks (approximately 5-8 bicycles per rack) in convenient and visible locations throughout the hotel property.

DF-P-25 Parking spaces for the physically handicapped shall be provided per Table 11B-208.2 in accordance with the California Building Code.

DF-P-26 It is anticipated that the emergency services can access the site directly from the main entrance (along Harbor Boulevard) and the side entrance (along Twintree Avenue). Emergency vehicles must have access to the first floor of the parking structure and be able to drive through one (1) entrance and out the other. The on-site circulation plan should be reviewed by the Garden Grove Fire Department to ensure adequate emergency access is provided.

DF-P-27 Post "No Parking in Neighborhood" signage on-site near Twintree access.

Utilities and Service Systems

Also see Mitigation Measure PS-1, above.

USS-1 Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the City Engineer that proper hydromodification methods have been applied to the proposed on-site storm drain improvements.

XXIV. REFERENCES:

City of Garden Grove

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- . 2008a. General Plan 2030 Update. August.
- . 2008b. Environmental Impact Report for the General Plan 2030 Update. August, StateClearinghouse No. 200804179.
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- . 2011. Correspondence regarding Tribal Consultation Pursuant to Government Codes No. 127e §§ 65092, 65351, 65352.3, 65352.4, 65560 and 65562.5 (SB 18) for the General Plan Amendment, Site “C” Project; located in the City of Garden Grove; Orange County, California. November 8.

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- . 2011. Correspondence regarding Harbor Boulevard Site C Hotels Project and Trunk Sewer Line Capacity, October 12.

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- . 2010. Phase I Environmental Site Assessment for CC Camperland RV Park, 12262-1296 Harbor Boulevard, Garden Grove, California 92840. June.
- . 2009. Limited Phase II Environmental Site Assessment for 12222 Harbor Boulevard, Garden Grove, California. March 10.

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- . 2012. Adopted 2012 Regional Transportation Plan (RTP) Growth Forecast. 2012.
- . 2017. Profile of the City of Garden Grove, Local Profiles Report 2017, May 2017.

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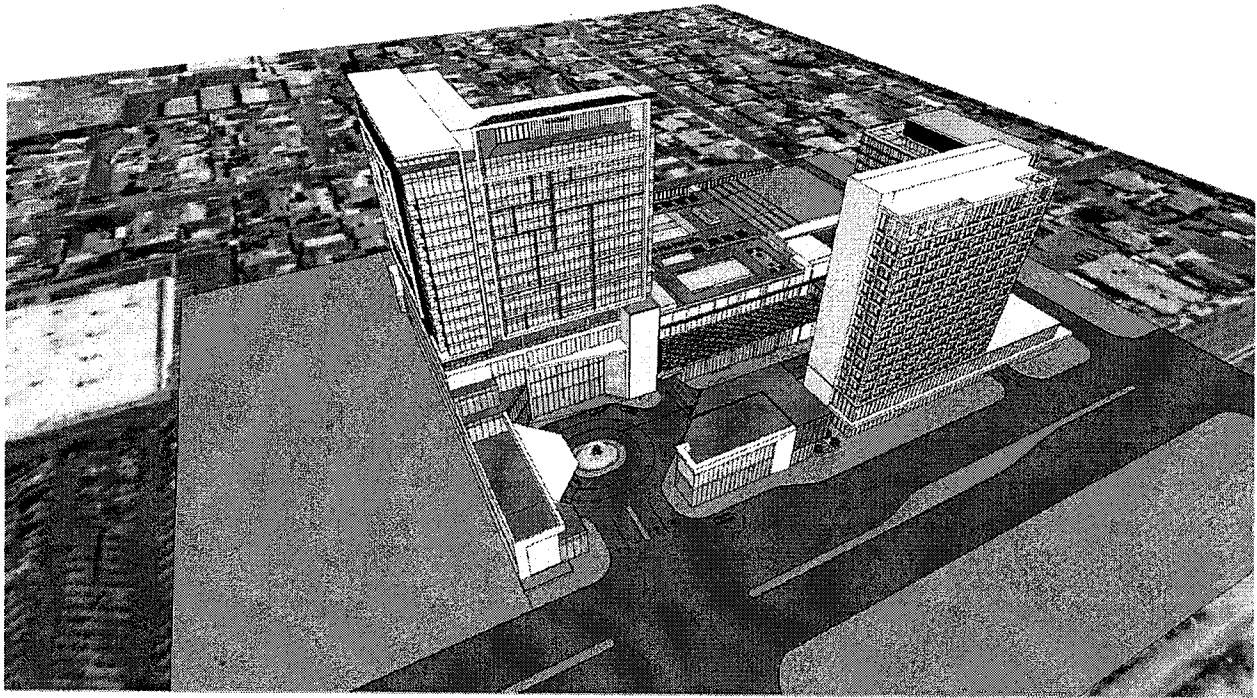
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City of Garden Grove

Site C

Subsequent Mitigated Negative Declaration

Response to Comments (RTC)



**Prepared by
City of Garden Grove**

October 2017

1.0 WRITTEN COMMENT LETTERS AND RESPONSES:

This document provides responses to the written comments made on the Draft Subsequent Mitigated Negative Declaration (MND) during the Office of Planning and Research (OPR) published public review and comment period of September 25, 2017 to October 24, 2017 and the City's public review and comment period from September 26, 2017 to October 26, 2017. The comment letters received on the Draft Subsequent MND are numbered, as listed below, and are included in the following pages along with the formal responses prepared for the comments. To assist in referencing comments and responses, each specific comment is numbered and refers to a statement or paragraph in the corresponding letter. All correspondence from those agencies or individual comments on the Draft Subsequent MND is reproduced on the following pages. Following each comment letter are responses to each letter.

1.1 Comment Letters

A total of three (3) written comment letters were received at the end of the 30-day public review period.

1. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, letter dated October 25, 2017
2. Department of Transportation, letter dated October 25, 2017.
3. City of Anaheim, Planning and Building Department, letter dated October 26, 2017.

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EDMUND G. BROWN JR.
GOVERNOR

October 25, 2017

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Maria Parra
City of Garden Grove
11222 Acacia Parkway
P.O. Box 3070
Garden Grove, CA 92842

Subject: Site C
SCH#: 2012081036

Dear Maria Parra:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on October 24, 2017, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012081036
Project Title Site C
Lead Agency Garden Grove, City of

Type MND Mitigated Negative Declaration
Description Note: Subsequent MND

The Site C project was originally approved in 2012. The 2012 project called for the development of: 1 full service hotel; 2 limited service hotels; conference/meeting/banquet space; several restaurants; and an indoor entertainment venue on a 5.2 acre site. The 2012 project called for 769 hotel rooms that range from 10 to 19 stories and a multi-level parking garage with 1,297 total spaces.

Lead Agency Contact

Name Maria Parra
Agency City of Garden Grove
Phone (714) 741-5312 **Fax**
email
Address 11222 Acacia Parkway
P.O. Box 3070
City Garden Grove **State** CA **Zip** 92842

Project Location

County Orange
City Garden Grove
Region
Lat / Long 33° 47' 3.15" N / 117° 54' 50.1" W
Cross Streets Northwest corner of Harbor Boulevard and Twintree Lane, west of Choisser Road
Parcel No.
Township 4S **Range** 10W **Section** 34 **Base**

Proximity to:

Highways SR 22, I-5, SR 57
Airports
Railways
Waterways
Schools Lampson, Parkview
Land Use vacant lot/planned unit development no. PUD-128-12/International west mixed use

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual; Agricultural Land; Forest Land/Fire Hazard

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 12; Office of Emergency Services, California; Department of Housing and Community Development; Regional Water Quality Control Board, Region 8; State Water Resources Control Board, Division of Drinking Water; Native American Heritage Commission

Date Received 09/25/2017 **Start of Review** 09/25/2017 **End of Review** 10/24/2017

Note: Blanks in data fields result from Insufficient Information provided by lead agency.

1. RESPONSE TO COMMENT FROM SCOTT MORGAN, DIRECTOR, STATE CLEARINGHOUSE, GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR), STATE OF CALIFORNIA

The comment acknowledges compliance with the CEQA MND public review requirements and requires no further response.

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DEPARTMENT OF TRANSPORTATION

DISTRICT 12
1750 EAST FOURTH STREET, SUITE 100
SANTA ANA, CA 92705
PHONE (657) 328-6267
FAX (657) 328-6510
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

October 25, 2017

Ms. Maria Parra
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92842

File: IGR/CEQA
SCH#: 2012081036
IGR LOG # 2017-00717
SR22
PM 8.549

Dear Ms. Parra,

Thank you for continuing to include the California Department of Transportation (Caltrans) in the review of the Mitigated Negative Declaration for the Site C Project. The Modified Project consists of development of two full-service hotels, one limited-service hotel (Twintree Lane Hotel), conference/meeting banquet space, several restaurants and bars, retail uses, and pools (including a surf pool), on an approximately 4.3-acre site in the City of Garden Grove. Specifically, the Modified Project would consist of 769 rooms, approximately 39,867 square feet of conference/meeting banquet space, 36,885 square feet of restaurant/retail/entertainment space, 24,014 square feet of hotel restaurant space, 26,090 square feet of additional hotel ancillary uses (i.e., gyms, spas, salon, a hotel shop, and a kids' club), and a total of 1,297 above- and below-ground parking spaces. Three access driveways, two along Harbor Boulevard and one along Twintree Lane would serve the project site. The Modified Project is located at the northeast corner of Harbor Boulevard and Twintree Lane, south of the Target Shopping Center parking lot, and west of Choisser Road. Regional access to the project site is provided by State Route (SR) 22.

Caltrans is a responsible agency on this project and has the following comments:

Traffic Operations

1. Please provide the queuing analysis for the following locations including on and off-ramps for SR22:
 - Intersection No.12- Harbor Boulevard at SR22 westbound off-ramp/Banner Drive.
 - Intersection No.13- Harbor Boulevard at Trask Avenue.
 - Intersection No.14- SR22 eastbound on-ramp at Trask Avenue.

Caltrans-1

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

City of Garden Grove
October 25, 2017
Page 2

Encroachment Permit

1. Any project work proposed within Caltrans Right-of-Way requires an Encroachment Permit and all environmental concerns must be addressed. If the environmental documentation for the project does not meet Caltrans requirements, additional documentation would be required before approval of the encroachment permit. For application forms and specific details on Caltrans Encroachment Permits procedure, please refer to Encroachment Permits Manual. The latest edition of the Manual is available on: <http://www.dot.ca.gov/trafficops/ep/apps.html>

Caltrans-2

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi, at (657) 328-6280 or Maryam.Moalvi@dot.ca.gov.

Sincerely,



YATMAN KWAN, AICP
Acting Branch Chief, Regional-IGR-Transit Planning
District 12

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

2. RESPONSES TO COMMENTS FROM YATMAN KWAN, AICP, ACTING BRANCH CHIEF, REGIONAL-IGR-TRANSIT PLANNING, DISTRICT 12, DEPARTMENT OF TRANSPORTATION

Caltrans-1 In response to Caltrans-1 Comment, a supplemental queuing analysis has been prepared at the three requested locations shown below. This queuing analysis is based on the Highway Capacity Manual 2010 methodology. The 95th percentile queue is reported using Synchro 10 analysis software. Traffic volume data is based on the September 13, 2017 Traffic Study.

1. Intersection No. 12 – Harbor Boulevard at SR22 westbound off-ramp/Banner Drive:

Table 1 below shows the results of the queuing analysis at the intersection of Harbor Boulevard at SR22 westbound off-ramp/Banner Drive. The project may cause vehicle queue to increase by as much as 36 feet during the PM peak hour for the southbound through movement on Harbor Boulevard. This is equivalent to approximately 1.4 additional vehicles per lane.

2. Intersection No. 13 – Harbor Boulevard at Trask Avenue:

Table 2 below shows the results of the queuing analysis at the intersection of Harbor Boulevard at Trask Avenue. The project may cause vehicle queue to increase by as much as 44 feet during the AM peak hour for the northbound right turn movement on Harbor Boulevard. This is equivalent to approximately 1.8 additional vehicles per lane.

3. Intersection No. 14 – SR22 on-ramp at Trask Avenue:

Table 3 below shows the results of the queuing analysis at the intersection of SR22 on-ramp at Trask Avenue. The project may cause vehicle queue to increase by as much as 50 feet during the AM peak hour for the eastbound left turn movement on Trask Avenue. This is equivalent to approximately 2 additional vehicles per lane.

This queuing analysis has been provided for informational purposes only. The project related traffic impact at the study area intersections is based on level of service standards established by the City of Garden Grove and Caltrans. Based on the results of the level of service analysis, all study area intersections will operate at acceptable levels of service with the recommended project mitigation measures and the project impact is considered less than significant. The queuing analysis report sheets are provided in Attachment A.

TABLE 1
Queue Analysis for Harbor Boulevard at Banner Dr/SR-22 WB Ramps

Analysis Scenario	AM Peak Hour Queue											
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Opening Year (2021) Without Project	101 ft.	326 ft.	--	--	530 ft.	--	--	150 ft.	--	590 ft.	592 ft.	42 ft.
Opening Year (2021) With Project	101 ft.	340 ft.	--	--	556 ft.	--	--	150 ft.	--	590 ft.	592 ft.	46 ft.
Increase from Project (ft.)	0 ft.	14 ft.	--	--	26 ft.	--	--	0 ft.	--	0 ft.	0 ft.	4 ft.

Analysis Scenario	PM Peak Hour Queue											
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Opening Year (2021) Without Project	169 ft.	400 ft.	--	--	465 ft.	--	--	90 ft.	--	380 ft.	390 ft.	49 ft.
Opening Year (2021) With Project	169 ft.	420 ft.	--	--	501 ft.	--	--	90 ft.	--	380 ft.	390 ft.	75 ft.
Increase from Project (ft.)	0 ft.	20 ft.	--	--	36 ft.	--	--	0 ft.	--	0 ft.	0 ft.	26 ft.

¹ Queue length is based on the Highway Capacity Manual (HCM) 2010 methodology. 95th percentile queue is reported per lane. Traffic volume is based the Site C Mixed Use Hotel Traffic Impact Study (9/13/17).

² "--" = Movement does not have a dedicated lane; turning movement queue is combined and reported with thru movement queue.

TABLE 2
Queue Analysis for Harbor Boulevard at Trask Avenue

Analysis Scenario	AM Peak Hour Queue											
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Opening Year (2021) Without Project	103 ft.	212 ft.	299 ft.	348 ft.	335 ft.	28 ft.	125 ft.	245 ft.	272 ft.	128 ft.	185 ft.	219 ft.
Opening Year (2021) With Project	80 ft.	211 ft.	343 ft.	373 ft.	347 ft.	29 ft.	136 ft.	245 ft.	213 ft.	139 ft.	185 ft.	234 ft.
Increase from Project (ft.)	-23 ft.	-1 ft.	44 ft.	25 ft.	12 ft.	1 ft.	11 ft.	0 ft.	-59 ft.	11 ft.	0 ft.	15 ft.

Analysis Scenario	PM Peak Hour Queue											
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Opening Year (2021) Without Project	125 ft.	424 ft.	198 ft.	391 ft.	294 ft.	45 ft.	251 ft.	269 ft.	255 ft.	137 ft.	287 ft.	301 ft.
Opening Year (2021) With Project	119 ft.	434 ft.	184 ft.	426 ft.	310 ft.	46 ft.	263 ft.	234 ft.	286 ft.	172 ft.	287 ft.	315 ft.
Increase from Project (ft.)	-6 ft.	10 ft.	-14 ft.	35 ft.	16 ft.	1 ft.	12 ft.	-35 ft.	31 ft.	35 ft.	0 ft.	14 ft.

¹ Queue length is based on the Highway Capacity Manual (HCM) 2010 methodology. 95th percentile queue is reported per lane. Traffic volume is based the Site C Mixed Use Hotel Traffic Impact Study (9/13/17).

² ".,." = Movement does not have a dedicated lane; turning movement queue is combined and reported with thru movement queue.

TABLE 3
Queue Analysis for SR-22 EB Ramps at Trask Avenue

Analysis Scenario	AM Peak Hour Queue											
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Opening Year (2021) Without Project	n/a	n/a	n/a	n/a	n/a	n/a	96 ft.	0 ft.	n/a	n/a	117 ft.	--
Opening Year (2021) With Project	n/a	n/a	n/a	n/a	n/a	n/a	146 ft.	0 ft.	n/a	n/a	162 ft.	--
Increase from Project (ft.)	n/a	n/a	n/a	n/a	n/a	n/a	50 ft.	0 ft.	n/a	n/a	45 ft.	--

Analysis Scenario	PM Peak Hour Queue											
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Opening Year (2021) Without Project	n/a	n/a	n/a	n/a	n/a	n/a	116 ft.	0 ft.	n/a	n/a	121 ft.	--
Opening Year (2021) With Project	n/a	n/a	n/a	n/a	n/a	n/a	123 ft.	0 ft.	n/a	n/a	125 ft.	--
Increase from Project (ft.)	n/a	n/a	n/a	n/a	n/a	n/a	7 ft.	0 ft.	n/a	n/a	4 ft.	--

¹ Queue length is based on the Highway Capacity Manual (HCM) 2010 methodology. 95th percentile queue is reported per lane. Traffic volume is based the Site C Mixed Use Hotel Traffic Impact Study (9/13/17).

² "n/a" = Movement does not have a dedicated lane; turning movement queue is combined and reported with thru movement queue.

³ N/A = Movement no present at intersection.

Attachment A
Queuing Analysis Report Sheets



Lane Group	EBT	WBL	WBT	WBR	NBL	NBT	SBT
Lane Group Flow (vph)	218	522	525	134	52	1470	1748
w/c Ratio	0.75	0.99	0.99	0.23	0.71	0.66	0.92
Control Delay	38.0	72.5	71.7	5.8	93.4	23.5	39.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	38.0	72.5	71.7	5.8	93.4	23.5	39.7
Queue Length 50th (ft)	70	334	336	0	32	256	383
Queue Length 95th (ft)	150	#590	#592	42	#101	326	#530
Internal Link Dist (ft)	455		799			727	1778
Turn Bay Length (ft)		400		400	67		
Base Capacity (vph)	361	526	530	587	73	2229	1892
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced w/c Ratio	0.60	0.99	0.99	0.23	0.71	0.66	0.92

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.



Lane Group	EBT	WBL	WBT	WBR	NBL	NBT	SBT
Lane Group Flow (vph)	171	347	356	163	122	2010	1778
w/c Ratio	0.61	0.90	0.92	0.33	0.92	0.76	0.91
Control Delay	23.8	61.1	62.9	7.1	78.9	18.9	33.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	23.8	61.1	62.9	7.1	78.9	18.9	33.1
Queue Length 50th (ft)	30	184	189	0	63	284	309
Queue Length 95th (ft)	90	#380	#390	49	#169	400	#165
Internal Link Dist (ft)	455		799			727	1778
Turn Bay Length (ft)		400		400	67		
Base Capacity (vph)	415	384	389	487	149	2632	1954
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced w/c Ratio	0.41	0.90	0.92	0.33	0.92	0.76	0.91

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	103	653	425	105	257	936	72	1030	527	400	1870	136
w/c Ratio	0.73	0.87	0.87	0.74	0.65	0.64	0.77	0.80	0.76	0.94	0.84	0.18
Control Delay	64.7	42.4	37.0	66.4	35.6	14.6	83.6	31.9	23.6	62.4	22.9	3.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	64.7	42.4	37.0	66.4	35.6	14.6	83.6	31.9	23.6	62.4	22.9	3.2
Queue Length 50th (ft)	48	155	108	49	110	152	34	164	157	183	271	0
Queue Length 95th (ft)	#125	#245	#272	#128	185	219	#103	212	#299	#348	335	28
Internal Link Dist (ft)		264			619			257			727	
Turn Bay Length (ft)				100		100				100		
Base Capacity (vph)	141	754	486	141	397	1456	94	1288	692	424	2237	772
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced w/c Ratio	0.73	0.87	0.87	0.74	0.65	0.64	0.77	0.80	0.76	0.94	0.84	0.18

Intersection Summary

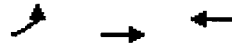
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	204	612	474	114	278	905	128	1548	407	371	1380	227
w/c Ratio	0.94	0.87	0.83	0.64	0.84	0.73	0.50	0.98	0.52	0.99	0.72	0.31
Control Delay	90.0	49.1	25.6	57.0	59.2	23.8	43.1	49.7	15.3	82.9	26.5	3.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	90.0	49.1	25.6	57.0	59.2	23.8	43.1	49.7	15.3	82.9	26.5	3.9
Queue Length 50th (ft)	117	178	83	63	154	219	68	317	114	212	241	0
Queue Length 95th (ft)	#251	#269	#255	#137	#287	301	125	#424	198	#891	294	45
Internal Link Dist (ft)		264			619			257			727	
Turn Bay Length (ft)				100		100				100		
Base Capacity (vph)	216	707	571	177	331	1242	255	1582	780	373	1921	739
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced w/c Ratio	0.94	0.87	0.83	0.64	0.84	0.73	0.50	0.98	0.52	0.99	0.72	0.31

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	WBT
Lane Group Flow (vph)	743	1004	1069
w/c Ratio	0.65	0.54	0.68
Control Delay	13.8	1.1	10.6
Queue Delay	0.0	0.0	0.0
Total Delay	13.8	1.1	10.6
Queue Length 50th (ft)	68	0	85
Queue Length 95th (ft)	96	0	117
Internal Link Dist (ft)		619	392
Turn Bay Length (ft)	260		
Base Capacity (vph)	1322	1859	1744
Starvation Cap Reductn	0	0	0
Spillback Cap Reductn	0	0	0
Storage Cap Reductn	0	0	0
Reduced w/c Ratio	0.56	0.54	0.61

Intersection Summary



Lane Group	EBL	EBT	WBT
Lane Group Flow (vph)	636	687	320
w/c Ratio	0.54	0.37	0.53
Control Delay	12.7	0.6	9.3
Queue Delay	0.0	0.0	0.0
Total Delay	12.7	0.6	9.3
Queue Length 50th (ft)	50	0	53
Queue Length 95th (ft)	116	0	121
Internal Link Dist (ft)		619	392
Turn Bay Length (ft)	260		
Base Capacity (vph)	2209	1863	2777
Starvation Cap Reductn	0	0	0
Spillback Cap Reductn	0	0	0
Storage Cap Reductn	0	0	0
Reduced w/c Ratio	0.29	0.37	0.30

Intersection Summary



Lane Group	EBT	WBL	WBT	WBR	NBL	NBT	SBT
Lane Group Flow (vph)	218	522	525	164	52	1515	1800
w/c Ratio	0.75	0.99	0.99	0.27	0.71	0.68	0.95
Control Delay	38.0	72.5	71.7	5.5	93.4	24.0	43.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	38.0	72.5	71.7	5.5	93.4	24.0	43.1
Queue Length 50th (ft)	70	334	336	0	32	267	~406
Queue Length 95th (ft)	150	#590	#592	46	#101	340	#556
Internal Link Dist (ft)	455		799			727	1778
Turn Bay Length (ft)		400		400	67		
Base Capacity (vph)	361	526	530	608	73	2229	1892
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced w/c Ratio	0.60	0.99	0.99	0.27	0.71	0.68	0.95

Intersection Summary













- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBT	WBL	WBT	WBR	NBL	NBT	SBT
Lane Group Flow (vph)	171	347	356	204	122	2072	1859
w/c Ratio	0.61	0.90	0.92	0.42	0.82	0.79	0.95
Control Delay	23.8	61.1	62.9	10.5	78.9	19.6	37.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	23.8	61.1	62.9	10.5	78.9	19.6	37.9
Queue Length 50th (ft)	30	184	189	15	63	299	332
Queue Length 95th (ft)	90	#380	#390	75	#169	420	#601
Internal Link Dist (ft)	455		799			727	1778
Turn Bay Length (ft)		400		400	67		
Base Capacity (vph)	415	384	389	490	149	2632	1954
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced w/c Ratio	0.41	0.90	0.92	0.42	0.82	0.79	0.95

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SET	SBR
Lane Group Flow (vph)	103	653	425	105	257	965	72	1046	527	421	1880	136
w/c Ratio	0.87	0.88	0.67	0.89	0.66	0.67	0.51	0.77	0.92	0.99	0.86	0.18
Control Delay	93.0	43.5	20.4	96.4	36.0	15.5	46.9	29.8	40.4	72.6	24.8	3.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	93.0	43.5	20.4	96.4	36.0	15.5	46.9	29.8	40.4	72.6	24.8	3.3
Queue Length 50th (ft)	49	155	113	50	110	164	33	164	151	195	280	0
Queue Length 95th (ft)	#136	#245	213	#139	185	234	#80	211	#343	#373	347	29
Internal Link Dist (ft)		264			619			257			727	
Turn Bay Length (ft)				100		100				100		
Base Capacity (vph)	118	757	631	118	398	1444	141	1360	574	425	2179	756
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced w/c Ratio	0.87	0.86	0.67	0.89	0.65	0.67	0.51	0.77	0.92	0.99	0.86	0.18

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	204	612	474	114	278	948	128	1570	407	405	1398	227
w/c Ratio	1.04	0.80	0.72	0.96	0.87	0.75	0.55	0.99	0.63	1.03	0.68	0.29
Control Delay	115.1	41.9	26.1	118.0	62.7	24.0	44.6	51.2	16.4	88.2	24.7	4.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	115.1	41.9	26.1	118.0	62.7	24.0	44.6	51.2	16.4	88.2	24.7	4.0
Queue Length 50th (ft)	~126	173	193	66	154	231	69	323	83	~249	234	0
Queue Length 95th (ft)	#263	234	286	#172	#287	315	119	#434	184	#426	310	46
Internal Link Dist (ft)		264			619			257			727	
Turn Bay Length (ft)				100		100				100		
Base Capacity (vph)	197	791	732	119	333	1263	316	1592	649	395	2055	775
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced w/c Ratio	1.04	0.77	0.65	0.96	0.83	0.75	0.41	0.99	0.63	1.03	0.68	0.29

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	WBT
Lane Group Flow (vph)	767	1004	1069
w/c Ratio	0.65	0.54	0.64
Control Delay	16.7	1.1	11.3
Queue Delay	0.0	0.0	0.0
Total Delay	16.7	1.1	11.3
Queue Length 50th (ft)	87	0	100
Queue Length 95th (ft)	146	0	162
Internal Link Dist (ft)		619	392
Turn Bay Length (ft)	260		
Base Capacity (vph)	1705	1860	2367
Starvation Cap Reductn	0	0	0
Spillback Cap Reductn	0	0	0
Storage Cap Reductn	0	0	0
Reduced w/c Ratio	0.45	0.54	0.45

Intersection Summary



Lane Group	EBL	EBT	WBT
Lane Group Flow (vph)	669	687	320
w/c Ratio	0.56	0.37	0.54
Control Delay	12.8	0.6	9.7
Queue Delay	0.0	0.0	0.0
Total Delay	12.8	0.6	9.7
Queue Length 50th (ft)	53	0	55
Queue Length 95th (ft)	123	0	125
Internal Link Dist (ft)		619	392
Turn Bay Length (ft)	260		
Base Capacity (vph)	2269	1863	2674
Starvation Cap Reductn	0	0	0
Spillback Cap Reductn	0	0	0
Storage Cap Reductn	0	0	0
Reduced w/c Ratio	0.29	0.37	0.31

Intersection Summary

Caltrans-2 The comment is acknowledged. Should any work be performed within the Caltrans Right-of-Way, an Encroachment Permit will be obtained in accordance with the Caltrans procedures prior to the start of the work.



City of Anaheim
PLANNING AND BUILDING DEPARTMENT

October 26, 2017

Maria Parra
 Senior Planner
 City of Garden Grove Planning Division
 11222 Acacia Parkway
 Garden Grove, CA 92840

by email to: mariap@ci.garden-grove.ca.us

Subject: City of Garden Grove Notice of Intent to Adopt a Subsequent Mitigated
 Negative Declaration for Site C

Dear Ms. Parra:

Thank you for the opportunity to review and comment on the above-referenced document. City of Anaheim interdepartmental staff has reviewed the document. The Public Works Department, Traffic Engineering Division has provided the comments below. Please contact Linda Johnson, Principal Planner at (714) 765-4957 or ljohnson@anaheim.net with questions pertaining to these comments.

- Regarding "DF-TR-23 Provide shuttle service to Disneyland, the Anaheim Convention Center and other popular attractions in the area" (Page 66 in the Traffic and Transportation Section), City staff recommends that the Property Owner/Developer participate in the Anaheim Transportation Network (ATN), which operates the Anaheim Resort Transportation (ART) buses. ATN has a franchise with the City of Anaheim to operate ART buses to provide transportation on regular routes to destinations in and around The Anaheim Resort. ATN was formed to mitigate traffic in The Anaheim Resort by consolidating vehicle trips to a regular bus operation. Through the franchise with the City, ART also operates limited routes to other cities such as Garden Grove.
- Regarding Exhibit 3-4 (City of Garden Grove Master Plan of Bikeway Facilities) – This map shows bike lanes on Katella Avenue in the City of Anaheim which is not consistent with the City of Anaheim's recently adopted Bicycle Master Plan (adopted on May 23, 2017, see page 31 of the following link: <http://www.anaheim.net/DocumentCenter/Home/View/2027>).

Anaheim-1

Anaheim-2

Please forward any subsequent public notices regarding this project to my attention at the address listed at the bottom of the first page of this letter. If you have any questions regarding this response, please do not hesitate to contact me at (714) 765-5238 or csaunders@anaheim.net.

200 S. Anaheim Blvd.
 Suite #162
 Anaheim, CA 92805
 Tel: (714) 765-5139
 Fax: (714) 765-5280
 www.anaheim.net

Ms. Parra
October 26, 2017
Page 2 of 2

Sincerely,

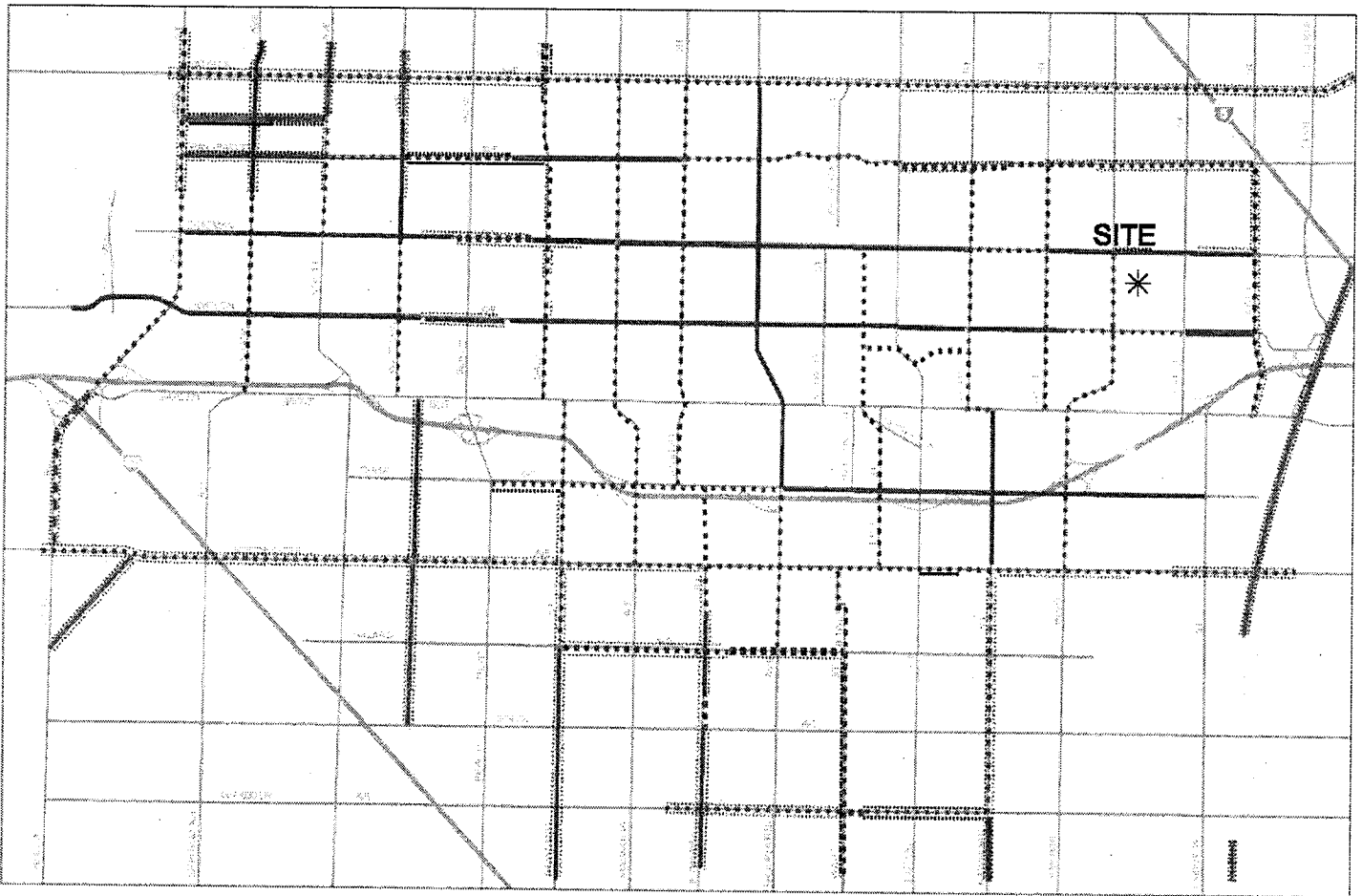


Christine Saunders
Associate Planner

Cc: Linda Johnson, Public Works Department, Traffic Engineering
Jamie Lai, Public Works Department, Traffic Engineering

3. RESPONSES TO COMMENTS FROM CHRISTINE SAUNDERS, ASSOCIATE PLANNER, CITY OF ANAHEIM, PLANNING AND BUILDING DEPARTMENT

- Anaheim-1** The comment is acknowledged and will be shared with the Property Owner/Developer for their consideration. Since this comment does not raise an issue regarding the environmental analysis contained in the Draft Subsequent MND, no further action is required.
- Anaheim-2** The comment is acknowledged. Please note that Exhibit 3-4 of the Traffic Impact Study was based on the City of Garden Grove Bikeway Master Plan. However, to address this discrepancy (bike lanes on Katella Avenue) between the City of Garden Grove Bikeway Master Plan and the City of Anaheim Bicycle Master Plan, a note has been added to Exhibit 3-4 to correct this issue. See the revised Exhibit 3-4 on the next page.



Please note that the bike lanes on Katella Avenue are no longer proposed per the City of Anaheim Bicycle Master Plan which was adopted on May 23, 2017.



Legend:

City of Garden Grove

- | Existing | Proposed | |
|----------|----------|---|
| | | Class I Bike Trail (Off Street Trail) |
| | | Class II Bike Lanes (On Street Striped Lanes) |
| | | Class III Bike Route (On Street Signed Route) |

County of Orange and Adjacent Cities

- | Existing | Proposed | |
|----------|----------|---|
| | | Class I Bike Trail (Off Street Trail) |
| | | Class II Bike Lanes (On Street Striped Lanes) |
| | | Class III Bike Route (On Street Signed Route) |

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2.	SITE LOCATION: North side of 11 th Street, between Brookhurst Street and Kerry Street, at 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, and 9791 11 th Street, 9752, 9762, 9802, 9820, 9822, 9842, 9902, and 9904 13 th Street, and 14301 and 14321 Brookhurst Street.
HEARING DATE: November 2, 2017	GENERAL PLAN: Civic/Institutional PROPOSED: Medium Density Residential
CASE NOS.: General Plan Amendment No. GPA-002-2017(A)	ZONE: R-3 (Multiple-Family Residential) and Planned Unit Development No. PUD-130-99
APPLICANT: City of Garden Grove	CEQA DETERMINATION: Exempt
PROPERTY OWNER(S): Various Owners	APN: 098-120-04, 05, 18, 23, 25, 39, 40, 41, 42, 52, 57, 58, 59, 62, 63, 64, 65, 66, and 930-384-55

REQUEST:

Planning Commission recommends City Council approval to change the General Plan land use designation of approximately 15-acres of land comprised of 14 parcels from Civic/Institutional (CI) to Medium Density Residential (MDR) to correct an inconsistency between the zoning and the General Plan Land Use designations of the parcels. The properties are zoned R-3 (Multiple-Family Residential) and PUD-130-99 (Planned Unit Development), which is consistent with the proposed Medium Density Residential General Plan Land Use Designation. No new development is proposed with this request.

BACKGROUND:

The subject properties are located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, and 9791 11th Street, 9752, 9762, 9802, 9820, 9822, 9842, 9902, and 9904 13th Street, and 14301 and 14321 Brookhurst Street. Several parcels encompass multiple addresses and more than one Assessor's Parcel Number, or APN. The fourteen parcels all have a General Plan Land Use designation of Civic/Institutional and are zoned R-3 (Multiple-Family Residential), with the exception of one parcel located at 9752 13th Street, which is zoned Planned Unit Development No. PUD-130-99 with R-3 base zoning.

The properties are located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. The properties abut C-1 (Neighborhood Commercial) zoned properties on the southwest corner of 13th Street and Brookhurst Street, O-S (Open Space) zoned properties to the north, across 13th Street and to the west, across Kerry Street, C-1 zoned properties to the east, across Brookhurst Street, and R-1 (Single-Family Residential) and R-3 zoned properties to the south, across 11th Street.

All properties located within the block have a General Plan Land Use designation of Civic/Institutional, with the exception of two properties on the southwest corner of Brookhurst Street and 13th Street, which have a Land Use designation of Light Commercial. The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. This new land use designation is intended for educational uses, such as, elementary, middle, and high schools, colleges, universities, hospitals, and governmental facilities. The previous Open Space (OS) Land Use designation combined parks, school uses, golf courses, and other public and private open space land under one designation. In the current General Plan, the City determined to keep the Open Space designation for recreational areas, such as parks, right-of-ways, flood channels and introduce the Civic/Institutional designation to educational uses and governmental facilities, such as the Merton E. Hill Elementary School to the west, across Kerry Street.

DISCUSSION:

The subject 14 properties were not included in the Open Space designation in the previous General Plan. Rather, prior to 2008, all of the properties had a Land Use designation of Medium Density Residential. All of these properties were included in the change to Civic/Institutional in the current General Plan. However, the subject properties are developed mainly with residential uses and all but one retain an R-3 zoning which is not consistent with the Civic/Institutional General Plan designation. Although the Islamic Society of Orange County has a Planned Unit Development zoning, the PUD, retains an R-3 base zone. The R-3 zoning designation is consistent with the Medium Density Residential General Plan land use designation.

Planning staff has reviewed the history of the General Plan designations and has determined that the Civic/Institutional Land Use designation on the 14 properties is the result of a mapping error in the current General Plan. Only the Merton E. Hill Elementary School to the west across Kerry Street should have been included in the Civic/Institutional designation. Changing the subject properties back to the Medium Density Residential designation will correct the prior mapping error and eliminate the current inconsistency between the General Plan land use and Zoning designations for the properties located in this block.

This is a City-initiated action to correct a prior administrative mapping error, and no development project is proposed in conjunction with the proposed General Plan Amendment. Therefore, the proposed General Plan Amendment is not subject to review under the California Environmental Quality Act ("CEQA") pursuant to Section

15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Note that the property at 9841 11th Street is not included in the subject request since a ten (10) unit residential project is being proposed via General Plan Amendment No. GPA-002-2017(B) and Site Plan No. SP-038-2017. This request is being processed separately from this General Plan Amendment request.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Adopt Resolution No. 5901-17 recommending approval of General Plan Amendment No. GPA-002-2017(A) to the City Council.



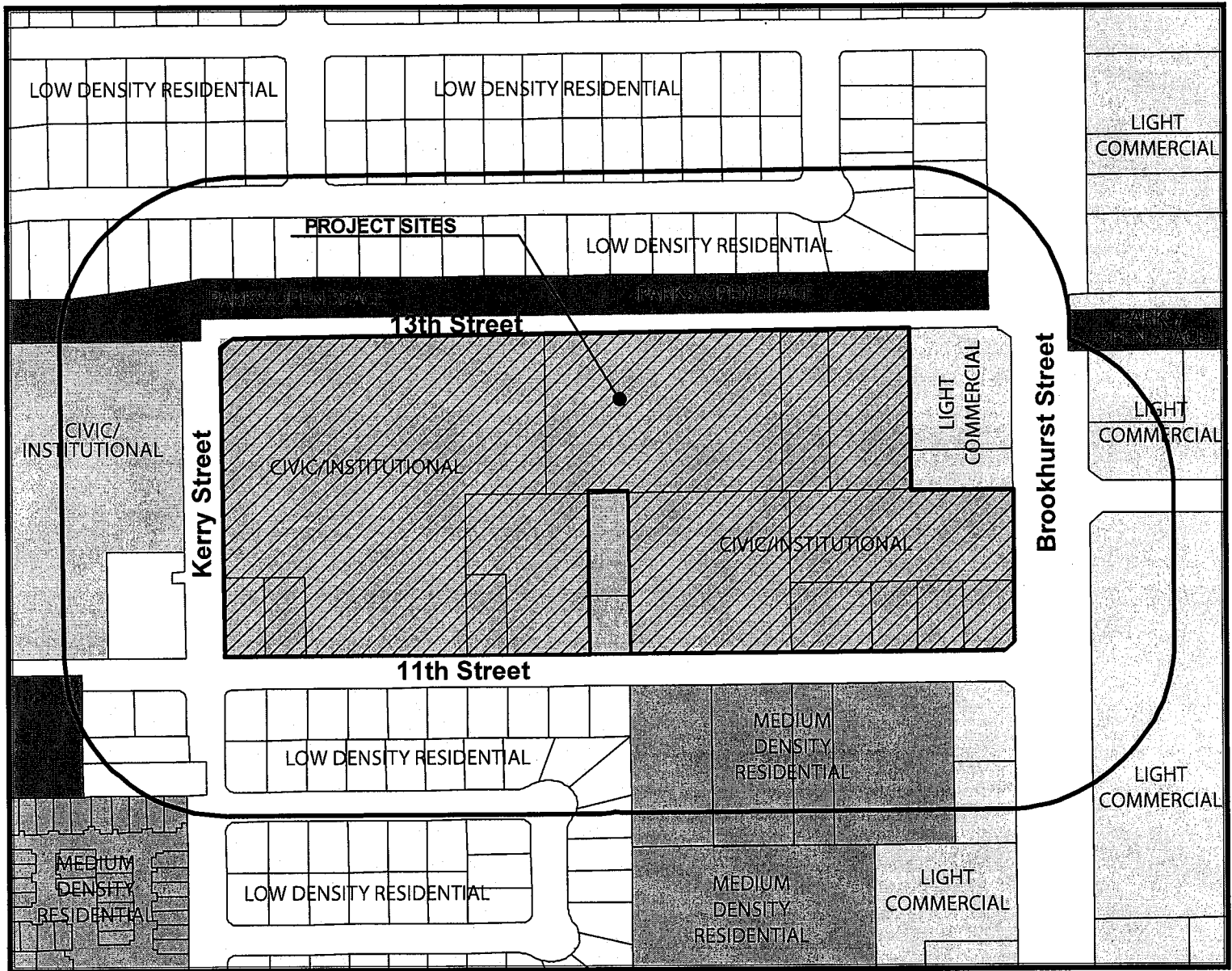
LEE MARINO
Planning Services Manager





By: Mary Medrano
Assistant Planner



GENERAL PLAN AMENDMENT NO. GPA-002-2017(A)

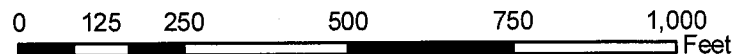


LEGEND

-  SUBJECT SITES
-  300 FEET RADIUS

NOTES

1. SITE ADDRESSES - 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, AND 9791 11TH STREET, 9752, 9762, 9802, 9820, 9822, 9842, 9902, AND 9904 13TH STREET, 14301 AND 14321 BROOKHURST STREET
2. GENERAL PLAN: CIVIC / INSTITUTION TO MEDIUM DENSITY RESIDENTIAL



RESOLUTION NO. 5901-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. GPA-002-2017(A) CHANGING THE LAND USE MAP FROM CIVIC/INSTITUTIONAL TO MEDIUM DENSITY RESIDENTIAL FOR LAND LOCATED ON THE NORTH SIDE OF 11TH STREET, BETWEEN BROOKHURST STREET AND KERRY STREET, AT 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, AND 9791 11TH STREET, 9752, 9762, 9802, 9820, 9822, 9842, 9902, AND 9904 13TH STREET, AND 14301 AND 14321 BROOKHURST STREET, PARCEL NOS. 098-120-04, 05, 18, 23, 25, 39, 40, 41, 42, 52, 57, 58, 59, 62, 63, 64, 65, 66, AND 930-384-55.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on November 2, 2017, hereby recommends City Council approval of General Plan Amendment No. GPA-002-2017(A) to change the General Plan land use designation of approximately 15-acres of land comprised of 14 parcels located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, and 9791 11th Street, 9752, 9762, 9802, 9820, 9822, 9842, 9902, and 9904 13th Street, and 14301 and 14321 Brookhurst Street (collectively, the "Properties"), from Civic/Institutional (CI) to Medium Density Residential (MDR).

BE IT FURTHER RESOLVED in the matter of General Plan Amendment No. GPA-002-2017(A) the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by City of Garden Grove.
2. The City of Garden Grove proposes to amend the General Plan Land Use designation of the Properties from Civic/Institutional to Medium Density Residential to correct an inconsistency between the zoning and the General Plan Land Use designations of the Properties resulting from a prior mapping error.
3. The proposed General Plan Amendment is not subject to the California Environmental Quality Act ("CEQA") (Cal. Pub. Resources Code Section 21000 et seq pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. The Properties have a General Plan Land Use designation of Civic/Institutional, thirteen of the parcels are zoned R-3 (Multiple-Family Residential), and one parcel is zoned Planned Unit Development No. PUD-130-99 with a base zone of R-3.

5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 2, 2017, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of November 2, 2017; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.12.020 and 9.24.030, are as follows:

FACTS:

The subject Properties are located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9741, 9761, 9811, 9823, 9831, 9861, 9921, 9941, 9961, 9971, and 9791 11th Street, 9752, 9762, 9802, 9820, 9822, 9842, 9902, and 9904 13th Street, and 14301 and 14321 Brookhurst Street. The parcels all have a General Plan Land Use designation of Civic/Institutional and are zoned R-3 (Multiple-Family Residential), with the exception of one parcel located at 9752 13th Street, which is zoned Planned Unit Development No. PUD-130-99, with R-3 base zoning.

The properties are located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. The properties abut C-1 (Neighborhood Commercial) zoned properties on the southwest corner of 13th Street and Brookhurst Street, O-S (Open Space) zoned properties to the north, across 13th Street and to the west, across Kerry Street, C-1 zoned properties to the east, across Brookhurst Street, and R-1 (Single-Family Residential) and R-3 zoned properties to the south, across 11th Street.

All properties located within the block have a General Plan Land Use designation of Civic/Institutional, with the exception of two properties on the southwest corner of Brookhurst Street and 13th Street, which have a Land Use designation of Light Commercial. The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. The designation is intended for educational uses, such as, elementary, middle, and high schools, colleges, universities, hospitals, and governmental facilities. The previous Open Space (OS) Land Use designation combined parks, school uses, golf courses, and other public and private open space land under one designation. In the current

General Plan, the City determined to keep the Open Space designation for recreational areas, such as parks, right-of-ways, flood channels and introduce the Civic/Institutional designation to educational uses and government facilities, such as the Merton E. Hill Elementary School to the west, across Kerry Street.

The subject properties were not included in the Open Space designation in the previous General Plan. Rather, prior to 2008, all of the properties had a Land Use designation of Medium Density Residential. All of these properties were included in the change to Civic/Institutional in the current General Plan. However, the subject properties are developed mainly with residential uses and all but one retain an R-3 zoning which is not consistent with the Civic/Institutional General Plan designation. Although the Islamic Society of Orange County has a Planned Unit Development zoning, the PUD, retains an R-3 base zone. The R-3 zoning designation is consistent with the Medium Density Residential General Plan land use designation.

City staff has determined that the Civic/Institutional Land Use designation on the 14 properties is the result of a mapping error in the current General Plan and that only the Merton E. Hill Elementary School to the west across Kerry Street, should have been included in the Civic/Institutional designation. Changing the subject properties back to the Medium Density Residential designation will correct the prior mapping error and eliminate the current inconsistency between the General Plan land use and Zoning designations for the properties located in this block.

FINDINGS AND REASONS:

1. The amendment is internally consistent with the goals, objectives and elements of the City's General Plan.

The proposed General Plan Amendment will change the General Plan Land Use designation of the subject 14 Properties from Civic/Institutional to Medium Density Residential. The Properties previously had a Land Use designation of Medium Density Residential, but were changed when the Civic/Institutional designation was adopted in 2008 as a result of an administrative mapping error. The proposed amendment will return the Land Use designation to Medium Density Residential, which is consistent with the R-3 zoning and base zoning designations that apply to all of the Properties. The Medium High Density Residential (MHR) designation is found along major and secondary arterials, is intended to be a transition between the other residential land uses and the more intensive non-residential land uses, and is intended to create, maintain, and enhance higher density multi-family residential areas characterized by apartments, condominiums, or townhomes. The Properties are located in an area improved with single-family and multiple-family developments, a care facility, and the Islamic Society of Orange County. The proposed Amendment will restore the land use designation that is consistent with the Properties' zoning in accordance with State law and thus is consistent

with the goals and objectives of all elements of the City's adopted General Plan.

2. The amendment is deemed to promote the public interest, health, safety and welfare.

The General Plan Amendment will promote the public interest, health, safety, and welfare by changing the land use from Civic/Institutional to Medium Density Residential, which is consistent with the surrounding neighborhood. The General Plan Amendment will return the sites to the Land Use designation it had in the past and repair the inconsistency between the General Plan designation and the zoning of the properties due to a mapping error during the current General Plan 2030 adopted in 2008.

3. The subject parcel(s) are physically suitable for the requested land use designation(s) compatible with the surrounding land uses, and consistent with the General Plan.

The 14 parcels are physically suitable for a Land Use designation of Medium Density Residential. The General Plan Amendment will return the Land Use designation from Civic/Institutional to the previous designation of Medium Density Residential, which was done in error during the adoption of the current General Plan in 2008. The properties are located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County, and will be consistent with the surrounding land uses. The subject parcels will retain their current size and land uses, which are consistent with the General Plan designation of Medium Density Residential.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The General Plan Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (General Plan Amendment).

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.3.	SITE LOCATION: North side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street.
HEARING DATE: November 2, 2017	GENERAL PLAN: Civic/Institutional PROPOSED: Medium Density Residential
CASE NOS.: General Plan Amendment No. GPA-002-2017(B) Site Plan No. SP-038-2017	ZONE: R-3 (Multiple-Family Residential)
APPLICANT: Faircrest Real Estate, LLC	CEQA DETERMINATION: Mitigated Negative Declaration
PROPERTY OWNER: Same as applicant	APN: 098-120-29, 30

REQUEST:

A request for Site Plan approval to develop a parcel, approximately 19,125 square feet in size, with ten (10) units within a three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional (CI) to Medium Density Residential (MDR). Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 (Multiple-Family Residential) zone development standards to: (1) allow the third-story configuration to be greater than fifty percent of the building footprint; (2) to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors; and (3) to deviate from the required 11'-3" third-story side yard setback.

PROJECT STATISTICS:

	Provided	Code Requirement	Meets Code	Requires a Concession or Incentive
Total Lot Size	19,125 S.F.	7,200 S.F.	Yes	
Density By Total Site Area	10 units w/ 35% density bonus	7 units maximum for lots 18,000 - 19,799 S.F.	Yes	Yes
Lot Coverage	37.9%	50% maximum	Yes	
Residential Parking	20 spaces	20 spaces ¹	Yes	
Recreation Area Total	3,137 S.F.	3,000 S.F. 10 x 300 = 3,000 S.F.	Yes	
Common Area - Active	1,817 S.F.			

Common Area - Passive	373			
Private Balconies	947 S.F.			
Building Setbacks			No	Yes
Front	20'-0"	20'-0" minimum	Yes	
Sides				
1 st and 2 nd floor	10'-0"	10'-0"	Yes	
3 rd floor	10'-0"	11'-3"	No	Yes
Rear	35'-2"	11'-3"	Yes	
Residential Units to Driveway	0'-0"	10'-0" minimum	No	Yes

1. State Affordable Housing Law requires parking at 1 space per 1 bedroom unit, and 2 spaces per 2-3 bedroom units.

Multi-Family Residential Units

Number of Bedrooms/Baths	Living Area	Total Number of Units
Unit 1: 2 Bedrooms, 2 Baths (ADA)	990 S.F.	1
Unit 2: 3 Bedrooms, 2 Baths	1,180 S.F.	1
Unit 3: 2 Bedrooms, 2 Baths	990 S.F.	1
Unit 4: 2 Bedrooms, 2 Baths	921 S.F.	2
Unit 5: 3 Bedrooms, 2.5 Baths	1,277 S.F.	5
	Total	10

BACKGROUND:

The subject property is located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street. The parcel currently has a General Plan Land Use designation of Civic/Institutional and is zoned R-3. The property is located in an area improved with single-family and multiple-family developments, a care facility, and the Islamic Society of Orange County. The property abuts R-3 zoned properties to the north, east, and west, and R-1 (Single-Family Residential) and R-3 zoned properties to the south across 11th Street. Directly to the east is an intermediate care facility, a multi-family development to the west, and a rehabilitation care facility to the north. The site consists of a net lot area of 19,125 square feet and is currently developed with two unoccupied and vacant residential dwelling units.

The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. This new land use designation is intended for educational uses, such as, elementary, middle, and high schools, colleges, universities, hospitals, and governmental facilities. The previous Open Space (OS) Land Use designation combined parks, school uses, golf courses, and other public and private open space land under one designation. In the current General Plan, the City determined to keep the Open Space designation for recreational areas, such as parks, right-of-ways, flood channels and introduce the Civic/Institutional designation to educational uses and government facilities, such as the Merton E. Hill Elementary School to the west, across Kerry Street. However, the properties within the block, including the property under this request, retain an

R-3 zoning, which is not consistent with the Civic/Institutional General Plan designation. The previous Land Use designation of the properties, Medium Density Residential, was consistent with the R-3 zoning of the properties, prior to the adoption of the current General Plan 2030.

Planning staff has reviewed the history of the General Plan designations and has determined that the Civic/Institutional Land Use designation on the properties was the result of a mapping error in the current General Plan. Under a separate request, General Plan Amendment No. GPA-002-2017(A), the City is proposing that surrounding properties' Land Use designation also be amended to Medium Density Residential. Under this request, the General Plan Amendment will correct the inconsistency between the Land Use designation and zoning of the subject property, return the parcel to its previous Land Use designation, and allow the property to be developed with a multi-family residential development.

DISCUSSION:

The applicant is requesting Site Plan approval to develop a 10-unit, three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional to Medium Density Residential. In order to facilitate the proposed development, and to ensure that the development site has consistent General Plan Land Use and zoning designations, a General Plan Amendment is required for the parcel.

GENERAL PLAN AMENDMENT:

The subject property, and all properties located within the block, have a General Plan Land Use designation of Civic/Institutional, with the exception of two properties on the southwest corner of Brookhurst Street and 13th Street. With the proposed residential development under the subject request, a General Plan Amendment to change the Land Use designation from Civic/Institutional to Medium Density Residential is necessary to make the General Plan Land Use designation and the zoning designation of the property consistent. This proposed General Plan Amendment is being processed concurrently with proposed General Plan Amendment No. GPA-002-2017(A) to also change the General Plan land use designations of the surrounding properties within the block back to Medium Density Residential.

A General Plan Amendment is required to change the General Plan Land Use designation from Civic/Institutional to Medium Density Residential to allow the development of the subject ten unit apartment building. As previously stated, the site and fourteen neighboring parcels to the north, east, and west were in the Medium Density Residential designation under the prior General Plan. Planning staff have reviewed the history and determined that a mapping error occurred that included the subject parcel in the newly added Civic/Institutional General Plan designation in 2008. Only Merton E. Hill Elementary School to the west, across Kerry Street, should have been included in the Civic/Institutional designation.

Changing the land use designation of the subject property back to the Medium Density Residential designation will correct the prior mapping error and eliminate the current inconsistency between the General Plan land use and Zoning designations for the property so the proposed development can be constructed on the site.

SITE PLAN:

Site Design and Circulation

The proposed site design consists of one three-story building with a total of ten (10) units. One unit, twenty (20) parking spaces within a carport, storage areas, mailboxes, and utility closets will be located on the ground level. The remaining nine (9) units will be located on the two levels above. The project proposes five (5) sets of exterior stairs located along the west side of the site to access the units on the upper two levels.

The site will be accessed from a proposed 25'-0" wide driveway from 11th Street. The driveway extends from the entrance of the property, and circulates to the rear of the lot. The driveway is used to access the covered parking spaces located on the west side of the property, and the trash enclosure located toward the rear of the property. The driveway has been designed in accordance with City standards, and is designed to provide the required access for trash trucks and emergency vehicles. In addition, an internal pedestrian walkway on the west side of the property that originates from 11th Street, with a gate and fence, will be used to provide access to the stairways and to the accessible unit on ground level.

The residential units have been parked per the State's Density Bonus Affordable Housing Law that establishes the maximum parking requirement for affordable housing developments. The law allows affordable housing developments to provide one (1) parking space for 1-bedroom units, and two (2) parking spaces for 2-3 bedrooms units. The project includes four (4) two-bedroom units, and six (6) three-bedroom units for a total of twenty (20) parking spaces required. All required parking spaces are provided in the form of open carports.

Recreation Area and Landscaping

The project is required to provide a variety of landscaping along the front, side and rear setback areas. The landscaping is required to provide a variety of trees, shrubs, bushes, and groundcover in all common landscape areas. The project proposes landscaping in all required setbacks, with the exception of areas designated for the drive aisle or walkways. The applicant is proposing a combination of evergreen and flowering trees along the front and rear property lines, and along the walkway that runs the length of the west property line. Additionally, the project proposes a variety of shrubs, groundcover, and artificial turf around the active recreation area located at the rear of the property.

The project provides a 1,817 square foot active recreation area located at the rear of the lot, and is accessed by a common walkway on the west side of the property and an accessible ramp on the east of the parcel, adjacent to the trash enclosure. The active recreation area is a multi-purpose area that consists of half a basketball court that may also be used for riding tricycles, rollerblading, and other group gatherings. The applicant also proposes benches for seating around the active recreation area. The active recreation area is 1,817 square feet.

The passive recreation areas are currently designed with landscaping and walkways along the rear east and west side setbacks for a total of 373 square feet. Additionally, the applicant is proposing areas along the west side setback area designed with benches and tables that may be utilized by residents for sitting or for engaging in other leisure activities.

Each unit will also have a private recreation area that complies with the minimum size of 90 square feet as required by the Municipal Code. The private recreation area is conveniently located in each unit, and will be accessed from the living room, in the form of outdoor patios or decks. The total private recreation area is 947 square feet.

The combined total private and common recreation area provided for the project exceeds the minimum amount required by the Municipal Code. The code requires 3,000 square feet of recreation area, and the applicant has provided a total of 3,137 square feet.

Unit Design

Based on the net parcel size of 19,125 square feet, Section 9.12.040.050 of Title 9 of the Municipal Code would permit a maximum of seven (7) multi-family residential units. However, the applicant has requested a 35 percent affordable housing density bonus; therefore, the project consists of ten (10) multi-family residential units. Three (3) units will be affordable for low-income households.

The development proposes five (5) different unit types ranging from 921 square feet to 1,277 square feet. Each unit consists of a kitchen, a living room, a dining room, a private laundry room, and outdoor private space. Unit 1, an accessible unit located on the ground level, consists of 990 square feet with two (2) bedrooms, two (2) bathrooms, and a 103 square foot outdoor patio. Unit 2, a second floor flat, consists of 1,180 square feet with three (3) bedrooms, two (2) bathrooms, and a 109 square foot outdoor deck. Unit 3, a third floor flat, consists of two (2) bedrooms, two (2) bathrooms, and a 103 square foot outdoor patio. Unit 4, a second floor flat, consists of 921 square feet with two (2) bedrooms, two (2) bathrooms, and a 91 square foot deck. The project proposes two (2) units that follow the Unit 4 configuration. Lastly, Unit 5 is a two-story unit consisting of 1,277 square feet with three (3) bedrooms, 2.5 bathrooms, and a 90 square foot outdoor deck. The project will consist of five (5) units with the Unit 5 configuration.

The project will also provide private storage areas with a minimum of 300 cubic feet, as required, that will be assigned to each unit as hanging storage within the carports and/or in individual storage rooms centrally located on the property adjacent to the mailboxes.

Building Architecture

The multi-family apartment building will be three (3) stories in height and will incorporate a contemporary architectural style. The design integrates varying building parapet heights, recessed patios, and projecting architectural features that enhance the building façade and eliminate the appearance of a boxed-shaped design. The building consists of a combination of faux wood lap siding as an accent and smooth faux concrete square veneer in two shades of beige. The design proposes varied window sizes, fabricated metal awnings, sloped stucco shelves underneath windows on the east elevation, and tensioned steel guardrail along the outdoor decks and patios.

Concessions/Incentives:

The applicant has requested three concessions/incentives for the project as permitted by the State's Density Bonus Affordable Housing law.

The first concession/incentive is to allow the third-story configuration to be greater than fifty percent of the building footprint, contrary to the R-3 zone development standards. With the vehicular access, carports, and one accessible unit occupying the ground level, this incentive is needed to allow the applicant to build the three additional density bonus units. The project proposes residential units on the upper two levels. Five two-story units are located on the second level, with all three bedrooms located on the third floor. There are also two additional single-story units proposed on the third floor. To meet the minimum bedroom sizes, minimum unit sizes, and building setbacks to the furthest extent possible, the third story may not be reduced to under fifty percent of the building footprint. A deviation to allow the third-story configuration to be greater than fifty percent is required to facilitate the development and improvement of the property.

The second concession/incentive is a waiver of the requirement to separate the building from the drive aisle by a distance of ten feet minimum. The ten foot separation requirement also applies to the upper stories of a building. The applicant is proposing a zero foot separation to the drive aisle on all three levels. On the ground level, Unit 1 does not maintain the minimum separation to the drive aisle. On the upper two levels, the remaining nine units do not maintain the minimum ten foot separation. Living rooms, bedrooms, and open patios and decks encroach into the required separation; however, these areas do not cantilever over the drive aisle. Given the narrow width of 63.28 feet of the lot, this concession is necessary to provide the minimum drive aisle width for vehicular access, for the building to maintain side setbacks to the furthest extent possible for pedestrian access and landscaping, and for the units to meet the minimum unit sizes as required by code.

The third concession/incentive is to deviate from the required 11'-3" third-story side yard setback along the side property lines. Along the westerly property line, the project maintains a ten foot setback to the stairs and access balconies. However, a 14'-6" separation is provided between the living areas of the units and the property line. Along the easterly property line, Unit 3 encroaches into the required 11'-3" third-story side yard setback. The project maintains a 10'-2" side yard setback, which does not meet the minimum required by 1'-1". A deviation from the minimum third-story side setbacks is required to facilitate the development and improvement of the property due to the narrow width of the lot. With the vehicular access, carports, and one accessible unit occupying the ground level, this incentive is needed to allow the applicant to build the three additional density bonus units. Nevertheless, the project is able to meet the required front and rear setbacks, and the required side yard setbacks on the first and second stories.

ENVIRONMENTAL CONSIDERATION

The proposed project was reviewed and an initial study 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 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 October 10, 2017 to October 30, 2017.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 5902-17 recommending that the City Council adopt the Mitigated Negative Declaration and approve General Plan Amendment No. GPA-002-2017(B); and,
2. Adopt Resolution No. 5903-17 approving Site Plan No. SP-038-2017, subject to the recommended Conditions of Approval and contingent upon City Council adoption of a Mitigated Negative Declaration for the Project and a resolution approving General Plan Amendment No. GPA-002-2017(B).



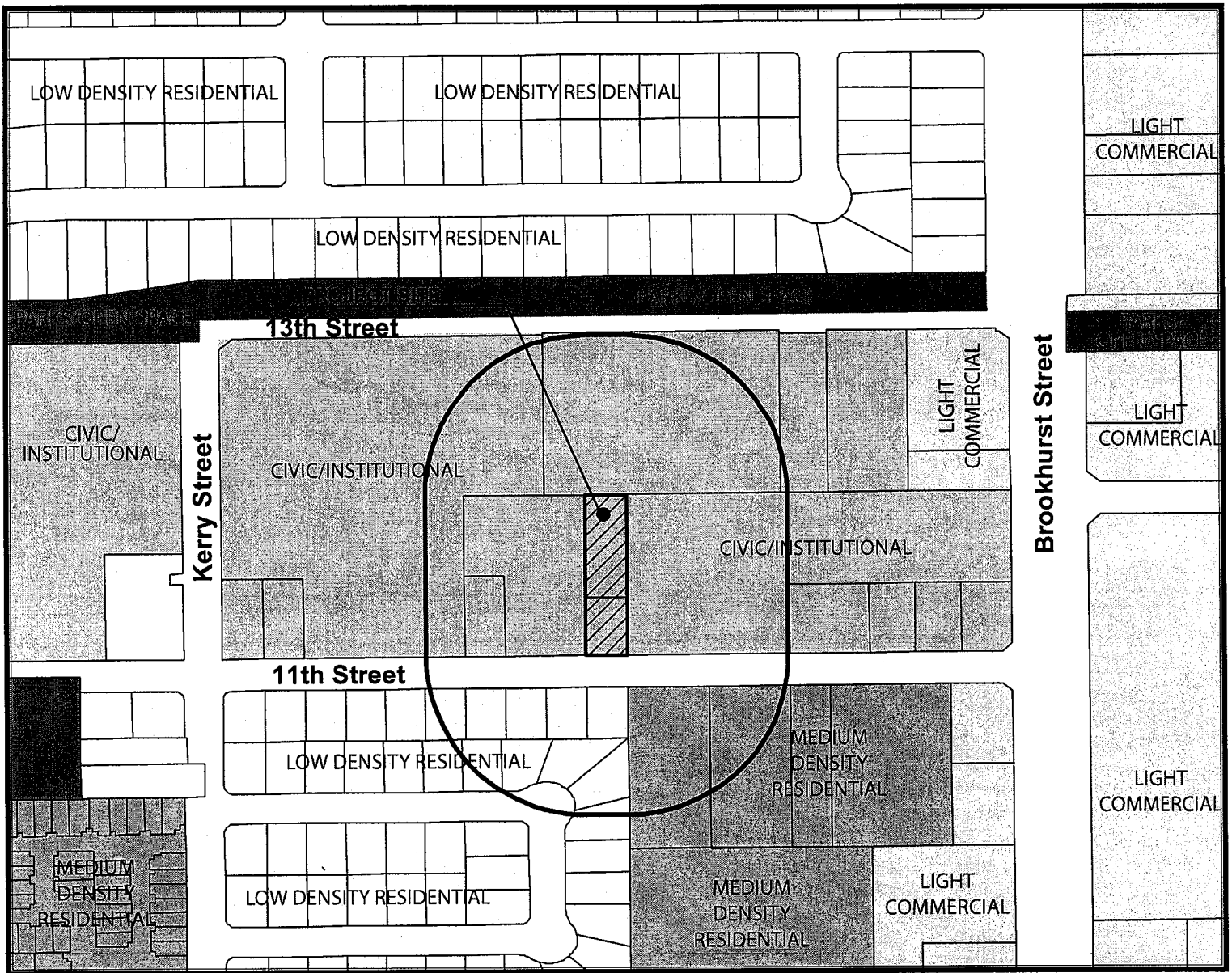
Lee Marino
Planning Services Manager



By: Mary Medrano
Assistant Planner



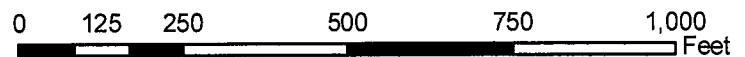
GENERAL PLAN AMENDMENT NO. GPA-002-2017(B) SITE PLAN NO. SP-038-2017



LEGEND

 SUBJECT SITE - 9841 11TH STREET

 300 FEET RADIUS



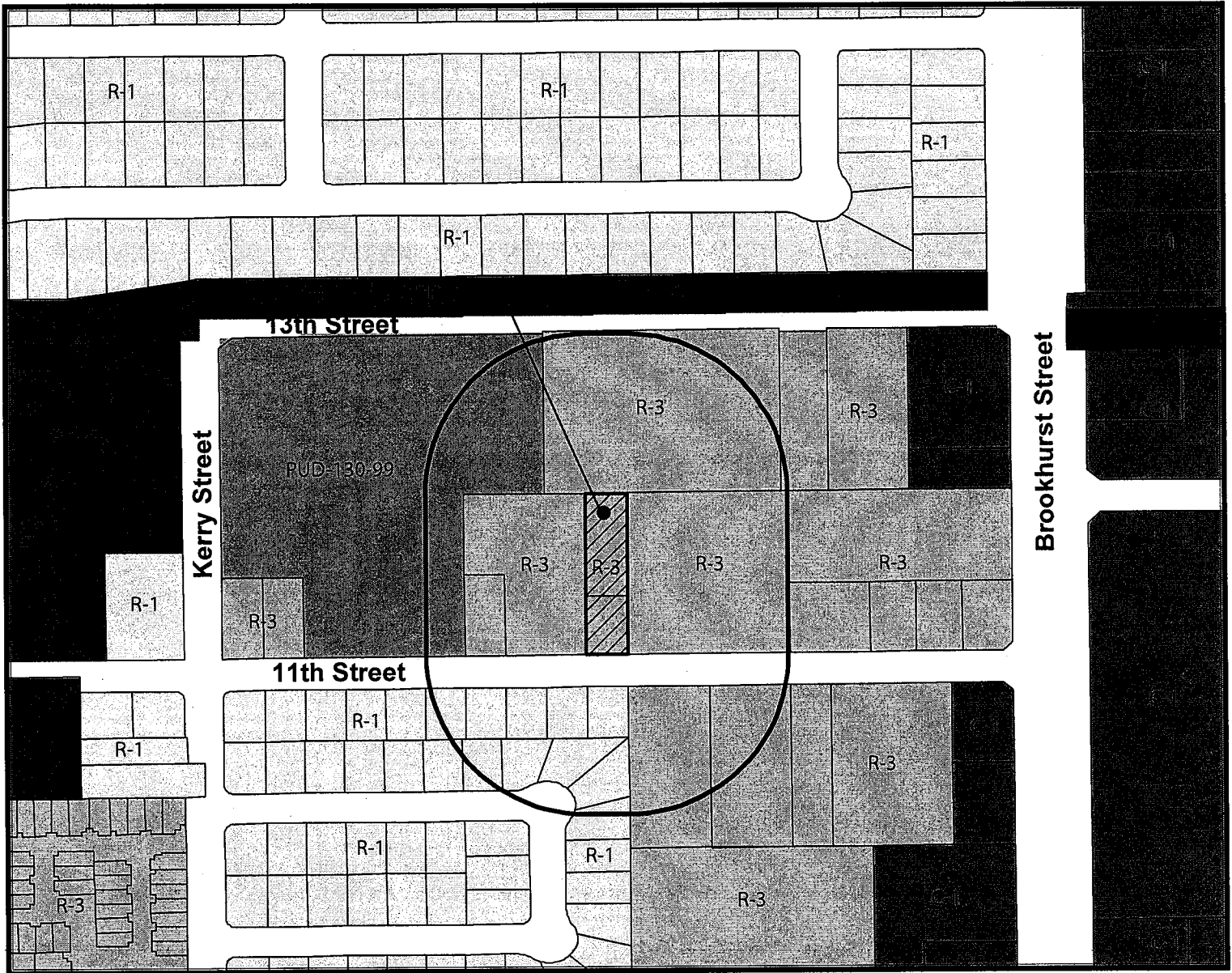
NOTES

1. SITE ADDRESS - 9841 11TH STREET
2. GENERAL PLAN: CIVIC / INSTITUTION TO MEDIUM DENSITY RESIDENTIAL
ZONE: R-3 (MULTIPLE-FAMILY RESIDENTIAL)

CITY OF GARDEN GROVE
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
NOVEMBER 2017



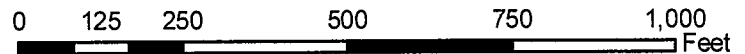
GENERAL PLAN AMENDMENT NO. GPA-002-2017(B) SITE PLAN NO. SP-038-2017



LEGEND

 SUBJECT SITE - 9841 11TH STREET

 300 FEET RADIUS



NOTES

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ZONE: R-3 (MULTIPLE-FAMILY RESIDENTIAL)

CITY OF GARDEN GROVE
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
NOVEMBER 2017



INDEX:

- A 0.00 COVER SHEET / INDEX / PROJECT DATA
- A 0.01 CONCEPTUAL SITE PLAN
- A 1.00 UNIT PLANS 1 AND 2
- A 1.01 UNIT PLANS 3 AND 4
- A 1.02 UNIT PLANS 5
- A 2.00 BUILDING FIRST FLOOR PLAN
- A 2.01 BUILDING SECOND AND THIRD FLOOR PLAN
- A 3.00 CONCEPT EXTERIOR ELEVATION (NORTH AND WEST SIDE)
- A 3.01 CONCEPT EXTERIOR ELEVATION (EAST SIDE)
- A 4.00 BUILDING ROOF PLAN

GREEN GARDEN APARTMENT GARDEN GROVE, CA

PROJECT DATA:

LEGAL: ADDRESS: 1841 1/2 ST. GARDEN GROVE, CA
APN: 067-001-001
ZONED: R2
LOT SIZE: 36.17 X 63.25 = 18,116 SQ. FT.

UNITS:
(1) UNIT 1 - 1,180 SF (100% CLEARABLE)
(2) UNIT 2 - 1,180 SF (100% CLEARABLE)
(3) UNIT 3 - 1,180 SF (100% CLEARABLE)
(4) UNIT 4 - 1,180 SF (100% CLEARABLE)
(5) UNIT 5 - 1,180 SF (100% CLEARABLE)
(6) UNIT 6 - 1,180 SF (100% CLEARABLE)
(7) UNIT 7 - 1,180 SF (100% CLEARABLE)
(8) UNIT 8 - 1,180 SF (100% CLEARABLE)
(9) UNIT 9 - 1,180 SF (100% CLEARABLE)
(10) UNIT 10 - 1,180 SF (100% CLEARABLE)

(10) TOTAL UNITS

UNIT 50 FOOTING
(1) UNIT 1 - 1,180 SF (100% CLEARABLE)
(2) UNIT 2 - 1,180 SF (100% CLEARABLE)
(3) UNIT 3 - 1,180 SF (100% CLEARABLE)
(4) UNIT 4 - 1,180 SF (100% CLEARABLE)
(5) UNIT 5 - 1,180 SF (100% CLEARABLE)
(6) UNIT 6 - 1,180 SF (100% CLEARABLE)
(7) UNIT 7 - 1,180 SF (100% CLEARABLE)
(8) UNIT 8 - 1,180 SF (100% CLEARABLE)
(9) UNIT 9 - 1,180 SF (100% CLEARABLE)
(10) UNIT 10 - 1,180 SF (100% CLEARABLE)

BUILDING SQ. FOOTAGE
PARKING STORAGE: 200 SQ. FT. (GROUND FLOOR) - 1,180 SF
UNBLE AREA AT GROUND FLOOR - 300 SF (EXCLUDING PATIO)
UNBLE AREA AT SECOND FLOOR - 1,180 SF (EXCLUDING PATIO)
UNBLE AREA AT THIRD FLOOR - 1,180 SF (EXCLUDING PATIO)

TOTAL UNBLE AREA OF BLDG - 11,300 SF (EXCLUDING PATIO AND DECK)
PRIVATE DECKS - 1,075 SF (64 CLEAR USABLE)
COMMON BALCONIES AND DECKS - 1,170 SF
TOTAL BUILDING SQ. FT. - 12,895 SF

COVERAGE:
MAXIMUM ALLOWED COVERAGE - 5%
PROVIDED COVERAGE - 100% (INCLUDING ALL 3RD FLOOR BUILDING OVERHANGS)
200 SF (10,100 SF TOTAL AREA)

OPERABLE:
REQUIRED: 0 UNITS X 200 SF / UNIT = 300 SF
PROVIDED: PRIVATE DECK AREA, 1075 SF, 1 UNIT
PRIVATE DECK AREA, 1170 SF, 1 UNIT - PATIO VARY FROM 60 SF TO 100 SF
SEE UNIT 50 FPG SUMMARY ABOVE

REQ. AREA 1,075 SF
PROVIDED AREA 1,170 SF

TOTAL PROVIDED: 1,170 SF

PRIVATE DECKS
REQUIRED: 0 UNITS X 200 SQ. FT. / UNIT = 300 SF
TOTAL PROVIDED: 360 SQ. FT. PER UNIT (PAGE BELOW)

UNIT STORAGE SUMMARY
PLAN 1 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 2 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 3 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 4 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 5 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 6 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 7 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 8 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 9 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.
PLAN 10 - CARPET 1100 SQ. FT. - CARPET 1100 SQ. FT. - AXIS STORAGE 0 1800 SQ. FT. - 200 SQ. FT.

ON-SITE PARKING:
REQUIRED:
(1) 1 BEDROOM UNITS X 2 SPACES / UNIT = 11 SPACES
(2) 1 BEDROOM UNITS X 2 SPACES / UNIT = 11 SPACES
TOTAL REQUIRED: 22 SPACES
PROVIDED: 22 SPACES

LOW INCOME UNITS: 3



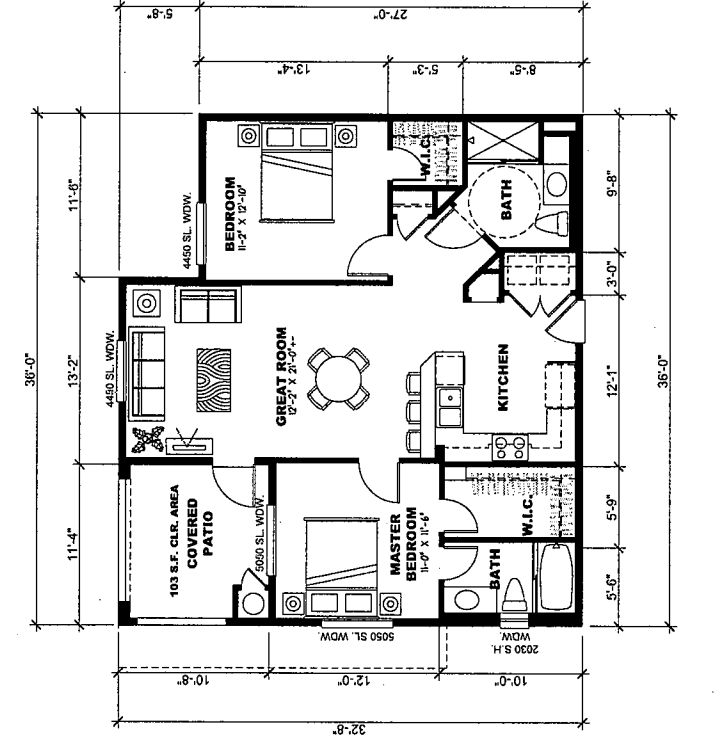
LSA
Architecture
1000 S. Orange Ave.
Suite 1000
Orange, CA 92668
(714) 961-1111

Drawn: 08/11/11

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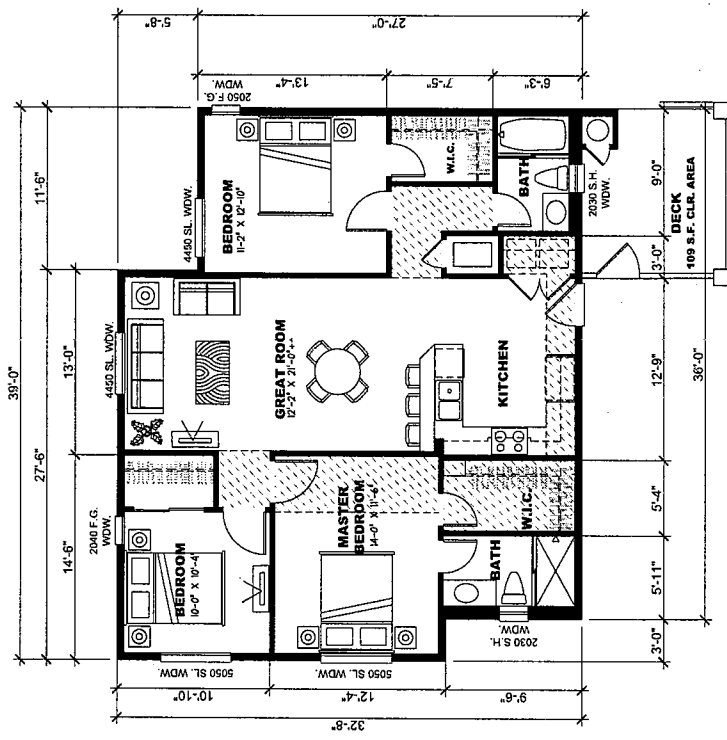


UNIT 1 - FIRST FLOOR FLAT
2-BEDROOMS / 2-BATH



SQUARE FOOTAGE

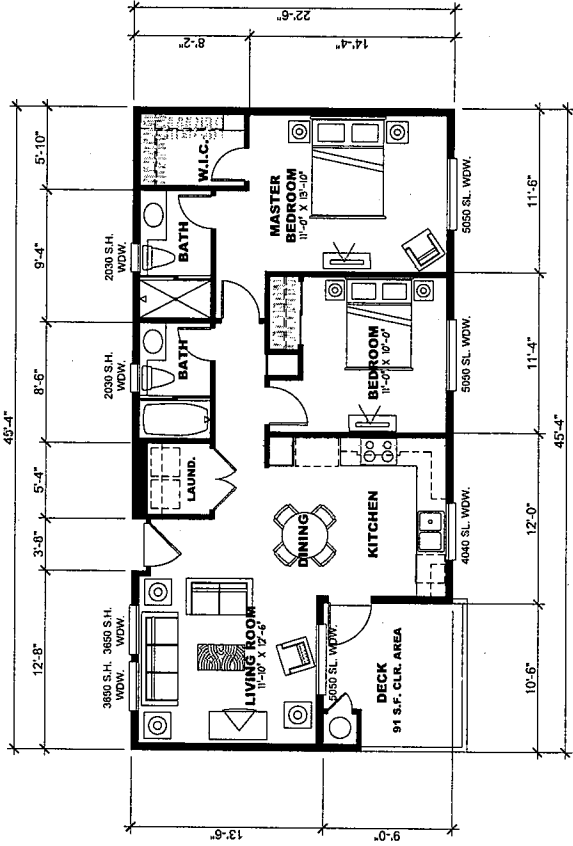
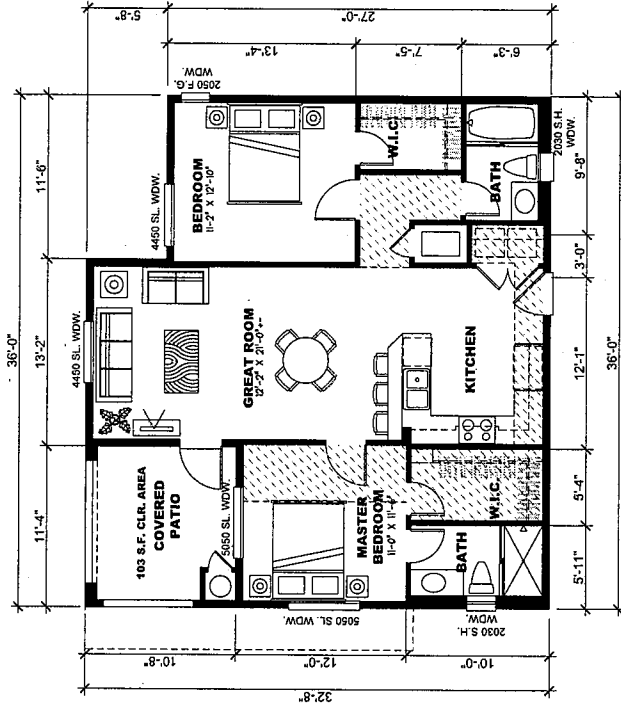
FLOOR PLAN	980 SQ. FT.
PATIO	121 SQ. FT.
NET CLEAR	103 SQ. FT.



UNIT 2 - SECOND FLOOR FLAT
3-BEDROOMS / 2-BATH

SQUARE FOOTAGE

FLOOR PLAN	1,180 SQ. FT.
DECK	126 SQ. FT.
NET CLEAR	104 SQ. FT.



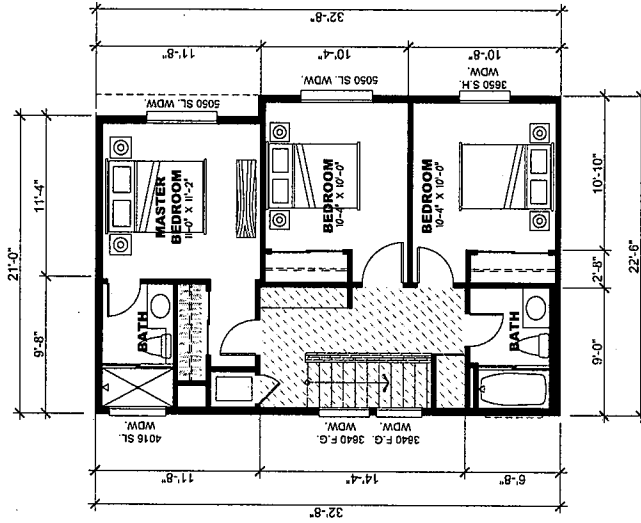
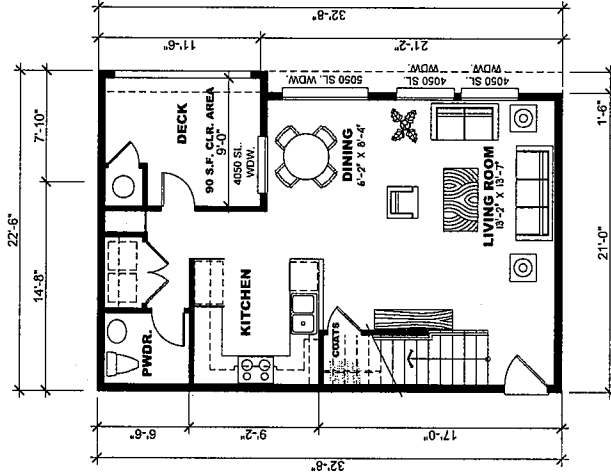


Architect
11415 S. De Soto Ave., Suite 100
San Diego, CA 92121
(619) 594-2525

Date: 03/19/16

Sheet

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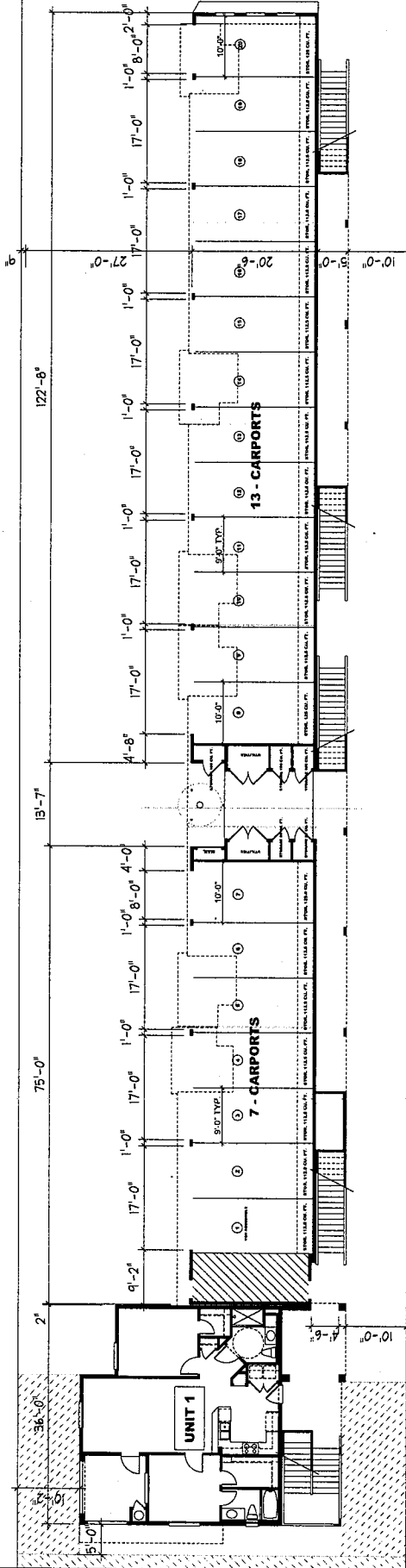


UNIT 5 - TOWN HOME
3-BEDROOMS / 2.5-BATH

SCALE: 1/4"=1'-0"

SQUARE FOOTAGE

FIRST FLOOR	594 SQ. FT.
SECOND FLOOR	463 SQ. FT.
FLOOR PLAN	1,277 SQ. FT.
DECK	110 SQ. FT.
NET CLEAR	90 SQ. FT.



BUILDING FIRST FLOOR
SCALE: 1/8"=1'-0"



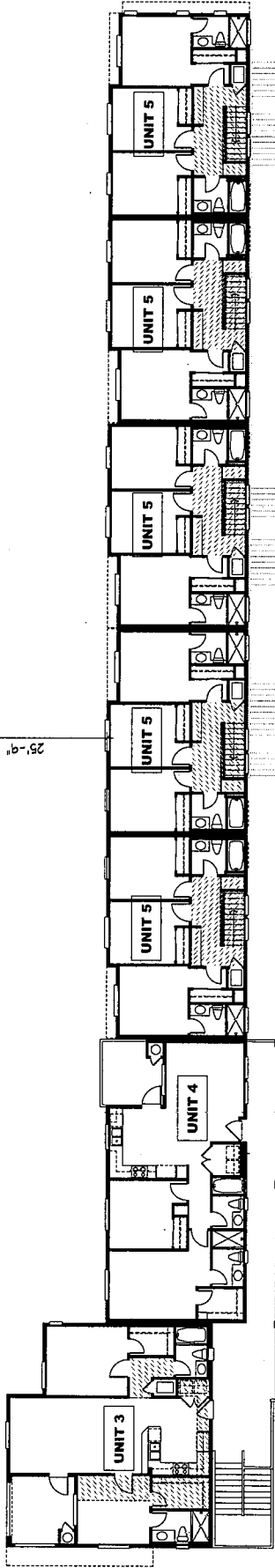
LSA
Architecture
10175 Bayview Center Road
Suite 100, 217
San Diego, CA 92126
(619) 451-5516

Date: 05/19/16

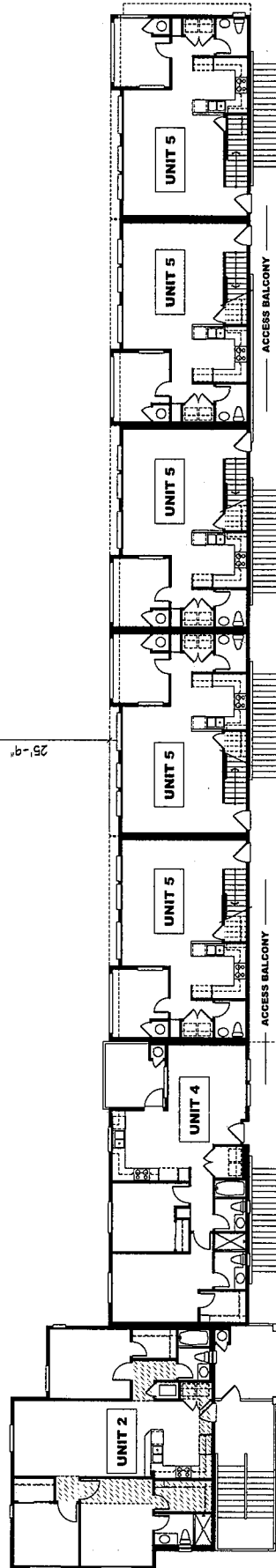
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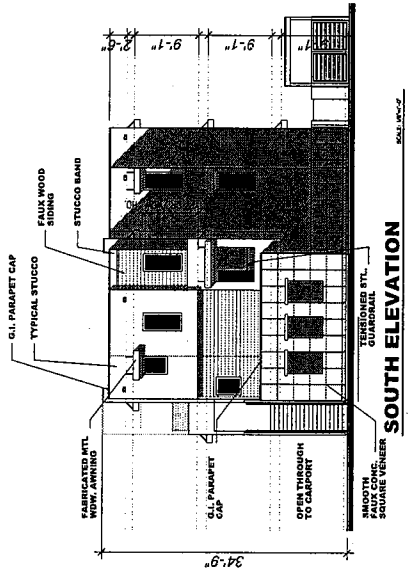
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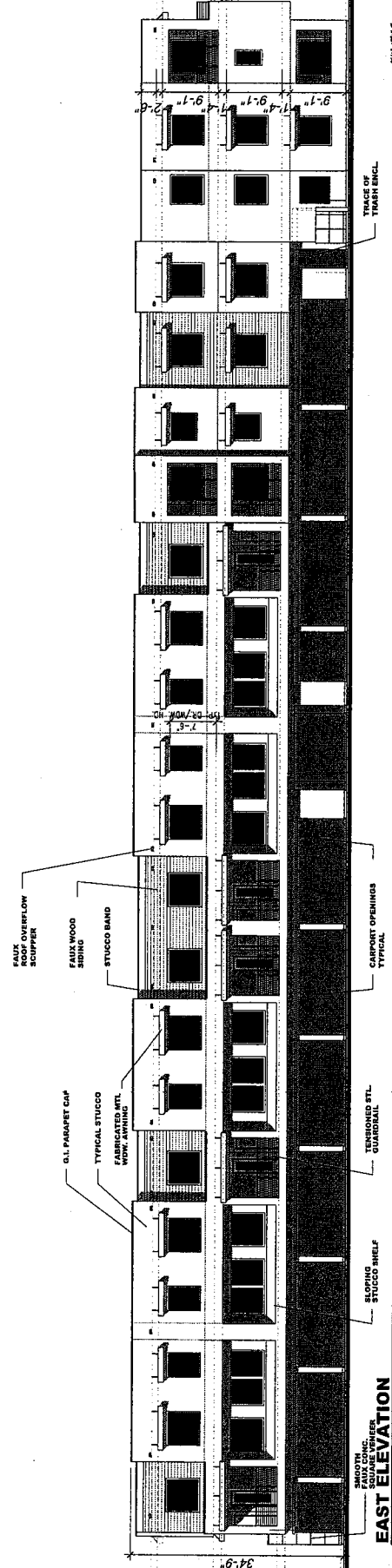
BUILDING THIRD FLOOR
SCALE: 1/8"=1'-0"



BUILDING SECOND FLOOR
SCALE: 1/8"=1'-0"



SOUTH ELEVATION



EAST ELEVATION

BLDG. ROOF PLAN



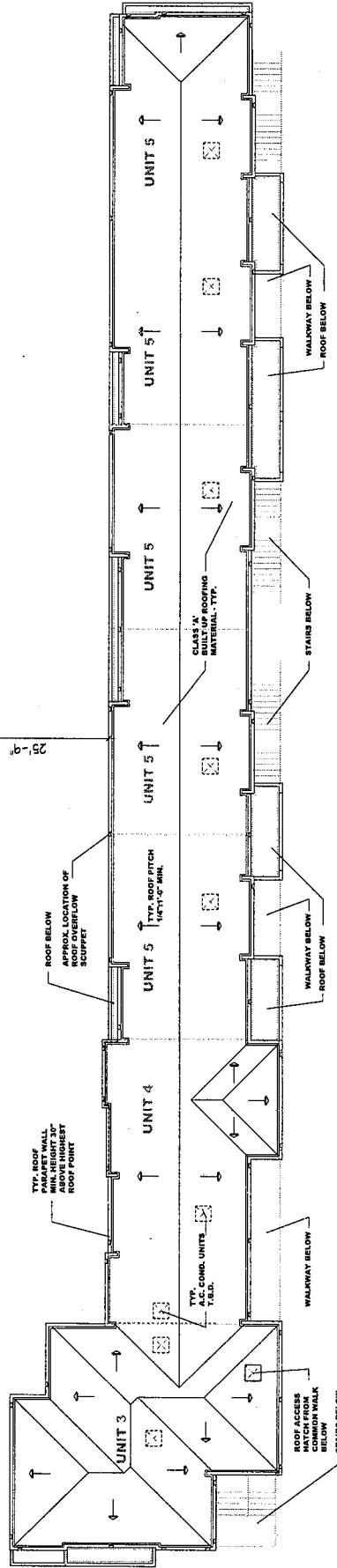
Architecture
1001 E. Center Road
Suite 200, 177
Anaheim, CA 92806
(714) 753-5511

Date: 03/19/16

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Of



BUILDING ROOF PLAN
SCALE: 1/8"=1'-0"

ROOF PLAN

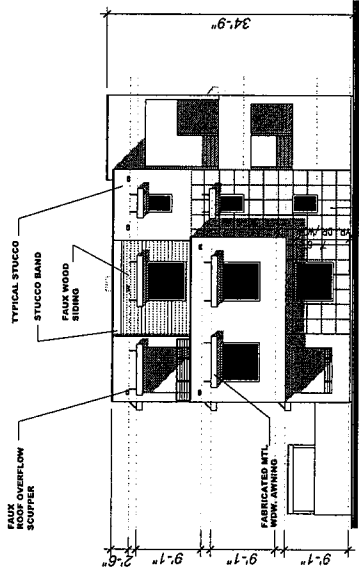


LSA
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10000 Wilshire Blvd
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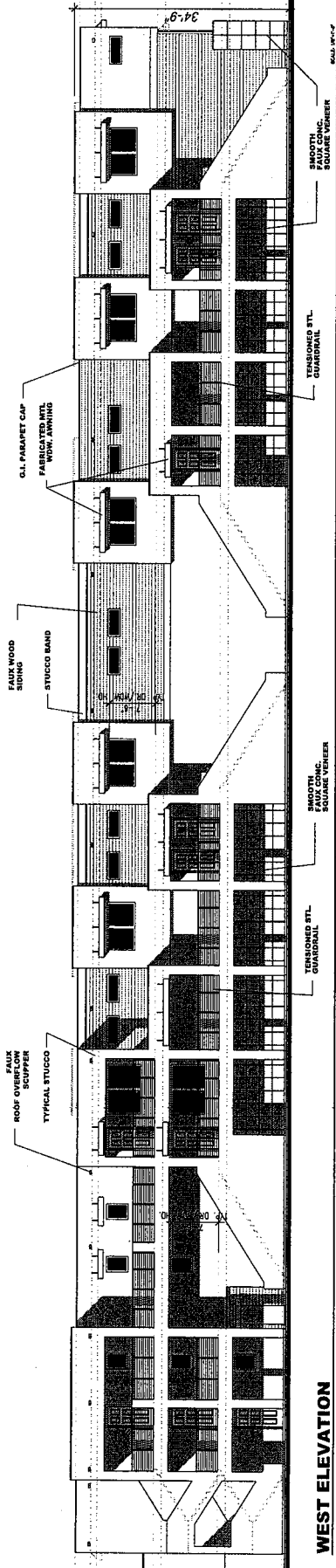
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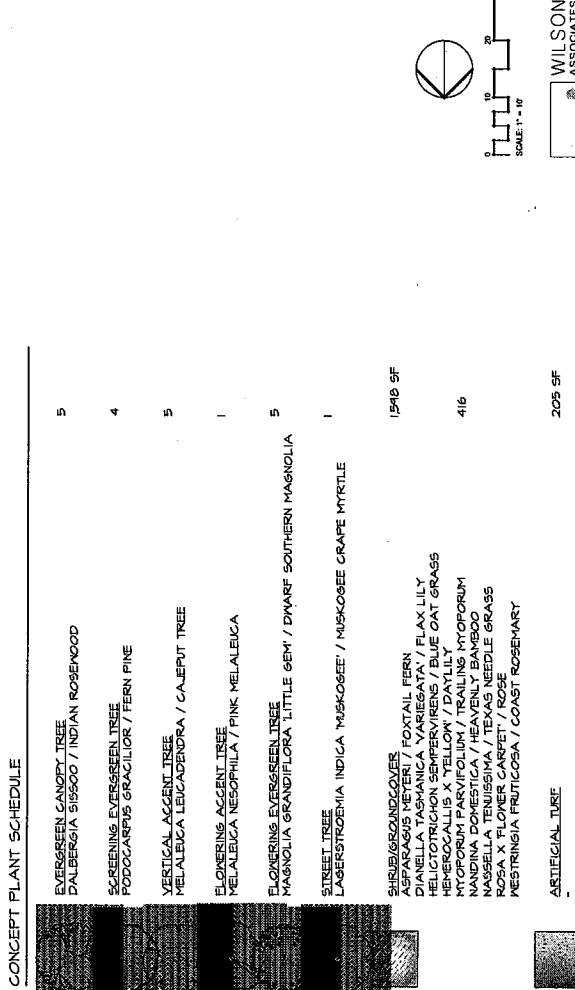
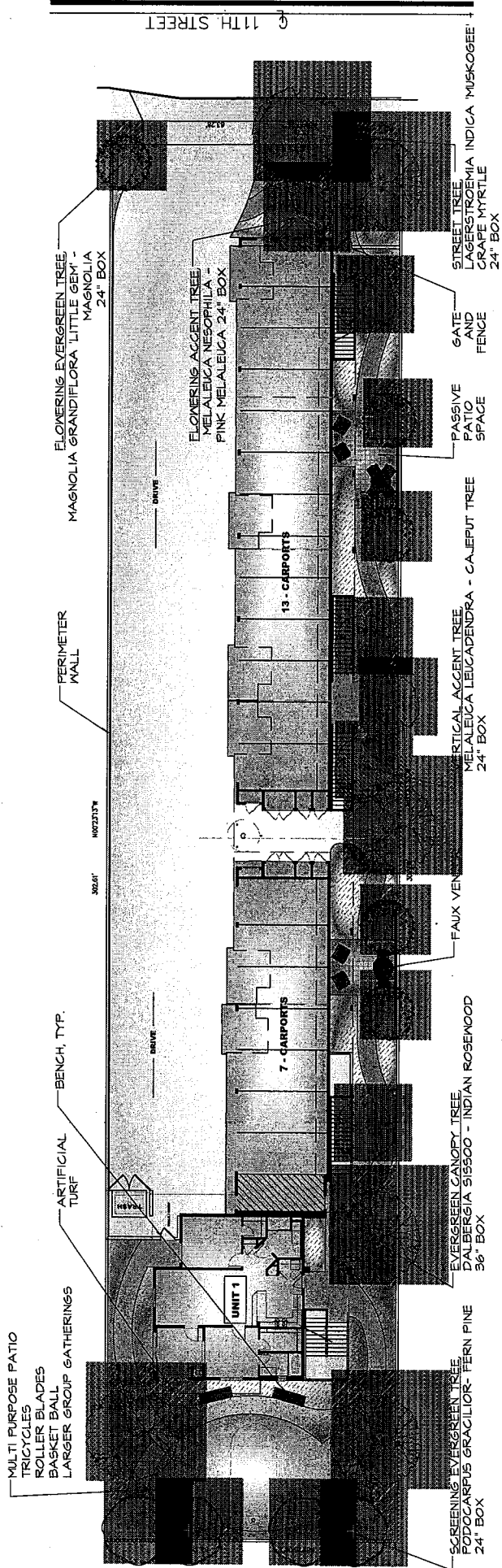
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Of



NORTH ELEVATION



WEST ELEVATION



POINT OF CONNECTION #1 PROJECT SITE TOTAL LANDSCAPE AREA: 4,475 SF
TOTAL UNIMPAVED LANDSCAPE AREA: 4,475 SF (100% IMPERVIOUS)

LANDSCAPE CATEGORY	AREA (SF)	PERMEABILITY (%)	PERMEABLE AREA (SF)	IMPERVIOUS AREA (SF)
Grass	1,500	100	1,500	0
Artificial Turf	1,000	0	0	1,000
Other Permeable	1,975	100	1,975	0
TOTAL	4,475	50	3,475	1,000

PERMEABLE AREA CALCULATION:
 1,500 (Grass) + 1,975 (Other Permeable) = 3,475 SF

IMPERVIOUS AREA CALCULATION:
 1,000 (Artificial Turf) = 1,000 SF

WATER RUNOFF CALCULATION:
 Total Runoff = (ImperVIOUS Area x Runoff Coefficient) + (Permeable Area x Runoff Coefficient)
 = (1,000 SF x 0.1) + (3,475 SF x 0.2) = 100 + 695 = 795 GALLONS PER YEAR

**GREEN GARDEN APARTMENTS
 CONCEPTUAL LANDSCAPE PLAN
 9841 11TH ST., GARDEN GROVE, CA
 FAIRCREST REAL ESTATE**



RESOLUTION NO. 5902-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVE GENERAL PLAN AMENDMENT NO. GPA-002-2017(B) FOR PROPERTY LOCATED AT 9841 11TH STREET, ASSESSOR'S PARCEL NOS. 098-120-29, 30.

WHEREAS, Faircrest Real Estate, LLC (the "Applicant") submitted an application to develop a parcel, approximately 19,125 square feet in size, located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street, Assessor's Parcel Nos. 098-120-29 and 30, with ten (10) units within a three-story apartment building with a 35 percent affordable housing density bonus for low-income households (the "Project"); and

WHEREAS, the Applicant has requested the following land use approvals to implement the Project: (1) General Plan Amendment No. GPA-002-2017(B) to change the land use designation from Civic/Institutional (C/I) to Medium Density Residential (MDR); (2) Site Plan No. SP-038-2017 to allow the construction of ten (10) units within a three-story apartment building with a 35 percent affordable housing density bonus for low-income households; (3) pursuant to the State Law regarding affordable housing projects, approval of three waivers from the Multiple-Family Residential (R-3) development standards: 1) to allow the third-story configuration to be greater than fifty percent of the building footprint; 2) to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors; and 3) to deviate from the required 11'-3" third-story side yard setback; and,

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 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 the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and,

WHEREAS, 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, which is also summarized in "Exhibit A" attached hereto; and,

WHEREAS, the Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and,

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission adopted Resolution No. 5903-17 approving Site Plan No. SP-038-2017,

subject to City Council's approval of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project and General Plan Amendment No. GPA-002-2017(B); and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on November 2, 2017, and considered the report submitted by City staff and all oral and written testimony presented regarding the Project, the initial study, and the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED as follows:

1. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. Seq., an initial study was prepared and it has been determined that the proposed project qualifies for a Mitigated Negative Declaration because the proposed project with implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
2. The Planning Commission has considered the proposed Mitigated Negative Declaration together with comments received during the public review process.
3. The Planning Commission finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
4. The Planning Commission 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, with the proposed mitigation measures, will have a significant effect on the environment.
5. The Planning Commission hereby recommends the City Council (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and (ii) approve General Plan Amendment No. GPA-002-2017(B).

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 9.08.030, are as follows:

FACTS:

The subject property is located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street. The parcel has a General Plan Land Use designation of Civic/Institutional and is zoned R-3 (Multiple-Family Residential). The property is located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. The site consists of a net lot area of 19,125 square feet and is currently developed with two unoccupied and vacant residential dwelling units.

The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. The designation is intended for educational uses, such as, elementary, middle, and high schools, colleges, universities, hospitals, and governmental facilities. The previous Open Space (OS) Land Use designation combined parks, school uses, golf courses, and other public and private open space land under one designation. In the current General Plan, the City kept the Open Space designation for recreational areas, such as parks, right-of-ways, flood channels and introduced the Civic/Institutional designation for educational uses and government facilities, such as the Merton E. Hill Elementary School to the west, across Kerry Street. However, the properties within the block, including the property under this request, retain an R-3 zoning, which is not consistent with the Civic/Institutional General Plan designation. The previous Land Use designation of the properties, Medium Density Residential, was consistent with the R-3 zoning of the properties, prior to the adoption of the current General Plan 2030.

Planning staff reviewed the history of the General Plan designations and determined that the Civic/Institutional Land Use designation on the properties is the result of a mapping error in the current General Plan. Under a separate request, General Plan Amendment No. GPA-002-2017(A), the City is proposing that the surrounding properties' Land Use designation also be amended to Medium Density Residential. Under this request, the General Plan Amendment will correct the inconsistency between the Land Use designation and zoning of the subject property, return the parcel to its previous Land Use designation, and allow the property to be developed with a multi-family residential development.

The applicant is requesting Site Plan approval to develop a 10-unit, three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional to Medium Density Residential. In order to facilitate the proposed development, and to ensure that the development site has consistent General Plan Land Use and zoning designations, a General Plan Amendment is required for the parcel.

The proposed site design consists of one three-story building with a total of ten (10) units. One unit, twenty (20) parking spaces within a carport, storage areas, mailboxes, and utility closets will be located on the ground level. The remaining nine (9) units will be located on the two levels above. The project proposes five (5) sets of exterior stairs located along the west side of the site to access the units on the upper two levels. The site will be accessed from a proposed 25'-0" wide driveway from 11th Street. The driveway extends from the entrance of the property, and circulates to the rear of the lot. The driveway is used to access the open carports located on the west side of the property, and the trash enclosure located toward the rear of the property.

Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 zone development standards to allow the third-story configuration to be greater than fifty percent of the building footprint, to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors, and to deviate from the required 11'-3" third-story side yard setback.

FINDINGS AND REASONS:

GENERAL PLAN AMENDMENT:

1. The General Plan Amendment is internally consistent with the goals, objectives, and elements of the City's General Plan.

The General Plan Amendment is internally consistent with the goals and objectives of all elements of the City's adopted General Plan. The Medium Residential Density land use designation is intended to provide for a mix of multiple-family residences. The property previously had a Land Use designation of Medium Density Residential, but was inadvertently changed when the Civic/Institutional designation was adopted as a result of a mapping error. The proposed amendment will return the Land Use designation to Medium Density Residential. The property is located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. By allowing multi-family residential development on the subject site, the development will be consistent with the surrounding area thereby promoting General Plan Policy LU-2.4 - "Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood". The proposed new development will further Goal LU.2 to have stable, well-maintained residential neighborhoods in Garden Grove. General Plan Land Use Policy LU-2.1 encourages the protection of residential areas from the effects of potentially incompatible uses, and Policy LU-2.2 promotes the development of a diverse mix of housing types and high standards of residential property maintenance to preserve real estate values and the high quality of life.

2. The General Plan Amendment is deemed to promote the public interest, health, safety, and welfare.

The General Plan Amendment will promote the public interest, health, safety, and welfare by changing the land use from Civic/Institutional to Medium Density Residential, and thereby allowing a multi-family residential development to be built, which is consistent with the surrounding neighborhood. The subject property, which is currently developed with two unoccupied and vacant residential dwelling units, will be replaced with a multi-family residential development that will be an improvement for the area and will provide additional affordable housing opportunities for low income families within the City. The General Plan Amendment will return the site to the Land Use designation it had in the past, repair the inconsistency between the General Plan designation and the R-3 zoning, and allow the site to be developed with a residential project.

3. The subject parcel(s) is physically suitable for the requested land use designation(s), compatible with surrounding land uses, and consistent with the General Plan.

The size and shape of the parcel proposed for the General Plan Amendment is physically suitable for the proposed land use designation of Medium Density Residential. The subject 19,125 square foot lot is served and accessible by a street with curb, gutters, and sidewalks, and is in an area with adequate sewer capacity. The site can accommodate the well-designed project of ten (10) units within a three-story apartment building. The General Plan Amendment will return the Land Use designation from Civic/Institutional to the previous designation of Medium Density Residential, which was done in error during the adoption of the current General Plan in 2008. The property is located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County, and will be consistent with the surrounding land uses.

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 General Plan Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (General Plan Amendment).

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.

Exhibit "A"

**MITIGATED NEGATIVE DECLARATION
MITIGATION MONITORING AND REPORTING PROGRAM**

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance	
			Initials	Date
Remarks				
4.1 AESTHETICS				
The proposed project would not result in significant adverse impacts related to aesthetics. No mitigation would be required.				
4.2 AGRICULTURE AND FORESTRY RESOURCES				
The proposed project would not result in significant adverse impacts related to agriculture or forest resources. No mitigation would be required.				
4.3 AIR QUALITY				
The proposed project would not result in significant adverse impacts related to air quality. No mitigation would be required.				
4.4 BIOLOGICAL RESOURCES				
BIO-1	<u>Migratory Bird Treaty Act</u> . In the event that vegetation and tree removal should occur between February 1 and September 15, the Developer (or its 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 of the designated construction area prior to construction, the biologist shall establish suitable buffers around the active nests (e.g., as much as 500 feet for raptors and 300 feet for nonraptors [subject to the recommendations of the	3 days prior to commencement of construction activities/prior to commencement of grading activities and issuance of any building permits	City of Garden Grove Community Development Director, or designee (Community and Economic Development Department)	

Exhibit "A"
 GPA-002-2017(B)
 Mitigation Measures

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
<p>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, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that preconstruction 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>					
4.5 CULTURAL RESOURCES					
<p>CUL-1 Unknown Archeological Resources. In the event that 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 in accordance with federal, State, and local guidelines to determine whether the find constitutes a "unique archaeological resource," as defined in Public Resources Code (PRC) Section 21083.2(g). Personnel of the proposed project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. The found deposits shall be treated in accordance with Federal, State, and local guidelines, including those set forth in PRC Section 21083.2. Prior to commencement of grading activities, the Director of the City of Garden Grove Community</p>	<p>During site preparation and grading activities</p>	<p>City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)</p>			

Exhibit "A"
 GPA-002-2017(B)
 Mitigation Measures

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
and Economic Development Department, or designee, shall verify that all project grading and construction plans include specific requirements regarding PRC (Section 21083.2[g]) and the treatment of archaeological resources as specified above.					
CUL-2 <u>Unknown Paleontological Resources</u> : In the event that 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, State, and local guidelines. Personnel of the project shall not collect or move any paleontological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. If any fossil remains are discovered in sediments with a Low paleontological sensitivity rating (Young Alluvial Fan Deposits), the paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis. 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 specify federal, State, and local requirements related to the unanticipated discovery of paleontological resources as stated above.	Prior to the issuance of grading permits and During site preparation and grading activities	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)			
CUL-3 <u>Human Remains</u> : In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall be redirected and the County Coroner notified	During site preparation and grading activities	City of Garden Grove Community and Economic			

Exhibit "A"
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 Mitigation Measures

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Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
<p>immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). 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. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.</p>		<p>Development Director, or designee (Community and Economic Development Department)</p>			
4.6 GEOLOGY AND SOILS					

Exhibit "A"
 GPA-002-2017(B)
 Mitigation Measures

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
GEO-1 Prior to issuance of grading permits, the Applicant shall prepare and submit for review and approval by the Public Works Director, a design-phase geotechnical report which shall include or revise as necessary the recommendations in the Applicant's Geotechnical Engineering Investigation (June 25, 2016) for site preparation and construction. The report shall, at a minimum, address remedial and design grading, and building foundations to fully address liquefaction-induced differential settlement and expansive soils. All site grading and construction shall be conducted in conformance with the recommendations included in the design-phase geotechnical report, which include, but are not limited to: <ul style="list-style-type: none"> ▪ Liquefaction ▪ Foundations on Compacted Fill ▪ Lateral Design ▪ Expansive Soils ▪ Seismic Design Values ▪ Settlement ▪ Subsidence & Shrinkage ▪ Floor Slabs ▪ Utility Line Backfills ▪ Hardscape & Slabs ▪ Chemical Analysis ▪ Drainage ▪ Engineering Consultation, Testing & Observation 	Prior to issuance of grading permits	City of Garden Grove Public Works Director (Public Works Department)			
4.7 GREENHOUSE GASES					

Exhibit "A"
 GPA-002-2017(B)
 Mitigation Measures

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM				
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			Initials	Date
Remarks				

The proposed project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation would be required.

4.8 HAZARDS AND HAZARDOUS MATERIALS

HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to commencement of demolition activities	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)		
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4.9 HYDROLOGY AND WATER QUALITY

HWQ-1	Prior to issuance of a grading permit, the Applicant shall submit a Final Water Quality Management Plan for approval by the City Engineer that complies with the requirements of the latest Orange County Public Works Drainage Area Management Plan.	Prior to issuance of grading permits and During the construction process	City of Garden Grove Public Works Director (Public Works Department)		
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4.10 LAND USE

The proposed project would not result in significant adverse impacts related to land use/planning. No mitigation would be required.

Exhibit "A"
 GPA-002-2017(B)
 Mitigation Measures

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
4.11 MINERAL RESOURCES					
The proposed project would not result in significant adverse impacts related to mineral resources. No mitigation would be required.					
4.12 NOISE					
NOI-1	<p>During construction, the Applicant and/or Construction Contractor shall ensure that the following construction best management practices are implemented:</p> <ul style="list-style-type: none"> ▪ Provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities. ▪ All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or equipped with other State required noise attenuation devices. ▪ Machinery, including motors, must be turned off when not in use. ▪ All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. ▪ Construction activities shall not take place between the hours of 10:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a federal holiday. ▪ Additional noise attenuation measures must be implemented to the extent feasible, which may include, without limitation, additional noise barriers and/or noise blankets. 	<p>Prior to issuance of building permits and during construction and periodic site inspections during grading and construction</p>	<p>City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)</p>		

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 GPA-002-2017(B)
 Mitigation Measures

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			Initials	Date Remarks

4.13 POPULATION AND HOUSING

The proposed project would not result in significant adverse impacts related to population or housing. No mitigation would be required.

**4.14 PUBLIC SERVICES
 4.15 RECREATION**

PS-1	The Applicant shall pay all applicable Development Impact Fees to the Garden Grove Union High School District (GGUHSD). Proof of fee payment shall be provided to the City of Garden Grove prior to the issuance of building permits.	Prior to issuance of building permits and Proof of payment of development impact fees to GGUHSD	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)		
PS-2	The Applicant shall pay applicable In-Lieu Park Fees to the City of Garden Grove prior to the issuance of building permits.	Prior to issuance of building permits	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)		

Exhibit "A"
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Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance	
			Initials	Date
Remarks				
4.16 TRANSPORTATION/TRAFFIC				
The proposed project would not result in significant adverse impacts related to transportation or traffic. No mitigation would be required.				
4.17 UTILITIES/SERVICE SYSTEMS				
Refer to Mitigation Measure HWQ-1.				

RESOLUTION NO. 5903-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-038-2017 FOR PROPERTY LOCATED AT THE NORTH SIDE OF 11TH STREET, BETWEEN BROOKHURST STREET AND KERRY STREET, AT 9841 11TH STREET, ASSESSOR'S PARCEL NOS. 098-120-29 AND 30.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session, assembled on November 2, 2017, hereby approves Site Plan No. SP-038-2017, subject to (i) the Conditions of Approval attached hereto as "Exhibit A", and (ii) the adoption of a Mitigation Negative Declaration and Mitigation Monitoring and Reporting Program for the Project and the adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-002-2017(B) by the Garden Grove City Council.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-038-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Faircrest Real Estate, LLC (the "Applicant"), who proposes to develop a parcel, approximately 19,125 square feet in size, located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street, Assessor's Parcel Nos. 098-120-29, 30, with a 10-unit multi-family apartment building (the "Project").
2. The Applicant has requested the following land use approvals to implement the Project: (1) General Plan Amendment No. GPA-002-2017(B) to change the land use designation from Civic/Institutional (C/I) to Medium Density Residential (MDR); (2) Site Plan No. SP-038-2017 to allow the construction of ten (10) units within a three-story apartment building with a 35 percent affordable housing density bonus for low-income households; and (3) pursuant to the State Law regarding density bonus affordable housing projects, approval of three waivers from the Multiple-Family Residential (R-3) development standards: 1) to allow the third-story configuration to be greater than fifty percent of the building footprint; 2) to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors; and 3) to deviate from the required 11'-3" third-story side yard setback.
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. The Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines. The Planning Commission has considered the proposed Mitigated Negative Declaration and recommends that it be adopted by the City Council.

4. The property has a General Plan Land Use designation of Civic/Institutional and is currently zoned R-3 (Multiple-Family Residential). A General Plan Amendment is requested to change the property from the Civic/Institutional Land Use designation to the Medium Density Residential Land Use designation.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 2, 2017, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on November 2, 2017, the Planning Commission adopted Resolution No. 5902-17, recommending that the City Council (i) adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting program for the Project and (ii) approve General Plan Amendment No. GPA-002-2017(B) for the Project. The facts and findings set forth in Planning Commission Resolution No. 5902-17 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of November 2, 2017.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030 are as follows:

FACTS:

The subject property is located on the north side of 11th Street, between Brookhurst Street and Kerry Street, at 9841 11th Street. The parcel has a General Plan Land Use designation of Civic/Institutional and is zoned R-3 (Multiple-Family Residential). The property is located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. The site consists of a net lot area of 19,125 square feet and is currently developed with two unoccupied and vacant residential dwelling units.

The Civic/Institutional Land Use designation was added for the first time in the current General Plan 2030, adopted in 2008. The designation is intended for educational uses, such as, elementary, middle, and high schools, colleges, universities, hospitals, and governmental facilities. The previous Open Space (OS) Land Use designation combined parks, school uses, golf courses, and other public

and private open space land under one designation. In the current General Plan, the City kept the Open Space designation for recreational areas, such as parks, right-of-ways, flood channels and introduced the Civic/Institutional designation for educational uses and government facilities, such as the Merton E. Hill Elementary School to the west, across Kerry Street. However, the properties within the block, including the property under this request, retain an R-3 zoning, which is not consistent with the Civic/Institutional General Plan designation. The previous Land Use designation of the properties, Medium Density Residential, was consistent with the R-3 zoning of the properties, prior to the adoption of the current General Plan 2030.

Planning staff reviewed the history of the General Plan designations and determined that the Civic/Institutional Land Use designation on the properties is the result of a mapping error in the current General Plan. Under a separate request, General Plan Amendment No. GPA-002-2017(A), the City is proposing that the surrounding properties' Land Use designation also be amended to Medium Density Residential. Under this request, the General Plan Amendment will correct the inconsistency between the Land Use designation and zoning of the subject property, return the parcel to its previous Land Use designation, and allow the property to be developed with a multi-family residential development.

The applicant is requesting Site Plan approval to develop a 10-unit, three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional to Medium Density Residential. In order to facilitate the proposed development, and to ensure that the development site has consistent General Plan Land Use and zoning designations, a General Plan Amendment is required for the parcel.

The proposed site design consists of one three-story building with a total of ten (10) units. One unit, twenty (20) parking spaces within a carport, storage areas, mailboxes, and utility closets will be located on the ground level. The remaining nine (9) units will be located on the two levels above. The project proposes five (5) sets of exterior stairs located along the west side of the site to access the units on the upper two levels. The site will be accessed from a proposed 25'-0" wide driveway from 11th Street. The driveway extends from the entrance of the property, and circulates to the rear of the lot. The driveway is used to access the covered parking spaces located on the west side of the property, and the trash enclosure located toward the rear of the property.

Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 zone development standards to allow the third-story configuration to be greater than fifty percent of the building footprint, to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first,

second, and third floors, and to deviate from the required 11'-3" third-story side yard setback.

FINDINGS AND REASONS:

1. The Site Plan is consistent with the General Plan and complies with the spirit and intent of the provisions, conditions and requirements of the Municipal Code and other applicable ordinances.

The subject site has a General Plan land use designation of Civic/Institutional (C/I) and is zoned R-3 (Multiple-Family Residential). Approval of the proposed Site Plan is contingent upon City Council approval of a General Plan Amendment to change the Land Use designation to Medium Density Residential (MDR) and correct a mapping error that occurred in the adoption of the current General Plan 2030. This amendment will correct the inconsistency between the General Plan and Zoning of the site that currently exists. The project is consistent with the proposed MDR General Plan designation by developing a neighborhood-improving and compatible multi-family residential project. The design of the site provides a healthy and attractive living environment as intended by the General Plan and Municipal Code. Provided the requested concessions are approved, the Project will satisfy all applicable development standards.

2. The proposed development does not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation and points of vehicular and pedestrian access.

The proposed development has been designed to meet the Code's requirements for access, and on and off-site circulation. The residential units have been parked per the State's Density Bonus Affordable Housing Law that establishes the maximum parking requirement for affordable housing developments. The site provides sufficient parking to accommodate the ten (10) multi-family residential units and visitors. The development site will be accessed from a proposed 25'-0" wide driveway from 11th Street. The driveway extends from the entrance of the property, and circulates to the rear of the lot. The driveway is used to access the covered parking spaces located on the west side of the property in a carport, and the trash enclosure located toward the rear of the property. The driveway has been designed in accordance with City standards, and is designed to provide the required access for trash trucks and emergency vehicles. In addition, an internal pedestrian walkway on the west side of the property that originates from 11th Street, with a gate and fence, will be used to provide access to the stairways and to the accessible unit on ground level.

The plans have been reviewed by the City's Traffic Engineering Division and it was determined that the project will have no adverse impacts to surrounding streets. Furthermore, the City's Fire Department has also reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to surrounding streets should there be an emergency.

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

The Public Work's Department has reviewed the plans and all appropriate conditions of approval have been incorporated. The streets in the area will be adequate to accommodate the proposed development once the developer provides the necessary improvements for the project. The proposed multi-family project will not adversely affect essential public facilities, such as streets and alleys, utilities, and drainage channels. Utilities and drainage channels in the area are adequate to accommodate the development.

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

4. The project will not adversely impact the City's ability to perform its required public works functions.

The project has been reviewed by the Public Works Department. The applicant has worked with the Public Works Department on the location of the water lines, water meters, and sewer line and potential issues have been addressed in the project design and conditions of approval. Therefore, the project will not adversely impact the City's ability to perform its required public works functions.

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

The property is located in an area improved with single-family and multiple-family developments, a rehabilitation care facility, a convalescent center, and the Islamic Society of Orange County. Directly to the east is an intermediate care facility, a multi-family development to the west, and a rehabilitation care facility to the north. The proposed project is a three-story, multi-family apartment building. Although the surrounding multi-family developments consist of two-stories, the design integrates varying building parapet heights, recessed patios, and projecting architectural features that eliminate the appearance of a boxed-shaped design and integrates the design with the surrounding neighborhood. The building consists of a combination of faux

wood lap siding as an accent and smooth faux concrete square veneer in two shades of beige. The design proposes varied window sizes, fabricated metal awnings, sloped stucco shelves underneath windows on the east elevation, and tensioned steel guardrail along the outdoor decks and patios. The project is well-designed and will be an improvement by adding modern design in appropriately scaled buildings that will add to the character of the surrounding area.

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 residential project has been designed for building appearance, building placement, landscaping, and other amenities to attain an attractive environment that will be an enhancement to the neighborhood. The residential project has been designed to comply with the spirit and intent of the R-3 zoning requirements for providing landscaping, amenities and the required active and private recreation areas. The project proposes landscaping in all required setbacks, as required by Title 9 of the Municipal Code. The project provides a 1,817 square foot active recreation area located at the rear of the lot, and 373 square feet of passive recreation area. The active recreation area is a multi-purpose area that consists of half a basketball court that may also be used for riding tricycles, rollerblading, and other group gatherings. The applicant also proposes benches for seating around the active recreation area. Additionally, private open space is provided for each unit in the form of open patios and decks. These elements contribute to creating an attractive environment for the occupants of the property. Through the conditions of approval for the project, the necessary protection and maintenance of all landscaping will be achieved.

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 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-038-2017.

3. Approval of this Site Plan shall be contingent upon Garden Grove City Council adoption of the Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project and a resolution approving General Plan Amendment No. GPA-002-2017(B).

EXHIBIT "A"

Site Plan No. SP-038-2017

9841 11th Street

CONDITIONS OF APPROVAL

General Conditions

1. All Conditions of Approval set forth herein, or contained in Resolution No. 5903-17, 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, Faircrest Real Estate, LLC, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Except for minor modifications approved by the Community and Economic Development Director pursuant to Condition No. 3, below, any changes to the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-038-2017, so long as the improvements authorized and contemplated by Site Plan No. SP-038-2017 and these Conditions of Approval continue to exist on the Site.
2. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project, approved site plan, floor plan, and/or these Conditions of Approval determined by the Community 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.
4. All conditions of approval shall be implemented at the applicant's expense, except where otherwise expressly specified in the individual condition.

Public Works Engineering Division

5. The applicant shall be subject to Traffic Mitigation Fees Citywide Park 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

amounts of said fees shall be calculated based on the current fee schedule at the time of permit issuance.

6. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
7. A separate street permit is required for work performed within the public right-of-way.
8. Grading/Street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
9. 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.
10. 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 onsite;
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
11. Prior to the issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
12. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the grading plan.
13. The applicant / property owner shall provide a 3-foot public utility easement across lot frontage behind the property line.
14. Prior to the issuance of the street improvements and grading permit, the applicant shall provide improvement bonds (Faithful Performance, Labor & Material and Monument Bond) acceptable to the City guaranteeing that all work constructed under said permits will be completed according to the approved plans, applicable laws, and in compliance with all terms specified in the permit(s). All bonds shall be in a form satisfactory to the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely in the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management).

15. The applicant shall construct the driveway entrance to the development per City of Garden Grove Standard Plan B-121 with conforming ADA landing and pathways where public and private sidewalks intersect. All designs must conform to latest ADA standards.
16. No parallel curb parking shall be permitted anywhere on the site.
17. The grading plan shall provide an accessibility route for the ADA pathway in conformance with the requirements of the department of justice standards, latest edition.
18. Orange County Storm Water Program manual requires all contractors to provide a dumpster onsite during construction unless an Encroachment Permit is obtained for placement in street.
19. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer.
20. All trash container areas shall meet the following requirement:
 - 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.
21. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
22. The applicant shall remove the existing seastrand driveway approach within sidewalk area along 11th Street and construct street frontage improvements as identified below. All landscaping and public improvements installed within

the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Division.

11th Street

- a. Remove the existing substandard driveway approach, curb/gutter and sidewalk on 11th Street and construct new driveway approach to the site shall in accordance with City of Garden Grove Standard Plan B-121. Standard Plan B-121 calls for a minimum width of 30-feet for commercial and multi residential projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- b. Applicant to coordinate the location of all new water meters to be placed in sidewalk area on Garden Grove Boulevard with Planning Department and Water Division.
- c. Any proposed new landscaping in public right of way shall be approved by Planning Division.

Public Works Environmental Compliance Division

23. The applicant shall comply will LID (Low Impact Development) measures.

Garden Grove Fire Department

24. Fire sprinkler system is required throughout the apartment building per the California Fire Code and adopted City standards (NFPA). NFPA 13D compliant system is required throughout with a density and configuration as required by that standard. Sprinkler systems shall meet further City water standards as determined by the fire and water departments (i.e., testable above ground double check valves, fire flow water meters if required).
25. Smoke/CO alarm system shall be provided and interconnected; interconnectivity shall exist with fire sprinkler system also, as per NFPA 72. Life safety and fire sprinkler alarm system shall comply with NFPA 72 requirements.
26. Fire hydrant(s) shall be provided on-site, number of hydrants and locations are subject to Fire Department and Water Services Department approval. The fire hydrant(s) shall be on a loop system approved by the Fire Department. The fire hydrants and an all-weather road, compliant with the California Fire Code, shall be installed and fully operational prior to any combustible material being delivered to the site.
27. All Fire related aspects of the proposed project shall comply with California Fire Codes and the California Building Codes 2016 Edition.

28. There shall provide clear access within the drive aisle and emergency vehicle turn-around area per California Fire Code 2016 Edition.

Building Services Division

29. The proposed building shall comply with the California Building Code Standards 2016 Edition.
30. The building shall meet Title 24 of the California Code of Regulations 2016 Edition.
31. The building shall comply with the California Energy Code 2016 Edition.
32. The building, including all carports, shall be fully sprinklered.
33. The building shall be provided with fire alarms.
34. Roof shall be solar ready per requirements of Section 110.10 of the California Energy Code 2016 Edition.
35. There shall be a minimum of one (1) electrical vehicle charging station per the California Green Building Code 2016 Edition.
36. There shall be a minimum of one (1) clean air vehicle parking space per the California Green Building Code 2016 Edition.
37. There shall be a minimum of one (1) long-term bicycle parking space per the California Green Building Code 2016 Edition.
38. There shall be a minimum of one (1) accessible residential unit, and it must be located on an accessible 4' wide minimum route to the public right-of-way.
39. There shall be a minimum of one (1) van accessible parking space.
40. The walls separating the units shall be of 1-hour construction.

Public Works Water Services Division

Water Conditions

41. New water service and master meter installation 2" and smaller, shall be installed by the City of Garden Grove at applicant'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 applicant's contractor per City Standards.

42. Water meter shall be located within the 11th Street 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.
43. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Applicant 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. The applicant must open a water account upon installation of RPPD device.
44. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
45. 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 applicant's expense.
46. Fire service shall have above ground backflow device with a double check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the applicant. The above-ground assembly shall be screened from public view as required by the Planning Division.
47. The applicant shall install an on-site private fire hydrant. Fire hydrant to be installed and charged prior to the building footings and foundations being formed.

Sewer Conditions

48. 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.
49. The applicant shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints.
50. The applicant shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

Planning Services Division

51. This approval is for the construction of a 10-unit, three-story apartment building with a 35 percent affordable housing density bonus for low-income households. The request includes a General Plan Amendment to change the General Plan Land Use designation of the property from Civic/Institutional (CI) to Medium Density Residential (MDR). Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 (Multiple-Family Residential) zone development standards to allow the third-story configuration to be greater than fifty percent of the building footprint, to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors, and to deviate from the required 11'-3" third-story side yard setback.
52. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building Division Plan Check. The project shall also be subject to the following:
 - a. All on-site and off-site utilities (off-site refers to the areas within the public right-of-way to the center line of the streets adjacent to the subject property), and within the perimeter of the site, shall be installed or relocated underground. All on-site and off-site utilities pertaining to the improvements proposed under this Site Plan shall be installed or relocated underground.
 - b. All above-ground utility equipment (e.g., electrical, gas, telephone, cable TV, water meters, electrical transformer) shall not be located in the street setback, within the common areas, or any parking areas, and shall be screened to the satisfaction of the Community and Economic Development Director. The applicant shall relocate the water meters and the electrical transfer outside of the front setback area.
 - c. No roof-mounted mechanical equipment including, but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
 - d. All ground or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
 - 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; however, it may properly be screened from view.

53. The applicant shall submit a complete landscape plan governing the area of new construction. The plans shall be consistent with the plans submitted to the Planning Commission for review and approval, except as modified herein. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines. The landscape plan is also subject to the following:
- a. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code.
 - b. A complete, permanent, and automatic remote control irrigation system shall be provided for all landscape areas shown on the plan. Subsurface irrigation systems are encouraged. The irrigation plan for any trees planted in the setback areas adjacent to the sidewalks and in the parking lot shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used in other areas, they shall be low flow/precipitation sprinkler heads for water conservation.
 - c. All above ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plan and shall be screened from view by appropriate plantings.
 - 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. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, Boston Ivy shall be used.
 - e. No trees shall be planted closer than five feet (5') from any public right-of-way. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along the street frontages located adjacent to the driveway shall be of the low-height variety to ensure a safe sight clearance.
 - f. The landscaping treatment along the 11th Street street frontages, including the area designated as public right-of-way, and all common areas, shall incorporate a mixture of groundcover, flowerbeds, shrubs, and trees to enhance the appearance of the property. The Community and Economic Development Department shall review the type and location of all proposed trees and plant materials.

- a. A total of twenty (20) parking spaces, two (2) per every residential unit, will be designed for the new residential development in the form of open carports.
- b. There shall be no parking allowed along the drive-aisle, except within the designated parking areas. All curbs not designated as parking areas shall be painted red. The applicant shall post "No Parking" signs along the drive aisle.

58. The project shall comply with the following stipulations:

- a. The proposed development will allow the construction of seven (7) multi-family residential units and three (3) affordable residential housing units for low-income households.
- b. All twenty (20) parking spaces shall maintain the ability to park one (1) vehicle at all times. Carports shall not be converted to any other use.
- c. There shall be no business activities, day care, or garage sales conducted within or from the carports.
- d. Carports shall not be rented or leased separately from the dwelling units and shall not be made unavailable to the occupants of the units.
- e. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces; however, the parking spaces may be utilized by residents or guests for temporary parking.
- f. Best Management Practices shall be incorporated to deter and/or abate any graffiti vandalism throughout the project and 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.
- g. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
- h. All patios and decks shall remain open and shall not be enclosed at any time. There shall be no storage allowed in the balconies at any time.
- i. Parking and storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited.
- j. Each unit shall have a private and secured storage area having a minimum of 300 cubic feet that complies with Section 9.18.100.030.H.2 of Title 9 of the Municipal Code. The storage may be located within the carport parking

area as hanging cabinet storage provided it does not interfere with the parking.

- k. The maintenance of the drive aisle, storm drains, sewer system, and open space areas is the responsibility of the applicant and property owner, including the common recreation area, and the common landscape areas.
 - l. Each unit shall be provided with an air conditioning condensing unit and/or system so that there are no wall-mounted, or window mounted units. If units are located on the roof, an architectural design of the roof areas shall be done to effectively screen such units from adjacent properties and the public right-of-way.
 - m. All units within 100 feet from trash enclosure shall be equipped with trash compactors and shall provide a minimum of three cubic feet of space for the collection and storage of refuse and recyclable material.
 - n. Mailboxes shall be provided and installed by the applicant. The local postmaster shall approve the design and location.
 - o. No security fencing/gate shall be permitted for the project, including driveway fencing or pedestrian gates to secure the connecting walkways.
 - p. Each unit shall have phone jacks and cable-TV outlets in all rooms, except in the hallways, and bathrooms.
 - q. Private laundry rooms shall be provided in each unit.
59. The applicant shall comply with all provisions of the Community and Economic Development Department including, but not be limited to, the following:
- a. The facade of the building shall be designed with sound attenuation features including the use of dual pane windows, a minimum 4-inch decorative wide trim on all windows and doors, and limiting, when possible, the use of vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
 - b. Prior to the finalization of working drawings for Planning Division, Engineering Division, and Building Division Plan Check, the applicant shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above Conditions of Approval. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project.

- c. Mechanical equipment, including air conditioning units, Jacuzzi spa equipment, sump pump, etc., shall not be located closer than 5-feet to any side or rear property line and shall not be located in the front landscape setback. Air conditioning units may be placed adjacent to or in front of the dwelling units provided the location does not obstruct, impede, or hinder any vehicle traffic or pedestrian access to any unit, and is properly screened from view.
 - d. At no time shall any structure, fireplace, architectural feature, or otherwise, be closer than three feet to any property line. Any roof eaves or similar roof overhangs intruding into the three (3) foot setback requirement, shall comply with the C.B.C. concerning method of construction.
60. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable laws and regulations.
 61. Trash enclosures, including the required roof structure, shall match the design, color, and material type used for the residential buildings. The trash bins shall be kept inside the trash enclosure, 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.
 62. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
 - a. The project shall maintain a perimeter block wall along the north, west and east property lines, adjacent to the area of new construction, at a height of 6'-0," as measured from the highest point of the on-site finished grade adjacent to the wall, but at no time greater than 7'-0" in height.
 - b. All block walls shall observe the required vision clearance and line-of-sight requirements if located adjacent to a driveway. No walls greater than 36-inches in height shall be construction within the driveway vision clearance area. No block wall greater than 3'-0" in height shall extend beyond the front building plane elevation, and into the front setback area located along 11th Street.
 - c. Any new block walls shall be constructed of decorative split-face masonry with decorative caps, subject to the Community and Economic Development Department's approval, unless an attempt is being made to match an existing block wall pattern.
 - d. The applicant shall work with the existing property owners along the project's perimeter in designing and constructing any required perimeter

block walls. This requirement is to avoid having double walls and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the applicant shall work with City Staff to address this situation. The Community and Economic Development Director shall be authorized to approve minor alterations the size and/or location of the landscape planter to accommodate the placement of such wall.

63. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use of methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
64. The common recreation area improvements shall be reviewed and approved by the Community and Economic Development Department, Planning Division prior to issuance of building permits. The improvements to the common recreation area shall include the amenities identified on the approved plans that include half a basketball court and benches for seating, as well as tables and benches along the ground level pedestrian walkways and in the passive recreation areas. Lighting in the common recreation areas shall be provided at a maximum one-foot light candle during the hours of darkness, and shall be restricted to low decorative type wall-mounted lights or ground lighting systems.
65. Building color and material samples shall be submitted to the Planning Division for review and approval prior to issuance of building permits. The buildings shall include multi-toned stuccoed exteriors with faux wood lap siding; window and door trim; tensioned steel guardrail for the decks and patios; fabricated metal awnings; smooth faux concrete square veneer; sloped stucco shelves underneath the windows on the east elevation; and varied rooflines with built-up roofing. All front, side, and rear elevations shall maintain the same level of detailing. The carports shall be designed with the same architecture design and finishes of the residential buildings.
66. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the name and address of the development, and the developer's name, address, and a 24-hour emergency telephone number.

67. The applicant/property owner shall prepare a Density Bonus Housing Agreement pursuant to Ordinance 2668 and Section 9.12.030.070 (Density bonuses and other incentives for affordable housing) (Subsection I –“Density Bonus Housing Agreement”) of Title 9. The Density Bonus Housing Agreement shall be submitted for review and approval by the City Attorney’s office and the Community and Economic Development Department prior to the issuance of building permits. The approved Density Bonus Housing Agreement shall be recorded prior to issuance of a building permit for any structure in the housing development. The Density Bonus Housing Agreement shall run with the land and bind on all future owners and successors in interest. The Density Bonus Housing Agreement shall include, but not limited to, the following:
- a. The total number of units approved for the Housing Development, the number, location, and level of affordability of target units, and the number of density bonus units.
 - b. Standards for determining affordable rent or affordable ownership cost for the target units.
 - c. The location, unit size in square feet, and number of bedrooms of target units.
 - d. Provisions to ensure affordability for 55 years pursuant to Government Code section 65915 and otherwise in accordance with Subsection G of section 9.12.030.070.
 - e. A schedule for completion and occupancy of target units in relation to construction of non-restricted units.
 - f. A description of any concessions or incentives or waivers and modifications being provided by the City.
 - g. A description of remedies for breach of the agreement by either party. The City may identify tenants or qualified purchasers as third party beneficiaries under the agreement.
 - h. Procedures for qualifying tenants and prospective purchasers of target units.
 - i. Any other provisions to ensure implementation and compliance with section 9.12.030.070.
 - j. Procedures for establishing affordable rent, filling vacancies, and maintaining target units for eligible tenants.
 - k. Provisions requiring verification of household incomes.

73. Unless a time extension is granted pursuant to Section 9.32.160 of Title 9 of the Municipal Code, the project authorized by this approval of Site Plan No. SP-038-2017 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal and thereafter diligently advanced until completion of the project.

DRAFT

**Initial Study/
Mitigated Negative Declaration**

**Green Garden Apartment Project
9841 11th Street**

LEAD AGENCY:



City of Garden Grove
Community Development Department
Planning Services Division
11222 Acacia Parkway
Garden Grove, CA 92840
Contact: Ms. Maria Parra

PREPARED BY:

Morse Planning Group

May 2017



GARDEN GROVE

MITIGATED NEGATIVE DECLARATION

Title of Project:	Garden Green Apartment Project
Project Location:	The project site is located on the north side of 11th Street between Kerry Street to the west and Brookhurst Street to the east within the City of Garden Grove, County of Orange. The address associated with the project site is 9841 11th Street. For a map of the project site, please refer to Exhibit 2-1 of the Initial Study.
Project Proponent:	Faircrest Real Estate, LLC 11542 Montclair Drive, Garden Grove, CA 92841
Brief Description of Project:	<p>The project site is presently developed with two unoccupied residential units. The two units will be demolished and removed, and a 3-story, 10-unit apartment complex with affordable units within one building will be constructed. The City will consider the following approvals:</p> <ul style="list-style-type: none">▪ General Plan Amendment from Civic/Institutional (CI) to Medium Density Residential (MDR) to be consistent with the R-3 zone▪ Site Plan▪ Development Agreement▪ Concession/Waivers (based on the density bonus):<ul style="list-style-type: none">(a) To allow the third-story configuration to be greater than 50 percent of the building footprint.(b) To deviate from the 10 feet distance separation between the units and the drive aisle located on the first, second, and third floors.(c) To deviate from the required 11'-3" third-story side setback.
Cortese List:	The project does not involve a site located on the Cortese list.
Project Impacts:	The Initial Study/Mitigated Negative Declaration found that the environmental impacts from the project would be less than significant with the incorporation of mitigation measures.
Mitigation Measures:	Mitigation measures have been included for Biological Resources, Cultural Resources, Geology and Soils; Hazards & Hazardous Materials; Hydrology and Water Quality; Noise; Public Services; Recreation; and Utilities & Service Systems.

Table of Contents

1.0	Introduction	1-1
1.1.	Statutory Authority and Requirements.....	1-1
1.2.	Purpose	1-2
1.3.	Responsible and Trustee Agencies.....	1-2
1.4.	Consultation.....	1-3
1.5.	Incorporation by Reference.....	1-3
2.0	Project Description	2-1
2.1.	Project Location	2-1
2.2.	Environmental Setting	2-1
2.3.	Existing Zoning and General Plan	2-2
2.4.	Project Characteristics.....	2-2
2.5.	Permits and Approvals.....	2-4
3.0	Initial Study Checklist.....	3-1
3.1.	Background	3-1
3.2.	Environmental Factors Potentially Affected.....	3-2
3.3.	Evaluation of Environmental Impacts.....	3-2
3.4.	Lead Agency Determination.....	3-4
4.0	Environmental Analysis	4-1
4.1.	Aesthetics.....	4-3
4.2.	Agriculture and Forestry Resources	4-7
4.3.	Air Quality.....	4-11
4.4.	Biological Resources.....	4-21
4.5.	Cultural Resources	4-25
4.6.	Geology and Soils.....	4-29
4.7.	Greenhouse Gases	4-35
4.8.	Hazards and Hazardous Materials	4-39
4.9.	Hydrology and Water Quality	4-45
4.10.	Land Use and Planning	4-61
4.11.	Mineral Resources	4-65
4.12.	Noise	4-67
4.13.	Population and Housing	4-79
4.14.	Public Services	4-81
4.15.	Recreation.....	4-85
4.16.	Transportation/Traffic.....	4-87
4.17.	Utilities and Service Systems	4-91
4.18.	Mandatory Findings of Significance.....	4-97
4.19.	References.....	4-99
4.20.	Report Preparation Personnel.....	4-99

Appendices

Provided on CD or on file with the City

- A Air Quality & Greenhouse Gas Modelling Data
- B Geotechnical Engineering Investigation
- C Hydrology Study
- D Preliminary Water Quality Management Plan
- E Noise Modelling Data

List of Exhibits

Exhibit 2-1	Local Vicinity	2-5
Exhibit 2-2	Site Plan	2-6
Exhibit 2-3	North and West Building Elevations.....	2-7
Exhibit 2-4	South and East Building Elevations.....	2-8
Exhibit 2-5	Building Floor Plan: 1 st Floor	2-9
Exhibit 2-6	Building Floor Plan: 2 nd & 3 rd Floors.....	2-10
Exhibit 2-7	Building Roof Plan	2-11
Exhibit 2-8	Floor Plan: Units 1 and 2	2-12
Exhibit 2-9	Floor Plan: Units 3 and 4	2-13
Exhibit 2-10	Floor Plan: Unit 5.....	2-14
Exhibit 4-1	Proposed Project – Selected Structural BMPs.....	4-57
Exhibit 4-2	Existing Hydrology Conditions.....	4-58
Exhibit 4-3	Proposed Hydrology Conditions	4-59

List of Tables

Table 2-1	Land Use Summary.....	2-4
Table 4.3-1	SCAQMD Thresholds of Significance.....	4-13
Table 4.3-2	Estimated Peak Daily Construction Emissions	4-15
Table 4.3-3	Estimated Daily Operational Emissions.....	4-16
Table 4.3-4	Localized On-Site Peak Daily Construction Emissions.....	4-18
Table 4.7-1	Project Operational GHG Emissions	4-36
Table 4.9-1	Existing and Proposed Pervious and Impervious Site Conditions	4-48
Table 4.9-2	Proposed Project Flow Rates.....	4-51
Table 4.10-1	Development Standards	4-63
Table 4.12-1	Garden Grove Noise Ordinance Standards	4-70
Table 4.12-2	Existing Ambient Daytime Noise Levels	4-71
Table 4.12-3	Noise Range of Typical Construction Equipment	4-72
Table 4.12-4	Typical Outdoor Construction Noise Levels.....	4-72
Table 4.12-5	Vibration Source Levels for Construction Equipment	4-76
Table 4.16-1	Proposed Project Trip Generation.....	4-88

1.0 INTRODUCTION

The Green Garden Apartment Project (herein referenced as the “project” or the “proposed project”) involves the demolition of on-site buildings and the development of ten apartment units on a 0.44-acre site. Following a preliminary review of the proposed project, the City of Garden Grove has determined that the proposed project is subject to the guidelines and regulations of the *California Environmental Quality Act (CEQA)*. This Initial Study addresses the direct, indirect, and cumulative environmental impacts of the project, as proposed.

1.1. STATUTORY AUTHORITY AND REQUIREMENTS

This environmental document has been prepared in conformance with *CEQA (California Public Resources Code [PRC] Section 21000 et seq.)*; *CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.)*; and the rules, regulations, and procedures for implementation of *CEQA*, as adopted by the City of Garden Grove (City).

In accordance with the *CEQA Guidelines* Sections 15051 and 15367, the City is identified as the Lead Agency for the proposed project. Under *CEQA* Sections 21000-21177 and pursuant to *CEQA Guidelines* Section 15063, the City is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration. Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur (*CEQA* Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with *CEQA*, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions relevant to the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

The environmental documentation and supporting analysis are subject to a public review period. During this review, agency and public comments on the document relative to environmental issues should be addressed to the City. Following review of any comments received, the City will consider these comments as a part of the project’s environmental review and include them with the Initial Study documentation for consideration by the City.

1.2. PURPOSE

The purposes of an Initial Study are to:

1. Identify environmental impacts;
2. Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or a negative declaration;
3. Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is required to be prepared;
4. Facilitate environmental assessment early in the design of the project;
5. Document the factual basis of the finding in a negative declaration that a project would not have a significant environmental effect;
6. Eliminate needless EIRs;
7. Determine whether a previously prepared EIR could be used for the project; and
8. Assist in the preparation of an EIR, if required, by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant, and explaining the reasons for determining that potentially significant effects would not be significant.

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project
- Identification of the environmental setting
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries
- Discussion of ways to mitigate significant effects identified, if any
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study

1.3. RESPONSIBLE AND TRUSTEE AGENCIES

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies. Pursuant to *CEQA Guidelines* Sections 15381 and 15386, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:

“Responsible Agency” means a public agency, which proposes to carry out or approve a project, for which [a] Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the Lead Agency, which have discretionary approval power over the project. (Section 15381)

“Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include; The California Department of Fish and Wildlife, The State Lands Commission; The State Department of Parks and Recreation and The University of California with regard to sites within the Natural Land and Water Reserves System. (Section 15386)

For this project, the City is the Lead Agency and has the principal responsibility of processing and approving the project.

Responsible and Trustee Agencies and other entities that may use this Initial Study in their decision-making process or for informational purposes include, but may not be limited to, the following:

- City of Garden Grove Fire Department
- City of Garden Grove Police Department
- Santa Ana Regional Water Quality Control Board

1.4. CONSULTATION

Following completion of this Initial Study, the City initiated formal consultation with Responsible Agencies, Trustee Agencies, and other governmental agencies as required under CEQA and its implementing guidelines.

The City also complied with Tribal Cultural Resources consultation requirements under the California Environmental Quality Act, AB 52 (Gatto, 2014). Formal notification was sent to the list of 24 tribes provided by the Native American Heritage Commission pursuant to *Public Resources Code* Section 21080.3.1 on February 10, 2017 and April 25, 2017 from the list received from the Native American Heritage Commission on October 24, 2016. As of May 24, 2017, the City has received no requests for consultation.

Given that the project involves a general plan amendment, the City also conducted SB 18 consultation with the list of tribes provided Native American Heritage Commission pursuant to Government Code Section 65352.3. On March 11, 2016, the City mailed notices to local tribes on the tribal consultation list provided by the Native American Heritage Commission on March 9, 2016. At the end of the 90-day notification period, June 8, 2016, the City received no request for any tribes for consultation.

1.5. INCORPORATION BY REFERENCE

Pertinent documents relating to this Initial Study have been cited in accordance with CEQA *Guidelines* Section 15150, which encourages “incorporation by reference” as a means of reducing redundancy and length of environmental reports. The following documents are available for public review at the City of Garden Grove Community Development Department, 11222 Acacia Parkway,

Garden Grove, California or at the web addresses noted herein. The documents are hereby incorporated by reference into this Initial Study. Information contained within these documents has been utilized for this Initial Study.

City of Garden Grove

Garden Grove General Plan 2030 (August 2008, May 2013)

Available online on the Planning Services Division page at: <http://www.ci.garden-grove.ca.us/commdev/planning>

The Garden Grove General Plan 2030 is the primary source of long-range planning and policy direction that guides growth and preserves the quality of life within the community. The General Plan estimates the anticipated level of development within the City. The General Plan includes the following elements: Land Use; Community Design; Economic Development; Circulation; Infrastructure; Noise; Air Quality; Parks, Recreation, and Open Space; Conservation; Safety; and Housing. The 2014-2021 Housing Element was adopted in May 2013.

Land Use Element. The Land Use Element serves as a long-range planning guide for development within the City. It describes the type of land uses, including development intensity and density throughout the City. The Land Use Element establishes goals, policies and implementation measures to promote appropriate development and redevelopment within the City.

Community Design Element. The Community Design Element will help guide future development in the City, so that overall public and private development will contribute to a high quality visual environment. This Element addresses the design issues related to community image, development within the public right-of-way and development on private property relative to architectural design, site planning, and signage.

Economic Development Element. The Economic Development Element sets the framework for a balanced and stable economic base in Garden Grove. The Economic Development Element establishes goals, policies and implementation measures that promote economic development by establishing a favorable environment for business attraction and retention, private investment, economic diversification, entrepreneurship, and the attraction of well-paying jobs.

Circulation Element. The Circulation Element provides programs and policies to establish a roadway system that adequately accommodates future growth consistent with the Land Use Element. The Circulation Plan seeks to provide for a safe, convenient, and efficient transportation system allowing for the movement of people and goods throughout the City and the region. Additionally, the Element includes policies for bike lanes, street improvements, and other transportation-related issues.

Infrastructure Element. The Infrastructure Element identifies the existing water, sewer, and storm drain systems and establishes goals, policies, and implementation measures to ensure that the City's infrastructure continues to meet the existing and future needs of the City.

Noise Element. The Noise Element describes the existing noise environment within the City and its relationship with Federal, State, and City noise regulations. This Element also provides

a framework to limit noise exposure within the City that considers both the existing and future noise environments and the compatibility of land uses.

Air Quality Element. The Air Quality Element is intended to protect the public's health and welfare by implementing measures that allow the South Coast Air Basin to attain Federal and State air quality standards. To achieve this, the Element sets forth a number of programs to reduce current pollution emissions and requires that new development include measures to comply with air quality standards. In addition, this Element contains provisions to address new air quality requirements.

Parks, Recreation, and Open Space Element. The Parks, Recreation, and Open Space Element of the General Plan establishes goals, policies and implementation measures that provide direction for the provision of adequate parkland, recreation opportunities, and management and conservation of limited open space resources within the City.

Conservation Element. The Conservation Element provides direction regarding the conservation, development, and utilization of natural resources. It serves as a guide for the City of Garden Grove, its residents and businesses to understand what natural or other resources exist in the City, how development impacts these resources and what methods should be employed to maintain, preserve or conserve these resources. The Conservation Element addresses the following resources: water resources, energy, solid waste, biological resources, green building, and cultural/historical resources.

Safety Element. The Safety Element identifies goals, policies and implementation measures 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 Safety Element 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.

Housing Element. The Housing Element provides programs and policies that assist the community, region, and state in meeting the goal of providing housing affordable to all socioeconomic segments of the population. The Element addresses citywide housing and population demographics, regional fair-share housing allocations, and implementation strategies to assist the City in providing a full range of housing opportunities.

The General Plan was utilized throughout this document as the fundamental planning document governing development at the project site. Background information and policy information from the General Plan is cited throughout this document.

Garden Grove General Plan Environmental Impact Report (August 2008)

The Garden Grove General Plan Environmental Impact Report (General Plan EIR) analyzed the potential environmental impacts of the buildout of the General Plan 2030. The General Plan 2030 Land Use Diagram identifies the type, location and density/intensity of future development within the City of Garden Grove. The City of Garden Grove is approximately 99 percent built out, and as such, the General Plan 2030 focused on preserving residential neighborhoods, guiding the remaining development and redevelopment opportunities, and encouraging the revitalization of selected areas. As of January 2008, there were approximately 32.01 acres of vacant land in the City. Below is a summary of the anticipated development conditions through buildout. The values include the additional growth anticipated with the General Plan 2030, and account for buildout of any vacant or underutilized parcels. In total, these efforts are anticipated to result in the following scenario at buildout:

- 54,296 dwelling units;
- 14,557,673 square feet within eight mixed-use categories;
- 6,597,321 square feet of commercial uses;
- 494,493 square feet of office uses;
- 19,079,280 square feet of industrial uses;
- 7,844,067 square feet of civic/institutional uses; and
- 2,566.48 acres of roads/infrastructure.

The General Plan EIR, a Program EIR, evaluated the impacts of implementing the General Plan, the consideration of broad policy alternatives and program-wide mitigation measures. The Program EIR also determined when subsequent environmental review would be needed for a specific development proposal that is consistent with the General Plan 2030. The General Plan EIR concluded that the following three impact areas could not be feasibly mitigated and would result in a significant and unavoidable impact associated with implementation of the General Plan 2030:

- Air Quality (short-term construction emissions and cumulative construction emissions, long-term mobile and stationary source emissions, and General Plan buildout cumulative impacts)
- Noise (long-term operational noise and cumulative long-term operational noise impacts)
- Parks and Recreation (parks and recreational facilities and cumulative park and recreational facilities impacts)

The City Council adopted a Statement of Facts and Findings and a Statement of Overriding Considerations for these impacts in August 2008.

Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration

Garden Grove Municipal Code (Current through Ordinance 2866 and the June 2016 code supplement).
Available online at: <http://www.ci.garden-grove.ca.us/MunicipalCode>

The Municipal Code is the set of laws for the City. The Municipal Code covers all aspects of City regulations, including zoning and various development related requirements. All zoning district standards are included in the Municipal Code. In addition, standards for development and architectural review, parking, variances, and other similar topics are included in the Municipal Code. Aside from zoning standards, other City regulations are also included in the Municipal Code, such as subdivision requirements, business license regulations, street, water and sewer standards, and vehicle and traffic requirements.

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2.0 PROJECT DESCRIPTION

2.1. PROJECT LOCATION

Regionally, the project site is located in the City of Garden Grove, which is located in the central portion of the County of Orange. The City of Garden Grove is bordered by the Cities of Anaheim, Stanton, and Cypress to the north; Los Alamitos to the northwest; Seal Beach to the west/southwest; Westminster and Fountain Valley to the south; Santa Ana to the south and southwest; and Orange to the east. The Garden Grove Freeway (State Route 22 [SR-22]) runs in an east-west direction through the City. Both the Santa Ana Freeway (Interstate 5) to the northeast, and the San Diego Freeway (Interstate 405) to the southwest, provides connections to State Route 22.

Locally, the project site is located on the north side of 11th Street between Kerry Street to the west and Brookhurst Street to the east within the City of Garden Grove, County of Orange. The address associated with the project site is 9841 11th Street. Refer to *Exhibit 2-1, Local Vicinity*.

2.2. ENVIRONMENTAL SETTING

2.2.1 EXISTING LAND USES

The approximately 0.44-acre (19,152 square feet) project site is comprised of one parcel (APNs 098-120-029 and -030), and is presently developed with two residential units (849 and 1,000 square feet) and accessory structures that are unoccupied. The accessory structures include a garage, shed, covered patio, and three dog kennels (two chain link and one wood).

2.2.2 SURROUNDING LAND USES

The project site is surrounded by the following uses:

- North:** The Islamic Society of Orange County and the Orange Crescent School are located to the northwest of the site, and front onto 13th Street, while residential rehabilitation facilities are located directly to the north of the site, and front onto 13th Street.
- East:** An intermediate care facility, single-family homes, and multi-family developments are located to the east of the site on the north side of 11th Street.
- South:** 11th Street is immediately adjacent to the project site. Single-family homes and multi-family residential complexes are located to the south across 11th Street.
- West:** A multi-family residential complex is located to the west of the site on the north side of 11th Street.

2.3. EXISTING ZONING AND GENERAL PLAN

The *Garden Grove General Plan* Land Use Diagram designates the site as Civic/Institutional (CI). The Zoning map designates the site as R-3 (Multiple Family Residential).

Municipal Code Title 9 Land Use, Chapter 9.12 Multifamily Residential Development Standards, Section 9.12.020.020 defines the R-3 zone.

R-3 (Multiple-Family Residential). The R-3 zone is intended to provide for a variety of types and densities of multiple-family residential dwellings. This zone is intended to promote housing opportunities in close proximity to employment and commercial centers.

Zoning for Surrounding Uses

Zoning designations for surrounding uses are noted below.

- North:** PUD-130-99 (Planned Unit Development), R-3 (Multiple-Family Residential), and C-1 (Neighborhood Commercial)
- East:** R-3 (Multiple-Family Residential)
- South:** R-1-6 (Single-Family Residential) and R-3 (Multiple-Family Residential), and C-1 (Neighborhood Commercial)
- West:** PUD-130-99 (Planned Unit Development) and R-3 (Multiple-Family Residential)

2.4. PROJECT CHARACTERISTICS

2.4.1 PROJECT OBJECTIVES

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

- To ensure that the proposed project conforms to all pertinent City of Garden Grove land use and development regulations.
- To ensure that the proposed project's environmental impacts are identified and addressed as required by CEQA.
- To further facilitate new residential infill development to provide new housing opportunities for various income groups.

The objectives of the Applicant include the following:

- To facilitate the development of an underutilized property.
- To facilitate the provision of affordable housing units in the City.
- To realize a fair return on investment.

2.4.2 DESCRIPTION OF PROJECT

Faircrest Real Estate, LLC is proposing to develop a 10-unit apartment complex with affordable housing units on the 0.44-acre/19,152-square foot site named the Green Garden Project.

Proposed Site Development

Currently, the project site is developed with two unoccupied residential units and accessory structures that include a garage, shed, covered patio, and three dog kennels (two chain link and one wood). All on-site buildings and landscaping areas will be demolished and removed, and a 3-story, 10-unit apartment complex with affordable units will be constructed within one building. Vehicular ingress and egress to the project site will be provided via a single driveway from 11th Street. A single drive aisle will be provided to access the site and required parking spaces that are designed as carports. The majority of the units will be located on the 2nd and 3rd floors with the exception of Unit 1, which will be located on the 1st floor. The existing 6-foot block wall on the northern, western, and eastern boundaries will be protected in place. In addition, a 30-inch block wall will be constructed on the eastern property boundary adjacent to the drive aisle and will connect with the existing block wall. Refer to *Table 2-1, Land Use Summary*) and *Exhibit 2-2, Site Plan*.

Pursuant to State Law, the Applicant requests a density bonus to construct affordable housing units. The Municipal Code allows a maximum of 7 units based on the existing lot size. The proposed project will provide a 35 percent density bonus to construct a total of 10 units with three waivers/concessions to deviate from the R-3 development standards; thus, the proposed project will be required to restrict 3 units as low income. The three waivers/concessions include: 1) to allow the third-story configuration to be greater than 50 percent of the building footprint, 2) to deviate from the 10-foot distance separation between the units and the drive aisle located on the first, second, third floors, and 3) to allow the third-story to deviate from the required 11'-3" side setback.

The project will include a General Plan Amendment to change the land use designation from Civic Institution to Medium Density Residential, and a Site Plan to allow the construction of the 10-unit apartment complex.

Density and Lot Coverage

As noted in *Table 2-1, Land Use Summary*, the project is proposing 10 units. A density bonus is required to accommodate the proposed density. The proposed project will result in a density of 22.7 dwelling units per acre. The proposed project will result in lot coverage of 37.90 percent.

Access and Parking

A single access driveway for ingress/egress will be provided on 11th Street. The proposed project will provide 20 on-site parking spaces. The parking is calculated based on the State's density bonus requirements of 2 parking spaces for 2- and 3-bedroom units.

TABLE 2-1 LAND USE SUMMARY

Unit	Quantity	Size	Type	Location
Unit 1: 2 bed/2 bath	1	990 sf	Stacked Flat	1 st Floor
Unit 2: 3 bed/2 bath	1	1,180 sf	Stacked Flat	2 nd Floor
Unit 3: 2 bed/2 bath	1	990 sf	Stacked Flat	3 rd Floor
Unit 4: 2 bed/2 bath	2	921 sf	Stacked Flat	2 nd & 3 rd Floors
Unit 5: 3 bed/2.5 bath	5	1,277 sf	Townhouse	
Total	10			
Notes: Bed = bedroom; bath = bathroom; sf = square feet				

Open Space, Recreation, and Leisure Areas

The proposed project will provide 3,137 square feet of open space, recreation, and leisure areas, which includes an aggregate total of 947 square feet of private patios and decks that vary in size from 90 square feet to 109 square feet and 2,190 square feet of common recreation area including a 1,817 square foot active recreation area, and 373 square feet of passive recreation area.

2.4.3 PROJECT PHASING

The proposed project will be constructed in a single phase.

2.5. PERMITS AND APPROVALS

The City (lead agency under CEQA) will use this Initial Study/Mitigated Negative Declaration in making decisions with regard to the approval of the proposed Green Garden Apartment Project and the subsequent construction and development of the apartment units. The City will consider the following approvals:

- General Plan Amendment from Civic/Institutional (CI) to Medium Density Residential (MDR) to be consistent with the R-3 zone
- Site Plan
- Development Agreement
- Concession/Waivers (based on the density bonus) for:
 - (a) To allow the third-story configuration to be greater than 50 percent of the building footprint
 - (b) To deviate from the required 10 feet distance separation between the units and the drive aisle located on the first, second, and third floors
 - (c) To deviate from the required 11'-3" third-story side setback

Other permits required for the project will include, but may not be limited to, the issuance of demolition permits and building permits.

Exhibit 2-1 Local Vicinity

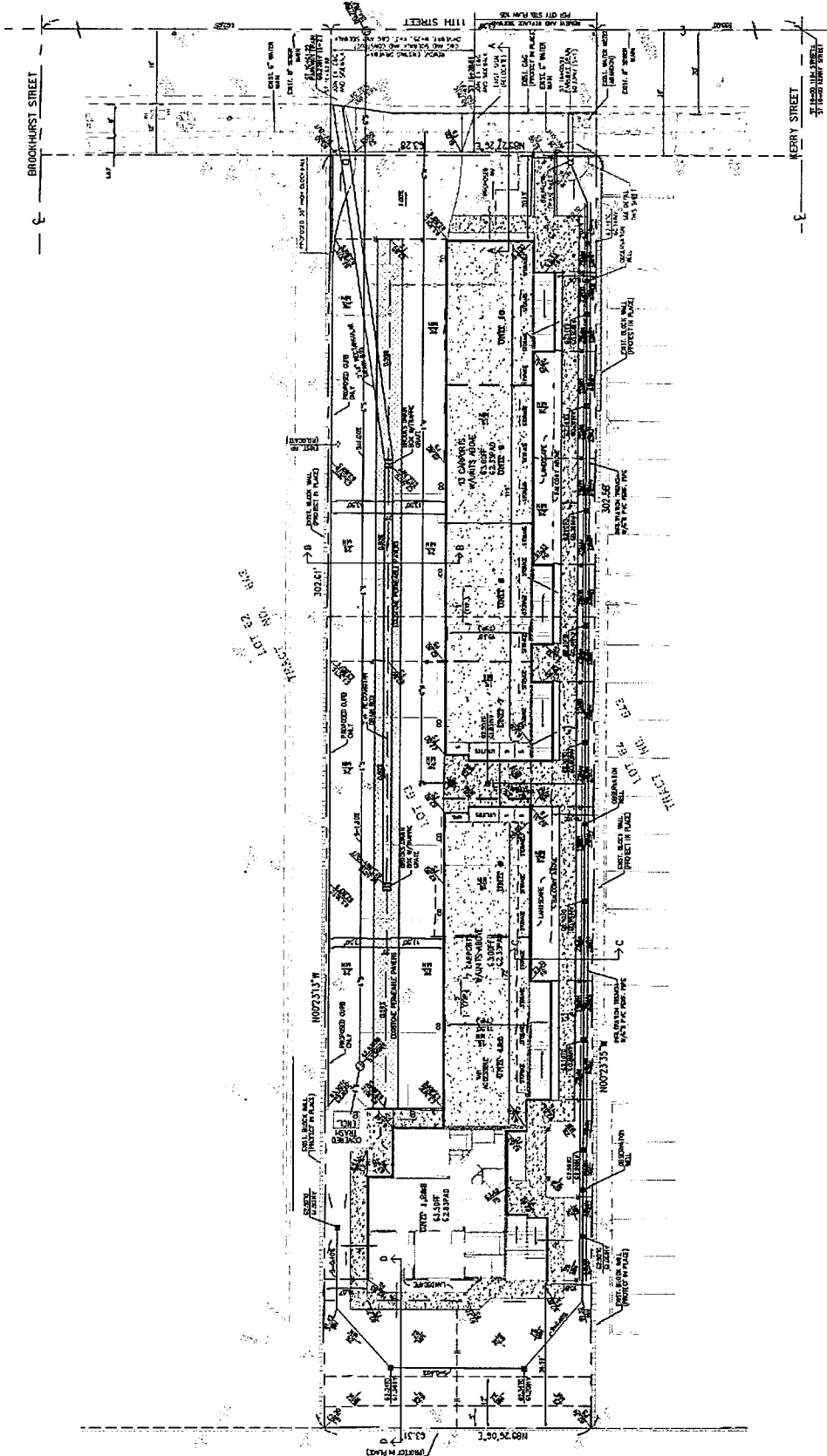


Project Site

Source: Google Earth, 2016

**Garden Green Apartment Project - 9841 11th Street
Initial Study/Mitigated Negative Declaration**

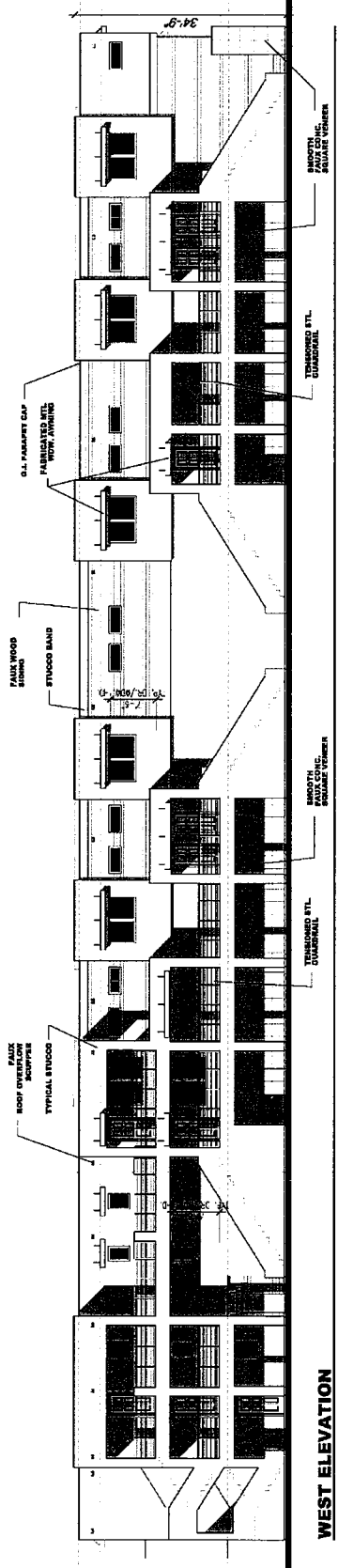
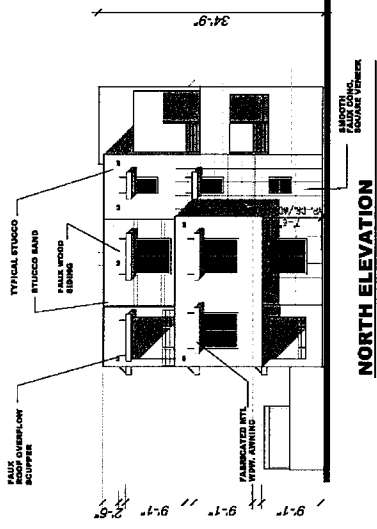
Exhibit 2-2 Site Plan



Sources: LSA Architecture, Inc. and DMS Consultants, Inc., May 2016

Garden Green Apartment Project - 9841 11th Street
Initial Study/Mitigated Negative Declaration

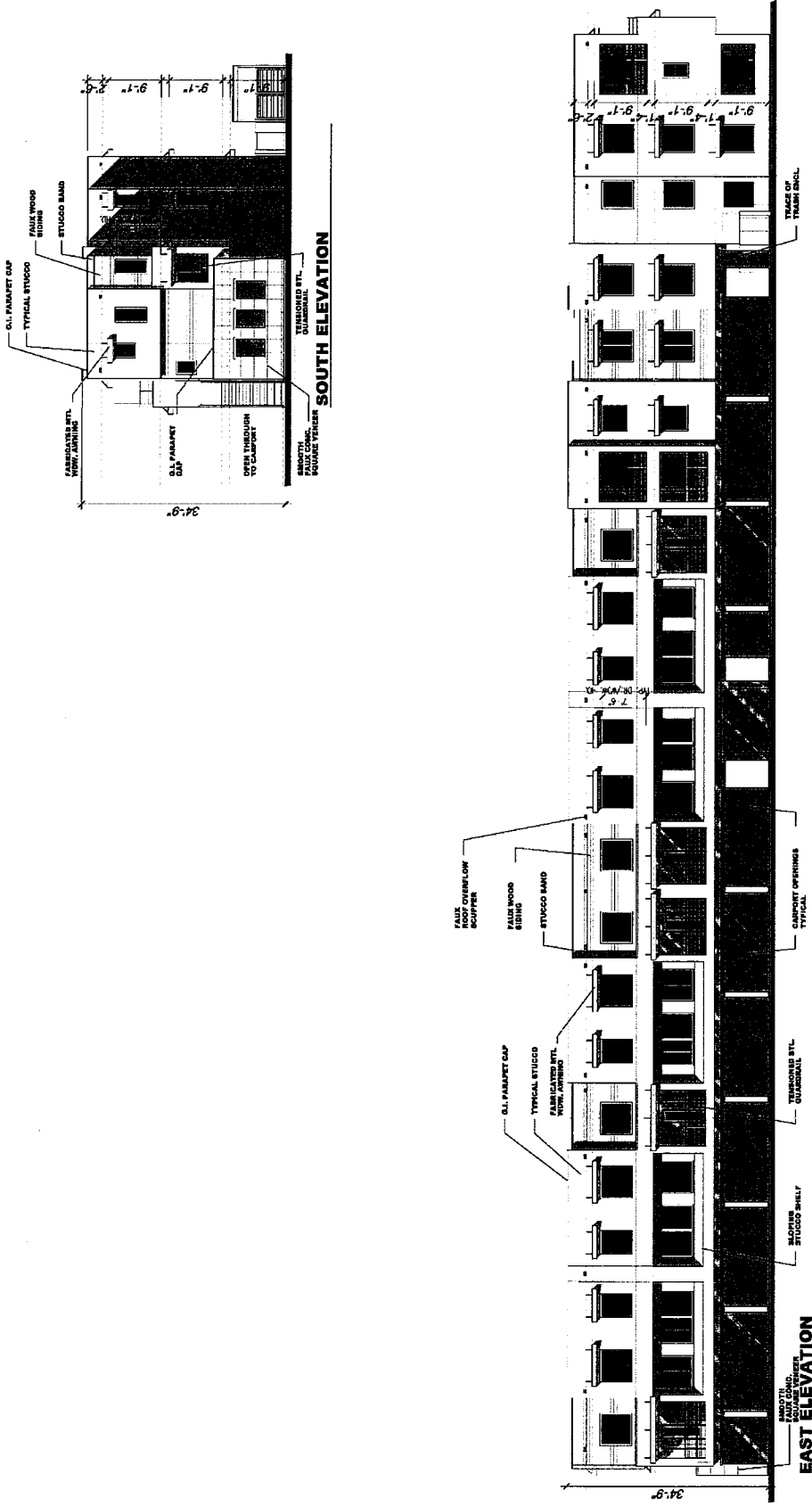
Exhibit 2-3 North and West Building Elevations



Source: LSA Architecture, Inc., May 2016

**Garden Green Apartment Project - 9841 11th Street
Initial Study/Mitigated Negative Declaration**

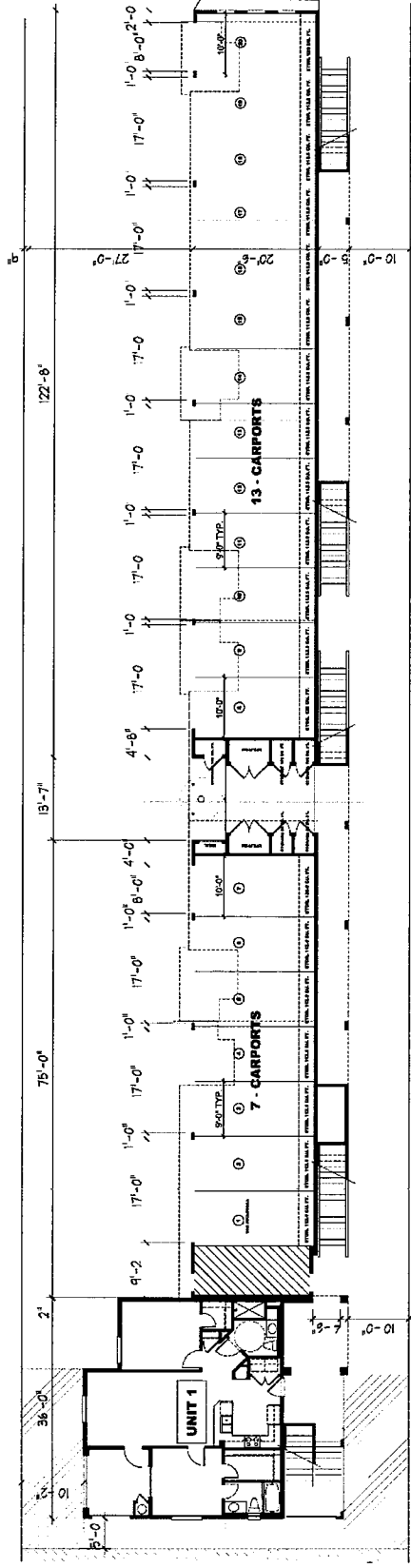
Exhibit 2-4 South and East Building Elevations



Source: LSA Architecture, Inc., May 2016

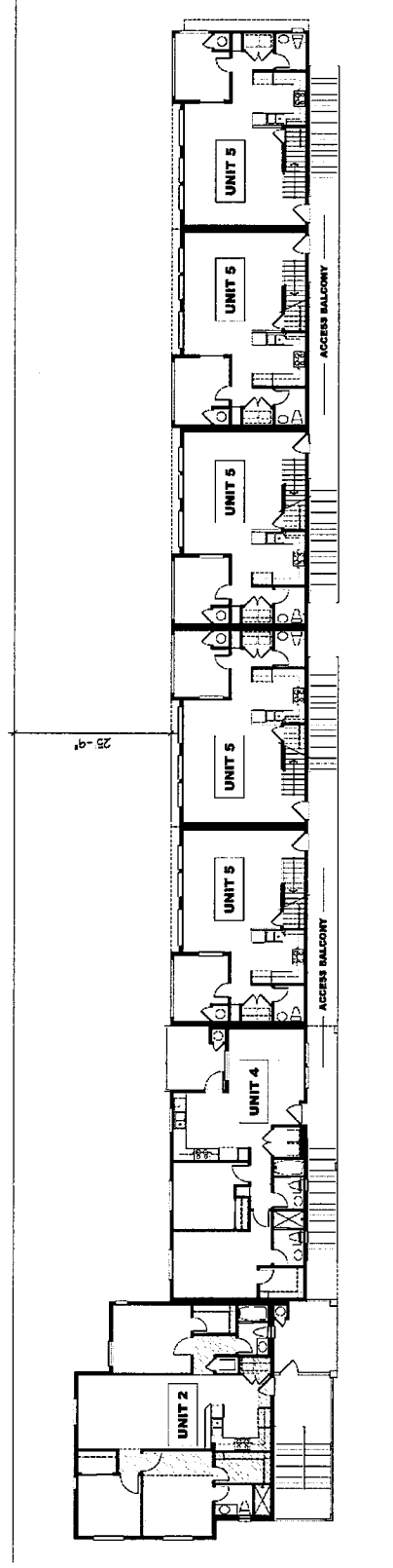
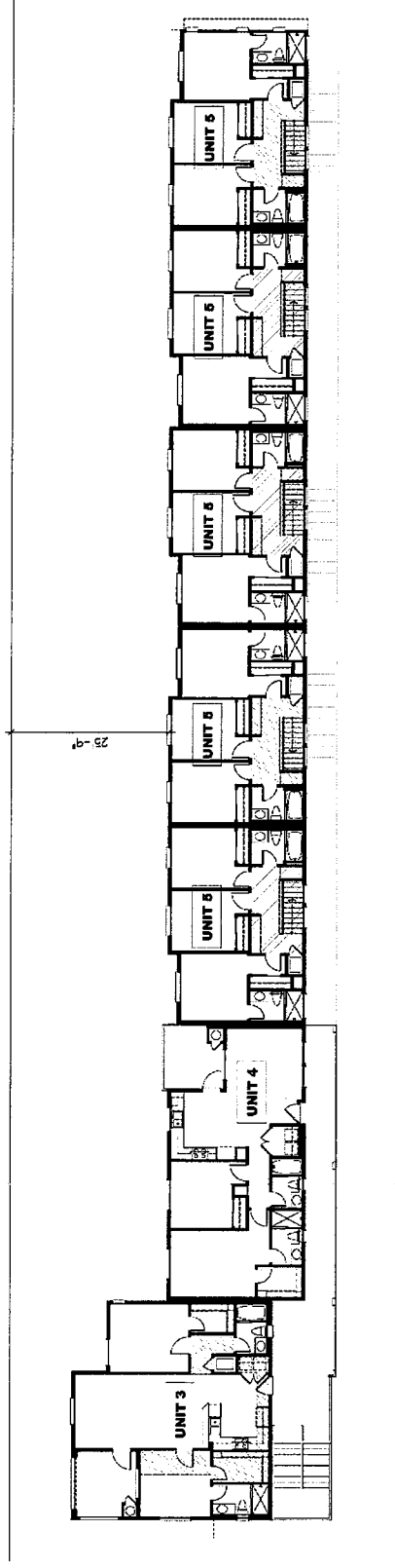
**Garden Green Apartment Project - 9841 11th Street
Initial Study/Mitigated Negative Declaration**

Exhibit 2-5 Building Floor Plan: 1st Floor



Source: LSA Architecture, Inc., May 2016

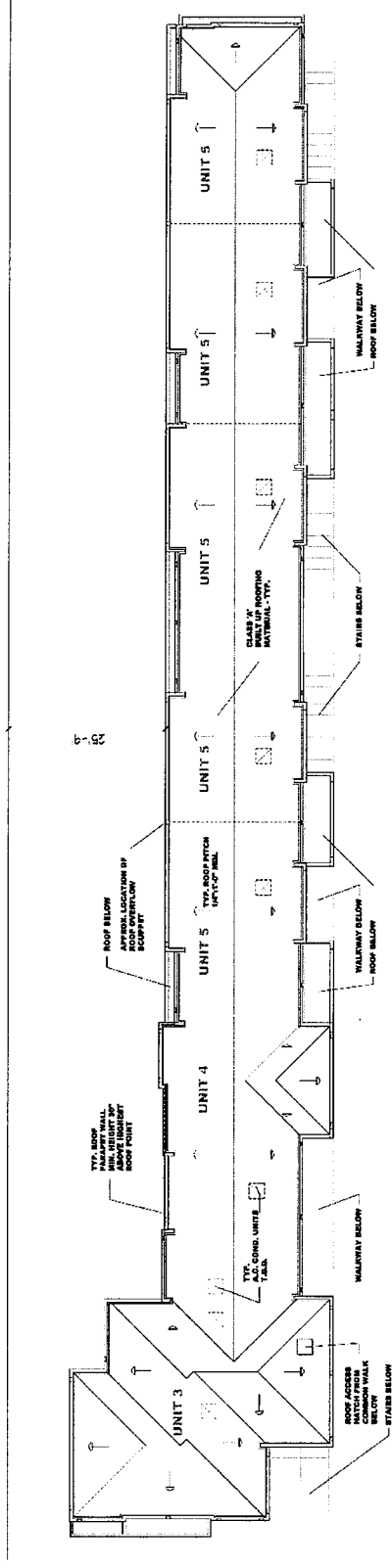
Exhibit 2-6 Building Floor Plan: 2nd & 3rd Floors



Source: LSA Architecture, Inc., May 2016

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

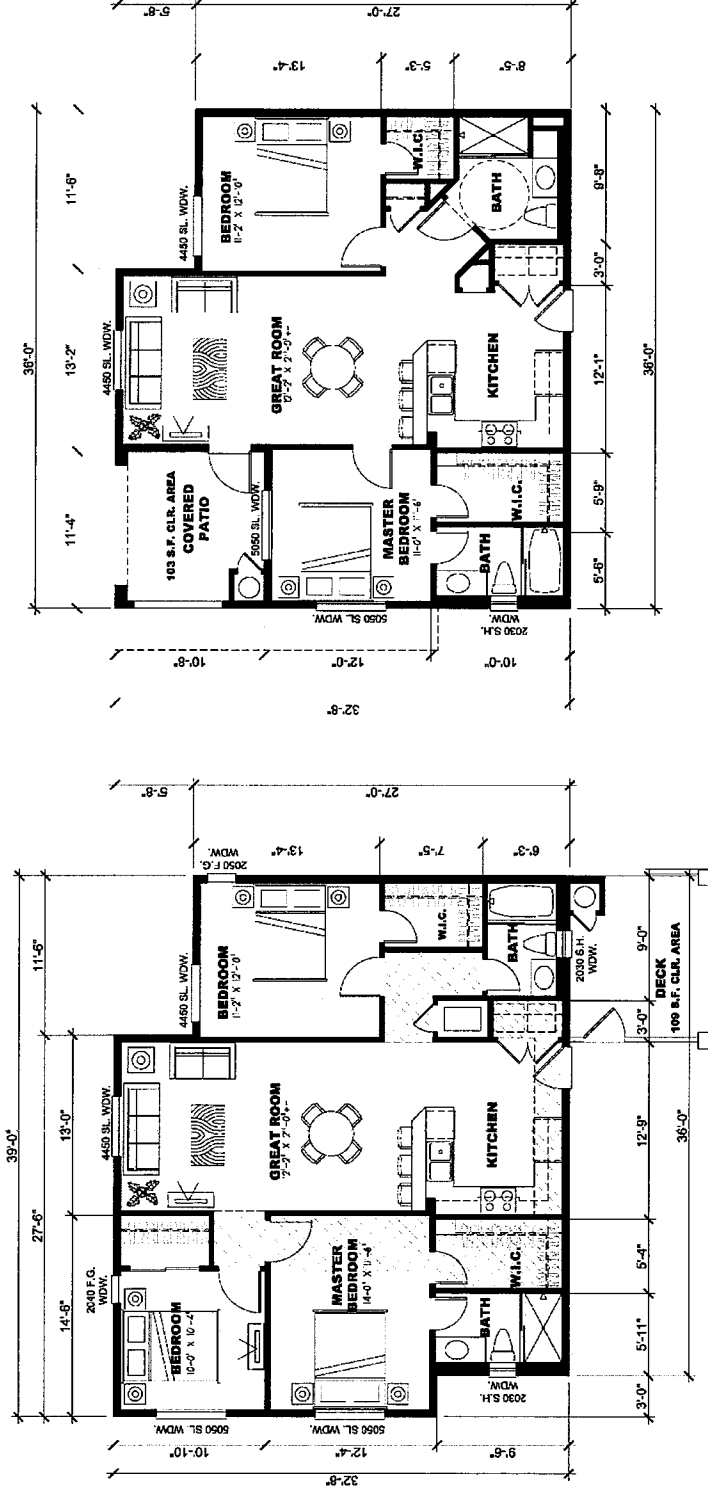
Exhibit 2-7 Building Roof Plan



Source: LSA Architecture, Inc., May 2016

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

Exhibit 2-8 Floor Plan: Units 1 and 2



**UNIT 1 - FIRST FLOOR FLAT
2-BEDROOMS / 2-BATH**

SQUARE FOOTAGE

FLOOR PLAN	990 SQ. FT.
PATIO	1250 SQ. FT.
VEHICLE CLEAR	103 SQ. FT.

**UNIT 2 - SECOND FLOOR FLAT
3-BEDROOMS / 2-BATH**

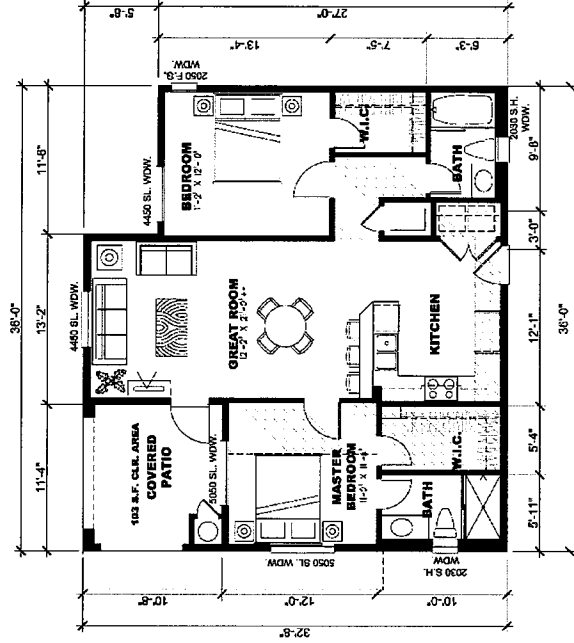
SQUARE FOOTAGE

FLOOR PLAN	180 SQ. FT.
DECK	126 SQ. FT.
NET CLEAR	109 SQ. FT.

Source: LSA Architecture, Inc., May 2016

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

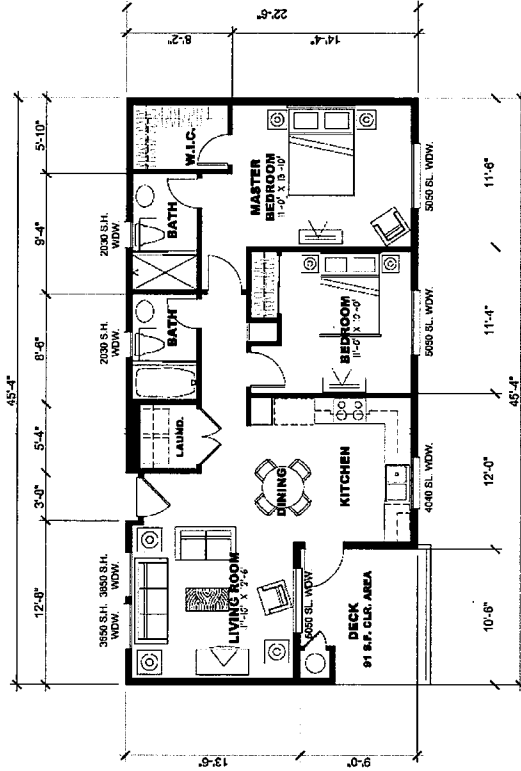
Exhibit 2-9 Floor Plan: Units 3 and 4



**UNIT 3 - THIRD FLOOR FLAT
2-BEDROOMS / 2-BATH**

SQUARE FOOTAGE

FLOOR PLAN	690 SQ. FT.
DECK	12 SQ. FT.
NET CLEAR	103 SQ. FT.



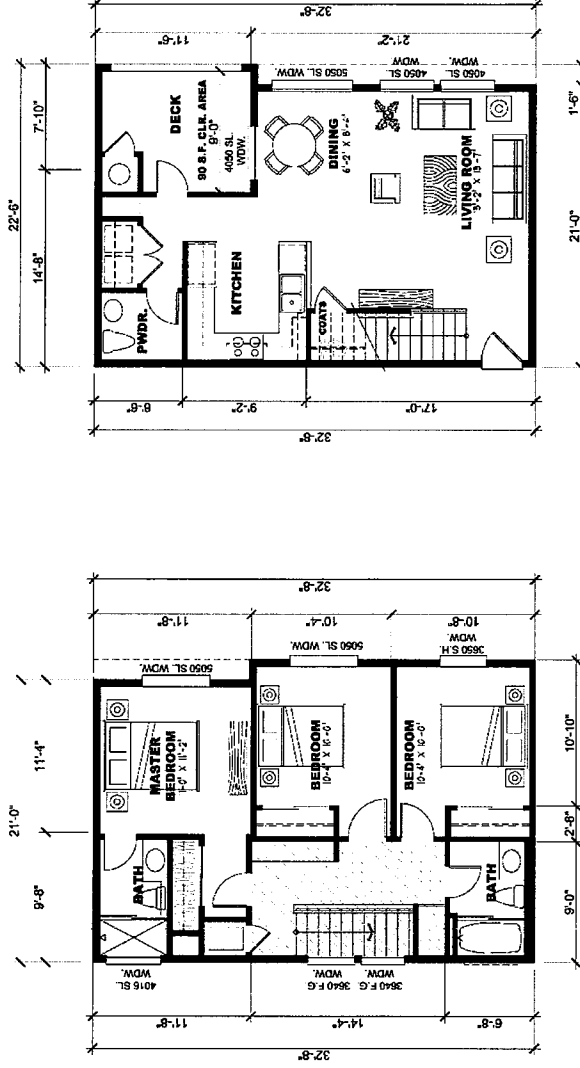
**UNIT 4 - STACKED FLAT
2-BEDROOM / 2-BATH**

SQUARE FOOTAGE

FLOOR PLAN	92 SQ. FT.
DECK	99 SQ. FT.
NET CLEAR	91 SQ. FT.

Source: LSA Architecture, Inc., May 2016

Exhibit 2-10 Floor Plan: Unit 5



**UNIT 5 - TOWN HOME
 3-BEDROOMS / 2.5-BATH**

SQUARE FOOTAGE

FIRST FLOOR	594 SQ. FT.
SECOND FLOOR	655 SQ. FT.
FLOOR PLAN	1,249 SQ. FT.
DECK	10 SQ. FT.
NET CLEAR	90 SQ. FT.

Source: LSA Architecture, Inc., May 2016

3.0 INITIAL STUDY CHECKLIST

3.1. BACKGROUND

1. Project Title: Green Garden Apartment Project
2. Lead Agency Name and Address: City of Garden Grove Planning Services Division 11222 Acacia Parkway Garden Grove, CA 92840
3. Contact Person and Phone Number: Maria Parra, Urban Planner, 714.744.5312
4. Project Location: The project site is located on the north side of 11 th Street between Kerry Street to the west and Brookhurst Street to the east within the City of Garden Grove, County of Orange at 9841 11 th Street (APNs: 098-120-029 and 030).
5. Project Sponsor’s Name and Address: Joann Pham Faircrest Real Estate, LLC 11542 Montclair Drive Garden Grove, CA 92841
6. General Plan Designation: The <i>Garden Grove General Plan</i> Land Use Diagram designates the site as Civic/Institutional (CI). A General Plan Amendment is proposed to change the land use designation from Civic/Institution to Medium Density Residential.
7. Zoning: The Zoning map designates the site as R-3 (Multiple Family Residential).
8. Description of the Project: All on-site buildings and landscaping areas will be demolished and removed, and a 3-story, 10-unit apartment complex with affordable units constructed within one building. Additional details regarding the proposed project are provided in <u>Section 2.4, Project Characteristics</u> .
9. Surrounding Land Uses and Setting: Single-family homes and multi-family residential complexes are located to the south across 11 th Street. Multi-family residential complexes are located to the west and east of the site on the north side of 11 th Street. Uses to the northwest, north, and northeast include institutional, educational, and rehabilitation facilities. For additional details refer to <u>Section 2.2.2, Surrounding Land Uses</u> .
10. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement). Refer to <u>Section 2.5, Permits and Approvals</u> .

3.2. 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 Initial Study Checklist questions in Section 4.1 through Section 4.18.

	Aesthetics		Land Use and Planning
	Agriculture and Forestry Resources		Mineral Resources
	Air Quality	✓	Noise
✓	Biological Resources		Population and Housing
✓	Cultural Resources	✓	Public Services
✓	Geology and Soils	✓	Recreation
	Greenhouse Gas Emissions		Transportation/Traffic
✓	Hazards & Hazardous Materials	✓	Utilities & Service Systems
✓	Hydrology and Water Quality	✓	Mandatory Findings of Significance

3.3. EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- | | |
|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Hydrology and Water Quality | |

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the *CEQA Guidelines* and used by the Garden Grove (City) in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study’s preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development’s impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- **No Impact.** The development will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Less Than Significant Impact With Mitigation Incorporated.** The development will have the potential to generate impacts which may be considered as a significant impact on the environment, although mitigation measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact.** The development will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

Where potential impacts are anticipated to be significant, mitigation measures would be required, so that impacts may be avoided or reduced to a less than significant level.

3.4. LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section 4.0 have been added. A MITIGATED NEGATIVE DECLARATION will be prepared. ✓

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposal MAY have a significant effect(s) 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, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately addressed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Maui Parra
Title: Senior Planner
Printed Name: Maria Parra
Agency: City of Garden Grove
Date: 10/10/17

4.0 ENVIRONMENTAL ANALYSIS

The following sections include a discussion of potential project impacts as identified in the Initial Study Checklist. Explanations are provided for each item. At the beginning of each section is a “Sources Cited,” which identifies the sources utilized in that particular section.

The environmental impact thresholds as indicated in *CEQA Guidelines* Appendix G (Environmental Checklist Form) are also as significance thresholds in this analysis.

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

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4.1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?				✓
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓	

Sources Cited in Section 4.1

- California Department of Transportation, State Scenic Highways
<http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>.
- City of Garden Grove, *Garden Grove Municipal Code*, Chapter 9.12.

A. WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?

NO IMPACT

The project site is not located within or in proximity to a scenic vista. The proposed project would not result in scenic view obstructions given the built out nature of the surrounding urban area. Building heights for adjacent single-family homes and the intermediate care facility are approximately 15 to 20 feet, and 25 to 30 feet for multi-family residential complexes. The building heights for the adjacent residential rehabilitation facilities are approximately 15 to 20 feet for the single-story buildings and 30 to 35 feet for the two-story buildings. Buildings heights on the Islamic Society of Orange County campus range from 30 feet in height for the two-stories buildings to 43 feet 6 inches for the dome to 55 feet for the tower features. Additional height details are provided in Response 4.1.C. The proposed project includes a three-story building with a building height of 34 feet 9 inches. Due to the height of the surrounding buildings, the proposed project would have no impact on a scenic vista. Thus, no impact would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS WITHIN A STATE SCENIC HIGHWAY?

NO IMPACT

No officially designated or eligible State scenic routes or highways occur on or near the project site.¹ Furthermore, the ornamental vegetation present on-site is limited to species commonly found in an urban environment, including trees, grass, and shrubs. The site's topography was previously modified in order to accommodate the existing residential units and there are no natural rock outcroppings present on-site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?

LESS THAN SIGNIFICANT IMPACT

Construction of the proposed project may create temporary aesthetic nuisances associated with construction activities. Exposed surfaces, construction debris, equipment, and truck traffic may temporarily impact views across the site. These short-term impacts would cease upon project completion, and therefore would be considered less than significant.

The project site and its surroundings are urbanized with multi-family and single-family residential uses, institutional uses, and rehabilitation/intermediate care facilities. The project site currently contains two residential units. Demolition of the existing on-site buildings and structures and construction of a 10-unit apartment complex is not anticipated to result in significant negative impacts. North, south, east, and west of the project site are single-family homes in the R-1 zone, and multi-family units in the R-3 zone; both zones allow building heights up to 35 feet with up to two stories in the R-1 zone and up to three stories in the R-3 zone. Commercial uses in the C-1 zone are located north and south of the project site; this zone also allows building up to 35 feet and two stories. The Islamic Society of Orange County campus, located northwest of the project site, is within in a Planned Unit Development (PUD) zone, which allows building heights up to 55 feet. The project site is zoned R-3, which allows building heights up to 35 feet and three stories. The proposed project includes a three-story building with a building height of 34 feet 9 inches.

The Islamic Society of Orange County dome and tower features are 43 feet 6 inches and 55 feet in height, respectively, which are approximately 8 feet 8 inches to 20 feet 3 inches taller than the proposed project, while the two-story portions (30 feet) are approximately 4 feet 9 inches shorter than the proposed project.

The single-family homes located to the immediate south are all single-story with heights of approximately 15 to 20 feet. The intermediate care facility located to the immediate east

¹ <http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>, accessed August 24, 2016.

includes all single-story buildings with heights of approximately 15 to 20 feet. The multi-family residential complexes located to the immediate west and southeast are two-stories with heights of approximately 25 to 30 feet, depending upon the roof features. In comparison to the adjacent single-family homes and intermediate care facility, the proposed project would be approximately 14 feet 9 inches to 18 feet 3 inches taller. In comparison to adjacent multi-family residential complexes, the proposed project would be approximately 4 feet 9 inches to 9 feet 9 inches taller.

The residential rehabilitation facilities located to the immediate north include single- and two-story buildings with single-story building heights of approximately 15 to 20 feet and two-story building heights of 30 to 35 feet. In comparison to the adjacent residential rehabilitation facilities, the proposed project be approximately 14 feet 9 inches to 18 feet 3 inches taller than the single-story buildings, and 4 feet 9 inches to a comparable height for the two-story buildings.

Thus, the proposed multi-family residential use would be compatible with the heights and character of the existing multi-family and single-family residential uses located to the west, east, and south of the project site, as well as with the existing institutional uses and rehabilitation/ residential care facilities located northwest, north, and northeast of the project site.

The existing 6-foot masonry block wall on the northern, western, and eastern boundaries would be protected in place. This wall would continue to separate on-site residential and adjacent residential, institutional, and rehabilitation/residential care facility uses and limit views across the site. Implementation of the proposed project would alter views onto the site; however, the change in visual character is not anticipated to be significant given that the site is presently developed. No additional impacts to the visual character of the site or the surrounding area are anticipated given the built out nature of the surrounding area. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT 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 and its surroundings are urbanized with multi-family and single-family residential uses, institutional uses, and rehabilitation/intermediate care facilities.

The proposed project would demolish the two existing on-site residential units and construct a 10-unit apartment complex on the project site. The area surrounding the project site is currently urbanized and contains various forms of on- and off-site lighting typical of residential, institutional, and rehabilitation/residential care facility development.

Potential sources of light and glare that may result from the proposed project's implementation include parking area lighting, interior lighting, exterior safety lighting, and vehicle headlights. The 10-unit apartment complex may increase the amount of light and glare, but this would be consistent with other multi- and single-family residential development in the City, and impacts would be considered less than significant. In addition, any new lighting would be subject to *Garden Grove Municipal Code* Chapter 9.12, Section 9.12.020.050:

“All lights provided to illuminate any parking area or building on such site shall be so arranged as to direct the light away from any adjoining premises”

Compliance with the *Municipal Code* ensures that direct lighting rays do not shine or produce glare for adjacent street traffic or surrounding uses. Further, the proposed project would preserve in place the 6-foot perimeter walls along the project boundaries, reducing the visibility of new interior lighting from adjoining residential, institutional and commercial uses. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.2. 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 Department 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:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
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))?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
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?				✓

Sources Cited in Section 4.2

Garden Grove Zoning Map, http://gis3.ci.garden-grove.ca.us/public/?city.fire_stations=&city.addresses=&city.parcel_labels=1&zoning_cache=1&city.zoning_labels=1, accessed July 22, 2016.

State of California, California Natural Resources Agency, Department of Conservation, California Important Farmland Finder, <http://maps.conservation.ca.gov/ciff/ciff.html>, Orange Angeles County, accessed September 15, 2016.

A. WOULD THE PROJECT CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE (FARMLAND), AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?

NO IMPACT

The project site does not contain any land that is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the California Important Farmland Finder Orange County Important Farmland Maps published by the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. Furthermore, the project site has been developed with residential uses. Thus, project implementation would not result in the conversion of important farmland to non-agricultural uses. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?

NO IMPACT

The project site and surrounding area are developed and urbanized. No agricultural land exists within the site vicinity, and the project site does not include any land under a Williamson contract. The project site is zoned R-3 (Multiple Family Residential). Thus, the proposed project would not affect any land zoned for agricultural uses and would not conflict with a Williamson Act Contract. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT CONFLICT WITH EXISTING ZONING FOR, OR CAUSE REZONING OF, FOREST LAND (AS DEFINED IN PUBLIC RESOURCES CODE SECTION 12220(G)), TIMBERLAND (AS DEFINED BY PUBLIC RESOURCES CODE SECTION 4526), OR TIMBERLAND ZONED TIMBERLAND PRODUCTION (AS DEFINED BY GOVERNMENT CODE SECTION 51104(G))?

NO IMPACT

The project site is completely developed and urbanized. Forestry operations do not occur on or within the vicinity of the project site. The project site is zoned R-3 (Multiple Family Residential) and would not conflict with any areas zoned for forest or timberland. Also, the project site does not support any trees that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Project implementation would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT RESULT IN THE LOSS OF FOREST LAND OR CONVERSION OF FOREST LAND TO NON-FOREST USE?

NO IMPACT

Refer to Response 4.2.C.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT 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 stated in Responses 4.2.A through 4.2.C, the project site is completely developed and is void of agricultural or forest resources. Implementation of the proposed project would not result in changes to the environment that would result in the conversion of farmland to a non-agricultural use or forest land to a non-forest use. Thus, there would be no potential for the conversion of these resources and no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d. Expose sensitive receptors to substantial pollutant concentrations?			✓	
e. Create objectionable odors affecting a substantial number of people?			✓	

Sources Cited in Section 4.3

Pomeroy Environmental Services, *Air Quality Modeling*, March 2017 (refer to Appendix A).

South Coast Air Quality Management District, *Final 2012 Air Quality Management Plan*, December 7, 2012.

South Coast Air Quality Management District, *CEQA Air Quality Handbook*, revised November 1993.

South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology*, revised October 21, 2009.

A. WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN?

LESS THAN SIGNIFICANT IMPACT

A significant air quality impact may occur if a project is not consistent with the applicable Air Quality Management Plan (AQMP), or would in some way represent a substantial hindrance to employing the policies, or obtaining the goals, of that plan.

The South Coast Air Quality Management District (SCAQMD) is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources to meet federal and State ambient air quality standards. It has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs). The most recent of these was adopted by the Governing Board of the SCAQMD on December 7, 2012. This AQMP, referred to as the *2012 AQMP*, was prepared to comply with the Federal and State Clean Air Acts and amendments, to accommodate growth, to reduce the high levels of pollutants in the Basin, to meet federal and State air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy. The *2012 AQMP* identifies the control measures that will be implemented over a 20-year horizon to reduce major sources of pollutants. Implementation of control measures established in the previous AQMPs has substantially

decreased the population's exposure to unhealthful levels of pollutants, even while substantial population growth has occurred within the Basin. The future air quality levels projected in the 2012 AQMP are based on several assumptions. For example, the SCAQMD assumes that general new development within the Basin will occur in accordance with population growth and transportation projections identified by the Southern California Association of Governments (SCAG) in its *Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*. The 2012 AQMP also assumes that general development projects will include strategies (mitigation measures) to reduce emissions generated during construction and operation in accordance with SCAQMD and local jurisdiction regulations which are designed to address air quality impacts and pollution control measures.

For general development projects, the SCAQMD recommends that consistency with the current AQMP be determined by comparing the population generated by the project to the population projections used in the development of the AQMP. Projects that are consistent with SCAG's applicable growth projections would not interfere with air quality attainment because this growth is included in the projections utilized in the formulation of the 2012 AQMP. As such, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP. It is assumed that the proposed project would comply with all SCAQMD rules and regulations that are in effect at the time of development and that are applicable to the project; the project applicant is not requesting any exemptions from the currently adopted or proposed rules.

The proposed project includes the demolition of existing uses and the development of a 10-unit apartment building with 20 ground-floor parking spaces. As discussed in detail in Response 4.13.A, while the proposed project would slightly increase population and housing totals in the City, the proposed project would not conflict with the regional growth projections for the region. In addition, and further discussed in this section, the proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Thus, the proposed project would not impair implementation of the AQMP, and less than significant impacts would occur.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?

LESS THAN SIGNIFICANT IMPACT

A project may have a significant impact if project-related emissions would exceed Federal, State, or regional standards or thresholds, or if project-related emissions would substantially contribute to an existing or projected air quality violation. The project site is located in the South Coast Air Basin (Basin). SCAQMD is the air pollution control agency for the Basin. To address potential impacts from construction and operational activities, the SCAQMD currently recommends that impacts from projects with mass daily emissions that exceed any of the

thresholds outlined in *Table 4.3-1, SCAQMD Thresholds of Significance*, be considered significant. The City defers to these thresholds for the evaluation of construction and operational air quality impacts.

TABLE 4.3-1 SCAQMD THRESHOLDS OF SIGNIFICANCE

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Volatile Organic Compounds (VOC)	75	55
Nitrogen Oxides (NO _x)	100	55
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO _x)	150	150
Particulate Matter (PM ₁₀)	150	150
Fine Particulate Matter (PM _{2.5})	55	55
Source: SCAQMD CEQA Handbook (SCAQMD, 1993), SCAQMD Air Quality Significance Thresholds, website: http://aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2 ; accessed September 2016.		
Note: lbs = pounds.		

Regional Construction Emissions

For purposes of analyzing impacts associated with air quality, this analysis assumes a construction schedule of approximately 13 months. This assumption is conservative and yields the maximum daily impacts, as it represents the fastest buildout scenario for the proposed project. If the proposed project is constructed over a longer period, the daily intensity would be reduced, resulting in decreased daily air quality emissions. Thus, the scenario analyzed herein represents the worst-case impact. Construction activities associated with the proposed project would be undertaken in three main steps: 1) demolition of existing uses, 2) grading and foundation preparation, and 3) building construction.

Demolition would occur for approximately two weeks and would require the demolition of 3,274 square feet of existing uses. Grading and foundation preparation would occur for approximately one month (22 construction days). Building construction would occur for approximately 12 months and would include the construction of the proposed structure, connection of utilities, laying irrigation for landscaping, architectural coatings, and landscaping the project site. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and site preparation would primarily generate PM_{2.5} and PM₁₀ emissions. Mobile sources, such as diesel-fueled equipment onsite and traveling to and from the project site, would primarily generate NO_x emissions. The application of architectural coatings would primarily result in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time. The analysis of daily construction emissions has been prepared utilizing the California Emissions Estimator Model (CalEEMod 2013.2.2) recommended by the SCAQMD. Due to the construction time frame and the normal day-to-day variability in construction activities, it is difficult, if not impossible, to precisely quantify the daily emissions associated

with each phase of the proposed construction activities. *Table 4.13-2, Estimated Peak Daily Construction Emissions*, identifies daily emissions that are estimated to occur on peak construction days for each construction phase.

These calculations assume that appropriate dust control measures would be implemented as part of the project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes (at least two times per day), 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 project site, and maintaining effective cover over exposed areas. As shown in *Table 4.3-2*, construction-related daily emissions associated with the project would not exceed any regional SCAQMD significance thresholds for criteria pollutants during the construction phases. Therefore, regional construction impacts are considered to be less than significant.

Operational Emissions

The proposed project would demolish the two existing residential units and construct 10 residential units. As such, air pollutant emissions would be generated at the project site by area sources, energy demand, and mobile sources such as motor vehicle traffic traveling to and from the project site. While the proposed project would result in a small increase of operational emissions over existing conditions, the emissions would be below the operational thresholds shown in *Table 4.3-3*. Therefore, operational impacts are considered to be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

TABLE 4.3-2 ESTIMATED PEAK DAILY CONSTRUCTION EMISSIONS

Emissions Source	Emissions in Pounds per Day					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Demolition Phase						
Fugitive Dust	--	--	--	--	0.15	0.02
Off-Road Diesel Equipment	1.20	10.48	8.58	0.01	0.73	0.69
On-Road Diesel (Hauling)	0.03	0.39	0.33	0.01	0.03	0.01
Worker Trips	0.03	0.04	0.47	0.01	0.11	0.03
Total Emissions	1.26	10.91	9.38	0.03	1.02	0.75
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
Grading/Foundation Preparation Phase						
Fugitive Dust	--	--	--	--	0.35	0.19
Off-Road Diesel Equipment	1.20	10.48	8.58	0.01	0.73	0.69
Worker Trips	0.03	0.04	0.47	0.01	0.11	0.03
Total Emissions	1.23	10.52	9.05	0.02	1.19	0.91
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
Building Construction Phase						
Building Construction Off-Road Diesel Equipment	1.27	12.67	8.04	0.01	0.86	0.79
Building Construction Vendor Trips	0.01	0.08	0.12	0.01	0.01	0.01
Building Construction Worker Trips	0.02	0.03	0.33	0.01	0.08	0.02
Architectural Coatings	5.69	--	--	--	--	--
Architectural Coating Off-Road Diesel Equipment	0.30	2.01	1.85	0.01	0.15	0.13
Architectural Coatings Worker Trips	0.01	0.01	0.04	0.01	0.01	0.01
Total Emissions	7.30	14.80	10.38	0.05	1.11	0.96
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
Source: Pomeroy Environmental Services (March 2017)						
Note: Calculations assume compliance with SCAQMD Rule 403 – Fugitive Dust. Calculation sheets are provided in Appendix A.						

TABLE 4.3-3 ESTIMATED DAILY OPERATIONAL EMISSIONS

Emissions Source	Emissions in Pounds per Day					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summertime (Smog Season) Emissions						
Area Sources	0.26	<0.01	0.83	<0.01	0.02	0.02
Energy Demand	<0.01	0.02	<0.01	<0.01	<0.01	<0.01
Mobile (Motor Vehicles)	0.21	0.50	2.42	<0.01	0.52	0.14
Total Project Emissions	0.47	0.54	3.26	<0.01	0.54	0.16
SCAQMD Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Potentially Significant Impact?	No	No	No	No	No	No
Wintertime (Non-Smog Season) Emissions						
Area Sources	0.26	<0.01	0.83	<0.01	0.02	0.02
Energy Demand	<0.01	0.02	<0.01	<0.01	<0.01	<0.01
Mobile (Motor Vehicles)	0.22	0.53	2.39	<0.01	0.52	0.15
Total Project Emissions	0.48	0.56	3.23	<0.01	0.54	0.16
SCAQMD Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Potentially Significant Impact?	No	No	No	No	No	No
Source: Pomeroy Environmental Services (March 2017)						
Note: Column totals may not add due to rounding from the model results. Assumes all hearth would be natural gas. Calculation sheets provided in Appendix A.						

C. WOULD THE PROJECT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE PROJECT REGION IS NON-ATTAINMENT UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD (INCLUDING RELEASING EMISSIONS WHICH EXCEED QUANTITATIVE THRESHOLDS FOR OZONE PRECURSORS)?

LESS THAN SIGNIFICANT IMPACT

A significant impact may occur if a project would add a considerable cumulative contribution to Federal or State non-attainment pollutant. Because the South Coast Air Basin is currently in nonattainment for ozone, nitrogen dioxide (NO₂), PM₁₀ and PM_{2.5}, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. With respect to determining the significance of the proposed project’s contribution, the SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the SCAQMD recommends that a project’s potential contribution to cumulative impacts be assessed utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As previously discussed, the mass daily construction and operational emissions generated by the proposed project would not exceed any of thresholds of significance recommended by the SCAQMD. Also, as discussed below, localized emissions generated by the proposed project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the proposed project would not contribute a cumulatively considerable increase in emissions for the pollutants which the Basin is in nonattainment. Thus, cumulative air quality impacts associated with the proposed project would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?

LESS THAN SIGNIFICANT IMPACT

A significant impact may occur if a project were to generate pollutant concentrations to a degree that would significantly affect sensitive receptors. Land uses that are considered more sensitive to changes in air quality than others are referred to as sensitive receptors. Land uses such as primary and secondary schools, hospitals, and convalescent homes are considered to be sensitive to poor air quality because the very young, the old, and the infirm are more susceptible to respiratory infections and other air quality-related health problems than the general public. Residential uses are considered sensitive because people in residential areas are often at home for extended periods of time, so they could be exposed to pollutants for extended periods. Recreational areas are considered moderately sensitive to poor air quality because vigorous exercise associated with recreation places a high demand on the human respiratory function. The nearest sensitive receptors to the project site are residential uses located immediately adjacent to the west, east and south, and The Islamic Society of Orange County and the Orange Crescent School to the north.

Localized Emissions

Emissions from construction activities have the potential to generate localized emissions that may expose sensitive receptors to harmful pollutant concentrations. The SCAQMD has developed localized significance threshold (LST) look-up tables for project sites that are one, two, and five acres in size to simplify the evaluation of localized emissions at small sites. LSTs are provided for each Source Receptor Area (SRA) and various distances from the source of emissions.

In the case of this analysis, the project site is located within SRA 17 covering the Central Orange County area. The nearest sensitive receptors to the project site are residential and school uses. The closest receptor distance in the SCAQMD's mass rate look-up tables is 25 meters. Projects that are located closer than 25 meters to the nearest receptor are directed to use the LSTs for receptors located within 25 meters. The project site is 0.44 acres in size. Therefore, consistent with SCAQMD recommendations for sites less than one acre in size, the LSTs for a one-acre site in SRA 17 with receptors located within 25 meters have been used to address the potential localized NO_x, CO, PM₁₀, and PM_{2.5} emissions to the area surrounding the project site.

As shown in *Table 4.3-4, Localized On-Site Peak Daily Construction Emissions*, peak daily emissions generated within the project site during construction activities for each phase would not exceed the applicable construction LSTs for a one-acre site in SRA 17. Therefore, localized air quality impacts from proposed project construction activities on the off-site sensitive receptors would be less than significant.

TABLE 4.3-4 LOCALIZED ON-SITE PEAK DAILY CONSTRUCTION EMISSIONS

Construction Phase ¹	Total On-Site Emissions (Pounds per Day)			
	NO _x ²	CO	PM ₁₀	PM _{2.5}
Demolition Emissions	10.48	8.58	0.88	0.71
<i>SCAQMD Localized Thresholds</i>	<i>81.00</i>	<i>485.00</i>	<i>4.00</i>	<i>3.00</i>
Potentially Significant Impact?	No	No	No	No
Grading/Foundation Preparation Emissions	10.48	8.58	1.08	0.88
<i>SCAQMD Localized Thresholds</i>	<i>81.00</i>	<i>485.00</i>	<i>4.00</i>	<i>3.00</i>
Potentially Significant Impact?	No	No	No	No
Building Construction Emissions	14.68	9.89	1.01	0.92
<i>SCAQMD Localized Thresholds</i>	<i>81.00</i>	<i>485.00</i>	<i>4.00</i>	<i>3.00</i>
Potentially Significant Impact?	No	No	No	No
Source: Pomeroy Environmental Services (March 2017)				
Notes: Calculations assume compliance with SCAQMD Rule 403 – Fugitive Dust. Building construction emissions include architectural coatings.				
1. The Project Site is 0.44 acres. Consistent with SCAQMD recommendations, the localized thresholds for all phases are based on a one-acre site with a receptor distance of 25 meters (82 feet) in SCAQMD's SRA 17.				
2. The localized thresholds listed for NO _x in this table takes into consideration the gradual conversion of NO _x to NO ₂ , and are provided in the mass rate look-up tables in the "Final Localized Significance Threshold Methodology" document prepared by the SCAQMD. As discussed previously, the analysis of localized air quality impacts associated with NO _x emissions is focused on NO ₂ levels as they are associated with adverse health effects.				
Calculation sheets are provided in Appendix A.				

Toxic Air Contaminants

Construction activities associated with the proposed project would be typical of other infill residential development projects in the City, and would be subject to the regulations and laws relating to toxic air pollutants at the regional, State, and Federal level that would protect sensitive receptors from substantial concentrations of these emissions. Therefore, impacts associated with the release of toxic air contaminants would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

**E. WOULD THE PROJECT CREATE OBJECTIONABLE ODORS AFFECTING A
SUBSTANTIAL NUMBER OF PEOPLE?**

LESS THAN SIGNIFICANT IMPACT

According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors.

The proposed project involves the construction and operation of residential uses, which are not typically associated with odor complaints. Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the proposed project. The proposed project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. As the proposed project involves no operational elements identified by SCAQMD as associated with odor complaints, no long-term operational objectionable odors are anticipated. Therefore, potential impacts associated with objectionable odors would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

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4.4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
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 U.S. Fish and Wildlife Service?				✓
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
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?		✓		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
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?				✓

Sources Cited in Section 4.4

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

United States Fish and Wildlife Service, *Threatened & Endangered Species Active Critical Habitat Report Online Mapper*, accessed March 28, 2017.

A. WOULD THE PROJECT 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 project site is located within an urbanized area. The project site is currently developed with two residential units with ornamental landscaping consisting of trees, shrubs, and turf. While all of the existing on-site landscaping would be removed as part of the proposed project, none of the landscaping is native vegetation. The project site does not contain habitat that would support sensitive species, and there is no known candidate, sensitive, or special-status animal species inhabiting the site. According to the *General Plan Conservation Element*, biological resources are almost nonexistent in the City due to the urban nature of the City and surrounding areas. Additionally, the United States Fish and Wildlife Service (USFWS)

*Threatened & Endangered Species Active Critical Habitat Report Online Mapper*² does not identify any locations of critical habitat within approximately four miles of the project site. Therefore, no impacts to sensitive or special status species would result from implementation of the proposed project. Thus, no impacts in this regard would occur.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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 U.S. FISH AND WILDLIFE SERVICE?

NO IMPACT

As stated in Response 4.4.A, the project site is developed and disturbed. Additionally, the *Garden Grove General Plan 2030 Environmental Impact Report* does not identify that riparian habitat or sensitive communities are located on the project site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?

NO IMPACT

Refer to Responses 4.4.A and 4.4.A. There are no Federally protected wetlands present within or adjacent to the project site. The project site has been previously disturbed and is void of water features, including wetlands. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

2 Source: United States Fish and Wildlife Service, <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>, accessed March 28, 2017.

D. WOULD THE PROJECT 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 IMPACT WITH MITIGATION INCORPORATED

The project site is currently developed and located in an urban area of the City. Because urban development surrounds the site, the proposed project site does not function as a wildlife movement corridor. Species that are found on-site either fly onto the site or are able to navigate on the ground through long stretches of urban development. Therefore, the project site does not contain any native resident or migratory fish, wildlife species, or wildlife corridors. In addition, no portion of the project site or the immediately surrounding areas contains an open body of water that serves as natural habitat in which fish could exist.

The existing trees on the project site may, however, provide habitat suitable for nesting migratory birds. All of the existing on-site trees would be removed during construction. Therefore, the proposed project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the Federal Migratory Bird Treaty Act (MBTA) (Title 33, *United States Code*, Section 703 et seq., see also Title 50, *Code of Federal Regulations*, Part 10) and Section 3503 of the *California Department of Fish and Game Code*. Therefore, implementation of the proposed project would be subject to the provisions of the MBTA, which prohibits disturbing or destroying active nests and that project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. Therefore, if project construction occurs between February 1 and September 15, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to ground- and/or vegetation-disturbing activities to confirm the absence of nesting birds. As documented in Mitigation Measure BIO-1, avoidance of impacts can be accomplished through a variety of means, including establishing suitable buffers around any active nests. Thus, with implementation of Mitigation Measure BIO-1, impacts in this regard would be less than significant.

MITIGATION MEASURES

BIO-1 Migratory Bird Treaty Act. In the event that vegetation and tree removal should occur between February 1 and September 15, the Developer (or its 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 of the designated construction area prior to construction, the biologist shall establish suitable buffers around the active nests (e.g., as much as 500 feet for raptors and 300 feet for nonraptors [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, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that preconstruction 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.

E. WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE?

NO IMPACT

No public trees exist within the public parkway or right-of-way in front of the project site. As a result, the proposed project's implementation would not require the removal of public trees, and would not conflict with Municipal Code Chapter 11.32, Trees. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

F. WOULD THE PROJECT CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?

NO IMPACT

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		✓		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d. Disturb any human remains, including those interred outside of formal cemeteries?		✓		

Sources Cited in Section 4.5

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

A. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN CEQA GUIDELINES §15064.5?

NO IMPACT

Historic structures and sites are generally defined by local, State, and Federal criteria. A site or structure may be historically significant if it is protected through a local general plan or historic preservation ordinance. According to the *Garden Grove General Plan Environmental Impact Report*, there are no historical resources within the City of Garden Grove that are listed on the National Register or State Landmarks list. However, the Stanley House is designated as Orange County Historical Site No. 13 and is a Class 1 Building, which is a considered a candidate for nomination to the National Register of Historic Places. The Stanley House is located at 12174 Euclid Street in Garden Grove, which is approximately 2.4 miles northeast of the project site.

At present, there are no historical resources located on or near the project site. The proposed project would demolish two existing residential units and develop the site with 10 apartment units. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO CEQA GUIDELINES §15064.5?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project area is predominately urbanized and built out with land area having been previously disturbed. No archaeological resources are known to occur on-site and due to the level of past disturbance, it is not anticipated that archeological resource sites exist within the project area.

In addition, the City conducted Native American tribal consultation in compliance with AB 52, specifically PRC Section 21080.3.1. The Native American Heritage Commission (NAHC) was contacted in March 2016, and a Sacred Lands File (SLF) was requested for the proposed project, as was a list of potential Native American contacts for consultation. The NAHC responded on March 9, 2016, to say that the SLF search was negative for the project area. The NAHC provided a Tribal Consultation List that included 24 Native American tribes to be contacted. The City sent letters for the purposes of AB 52 consultation to all 24 tribes on February 10, 2017 and April 25, 2017. As of May 24, 2017, the City has received no requests for consultation.

In the unlikely event that archaeological resources are discovered at any time during construction, those activities would be halted in the vicinity of the find until the find can be assessed for significance by a qualified archaeologist (Mitigation Measure CUL-1). Thus, with implementation of Mitigation Measure CUL-1, potential impacts to previously undiscovered archaeological resources would be reduced to less than significant.

MITIGATION MEASURES

CUL-1 Unknown Archeological Resources. In the event that 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 in accordance with federal, State, and local guidelines to determine whether the find constitutes a “unique archaeological resource,” as defined in Public Resources Code (PRC) Section 21083.2(g). Personnel of the proposed project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. The found deposits shall be treated in accordance with Federal, State, and local guidelines, including those set forth in PRC Section 21083.2. 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 PRC (Section 21083.2[g]) and the treatment of archaeological resources as specified above.

C. WOULD THE PROJECT DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

No paleontological resources are known to be on or adjacent to the project site. It is assumed that if these resources were located in these areas, they would have been discovered during the original or subsequent ground disturbing activities in this urbanized area. However, in the unlikely event that fossil remains are encountered on the site, a paleontologist shall be contacted to assess the discovery for scientific significance and to make recommendations regarding the necessity to develop paleontological mitigation (including paleontological monitoring, collection, stabilization, and identification of observed resources; curation of resources into a museum repository; and preparation of a monitoring report of findings), as required by Mitigation Measure CUL-2. Thus, with implementation of Mitigation Measure CUL-2, impacts would be reduced to less than significant.

MITIGATION MEASURES

CUL-2 Unknown Paleontological Resources. In the event that 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, State, and local guidelines. Personnel of the project shall not collect or move any paleontological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. If any fossil remains are discovered in sediments with a Low paleontological sensitivity rating (Young Alluvial Fan Deposits), the paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis. 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 specify federal, State, and local requirements related to the unanticipated discovery of paleontological resources as stated above.

D. WOULD THE PROJECT DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

No formal cemeteries or known human remains occur on-site or in the vicinity of the project site. Also, there are no facts or evidence to support the idea that Native Americans or people of European descent are buried on the project site. However, as described previously, buried and undiscovered archaeological remains, including human remains, may be present below the ground surface in portions of the project site. Disturbing human remains could violate the *Health and Safety Code*, as well as destroy the resource. In the unlikely event that human remains are encountered during project grading, the proper authorities would be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities

would be adhered to. Construction contractors are required to adhere to *California Code of Regulations (CCR) Section 15064.5(e)*, *Public Resources Code (PRC) Section 5097*, and *Health and Safety Code Section 7050.5*. To ensure proper treatment of burials, in the event of an unanticipated discovery of a burial, human bone, or suspected human bone, the law requires that all excavation or grading in the vicinity of the find halt immediately, the area of the find be protected, and the contractor immediately notify the County Coroner of the find. The contractor, Developer, and the County Coroner are required to comply with the provisions of CCR Section 15064.5(e), PRC Section 5097.98, and *Health and Safety Code Section 7050.5*. Compliance with these provisions (specified in Mitigation Measure CUL-3), would ensure that any potential impacts to unknown buried human remains would be less than significant by ensuring appropriate examination, treatment, and protection of human remains as required by State law.

MITIGATION MEASURES

CUL-3 Human Remains. In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). 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. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

4.6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) 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.				✓
2) Strong seismic ground shaking?		✓		
3) Seismic-related ground failure, including liquefaction?		✓		
4) Landslides?				✓
b. Result in substantial soil erosion or the loss of topsoil?			✓	
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?		✓		
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		✓		
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?				✓

Sources Cited in Section 4.6

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

Table 4. Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones as of January 2010. This is an updated version of Table 4 from the 2007 edition of Special Publication 42 (Fault-Rupture Hazard Zones in California, by William A. Bryant and Earl W. Hart)*. California Department of Conservation website <http://www.conservation.ca.gov/cgs/rghm/ap/Pages/affected.aspx>, accessed August 11, 2016.

State of California, *Seismic Hazard Zones, Anaheim Quadrangle, Revised Official Map*, Released April 15, 1998.

Strata-Tech, Inc., *Geotechnical Engineering Investigation of Proposed 20-Unit Apartments, 9841 11th Street, Garden Grove, California*, May 23, 2016 (refer to Appendix B).

A. WOULD THE PROJECT EXPOSE PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY, OR DEATH INVOLVING:

- 1. 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.**

NO IMPACT

Southern California, including the project area, is subject to the effects of seismic activity due to the active faults that traverse the area. Active faults are defined as those that have experienced surface displacement within Holocene time (approximately the last 11,000 years) and/or are in a State-designated Alquist-Priolo Earthquake Fault Zone. According to the most recent Alquist-Priolo Earthquake Fault Zone Map, the project site is not located within an Alquist-Priolo Special Studies Zone (within the Anaheim Quadrangle, dated April 15, 1998). Therefore, no impacts would result from the potential for fault rupture of a known earthquake fault.

MITIGATION MEASURES

No mitigation measures are required.

- 2. STRONG SEISMIC GROUND SHAKING?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Southern California is considered a tectonically active area. Since the project site is located in a seismically active region, numerous faults capable of generating moderate to large earthquakes exist within the project vicinity. Two fault splays associated with the inactive Pelican Hills Fault Zone traverse the central and western portions of the City in a northwest to southeast trending direction. Additionally, there are several potentially active faults within proximity to the City. The Newport-Inglewood, Whittier, and Palos Verdes Faults are the most likely to cause high ground acceleration in the City. The San Andres Fault has the highest probability of generating a maximum credible earthquake in California. The Norwalk Fault, though closer to the City, is predicted to generate a smaller magnitude earthquake.

The closest major active faults to the project site are the Newport-Inglewood Fault located approximately 6 miles southwest of the site, the Puente Hills Blind Thrust located approximately 1.3 miles east of the site, and the Whittier-Elsinore Fault located approximately 6 miles northeast of the site. The nearest faults are the Newport-Inglewood Fault, which could generate a maximum moment magnitude of 7.6 Maximum Credible Richter (MCR) magnitude and the Whittier-Elsinore Fault, which would generate a maximum moment magnitude of 7.1 MCR. The San Andreas and San Jacinto faults are located some distance from Garden Grove, but have the potential to deliver larger magnitude earthquakes than those previously mentioned.

During the life of the future residential uses, the project site would likely experience moderate to high ground shaking from these fault zones, as well as some background shaking from other seismically active areas of the Southern California region. Although some structural damage is typically not avoidable during a large earthquake, the proposed project would be constructed to meet existing construction ordinances and the *California Building Code* in order to protect against building collapse and major injury during a seismic event. The *California Building Code* includes specific design measures, which are based on the determination of Site Classification and Seismic Design Categories specific to the project site. These design measures are intended to maximize structural stability in the event of an earthquake. Thus, adherence to the *California Building Code* requirements, as well as Mitigation Measure GEO-1, would reduce the risks related to strong seismic shaking to a less than significant level.

MITIGATION MEASURES

GEO-1 Prior to issuance of grading permits, the Applicant shall prepare and submit for review and approval by the Public Works Director, a design-phase geotechnical report which shall include or revise as necessary the recommendations in the Applicant's Geotechnical Engineering Investigation (June 25, 2016) for site preparation and construction. The report shall, at a minimum, address remedial and design grading, and building foundations to fully address liquefaction-induced differential settlement and expansive soils. All site grading and construction shall be conducted in conformance with the recommendations included in the design-phase geotechnical report, which include, but are not limited to:

- Liquefaction
- Foundations on Compacted Fill
- Lateral Design
- Expansive Soils
- Seismic Design Values
- Settlement
- Subsidence & Shrinkage
- Floor Slabs
- Utility Line Backfills
- Hardscape & Slabs
- Chemical Analysis
- Drainage
- Engineering Consultation, Testing & Observation

3. SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Liquefaction occurs when dynamic loading of a saturated sand or silt causes pore-water pressures to increase to levels where grain-to-grain contact is lost and material temporarily behaves as a fluid. Liquefaction can cause settlement of the ground surface, settlement and tilting of engineered structures, flotation of buoyant buried structures, and cracking of the ground surface. A common manifestation of liquefaction is the formation of sand boils, which are short-lived fountains of soil and water that emerge from fissures or vents and leave freshly deposited mounds of sand or silt on the ground surface.

Based on the Seismic Hazard Zone Report for the U.S.G.S. Anaheim 7.5-minute quadrangle and the *Geotechnical Engineering Investigation*, the project site lies within a designated Liquefaction Hazard Zone. Artificial fill was encountered in the first two feet explored. Native soils consisted of clean to silty, fine grained sand, sandy, clayey silt to the maximum depth explored of 11.5 feet. According to the *Geotechnical Engineering Investigation*, groundwater was observed at a depth of approximately 11 feet below the ground surface.

As part of Mitigation Measure GEO-1, grading would be required to prepare the site for the proposed residential uses, and would remove the artificial fill soils that are near the surface. The materials would be removed and re-compacted thereby reducing the potential for surface manifestation of liquefaction. However, additional measures to reduce the potential for subsurface manifestation of liquefaction are needed. Several mitigation options were outlined in the *Geotechnical Engineering Investigation*, which would be refined as part of Mitigation Measure GEO-1, and identify approaches relative to structural damage due to liquefaction ranging from low to moderate to high risk.

Therefore, implementation of the proposed project could expose people or structures to potential substantial adverse impacts involving liquefaction. This impact is considered significant unless mitigated. All on-site development associated with implementation of the proposed project would be subject to Mitigation Measure GEO-1 and compliance with applicable building codes (i.e., *City Building Code, California Building Code*), which would reduce ground failure impacts to less than significant.

MITIGATION MEASURES

Refer to Mitigation Measure GEO-1. No additional mitigation measures are required.

4. LANDSLIDES?

NO IMPACT

The geologic and topographic characteristics of an area often determine its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential slope failure and landslide events.

Landslides have not been recorded within the City boundaries and are not anticipated based on the area's flat terrain. The project site is located in an existing urbanized area. The property is

flat and surrounding properties are flat with no unusual geographic features, and therefore does not have the potential to slide, or experience sliding from adjacent areas. Therefore, project implementation would not expose people or structures to potential substantial adverse impacts involving landslides, and no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?

LESS THAN SIGNIFICANT IMPACT

Grading and earthwork activities associated with proposed project construction activities would expose soils to potential short-term erosion by wind and water. All demolition and construction activities within the City would be subject to compliance with the *California Building Code*. Further, the proposed project would be subject to compliance with the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit for construction activities; refer to Response 4.9.A. The NPDES Storm Water General Construction Permit requires preparation of a Storm Water Pollution Prevention Plan, which would identify specific erosion and sediment control Best Management Practices that would be implemented to protect storm water runoff during construction activities. Compliance with the *California Building Code* and NPDES would minimize impacts from erosion and ensure consistency with the Regional Water Quality Control Board Water Quality Control Plan. Following compliance with NPDES requirements, project implementation would result in a less than significant impact regarding soil erosion.

Substantial soil erosion or loss of topsoil is not expected to occur during long-term operations. The majority of the project site would be covered with structures or paved, and the remaining pervious areas would be landscaped, which would minimize potential impacts in this regard to a less than significant level.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIALLY RESULT IN AN ON-SITE OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION OR COLLAPSE?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.6.A.3.

MITIGATION MEASURES

Refer to Mitigation Measure GEO-1. No additional mitigation measures are required.

D. WOULD THE PROJECT BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Expansive soils can be a problem, as variation in moisture content will cause a volume change in the soil. Expansive soils heave when moisture is introduced and contract as they dry. During inclement weather and/or excessive landscape watering, moisture infiltrates the soil and causes the soil to heave (expansion). When drying occurs the soils will shrink (contraction). Repeated cycles of expansion and contraction of soils can cause pavement, concrete slabs on grade and foundations to crack. This movement can also result in misalignment of doors and windows.

Underlying soils at the project site are comprised of artificial fill consisting of brown silty sand in the first one to two feet below ground surface. The native alluvial deposits consist of clean to silty, fine grained sand, sandy, and clayey silt to the maximum depth explored of 11.5 feet. According to the *Geotechnical Engineering Investigation*, the project site is underlain by soils of low to very low expansion potential.

However, in order to ensure that the proposed project is not susceptible to damage as a result of on-site soils and geological conditions, the *Geotechnical Engineering Investigation* has included specific recommendations to reduce this risk to less than significant levels, which are to be reviewed and revised as necessary as part of Mitigation Measure GEO-1.

MITIGATION MEASURES

Refer to Mitigation Measure GEO-1. No additional mitigation measures are required.

E. WOULD THE PROJECT 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?

NO IMPACT

Sewers are currently available for the on-site disposal of wastewater; therefore, it would not be necessary to install septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.7. GREENHOUSE GASES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Sources Cited in Section 4.7

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

Pomeroy Environmental Services, *Greenhouse Gas Modeling*, March 2017 (refer to Appendix A).

A. WOULD THE PROJECT GENERATE GREENHOUSE GAS EMISSIONS, EITHER DIRECTLY OR INDIRECTLY, THAT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT?

LESS THAN SIGNIFICANT IMPACT

The proposed project involves the demolition of two residential units and the construction of a 10-unit apartment complex. The *General Plan EIR* includes Table 5.5-3 and Table 5.5-7, which provide the total amount of greenhouse gas emissions from area, indirect, and mobile sources for existing conditions and General Plan Update buildout conditions, respectively. The General Plan EIR accounted for a total of 54,296 dwelling units in 2030. The proposed project would result in a net increase of eight units over existing conditions; the eight units represents 0.015 percent of the 2030 residential total. The existing two residential units were reflected in the 2008 greenhouse gas emissions (GHG) emissions in Table 5.5-3, and the additional eight units were accounted for in the 2030 GHG emissions in Table 5.5-7. Nevertheless, the following construction and operational GHG estimates have been identified for the proposed project.

Construction GHG Emissions

Construction emissions represent an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating criteria pollutants from construction activities, only GHG emissions from on-site construction activities and off-site hauling and construction worker commuting are considered as project-generated. As explained by California Air Pollution Controls Officers Association (CAPCOA) in its 2008 white paper, the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. CEQA does not require an evaluation of speculative impacts (*CEQA Guidelines* Section 15145). Therefore, the construction analysis does not consider such GHG emissions, but does consider non-speculative on-site construction activities and off-site hauling and construction worker trips. All GHG emissions are presented on an annual basis. Emissions

of GHGs were calculated using CalEEMod 2016.3.1 for construction of the proposed project. As shown Appendix A, the proposed project would generate a total of 170.33 metric tons of construction-related GHG emissions. Consistent with SCAQMD recommendations and to ensure construction emissions are assessed in a quantitative sense, construction GHG emissions have been amortized over a 30-year period and have been added to the annual operational GHG emissions of the proposed project identified in Table 4.7-1.

Operational GHG Emissions

The proposed project includes the development of 10 residential units. The operations of the proposed project would generate GHG emissions from the usage of on-road motor vehicles, electricity, natural gas, water, and generation of solid waste and wastewater. Emissions of operational GHGs are shown in Table 4.7-1. As shown, the GHG emissions generated by the proposed project would be approximately 114.78 CO₂e MTY.

The SCAQMD released a draft guidance document regarding interim CEQA GHG significance thresholds. The SCAQMD proposed a tiered approach, whereby the level of detail and refinement needed to determine significance increases with a project’s total GHG emissions. The SCAQMD proposed a screening level of 3,000 metric tons of CO₂e per year for all land use projects (non-industrial projects), under which project impacts would be considered “less than significant.” As shown in Table 4.7-1, the proposed project would be under the 3,000 MTCO₂e per year threshold for non-industrial projects. Therefore, less than significant impacts would occur in this regard.

TABLE 4.7-1 PROJECT OPERATIONAL GHG EMISSIONS

Emissions Source	Estimated CO₂e Emissions (Metric Tons per Year)
Area Sources	2.35
Energy Demand (Electricity & Natural Gas)	14.66
Mobile (Motor Vehicles)	86.42
Solid Waste Generation	2.09
Water Demand	3.58
Construction Emissions ¹	5.68
Project Total	114.78
Source: Pomeroy Environmental Services (March 2017)	
Notes:	
1. The total construction GHG emissions were amortized over 30 years and added to the operation of the proposed project. Calculation sheets are provided in Appendix A.	

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, POLICY OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GREENHOUSE GASES?

LESS THAN SIGNIFICANT IMPACT

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires the California Air Resources Board (CARB) to develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed to set a statewide GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of the bill is the requirement that statewide GHG emissions be reduced to 1990 levels by 2020.

The CARB *AB 32 Scoping Plan (Scoping Plan)* contains the main strategies to achieve the 2020 emissions cap. The *Scoping Plan* proposes a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the State economy. The GHG reduction strategies contained in the *Scoping Plan* include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

The proposed project involves the demolition of two residential units and the construction of a 10-unit apartment complex. Also, the proposed project involves the reuse of an existing urban property and infill development, which is seen as an important strategy in reducing regional GHG emissions. The proposed project's compliance with the current *CALGreen Code* would result in 25 percent energy savings; the proposed project would include energy efficient appliances such as clothes-washing machines, refrigerators, fans, dish-washers, etc.; and, the proposed project would reduce water demand by at least 20 percent due to low-flow and/or high efficiency water fixtures such as low-flow toilets, urinals, showerheads, faucets, and high-efficiency clothes-washers and dishwashers.

Therefore, implementation of the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases are anticipated. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
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?		✓		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		✓		
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?				✓
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 for people residing or working in the project area?				✓
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

Sources Cited in Section 4.8

Department of Toxic Substances Control,
<http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>, accessed on August 12, 2016.

A. WOULD THE PROJECT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?

LESS THAN SIGNIFICANT IMPACT

The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project proposes to demolish the existing two residential units and construct 10 apartment units.

Excavation/grading activities and/or site disturbance of existing building materials may result in the off-site transport and disposal of hazardous substances, in the event that these substances are encountered. Off-site transport and disposal of hazardous substances (e.g., lead-based paint, asbestos, oils) would be short-term in nature, only occurring during demolition/renovation or grading/excavation activities, and would be subject to Federal, State, and local health and safety regulations that protect public safety. Standard construction practices would be observed such that any materials released would be appropriately contained and remediated as required by local, State, and Federal law. With adherence to the

requirements of affected regulatory agencies regarding the handling, transport, and disposal of hazardous materials, implementation of the proposed project would not create a significant hazard to the public or the environment. Thus, less than significant impacts would occur in this regard.

Long-term operations associated with the proposed project would not require the transport, use, or disposal of any regulated amounts of hazardous materials.

Development plans for the proposed project would also be reviewed by Garden Grove Fire Department (GGFD) and/or the Orange County Fire Authority (OCFA) for hazardous material use, safe handling, and storage, as appropriate. The GGFD and/or OCFA would require that conditions of approval be applied for the project applicant to reduce hazardous material impacts, if applicable. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT 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 WITH MITIGATION INCORPORATED

On-Site Hazardous Material Sources and Releases

One of the means through which human exposure to hazardous substances could occur is through accidental release. Incidents that result in an accidental release of hazardous substances into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. If not cleaned up immediately and completely, the hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. Human exposure to contaminated soil or water can have potential health impacts on a variety of factors, including the nature of the contaminant and the degree of exposure.

Construction activities associated with the proposed project could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions. There is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the low concentration of hazardous materials utilized during construction, given the size of the site (0.44 acres) and the size of construction equipment that fit onto the site. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law.

The project proposes the demolition and removal of two on-site residential units. The existing on-site buildings may contain asbestos-containing materials, as well as lead-based paints and/or other contaminants. As a result, construction workers and the public could be exposed. Further, the potential exists that construction activities may release potential contaminants that may be present in building materials (e.g., mold, lead, etc.). Federal and state regulations govern the renovation and demolition of structures where asbestos-containing materials and lead-based paints are present. All demolition that could result in the release of asbestos-containing materials or lead-based paints must be conducted according to U.S. Environmental Protection Agency and California Department of Toxic Substances Control standards, including but not limited to Asbestos National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61 Subpart M), CERCLA Hazardous Substances and Reportable Quantities (40 CFR Part 302.4; Occupational Safety and Health Administration (29 CFR 1910.1001 and 1926.1001); Lead Renovation, Repair and Painting Program (40 CFR Part 745); and Asbestos & Lead-Based Paint (Title 22, *California Code of Regulations* and *California Health and Safety Code*). Abatement of asbestos would be required prior to any demolition activities. Compliance with the Mitigation Measure HAZ-1 (compliance with South Coast Air Quality Management District Rule 1403) would reduce potential impacts to a less than significant level.

MITIGATION MEASURES

HAZ-1 To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.

C. WOULD THE PROJECT EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Existing public and private schools located within one-quarter mile of the project site include the Hill Elementary School (located west of the site) and the Orange Crescent School and Montessori (located northwest of the site).

Refer to Responses 4.8.A and 4.8.B for construction-related impacts.

Operationally, the proposed residential uses would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste; and therefore, would not impact any existing or proposed schools within one-quarter mile of the project site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

Refer to Mitigation Measure HAZ-1. No additional mitigation measures are required.

D. WOULD THE PROJECT 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 project site is not listed in a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5.³ No impact would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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 FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?

NO IMPACT

The project site is not located within an airport land use plan or within two miles of an airport. The nearest military airport is the Los Alamitos Joint Forces Training Base, located approximately 5.25 miles northwest of the project site. The nearest public airports are the Fullerton Municipal Airport and the Long Beach Airport, located approximately 8 miles north and 12 miles northwest of the project site, respectively. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

F. FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?

NO IMPACT

Refer to Response 4.8.E.

MITIGATION MEASURES

No mitigation measures are required.

³ Department of Toxic Substances Control, <http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>, accessed on August 12, 2016.

G. WOULD THE PROJECT IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?

LESS THAN SIGNIFICANT IMPACT

The project site is within an urbanized area of the City served by existing roadways. At no time would the adjacent streets be completely closed to traffic during the construction phase. Also, the construction plans would be reviewed by the City Engineer to identify specific points of construction vehicle ingress and egress to the site during construction to ensure continued emergency access. Emergency vehicles would continue to have access to project-related and surrounding roadways during construction and upon completion of the proposed project. The proposed project would not impact access to emergency response. In addition, the proposed project would not physically interfere with the City's emergency evacuation routes. Therefore, less than significant impacts would result from the construction and operation of the proposed project in this regard.

MITIGATION MEASURES

No mitigation measures are required.

H. WOULD THE PROJECT EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?

NO IMPACT

The project site and surrounding areas are urbanized and built out, and no wildlands occur within or adjacent to the project site. Also, there are no areas of native vegetation found within the project site or in the surrounding properties that could provide a fuel source for a wildfire. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.9. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?		✓		
b. Substantially deplete groundwater supplies or 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		✓		
f. Otherwise substantially degrade water quality?		✓		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			✓	
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓	
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j. Inundation by seiche, tsunami, or mudflow?				✓
k. Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).		✓		
l. Result in significant alteration of receiving water quality during or following construction?		✓		
m. Result in increased erosion downstream?		✓		
n. Result in increased impervious surfaces and associated increased runoff?		✓		
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?		✓		
p. Be tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?		✓		
q. Be tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?				✓
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?		✓		
s. Have a potentially significant adverse impact on groundwater quality?		✓		
t. Cause or contribute to an exceeded applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?		✓		

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
u. Impact aquatic, wetland, or riparian habitat?		✓		
v. Would the project include new or retrofitted stormwater treatment control Best Management Practices (e.g., water quality treatment basin, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g., increased vectors or odors)?		✓		

Sources Cited in Section 4.9

DMS Consultants, Inc., *Hydrology Study, Green Garden Apartments*, June 27, 2016 (refer to Appendix C).

DMS Consultants, Inc., *Preliminary Water Quality Management Plan, Green Garden Apartments*, Revised June 27, 2016 (refer to Appendix D).

Federal Emergency Management Agency, Flood Insurance Rate Map Number 06059C0139J, effective date December 3, 2009.

Site Topography

The topography within the project site is flat.

Project Site Surface Conditions and Land Use

The project site is generally permeable. The site includes two unoccupied residential units.

A. WOULD THE PROJECT VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Urban runoff, both dry and wet weather, discharges into storm drains and, in most cases, flows directly to creeks, rivers, lakes, and the ocean. Polluted runoff can have harmful impacts on drinking water, recreational water, and wildlife. Urban runoff pollution includes a wide array of environmental, chemical, and biological compounds from both point and non-point sources. In the urban environment, storm water characteristics depend on site conditions (e.g., land use, impervious cover, pollution prevention, types and amounts of Best Management Practices), rain events (duration, amount of rainfall, intensity, and time between events), soil type and particle sizes, multiple chemical conditions, the amount of vehicular traffic, and atmospheric deposition (United States Environmental Protection Agency 2000). Major pollutants typically found in runoff from urban areas include sediments, nutrients, oxygen-demanding substances, heavy metals, petroleum hydrocarbons, pathogens, and bacteria.

Urban runoff can be divided into two categories – dry and wet weather urban runoff:

- Dry weather urban runoff occurs when there is no precipitation-generated runoff. Typical sources include landscape irrigation runoff; driveway and sidewalk washing; noncommercial vehicle washing; groundwater seepage; fire flow;

potable water line operations and maintenance discharges; and permitted or illegal non-storm water discharges.

- Wet weather urban runoff refers collectively to non-point source discharges that result from precipitation events. Wet weather runoff includes storm water runoff. Storm water discharges are generated by runoff from land and impervious areas such as paved streets and parking lots, building rooftops.

Wet- and dry-weather runoff typically contains similar pollutants of concern. However, except for the first flush concentrations following a long period between rainfalls, the concentration levels found in wet weather flows are typically lower than levels found in dry weather flows because the larger wet weather flows dilute the amount of pollution in runoff waters. Most urban storm water discharges are considered non-point sources and are regulated by a National Pollutant Discharge Elimination System Municipal General Permit or Construction General Permit.

The proposed project's water quality impacts would be short-term during the earthwork and construction phase, and following construction, prior to the establishment of ground cover, and long-term following completion.

Short-Term Construction

Implementation of the proposed project would not violate water quality standards and waste water discharge requirements. Short-term impacts related to water quality would occur during the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest. Additionally, impacts would occur prior to the establishment of ground cover, when the erosion potential may remain relatively high. Impacts to storm water quality would occur from construction and associated earth moving, and increased pollutant loadings would occur immediately off-site.

The proposed project would disturb less than one acre of land surface, and thus, does not need to apply for coverage under the National Pollutant Discharge Elimination System Construction General Permit (Permit). However, the proposed project is required to comply with all pertinent requirements of the National Pollutant Discharge Elimination System (NPDES). This includes the preparation, submittal, and implementation of a Water Quality Management Plan (WQMP) that includes design features and Best Management Practices (BMPs) that are appropriate for the given project. These BMPs may include, but not be limited to, the use of sandbag berms, stabilized construction entrance/exit, sediment traps, and storm drain inlet projections. The purpose of the WQMP is to reduce the potential for post-construction pollutants entering into the storm water system. The City is required to approve the WQMP prior to the issuance of any grading or building permit.

Construction activities associated with the proposed project would have a less than significant impact on surface water quality and would not significantly impact the beneficial uses of receiving waters with compliance with the aforementioned requirements. Thus, less than significant impacts to short-term water quality impacts would occur.

Long-Term Operation

The project site is currently developed with two unoccupied single-family residential units and accessory structures, and grass and landscaped areas. With these existing on-site uses, the site is 54 percent pervious and 46 percent impervious.

Implementation of the proposed project would result in the development of a 10-unit apartment complex on the 0.44 acres. *Table 4.9-1, Existing and Proposed Pervious and Impervious Conditions*, shows that the post-project conditions result in a decrease to 28 percent in the amount of pervious area and an increase to 72 percent in the amount of impervious area.

TABLE 4.9-1 EXISTING AND PROPOSED PERVIOUS AND IMPERVIOUS SITE CONDITIONS

Project Area	Pervious		Impervious	
	Area (Acres)	Percentage	Area (Acres)	Percentage
Pre-Project Conditions	0.24	54%	0.20	46%
Post-Project Conditions	0.12	28%	0.32	72%

Source: DMS Consultants, Inc., June 27, 2016.

The project site is located within the Anaheim Bay-Huntington Harbor Watershed, which is located in northern Orange County and includes a number of channels, none of which is a dominant river for the watershed with each draining a substantial portion of the watershed. The watershed channels include the Stanton Storm Channel, Bolsa Chica Channel, Anaheim Harbor City Channel, Westminster Channel, East Garden Grove Wintersburg Channel, and Ocean View Channel.

These channels are not included in the Water Quality Control Plan for the Santa Ana River Basin. Ultimately, the channels converge along the coast where they empty into Huntington Harbor and Anaheim Bay. The headwaters for these channels begin in the northern and eastern reaches of the watershed which is almost completely urbanized and has a very low slope, having once been primarily swamplands or low coastal floodplains for the San Gabriel and Santa Ana Rivers. All the channel reaches within the watershed are improved (lined) for flood control. Typical flow in the Anaheim Bay-Huntington Harbor Watershed is almost completely dry weather runoff.

Flows from the project site ultimately drain into the East Garden Grove Wintersburg Channel, under both the existing and proposed project conditions.

The existing project site is tributary to and a contributor of toxicity pollutants to the 303(d) listed impairment for the Anaheim Bay-Huntington Harbor Watershed. There is currently no approved Watershed Infiltration and Hydromodification Plan (WIHMP) for the Anaheim Bay-Huntington Harbor Watershed. Potential stormwater pollutants associated with the proposed project include suspended- solid/sediment; nutrients; pathogens; pesticides; oil and grease; and trash and debris. The State Water Resources Control Board (SWRCB) Municipal NPDES Storm Water Permit for the County of Orange and the Incorporated Cities of Orange County requires

applicants to prepare a WQMP to manage post-construction storm water runoff associated with new development. A *Preliminary Water Quality Management Plan (WQMP)* has been prepared for the proposed project; refer to Appendix D. The *WQMP* describes the development and its operations, identifies potential sources of storm water pollution and recommends appropriate Best Management Practices (BMPs) or pollution control measures to reduce the discharge of pollutants in storm water runoff.

Site Design and Drainage Plan

Below is a description of the site design BMPs used for the proposed project and the methods used to incorporate them. Refer to *Exhibit 4.9-1, Proposed Project – Selected Structural BMPs*.

Minimize Impervious Area. Impervious area would be minimized with the site's design. Surface infiltration BMPs would be incorporated as part of the project, rather than placing impervious surfaces over areas for infiltration.

Preserve Existing Drainage Patterns. Existing drainage patterns would be preserved as indicated. The site would drain similarly to existing conditions.

Disconnect Impervious Areas. Buildings would drain to landscaping. Impervious surfaces would ultimately drain to permeable pavers or infiltration trenches.

Landscape Design. Drought tolerant plants have been utilized in the project's landscape design. The landscape plan has been submitted to the City, under separate review and approval.

Drainage Management Areas. The project site drainage would be delineated into two Drainage Management Areas (DMAs).

Low Impact Development Requirements. To conform to Low Impact Development (LID) Requirements for BMPs, the proposed project would utilize permeable pavers and infiltration trenches (perforated pipe in gravel bed). Under the proposed conditions, 0.27 acres of the site would drain to permeable pavers located in the main driveway. The inlet would be fitted with a FloGard insert manufactured by Kristar, Inc. and would outlet via parkway culverts to curb and gutter on 11th Street. Entrance to the project site from 11th Street has a steep grade of 9 percent towards 11th Street and cannot be treated. Total untreatable area from this driveway is approximately 0.02 acres. The remaining 0.15 acres of the site would drain to an infiltration trench located along the westerly property line. Overflow from infiltration trench would outlet via a parkway drain to curb and gutter on 11th Street.

Impact Conclusion

The BMPs may be refined via a Final Water Quality Management Plan to incorporate project-specific BMPs, and would be reviewed and finalized as part of site plan review. The Final WQMP, approved by the City, would provide the final BMPs applicable to the proposed project (Mitigation Measure HWQ-1). With implementation of Mitigation Measure HWQ-1, long-term operational water quality impacts would be reduced to less than significant levels.

MITIGATION MEASURES

HWQ-1 Prior to issuance of a grading permit, the Applicant shall submit a Final Water Quality Management Plan for approval by the City Engineer that complies with the requirements of the latest Orange County Public Works Drainage Area Management Plan.

B. WOULD THE PROJECT SUBSTANTIALLY DEplete GROUNDWATER SUPPLIES OR 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 (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED USES FOR WHICH PERMITS HAVE BEEN GRANTED)?

LESS THAN SIGNIFICANT IMPACT

The proposed project would continue to be connected to the City's utility lines and is not anticipated to deplete groundwater supplies through the consumption of the water. Given that the site is presently developed with two residential units and that the proposed project would result in a small increase in the amount of impervious area from 0.12 to 0.32 acres, the proposed project would not substantially interfere with groundwater recharge. In addition, the permeable surfaces provided by the proposed landscaping would allow for the on-site percolation of surface runoff. Also, refer to Response 4.17.D. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?

LESS THAN SIGNIFICANT IMPACT

The proposed project would increase the percentage of impervious surfaces on-site, but the proposed project would not increase the amount of exposed soils. Thus, the site's drainage pattern would not substantially change from current conditions. Revegetation of currently unimproved surfaces prone to erosion would reduce the sediment load in storm water runoff, as well as increase the on-site percolation of runoff. While the rate and quantity of runoff from the site would slightly increase as a result of implementing the proposed project, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR 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

No natural drainages (i.e., stream or river) exist on-site and existing drainage patterns have been determined by past development on-site and in the surrounding area. The site currently drains to 11th Street.

Proposed Stormwater Drainage

Exhibit 4.9-2, Existing Hydrology Condition and *Exhibit 4.9-3, Proposed Hydrology Condition*, illustrates the existing and proposed drainage conditions for the project site. *Table 4.9-2, Proposed Project Flow Rates*, provides the proposed project peak flow rates for the 25-year and 100-year storm events.

TABLE 4.9-2 PROPOSED PROJECT FLOW RATES

Area	Acres	Q25	Q100
Existing Hydrology Condition			
A	0.44	1.18 cfs	1.52 cfs
Total	0.44	1.18 cfs	1.52 cfs
Proposed Hydrology Condition			
A	0.15	0.38 cfs	0.49 cfs
B	0.15	0.61 cfs	0.78 cfs
C	0.12	0.48 cfs	0.59 cfs
D	0.02	1.03 cfs	1.33 cfs
Total	0.44	2.50 cfs	3.19 cfs
Change Over Existing Conditions		+1.32 cfs	+1.67 cfs
Source: DMS Consultants, Inc., June 27, 2016.			
Notes: cfs= cubic feet per second			

Under the proposed project, the site would drain to 11th Street via parkway culverts. Runoff during the 100-year storm events associated with the proposed project (approximately 3.19 cfs) would be slightly higher than existing conditions (1.52 cfs); however, there is capacity in 11th Street to accept the additional flows generated by the proposed project. Therefore, implementation of the proposed project would not result in a substantial increase in runoff that could result in flooding on- or off-site. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.A and 4.9.D. The majority of the site (0.42 acres), with the exception of a small section fronting 11th Street, would drain to two parkway culverts outletting to 11th Street, which is similar to existing conditions. The inlets would be fitted with trash and debris guard inserts. Thus, with implementation of Mitigation Measure HWQ-1, impacts are reduced to less than significant in this regard.

MITIGATION MEASURES

Refer to Mitigation Measures HWQ-1. No additional mitigation measures are required.

F. WOULD THE PROJECT OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The proposed project is not anticipated to result in water quality impacts other than the potential short-term construction and long-term operational impacts identified above in Responses 4.9.A and 4.9.C. Implementation of Mitigation Measure HWQ-1 would reduce potential impacts to a less than significant level.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

G. WOULD THE PROJECT PLACE HOUSING WITHIN A 100-YEAR FLOOD HAZARD AREA AS MAPPED ON A FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?

LESS THAN SIGNIFICANT IMPACT

Flood zones are geographic areas that the Federal Emergency Management Agency (FEMA) has defined according to a location's varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area. The project site is situated in an area designated as Flood Zone X on FEMA Flood Insurance Rate Map Number 06059C0139J, effective date December 3, 2009. This is an area of minimal flood hazard: it usually is focused on FIRMs above the 500-year flood level. Zone X is the area determined to be outside of the 500-year flood and protected by a levee from the 100-year flood. Thus, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

H. WOULD THE PROJECT PLACE WITHIN A 100-YEAR FLOOD HAZARD AREA STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?

LESS THAN SIGNIFICANT IMPACT

A new 10-unit apartment complex is proposed within Zone X; however, the proposed project would not impede or redirect flood flows. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

I. WOULD THE PROJECT EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?

NO IMPACT

As stated on page 5.8-7 of the *Garden Grove General Plan Environmental Impact Report*, the western portion of the City of Garden Grove is located within the dam inundation areas of Prado Dam and Carbon Canyon Dam. The project site is located within the eastern portion of the City, and thus is not located within a dam inundation area. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

J. WOULD THE PROJECT EXPERIENCE INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?

NO IMPACT

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

The project site is not located within proximity to any enclosed or semi-enclosed bodies of water. Additionally, the project site is not located within proximity to the ocean, and therefore would not be subject to tsunami impacts. The project site and surrounding area are relatively flat and the project site is not positioned downslope from an area of potential mudflow. No impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

- K. RESULT IN AN INCREASE IN POLLUTANT DISCHARGES TO RECEIVING WATERS? CONSIDER WATER QUALITY PARAMETERS SUCH AS TEMPERATURE, DISSOLVED OXYGEN, TURBIDITY AND OTHER TYPICAL STORMWATER POLLUTANTS (E.G. HEAVY METALS, PATHOGENS, PETROLEUM DERIVATIVES, SYNTHETIC ORGANICS, SEDIMENT, NUTRIENTS, OXYGEN-DEMANDING SUBSTANCES, AND TRASH).**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.A and 4.9.C through 4.9.F.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

- L. RESULT IN SIGNIFICANT ALTERATION OF RECEIVING WATER QUALITY DURING OR FOLLOWING CONSTRUCTION?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.D.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

- M. COULD THE PROPOSED PROJECT RESULT IN INCREASED EROSION DOWNSTREAM?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.B and 4.9.C.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

- N. RESULT IN INCREASED IMPERVIOUS SURFACES AND ASSOCIATED INCREASED RUNOFF?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.A and 4.9.C.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

O. CREATE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT TO DRAINAGE PATTERNS DUE TO CHANGES IN RUNOFF FLOW RATES OR VOLUMES??

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.9.D and 4.9.E.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

P. BE TRIBUTARY TO AN ALREADY IMPAIRED WATER BODY, AS LISTED ON THE CLEAN WATER ACT SECTION 303(D) LIST? IF SO, CAN IT RESULT IN AN INCREASE IN ANY POLLUTANT FOR WHICH THE WATER BODY IS ALREADY IMPAIRED?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.A.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

Q. BE TRIBUTARY TO OTHER ENVIRONMENTALLY SENSITIVE AREAS? IF SO, CAN IT EXACERBATE ALREADY EXISTING SENSITIVE CONDITIONS?

NO IMPACT

The WQMP (page 10) has identified that the project site is not tributary to environmentally sensitive areas. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

R. HAVE A POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACT ON SURFACE WATER QUALITY TO EITHER MARINE, FRESH, OR WETLAND WATERS

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.A.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

S. HAVE A POTENTIALLY SIGNIFICANT ADVERSE IMPACT ON GROUNDWATER QUALITY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.B.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

**T. CAUSE OR CONTRIBUTE TO AN EXCEEDED APPLICABLE SURFACE OR
GROUNDWATER RECEIVING WATER QUALITY OBJECTIVES OR DEGRADATION OF
BENEFICIAL USES?**

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.B.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

U. IMPACT AQUATIC, WETLAND, OR RIPARIAN HABITAT?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.A.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

**V. WOULD THE PROJECT INCLUDE NEW OR RETROFITTED STORMWATER
TREATMENT CONTROL BEST MANAGEMENT PRACTICES (E.G., WATER QUALITY
TREATMENT BASIN, CONSTRUCTED TREATMENT WETLANDS), THE OPERATION
OF WHICH COULD RESULT IN SIGNIFICANT ENVIRONMENTAL EFFECTS (E.G.,
INCREASED VECTORS OR ODORS)?**

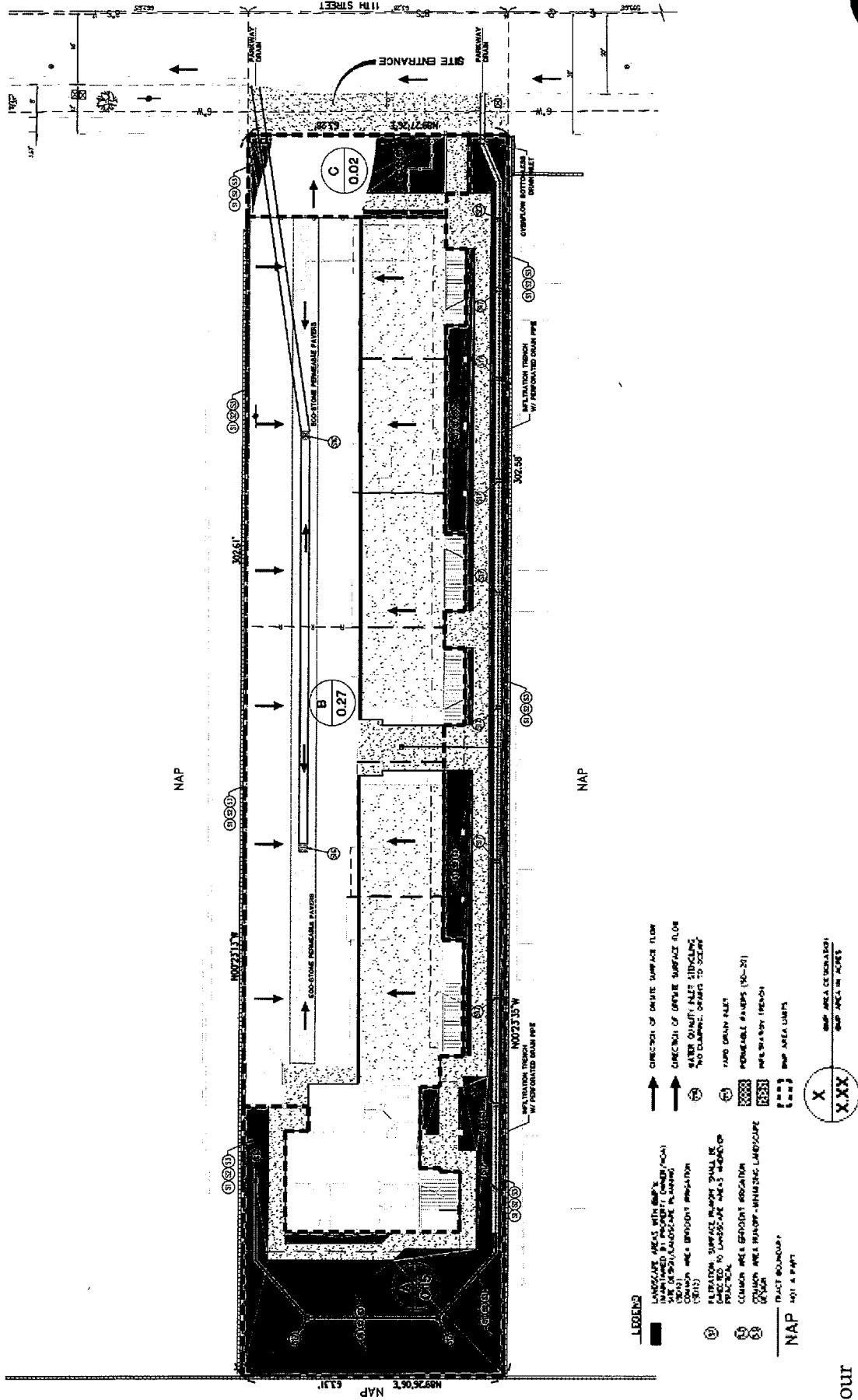
LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.9.A.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

Exhibit 4-1 Proposed Project - Selected Structural BMPs



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4.10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

Sources Cited in Section 4.10

City of Garden Grove, *Garden Grove General Plan*, August 2008.

City of Garden Grove, *Garden Grove Municipal Code*, Title 9 Land Use, current through Ordinance 2866 and the June 2016 code supplement.

City of Garden Grove, *Zoning Map*.

A. WOULD THE PROJECT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?

NO IMPACT

The project site is currently developed with two residential units that would be demolished to facilitate the proposed 10-unit apartment project. Surrounding uses include multi-family residential uses to the west, east, and south; single-family uses to the south; and institutional, educational, and intermediate care and rehabilitation facilities to the east, northwest, north, and northeast, respectively.

The proposed project would be located on a site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CONFLICT WITH ANY APPLICABLE LAND USE PLAN, POLICY, OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING, BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, LOCAL COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?

LESS THAN SIGNIFICANT IMPACT

The *Garden Grove General Plan* Land Use Diagram designates the site as Civic/Institutional (CI). The Zoning map designates the site as R-3 (Multiple Family Residential). The proposed project includes a General Plan Amendment to change the designation from Civic/Institutional (CI) to Medium Density Residential (MDR) to be consistent with the R-3 zone.

The proposed project would involve the demolition of two on-site residential units and the construction of a 3-story, 10-unit apartment complex in one building on the 0.44-acre (19,152-square foot) site. A single drive aisle would provide access to the site and the required parking spaces that are designed as carports. Unit 1 would be located on the first floor, and Units 2 to 10 would be located on the second and third floor.

Pursuant to State law, the Applicant requests a density bonus to construct affordable housing units. The *Municipal Code* allows a maximum of 7 units based on the existing lot size. The proposed project would provide a 35 percent density bonus to construct a total of 10-units with three waivers/concessions to deviate from the R-3 development standard; as a result, three units would be restricted for low income.

The proposed project is subject to *Municipal Code* Chapter 12, Multifamily Residential Development Standards, including Section 9.12.030.070, Density Bonuses and Other Incentives for Affordable Housing.

The site-specific development standards and the proposed project's consistency with the standards are shown in Table 4-10.1, Development Standards.

Density and Lot Coverage

The proposed project would result in a density of 22.7 dwelling units per acre, and a lot coverage of 37.90 percent.

Building Heights

The maximum building height would be 34 feet 9 inches.

TABLE 4.10-1 DEVELOPMENT STANDARDS

Development Regulation for R-3	Standard	Proposed Project
Setbacks Front (1)	20 feet	20 feet
Side Setback (Interior)	East and West: 1 st Floor and 2 nd Floor: 10 feet 3 rd floor 11 feet 3 inches	10 feet (west) 10 feet 2 inches (east)
Rear Setback	11 feet 3 inches	35 feet 2 inches
Building Height	Not to exceed 35 feet	34 feet 9 inches
Lot coverage (2)	50%	37.90%
Density by Site Area: 18,000—19,799 sq. ft. (4)	7 maximum units	10 units
Source: Garden Grove Municipal Code Chapter 9.12		
(1) In no case shall the setback be less than 10 feet.		
(2) Lot coverage includes all building and structures (primary and accessory) and required uncovered parking areas, and excludes uncovered swimming pools and permeable or semi-permeable recreational surface areas.		
(3) Hardscape percentage includes driveways (except allowed standard driveway in the front yard).		
(4) Applications for density bonuses may be made as provided for by state law.		

Concession/Waivers

The proposed project is seeking approval of the following concessions or waivers based upon the density bonus:

- To allow the third-story configuration to be greater than 50 percent of the building footprint.
- To deviate from the 10 feet distance separation between the units and the drive aisle located on the first, second, and third floors.
- To allow the third-story to deviate from the required 11'-3" side setback.

Development of the project site would be subject to the City’s discretionary review process, including approval of a General Plan Amendment, Site Plan, and Development Agreement. Upon approval of the General Plan Amendment, the proposed project would be consistent with the *Garden Grove General Plan* MDR land use designation. The proposed project is consistent with the *Garden Grove Zoning Map* R-3 designation and the density bonus requirements as allowed in Section 9.12.030.070, Density Bonuses and Other Incentives for Affordable Housing including the concessions/waivers allowed by the State’s density bonus.

In addition, the proposed multi-family residential units are consistent with adjacent multi-family and single-family uses to the west, east, and south, as well as with adjacent institutional, educational, and intermediate care and rehabilitation facilities to the east, northwest, north, and northeast.

Therefore, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

**C. WOULD THE PROJECT CONFLICT WITH ANY APPLICABLE HABITAT
CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?**

NO IMPACT

Refer to Response 4.4.F.

MITIGATION MEASURES

No mitigation measures are required.

4.11. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓
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?				✓

Sources Cited in Section 4.11

City of Garden Grove, *Garden Grove General Plan*, August 2008.

A. WOULD THE PROJECT RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?

NO IMPACT

The project site is currently developed and not identified as a site with mineral resources that would be of value to the region or the residents of the State. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN OR OTHER LAND USE PLAN?

NO IMPACT

The *Garden Grove General Plan* does not identify the project site as an important mineral resource recovery site. Thus, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

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4.12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Sources Cited in Section 4.12

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

City of Garden Grove, *Garden Grove General Plan Noise Element*, August 2008.

Pomeroy Environmental Services, Noise Analysis and Modeling (Modeling Data refer to Appendix E).

A. WOULD THE PROJECT RESULT IN EXPOSURE OF PERSONS TO OR GENERATION OF NOISE LEVELS IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Fundamentals of Sound and Environmental Noise

Sound is technically described in terms of amplitude (i.e., loudness) and frequency (i.e., pitch). The standard unit of sound amplitude measurement is the decibel (dB). The dB scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Since the human ear is not equally sensitive to a given sound level at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted dB scale (dBA) provides this compensation by emphasizing frequencies in a manner approximating the sensitivity of the human ear.

Noise, on the other hand, is typically defined as unwanted sound audible at such a level that the sound becomes an undesirable by-product of society’s normal day-to-day activities. Sound becomes unwanted when it interferes with normal activities, causes actual physical harm, or

results in adverse health effects. The definition of noise as unwanted sound implies that it has an adverse effect, or causes a substantial annoyance, to people and their environment. However, not every unwanted audible sound interferes with normal activities, causes harm, or has adverse health effects. For unwanted audible sound (i.e., noise) to be considered adverse, it must occur with sufficient frequency and at such a level that these adverse impacts are reasonably likely to occur. Thresholds of significance, set forth below, are established to differentiate between benign, unwanted audible sound and potentially significant and adverse unwanted audible sound.

A typical noise environment consists of a base of steady ambient noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise, such as traffic on a major highway. Several rating scales have been developed to analyze the adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effects of noise on people are largely dependent upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

Leq: An Leq, or equivalent energy noise level, is the average acoustic energy content of noise for a stated period of time. Thus, the Leq of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.

Lmax: The maximum instantaneous noise level experienced during a given period of time.

Lmin: The minimum instantaneous noise level experienced during a given period of time.

CNEL: The Community Noise Equivalent Level (CNEL) is a 24-hour average Leq with a 5 dBA “weighting” during the hours of 7:00 P.M. to 10:00 P.M. and a 10 dBA “weighting” added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively. The logarithmic effect of these additions is that a constant 60 dBA 24 hour Leq would result in a CNEL of 66.7 dBA.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day, night, or over a 24-hour period. For residential uses, environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60- to 70-dBA range, and high above 70 dBA. Frequent exposure to noise levels greater than 85 dBA over time can cause temporary or permanent hearing loss. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet suburban residential streets with noise levels around 40 dBA.

It is widely accepted that in the community noise environment the average healthy ear can barely perceive CNEL noise level changes of 3 dBA. CNEL changes from 3 to 5 dBA may be

noticed by some individuals who are extremely sensitive to changes in noise. A 5 dBA CNEL increase is readily noticeable to most people, while the human ear perceives a 10 dBA CNEL increase as a doubling of sound. However, there is no direct correlation between increasing or even doubling noise-generating uses and what is detectable by the human ear as an increase in noise level.

The human ear perceives a 10 dB(A) increase in sound level to be a doubling of sound volume, but doubling the sound energy (i.e., the noise-generating activity) only results in a 3 dB(A) increase in sound. This means that a doubling of sound wave energy (e.g., doubling the volume of traffic on a roadway) would result in a barely perceptible change in sound level to the human ear. Thus, relatively sizeable increases in baseline noise generation are not necessarily perceived as significant noise increases by the human ear.

Noise levels from a particular source generally decline as distance to the receptor increases. Other factors, such as the weather and reflective barriers, also help intensify or reduce the noise level at any given location. A commonly used rule of thumb for roadway noise is that for every doubling of distance from the source (assume a starting point of 50 feet), the noise level is reduced by about 3 dBA at acoustically “hard” locations (i.e., the area between the noise source and the receptor is nearly complete asphalt, concrete, hard-packed soil, or other solid materials) and 4.5 dBA at acoustically “soft” locations (i.e., the area between the source and receptor is normal earth or has vegetation, including grass). Noise from stationary or point sources is reduced by about 6 to 7.5 dBA for every doubling of distance at acoustically hard and soft locations, respectively. Noise levels are also generally reduced by about 1 dBA for each 1,000 feet of distance due to air absorption. Noise levels may also be reduced by intervening structures. Generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm can reduce noise levels by 5 to 10 dBA. The normal noise attenuation within residential structures with open windows is about 17 dBA, while the noise attenuation with closed windows is about 25 dBA. The exterior-to-interior reduction of newer homes and office buildings can be more than 30 dBA, depending on construction materials and methods used.

City Noise Standards

The City of Garden Grove maintains a comprehensive Noise Ordinance within its *Municipal Code* that establishes citywide interior and exterior noise level standards. The City has adopted a number of policies that are directed at controlling or mitigating environmental noise effects. The City’s Noise Ordinance (*Municipal Code* Section 8.47, Noise Control,) establishes daytime and nighttime noise standards; refer to Table 4.12-1, Garden Grove Noise Ordinance Standards.

TABLE 4.12-1 GARDEN GROVE NOISE ORDINANCE STANDARDS

Land Use Designation		Ambient Base Noise Level (dBA)	Time of Day
Sensitive Uses	Residential Use	55	7:00 AM – 10:00 PM
		50	10:00 PM – 7:00 AM
Conditionally Sensitive Uses	Institutional Use	65	Any Time
	Office-Professional Use	65	Any Time
	Hotels and Motels	65	Any Time
Non-Sensitive Uses	Commercial Uses	70	Any Time
	Commercial/Industrial Uses within 150 feet of Residential Uses	65	7:00 AM – 10:00 PM
		50	10:00 PM – 7:00 AM
	Industrial Uses	50	Any Time
Sources: Pomeroy Environmental Services (September 2016) General Plan Noise Element, Table 7-2; and City of Garden Grove, Municipal Code, Section 8.47, Noise Control, 2005.			

The ordinance is designed to control unnecessary, excessive and annoying sounds generated from a stationary source impacting an adjacent property. It differentiates between environmental and nuisance noise. Environmental noise is measured under a time average period while nuisance noise cannot exceed the established Noise Ordinance levels at any time. At the boundary line between a residential property and a commercial and manufacturing property, the noise level of the quieter zone is required to be used pursuant to the residential use standards.

Municipal Code Section 8.47.060, Special Noise Sources, also includes the following provisions for construction activities:

(d) Construction of Buildings and Projects. It shall be unlawful for any person within a residential area, or within a radius of 500 feet there from, 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 Section 8.47.050(a), is caused discomfort or annoyance unless such operations are of an emergency nature.

Municipal Code Section 8.47.050, General Noise Regulation includes the following noise disturbance criteria:

(a) Noise Disturbance Criteria. It shall be unlawful for any person to willfully make, continue, or cause to be made or continued, any loud, unnecessary, or unusual noise that disturbs the peace or quiet of any neighborhood, or that causes discomfort or annoyance to any person of normal sensitiveness.

Section 8.47.050 also includes the criteria that is to be used in determining whether a violation of the provisions of the section exists and criteria for the duration of noise.

Existing Noise Levels

To identify the existing ambient noise levels in the general vicinity of the project site, noise measurements were taken with a 3M SoundPro SP DL-1 sound level meter, which conforms to industry standards set forth in ANSI S1.4-1983 (R2006) – Specification for Sound Level Meters/Type 1. This noise meter also meets and exceeds the requirements of a sound level meter defined in *Municipal Code* Section 8.47.020. This instrument was calibrated and operated according to the manufacturer’s written specifications. At the measurement sites, the microphone was placed at a height of approximately five feet above grade. The measured noise levels are shown in *Table 4.12-2, Existing Ambient Daytime Noise Levels*. See Appendix E for a graphic illustrating the noise measurement locations. The measured noise levels are consistent with the Noise Element’s normally acceptable range for residential uses.

TABLE 4.12-2 EXISTING AMBIENT DAYTIME NOISE LEVELS

No.	Location	Primary Noise Sources	Noise (dBA) ^a		
			L _{eq}	L _{min}	L _{max}
1	Near the southwestern boundary of the project site fronting 11 th St.	Traffic/pedestrians along 11 th St., light gardening in distance.	52.7	44.2	65.9
2	Near the northeast corner of the project site, on surface parking.	Traffic/pedestrians along 11 th St., light parking activity.	50.5	44.7	68.0
Source: Pomeroy Environmental Services (September 2016)					
Notes: Noise measurements were taken on August 9, 2016 at each location for a duration of 15 minutes. See Appendix E for noise measurement data.					

Construction Noise Impacts

Construction of the proposed project would require the use of heavy equipment for demolition, grading and site preparation, the installation of utilities, architectural coatings, paving, and building construction. During each construction phase there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of each activity. The U.S. Environmental Protection Agency (USEPA) has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. The data pertaining to the types of construction equipment and activities that would occur at the project site are presented in *Table 4.12-3, Noise Range of Typical Construction Equipment*, and *Table 4.12-4, Typical Outdoor Construction Noise Levels*, respectively, at a distance of 50 feet from the noise source (i.e., reference distance).

The noise levels shown in *Table 4.12-3* represent composite noise levels associated with typical construction activities, which take into account both the number of pieces and spacing of heavy construction equipment that are typically used during each phase of construction. As shown, construction noise during the heavier initial periods of construction is presented as 86 dBA Leq when measured at a reference distance of 50 feet from the center of construction activity. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA Leq

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

measured at 50 feet from the noise source to the receptor would reduce to 78 dBA Leq at 100 feet from the source to the receptor, and reduce by another 6 dBA Leq to 72 dBA Leq at 200 feet from the source to the receptor. Thus, construction activities associated with the proposed project would be expected to generate noise levels consistent with these estimates at the surrounding uses.

TABLE 4.12-3 NOISE RANGE OF TYPICAL CONSTRUCTION EQUIPMENT

Construction Equipment	Noise Level in dBA Leq at 50 Feet ¹
Front Loader	73-86
Trucks	82-95
Cranes (moveable)	75-88
Cranes (derrick)	86-89
Vibrator	68-82
Saws	72-82
Pneumatic Impact Equipment	83-88
Jackhammers	81-98
Pumps	68-72
Generators	71-83
Compressors	75-87
Concrete Mixers	75-88
Concrete Pumps	81-85
Back Hoe	73-95
Tractor	77-98
Scraper/Grader	80-93
Paver	85-88
Source: United States Environmental Protection, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971.	
Notes:	
1. Machinery equipped with noise control devices or other noise-reducing design features does not generate the same level of noise emissions as that shown in this table.	

TABLE 4.12-4 TYPICAL OUTDOOR CONSTRUCTION NOISE LEVELS

Construction Phase	Noise Levels at 50 Feet with Mufflers (dBA Leq)	Noise Levels at 60 Feet with Mufflers (dBA Leq)	Noise Levels at 100 Feet with Mufflers (dBA Leq)	Noise Levels at 200 Feet with Mufflers (dBA Leq)
Ground Clearing	82	80	76	70
Excavation, Grading	86	84	80	74
Foundations	77	75	71	65
Structural	83	81	77	71
Finishing	86	84	80	74
Source: United States Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971.				

The nearest sensitive receptors to the project site are residential uses located immediately adjacent to the west, east and south, and The Islamic Society of Orange County and the Orange Crescent School to the northwest. Multi-family residences are located approximately 35 and 45 feet to the east and west, respectively. Single-family residences are located approximately 50 feet to south on the south side of 11th Street. The Islamic Society of Orange County and Orange Crescent School are located approximately 190 feet and 65 feet to the northwest, respectively.

It should be noted that any increase in noise levels at off-site receptors during construction of the proposed project would be temporary in nature, and would not generate continuously high noise levels, although occasional single-event disturbances from construction are possible. In addition, the construction noise during the heavier initial periods of construction (i.e., grading work) would typically be reduced in the later construction phases (i.e., interior building construction at the proposed buildings) as the physical structure of the proposed project would break the line-of-sight noise transmission from the construction areas to the nearby receptors.

The City does not have specific limitation on construction noise levels. Instead, construction noise is regulated by limiting construction activity to the less noise sensitive daytime hours. Specifically, proposed project construction and other noise-generating activities would occur at the project site between the hours of 7:00 AM and 10:00 PM in accordance with the City's Noise Ordinance (*Municipal Code* Section 8.47.060 Special Noise Sources (D)). As the City permits construction related noise to occur during these hours, for the purpose of this analysis, the proposed project's construction activities are assumed to result in less than significant impacts if construction related activities occur between 7:00 AM and 10:00 PM. The proposed project would comply with the City's Noise Ordinance and therefore impacts with respect to construction noise would be less than significant. However, Mitigation Measure NOI-1 has been included to ensure construction noise levels remain at less than significant levels.

OPERATIONAL NOISE IMPACTS

On-site operational noise would be generated by heating, ventilation, and air conditioning (HVAC) equipment installed for the new residences. However, the noise levels generated by these equipment types are not anticipated to be substantially greater than those generated by the current HVAC equipment serving the existing in the project vicinity. As such, the HVAC equipment associated with the proposed project would not represent a new source of noise in the project vicinity. In addition, the operation of any on-site stationary sources of noise would also be required to comply with the *Municipal Code* Section 8.47.060(C), which states it shall be unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise that would cause the noise level at the property line of any property to exceed either the ambient base noise level or the actual measured ambient noise level by more than five decibels. As such, on-site operational noise impacts would be less than significant.

In addition, on-site residences would not be adversely impacted by elevated ambient urban noise levels as the proposed project would be constructed to meet and exceed Title 24 insulation standards of the *California Code of Regulations* for residential buildings, which serves to provide an acceptable interior noise environment for sensitive uses. Specifically, as required

by Title 24, the proposed project would be designed and constructed to ensure interior noise levels would be at or below a CNEL of 45 dBA in any habitable room. Given the existing measured noise levels of up to 52 dBA in the vicinity and the approximate 25 to 30 dBA exterior-to-interior noise reduction for new residential construction,⁴ standard construction methods and materials would achieve interior noise levels at or below 45 dBA. As such, impacts associated with interior noise levels at the proposed residences would be less than significant.

MITIGATION MEASURES

NOI-1 During construction, the Applicant and/or Construction Contractor shall ensure that the following construction best management practices are implemented:

- Provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities.
- All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or equipped with other State required noise attenuation devices.
- Machinery, including motors, must be turned off when not in use.
- All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible.
- Construction activities shall not take place between the hours of 10:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a federal holiday.
- Additional noise attenuation measures must be implemented to the extent feasible, which may include, without limitation, additional noise barriers and/or noise blankets.

B. WOULD THE PROJECT RESULT IN EXPOSURE OF PERSONS TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?

LESS THAN SIGNIFICANT IMPACT

Construction activities for the proposed project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate through the ground and diminishes in intensity with distance from the source. Vibration impacts can range from no perceptible impacts at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities could have an adverse impact on both sensitive structures (i.e., building damage) and people (i.e., annoyance).

⁴ Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings requires substantial building insulation and windows that reduces exterior to interior noise transmission.

In terms of construction impacts on buildings, the City has not adopted policies or guidelines relative to groundborne vibration. Consequently, the Federal Transit Administration (FTA) and California Department of Transportation's (Caltrans) vibration standards for buildings are used to evaluate potential construction impacts. Based on the FTA and Caltrans criteria, construction impacts relative to groundborne vibration would be significant if the following were to occur:⁵

- proposed project construction activities would cause a PPV groundborne vibration level to exceed 0.5 inches per second at any building that is constructed with reinforced-concrete, steel, or timber;
- proposed project construction activities would cause a PPV groundborne vibration level to exceed 0.3 inches per second at any engineered concrete and masonry buildings;
- proposed project construction activities would cause a PPV groundborne vibration level to exceed 0.2 inches per second at any non-engineered timber and masonry buildings; or
- proposed project construction activities would cause a PPV ground-borne vibration level to exceed 0.12 inches per second at any historical building or building that is extremely susceptible to vibration damage.

In addition, the City has not adopted any thresholds associated with human annoyance for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact thresholds for human annoyance. These thresholds include 80 VdB at residences and buildings where people normally sleep (e.g., nearby residences) and 83 VdB at institutional buildings, which includes schools and churches. No thresholds have been adopted or recommended for commercial and office uses.

Table 4.12-5, Vibration Source Levels for Construction Equipment identifies various PPV and RMS velocity (in VdB) levels for the types of construction equipment that would operate at the project site during construction. As shown in *Table 4.12-5*, vibration velocities could range from 0.003 to 0.089 inch/sec PPV at 25 feet from the source activity, with corresponding vibration levels ranging from 58 VdB to 87 VdB at 25 feet from the source activity, depending on the type of construction equipment in use.

With respect to construction vibration impacts upon existing off-site structures, there are no historical buildings or buildings that are extremely susceptible to vibration damage within 25 feet of proposed heavy construction activity. As shown in *Table 4.12-5*, at distances beyond 25 feet from the project site boundary, construction vibration levels would not exceed 0.089 PPV.

As previously discussed, the most restrictive threshold for building damage from vibration is 0.12 PPV for historic buildings and buildings that are extremely susceptible to vibration damage, and the least restrictive threshold is 0.5 PPV at any building that is constructed with reinforced-concrete, steel, or timber. As maximum off-site vibration levels at existing structures would not have the potential to exceed 0.089 PPV, the proposed project's construction activities

5 Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006; and California Department of Transportation, *Transportation- and Construction-Induced Vibration Guidance Manual*, June 2004.

would not exceed the thresholds of significance for building damage from vibration. As such, impacts with respect to building damage upon off-site structures would be less than significant.

TABLE 4.12-5 VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment	Approximate PPV (in/sec)					Approximate RMS (VdB)				
	25 Feet	50 Feet	60 Feet	75 Feet	100 Feet	25 Feet	50 Feet	60 Feet	75 Feet	100 Feet
Large Bulldozer	0.089	0.031	0.024	0.017	0.011	87	78	76	73	69
Caisson Drilling	0.089	0.031	0.024	0.017	0.011	87	78	76	73	69
Loaded Trucks	0.076	0.027	0.020	0.015	0.010	86	77	75	72	68
Jackhammer	0.035	0.012	0.009	0.007	0.004	79	70	68	65	61
Small Bulldozer	0.003	0.001	0.0008	0.0006	0.0004	58	49	47	44	40

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment, Final Report, 2006.
Note: in/sec = inches per second

In terms of human annoyance resulting from vibration generated during construction, the nearest sensitive receptors to the project site are residential uses located immediately adjacent to the west, east and south, and The Islamic Society of Orange County and the Orange Crescent School to the northwest. Multi-family residences are located approximately 35 and 45 feet to the east and west, respectively. Single-family residences are located approximately 50 feet to south on the south side of 11th Street. The Islamic Society of Orange County and Orange Crescent School are located approximately 190 feet and 65 feet to the northwest, respectively. Based on the data in *Table 4.12-5*, uses within 40 feet of the project site could experience vibration levels that reach the 80 VdB residential annoyance threshold. The uses beyond 40 feet would experience vibration levels below the 80 VdB residential annoyance threshold and the 83 VdB institutional annoyance threshold. For receptors within 40 feet, proposed project construction, including ground clearing, grading, structural, and other vibration-generating activities would occur at the project site between the hours of 7:00 AM and 10:00 PM in accordance with the City’s Noise Ordinance. As the City permits construction to occur during these hours, for the purpose of this analysis, the proposed project’s construction activities are assumed to result in less than significant impacts if construction related activities occur between 7:00 AM and 10:00 PM. The proposed project would comply with the City’s Noise Ordinance and therefore impacts with respect to construction vibration would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT RESULT IN A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?

LESS THAN SIGNIFICANT IMPACT

The noise level generated by the normal operations of the 10 residential units would not result in a significant increase in the ambient noise levels, nor impact the sensitive receptors near the

project site. Noise that is typical of residential areas includes children playing, pets, amplified music, mechanical equipment, car repair, and home repair. Noise from residential stationary sources would primarily occur during the daytime activity hours and would be less than significant.

Implementation of the proposed project would result in additional traffic (67 daily trips) on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. However, due to the low volume of project-related trips that would be added to the local roadway network, there would not be an increase in traffic noise levels. Since the proposed project would not increase noise levels along the roadway segments analyzed, a less than significant impact would occur. Thus, the cumulative traffic associated with the proposed project would not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater per the Federal Highway Administration⁶). As a result, the traffic noise impacts resulting from the proposed project's occupancy are deemed to be less than significant.

The proposed project would be required to adhere to all pertinent City noise regulations. Therefore, impacts in this regard are less than significant.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT RESULT IN A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE THE LEVELS EXISTING WITHOUT THE PROJECT?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Responses 4.12.A through 4.12.C.

MITIGATION MEASURES

Refer to Mitigation Measure NOI-1. No additional mitigation measures are required.

E. FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?

NO IMPACT

The project site is not located within an airport land use plan or within two miles of an airport. The nearest military airport is the Los Alamitos Joint Forces Training Base, located approximately 5.25 miles northwest south of the project site. The nearest public airports are the Fullerton Municipal Airport and the Long Beach Airport, located approximately 8 miles north

⁶ Source: United States Department of Transportation, Federal Highway Administration website https://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/polguide/polguide02.cfm; accessed February 11, 2017.

and 12 miles northwest of the project site, respectively. In addition, the proposed multi-family residential uses are not in close proximity to a private airport. Implementation of the proposed project would not expose people residing or working on the project site to excessive noise impacts from a public or private airport. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

F. FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?

NO IMPACT

Refer to Response 4.12.E.

MITIGATION MEASURES

No mitigation measures are required.

4.13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial 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)?			✓	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			✓	

Sources Cited in Section 4.13

City of Garden Grove, *Garden Grove General Plan*, August 2008.

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2015, With 2010 Benchmark*, May 1, 2015.

Southern California Association of Governments, *2012-2035 Regional Transportation Plan, Sustainable Communities Strategy Towards a Sustainable Future Growth Forecast Appendix*, Adopted April 2012.

A. WOULD THE PROJECT INDUCE SUBSTANTIAL 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)?

LESS THAN SIGNIFICANT IMPACT

The project proposes to demolish the two on-site residential units and construct a 10-unit apartment project on the 0.44-acre project site, which would result in a direct growth of the City’s permanent population by approximately 40 persons, based on an average of 3.76 people per household⁷. This population forecast would represent approximately 0.02 percent growth over the City’s existing 2015 population of approximately 174,774 persons.⁸ SCAG is the responsible agency for developing and adopting regional housing and population forecasts for local Orange County governments, among other counties, and provides population projection estimates in five-year increments from 2005 to 2035. SCAG projects that the City’s population will be 180,300 persons⁹ in 2035. Thus, the proposed project is within SCAG’s 2035 population forecast for the City. Additionally, the small increase in residential units and population is

⁷ State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2015, With 2010 Benchmark*, May 1, 2015.

⁸ *Ibid.*

⁹ Southern California Association of Governments, *2012-2035 Regional Transportation Plan, Sustainable Communities Strategy Towards a Sustainable Future Growth Forecast Appendix*, Adopted April 2012.

consistent with the growth projections in the *Garden Grove General Plan Environmental Impact Report*, which forecasted the City's population to be approximately 196,397 persons in 2030. Therefore, the proposed project is within the City's 2030 population forecast. Also, the increase in residential units and population is consistent with the City's recently adopted and certified *2014-2021 Housing Element*.

In conclusion, implementation of the proposed project would not induce substantial population growth within the City either directly or indirectly, resulting in less than significant impacts.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?

LESS THAN SIGNIFICANT IMPACT

The project proposes to demolish the two on-site residential units that are currently vacant and unoccupied, and construct a 10-unit apartment project on the 0.44-acre project site. Thus, there would be no displacement of existing housing or the need to construct replacement housing elsewhere. No impacts would occur in this regard. There would be a displacement of two residential housing units (ownership or rental), but not the need to construct replacement housing elsewhere, as there is sufficient housing supply in the City. In 2015, the California Department of Finance reported 27,317¹⁰ single-family detached homes in the City. Thus, the small decrease of two homes represents 0.007 percent of the City's total. The proposed project would displace up to eight residents, but this would not require the construction of replacement housing elsewhere in the City, given the available housing stock (rental and for-sale) and that the proposed project would be providing 10 units in the City.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?

LESS THAN SIGNIFICANT IMPACT

Refer to Response 4.13.B.

MITIGATION MEASURES

No mitigation measures are required.

¹⁰ Source: California Department of Finance E-5 City/County Population and Housing Estimates, January 1, 2015.

4.14. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?		✓		
4) Parks?		✓		
5) Other public facilities?				✓

Sources Cited in Section 4.14

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

City of Garden Grove, *Municipal Code* Chapter 8.32 Fire Code

City of Garden Grove, *Municipal Code* Title 9, Chapter 9.40

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:

1. FIRE PROTECTION?

LESS THAN SIGNIFICANT IMPACT

The Garden Grove Fire Department (GGFD) provides fire and emergency services to the project site. The GGFD operates seven fire stations within its service area. The nearest station to the project site is Garden Grove Fire Department Station 7 at 14162 Forsyth Lane, which is located 0.20 miles northeast of the project site.

Implementation of the proposed project could potentially result in additional demand for fire protection and emergency medical services, including possible additional wear on fire equipment and increased use of medical supplies. The GGFD has 92 sworn firefighters that serve a community of over 175,000 people year-round. This translates into a service ratio of 0.53 firefighters per 1,000 residents. The proposed project would result in an increase in the local population by 40 residents. This increase would not result in a measurable change in the service ratio or calls for service by the GGFD.

The proposed project would be required to comply with the *Garden Grove Municipal Code* Chapter 18.32, Fire Code, as applicable. In addition, the GGFD reviews all new development plans, and the proposed project would be required to conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, the availability of fire hydrants, use of interior sprinklers, and adequate water pressure. Any conditions of approval required by the GGFD would be incorporated into the applicable plans prior to the issuance of building permits. Thus, implementation of the proposed project would result in less than significant impacts to fire protection services.

MITIGATION MEASURES

No mitigation measures are required.

2. POLICE PROTECTION?

LESS THAN SIGNIFICANT IMPACT

The Garden Grove Police Department (GGPD) provides law enforcement services to the City. The GGPD operates from a central facility located in the Civic Center complex at 11301 Acacia Parkway.

No road closures are anticipated during project construction. As such, police service in the project vicinity would not be interrupted during project construction. The GGPD has 159 sworn members that serve a community of over 175,000 people year-round. This translates into a service ratio of 0.91 police officers per 1,000 residents. The proposed project would result in an increase in the local population by 40 residents. This increase would not result in a measurable change in the service ratio or calls for service by the GGPD.

The proposed site plan and other required improvements must be reviewed by the GGPD. Any conditions of approval required by the GGFD would be incorporated into the applicable plans prior to the issuance of building permits. Thus, implementation of the proposed project would result in less than significant impacts to police protection services.

MITIGATION MEASURES

No mitigation measures are required.

3. SCHOOLS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The Garden Grove Unified School District (GGUSD) oversees the elementary, middle/intermediate, and high schools within Garden Grove. The closest schools to the project site are Hill Elementary, Jordan Intermediate, and Bolsa Grande High.

The proposed project includes the construction of 10 apartment units, which is estimated to generate two elementary school students, 1 intermediate school student, and 1 high school

students for a total of four students.¹¹ In order to maintain adequate classroom seating and facilities standards, individual development projects would be required to pay statutory fees in place at the time to GGUSD in order to compensate for the impacts of development on school capacities.

Pursuant to SB 50, payment of fees to the School Districts is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Therefore, the Applicant would be required to pay statutory fees (Mitigation Measure PS-1), reducing impacts to a less than significant level.

MITIGATION MEASURES

PS-1 The Applicant shall pay all applicable Development Impact Fees to the Garden Grove Union High School District. Proof of fee payment shall be provided to the City of Garden Grove prior to the issuance of building permits.

4. PARKS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The City requires new residential development to dedicate land and/or pay fees for the purposes of providing park and recreation facilities in accordance with *Garden Grove Municipal Code* Title 9, Chapter 9.40, Section 9.40.140. Dedication and/or payment of the applicable fees (Mitigation Measures PS-2) would reduce potential impacts to a less than significant level.

MITIGATION MEASURES

PS-2 The Applicant shall pay applicable In-Lieu Park Fees to the City of Garden Grove prior to the issuance of building permits.

5. OTHER PUBLIC FACILITIES?

NO IMPACT

The project site is in a developed area, currently served by the City of Garden Grove. The proposed project would not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Therefore, no impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

¹¹ Source: *Garden Grove General Plan Environmental Impact Report* Table 4.14-2. Elementary school generation factor 0.153; intermediate school generation factor 0.026; and high school generation factor 0.044.

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4.15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?		✓		
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?		✓		

Sources Cited in Section 4.15

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

City of Garden Grove, *Municipal Code* Title 9, Chapter 9.40

A. WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Implementation of the proposed project would increase the use of park facilities located within the City, as the proposed project would construct 10 apartment units and generate approximately 40 new residents.

The nearest City public park is Garden Grove Park at 9301 Westminster Avenue, which is 0.60-miles northwest of the project site. The increase in residential units and population is consistent with the growth projections in the *Garden Grove General Plan* and no additional impacts beyond those identified in the *Garden Grove General Plan Environmental Impact Report* would occur with implementation of the proposed project. Therefore, the population increase associated with the proposed project would not significantly impact the use of the City’s existing parks and/or other recreational facilities. However, the proposed project would be required to dedicate land and/or pay fees for the purpose of providing park and recreation facilities in accordance with *Garden Grove Municipal Code* Title 9, Chapter 9.40, Section 9.40.140 (Mitigation Measure PS-2). Thus, while the proposed project’s population increase would increase the use of parks and other recreational facilities in the City, these impacts are considered less than significant.

MITIGATION MEASURES

Refer to Mitigation Measure PS-2. No additional mitigation measures are required.

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?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Refer to Response 4.15.A.

MITIGATION MEASURES

Refer to Mitigation Measure PS-2. No additional mitigation measures are required.

4.16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e. Result in inadequate emergency access?			✓	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			✓	

Sources Cited in Section 4.16

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

Institute of Transportation Engineers, *2012 ITE Trip Generation Manual*, 9th Edition.

Orange County Transportation Authority, *2014 Long Range Transportation Plan*, September 12, 2014.

A. WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, ORDINANCE OR POLICY ESTABLISHING MEASURES OF EFFECTIVENESS FOR THE PERFORMANCE OF THE CIRCULATION SYSTEM, TAKING INTO ACCOUNT ALL MODES OF TRANSPORTATION INCLUDING MASS TRANSIT AND NON-MOTORIZED TRAVEL AND RELEVANT COMPONENTS OF THE CIRCULATION SYSTEM, INCLUDING BUT NOT LIMITED TO INTERSECTIONS, STREETS, HIGHWAYS AND FREEWAYS, PEDESTRIAN AND BICYCLE PATHS, AND MASS TRANSIT?

LESS THAN SIGNIFICANT IMPACT

To calculate trips forecast to be generated by the proposed project, Institute of Transportation Engineers (ITE) trip generation rates were utilized. The table below summarizes the ITE trip generation rates used to calculate the number of trips forecast to be generated by the proposed project.

**Garden Green Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

Land Use (ITE Code)	Units	AM Peak Hour Rates			PM Peak Hour Rates			Daily Trip Rates
		In	Out	Total	In	Out	Total	
Apartment (220)	Dwelling Unit	0.10	0.41	0.51	0.40	0.22	0.62	6.65

Source: 2012 ITE Trip Generation Manual, 9th Edition.

The proposed project would remove the two existing residential units and construct a 10-unit apartment complex. As shown in *Table 4.16-1*, the proposed project would generate a total of 67 daily trips with 5 in the AM peak hour and 6 in the PM peak hour.

TABLE 4.16-1 PROPOSED PROJECT TRIP GENERATION

Land Use	AM Peak Hour Trips			PM Peak Hour Trips			Daily Trips
	In	Out	Total	In	Out	Total	
10 Apartment Units	1	4	5	4	2	6	67
<i>Project Total</i>	1	4	5	4	2	6	67

Table 5.4-10 in the *Garden Grove General Plan Environmental Impact Report* indicates the following intersection levels of service (LOS) closest to the project site for the General Plan buildout scenario:

- Westminster Avenue/Brookhurst Street – LOS C (AM)/LOS C (PM)
- SR22 EB On-Ramp/Off-Ramp & Brookhurst Street – LOS C (AM)/LOS C (PM)
- Trask Ave & SR-22 WB On-Ramp/Off-Ramp Signalized – LOS D (AM)/LOS E (PM)

The traffic volumes fall below the threshold of 50 peak hour trips that have been identified as requiring a project traffic study. Also, the proposed project is an urban infill development that would be effective in reducing overall vehicle miles travelled. Therefore, a full traffic study is not required. In addition, the trips generated by the proposed project have been accounted for in the *Garden Grove General Plan Environmental Impact Report*. Thus, implementation of the proposed project would result in less than significant impacts in this regard.

MITIGATION MEASURES

No mitigation measures are required.

B. WOULD THE PROJECT CONFLICT WITH AN APPLICABLE CONGESTION MANAGEMENT PROGRAM, INCLUDING, BUT NOT LIMITED TO LEVEL OF SERVICE STANDARDS AND TRAVEL DEMAND MEASURES, OR OTHER STANDARDS ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?

LESS THAN SIGNIFICANT IMPACT

The goals of Orange County’s *Congestion Management Program (CMP)* are to support regional mobility and air quality objectives by reducing traffic congestion; to provide a mechanism for coordinating land use and development decisions that support the regional economy; and to

determine gas tax fund eligibility. In conformance with Congestion Management Program Meeting CMP Traffic Impact Analysis Requirements, a traffic impact analysis is required for CMP purposes for all proposed developments generating 2,400 or more daily trips. For developments which will directly access a CMP Highway System link, the threshold for requiring a traffic impact analysis is reduced to 1,600 or more trips per day. In the City, the SR-22 Freeway, Valley View Street, Katella Avenue, Harbor Boulevard, and Westminster Avenue are arterials in the CMP Highway System, and the SR-22/Harbor Boulevard and SR-22/Valley View Street intersections are CMP intersections. Westminster Avenue is the closest CMP arterial to the project site.

At buildout, the proposed project is estimated to generate approximately 67 vehicle trips on a daily basis, with 5 trips in the morning peak hour and 6 trips in the evening peak hour. Thus, no additional analysis is required. Impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?

NO IMPACT

The nearest military airport is the Los Alamitos Joint Forces Training Base, located approximately 5.25 miles northwest of the project site. The nearest public airports are the Fullerton Municipal Airport and the Long Beach Airport, located approximately 8 miles north and 12 miles northwest of the project site, respectively. Due to the distance and nature of the proposed project, implementation of the proposed project would not result in any change in air traffic patterns or traffic levels. Therefore, no impact would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

D. WOULD THE PROJECT SUBSTANTIALLY INCREASE HAZARDS DUE TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?

LESS THAN SIGNIFICANT IMPACT

Ingress and egress movements at the site would be facilitated via a single driveway on 11th Street. The proposed project would be subject to review and approval by the City of Garden Grove Community Development and Public Works Departments. Access to the project site would be required to comply with all City design standards, which would preclude the potential for dangerous conditions. Further, the proposed multi-family residential development would be similar to existing residential uses in the project area. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT RESULT IN INADEQUATE EMERGENCY ACCESS?

LESS THAN SIGNIFICANT IMPACT

The proposed project provides a single access point on 11th Street for ingress and egress movements. Constructed roadways and driveways are required to meet access standards of the Garden Grove Fire Department and the Garden Grove Police Department. Compliance with Garden Grove Fire Department and Garden Grove Police Department requirements would ensure impacts remain less than significant levels.

MITIGATION MEASURES

No mitigation measures are required.

F. WOULD THE PROJECT CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS REGARDING PUBLIC TRANSIT, BICYCLE, OR PEDESTRIAN FACILITIES, OR OTHERWISE DECREASE THE PERFORMANCE OR SAFETY OF SUCH FACILITIES?

LESS THAN SIGNIFICANT IMPACT

Transit

Public transit service in Garden Grove includes local fixed-route bus service, commuter bus service, and paratransit services. Numerous Orange County Transportation Authority (OCTA) bus routes have stops within the City of Garden Grove, including along Brookhurst Street. The proposed project does not involve any modifications to the roadway system within the project vicinity. As the proposed project consists of a multi-family residential development, minor increased use of the public transportation system could result. However, this increase would not be substantial. OCTA has planned for additional bus ridership in its *2014 Long Range Transportation Plan*, indicating a growth to 189,407 daily transit trips in 2035 from 133,469 daily transit trips in 2010, and would be able to accommodate additional ridership resulting from the proposed project. Thus, the proposed project is not anticipated to impact the effectiveness or performance of existing transit systems. Impacts would be less than significant in this regard.

Pedestrian and Bicycle Facilities

Sidewalks for pedestrians are currently provided on 11th Street, as well as on surrounding streets, including Brookhurst Street. According to *Garden Grove General Plan Environmental Impact Report* Exhibit 5.15-2, no Class I Bike Trails, Class II Bike Lanes, or Class III Bike Routes are in place in the project area, but future Class II bike lanes are proposed for Westminster Avenue and Brookhurst Street. The proposed project would not significantly impact the effectiveness or performance of existing pedestrian or future bicycle facilities. Thus, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		✓		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e. 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?			✓	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

Sources Cited in Section 4.17

City of Garden Grove, *Garden Grove General Plan*, August 2008.

City of Garden Grove, *Garden Grove General Plan Environmental Impact Report*, August 2008.

City of Garden Grove, *2015 Urban Water Management Plan*, June 2016.

County Sanitation Districts of Los Angeles County *Table 1, Loadings for Each Class of Land Use*, <http://lacsds.org/civicax/filebank/blobdload.aspx?blobid=3531>, accessed August 13, 2016.

CalRecycle, <http://www.calrecycle.ca.gov/LGCentral/Reports/Viewer.aspx?P=ReportYear%3d2015%26ReportName%3dReportEDRSJurisDisposalByFacility%26OriginJurisdictionIDs%3d173>, accessed August 13, 2016.

A. WOULD THE PROJECT EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?

LESS THAN SIGNIFICANT IMPACT

The Garden Grove Sanitation District operates the City’s sewer system. The entire system uses gravity flow and the effluent is conveyed to one of several of Orange County Sanitation District’s (OCSD) sewer trunk lines. The Orange County Sanitation District (OCSD) is responsible for safely collecting, treating and disposing the wastewater generated by 2.5 million people living in a 479-square-mile area of central and northwest Orange County. The OCSD’s system includes approximately 580 miles of sewer lines and two treatment plants located in the Cities of Fountain Valley and Huntington Beach. Through these facilities, OCSD collects,

conveys, treats, and/or reclaims approximately 230 million gallons of wastewater generated daily in its service area. Wastewater from the City's local conveyance system is then conveyed to the OCSD trunk sewers and treated at the OCSD Plant No. 2 located in Huntington Beach. The OCSD Revenue Area 3 serves the City of Buena Park, La Habra, Garden Grove, Anaheim, Cypress, La Palma, Stanton, Los Alamitos, Westminster, and Fountain Valley. All sewage flow from Revenue Area 3 is collected and treated at Treatment Plant No. 2, which is located at 22212 Brookhurst Street, Huntington Beach. The estimated average daily effluent received at Plant No. 2 is 127 million gallons (mgd). This facility currently has a total primary treatment capacity of 168 mgd, with an average daily treatment of approximately 127 mgd. Therefore, there is approximately 41 mgd of excess primary treatment capacity at OCSD Plant No. 2. Plant No. 2 also has 90 mgd of secondary treatment capacity.

The proposed project would generate approximately 1,156 gallons per day of effluent¹², which is well under the capacity of the aforementioned treatment plants. Thus, there is capacity in OCSD Plant No. 2 to accept wastewater from the proposed project. The increase in wastewater flow from the proposed project would not significantly impact OCSD's treatment plants as it represents a minimal percent of the flow directed to the treatment plant. In addition, no new wastewater facilities would be needed to accommodate the excess effluent generated by the proposed project.

The proposed project would connect to an existing sewer line located along 11th Street. The existing sewer lines have sufficient capacity to accommodate the projected flows and adequate sewage collection and treatment are currently available. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

¹² Source: County Sanitation Districts of Los Angeles County Table 1, Loadings for Each Class of Land Use. Five or more units: 156 gallons per day per unit; <http://lacsdc.org/civicax/filebank/blobdload.aspx?blobid=3531>, accessed August 13, 2016.

B. WOULD THE PROJECT REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?

LESS THAN SIGNIFICANT IMPACT

Wastewater

Refer to Response 4.17.A.

Water

The City's main sources of water supply are groundwater from the Lower Santa Ana River Groundwater Basin and imported water from the Metropolitan Water District of Southern California provided by the Municipal Water District of Orange County. Today, the City relies on 72 percent groundwater and 28 percent imported¹³. It is projected that by 2040, the water supply mix would remain roughly the same. This imported water is treated at both the Robert B. Diemer Filtration Plant located north of Yorba Linda and the F.E. Weymouth Treatment Plant in the City of La Verne.

Delivery of domestic water service in the City is provided by the Water Services Division of the City's Public Works Department. The Water Services Division is responsible for maintaining the wells, reservoirs, import water connections, and the distribution systems that deliver water throughout the City. To meet its infrastructure needs, the Water Services Division collaborates with other jurisdictions, agencies, and service providers, as required.

The City's water supply system provides reliable service to a population of nearly 176,649 within the service area. According to the City's *2015 Urban Water Management Plan (2015 UWMP)*, the total projected water demand for the retail customers served by the City annually is approximately 26,055 acre feet (af) annually. The City consumed approximately 24,049 af in 2015, and the projected water demand for 2020 is 24,078 af per year. According to the *2015 UWMP*, the City's water supplies are projected to meet full service demands.

The proposed project would develop the site with 10 multi-family residential units, which would equate to a projected water demand of 6,120 gallons per day (6,857 af annually) using the baseline water use rate of 153 gallons per capita per day in the *2015 UWMP*. Therefore, the estimated increase in water demand associated with the proposed project would represent 0.03 percent of the City's current annual water demand, based on the City's consumption of 24,049 af in 2015 or the 2020 estimated water demand of 24,078 af in 2020.

As such, the proposed project would not necessitate new or expanded water entitlements, and the City would be able to accommodate the increased demand for potable water. In addition, the proposed project would implement a number of water conservation measures, including but not limited to low-flow toilets, low-flow showerheads, low-flow kitchen faucets, or tankless

¹³ Source: City of Garden Grove, *2015 Urban Water Management Plan*, June 2016.

water heaters that would further reduce the water demand as a result of the proposed project. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

C. WOULD THE PROJECT REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORM WATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Storm drainage and flood control in the City of Garden Grove is maintained by the Orange County Flood Control District. The project site area is generally flat and currently drains into public storm drains to an inlet along 11th Street. The stormwater would be collected in publicly maintained drainage facilities, ultimately connecting to an existing engineered OCFCD channel

Under the proposed project, the site would drain to 11th Street via parkway culverts. Runoff associated with the proposed project would be 3.19 cubic feet per second (cfs), which is slightly higher than existing conditions (1.52 fs); however, there is capacity in 11th Street to accept the additional flows generated by the proposed project. In addition, Low Impact Development (LID) BMPs require on-site infiltration, which reduces the rate and amount of surface runoff from the project site. The proposed project is anticipated to use existing storm water drainage facilities, and would not require the construction or expansion of existing facilities. Thus, no significant impacts to the existing storm drain system would result from project implementation. In addition, the proposed project is subject to the requirements of the National Pollutant Discharge System (NPDES) that would reduce impacts to the storm water drainage systems. Mitigation Measure HWQ-1 is recommended to ensure storm water drainage impacts remain at or below existing levels.

MITIGATION MEASURES

Refer to Mitigation Measure HWQ-1. No additional mitigation measures are required.

D. WOULD THE PROJECT HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCES, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?

LESS THAN SIGNIFICANT IMPACT

The City of Garden Grove receives its water from two main sources: Lower Santa Ana River Groundwater Basin and imported water from the Metropolitan Water District of Southern California (MWD). This imported water is treated at the Robert B. Diemer Filtration Plant located north of Yorba Linda and the F.E. Weymouth Treatment Plant in the City of La Verne.

The proposed project is estimated to consume approximately 3,000 gallons of water on a daily basis, assuming 300 gallons per day per unit. The proposed project would connect to an existing water line located along 11th Street. Thus, the construction and operational activities

associated with the proposed project are not anticipated to require a significant amount of water, and this water demand is expected to have a less than significant impact on the local or regional supplies.

MITIGATION MEASURES

No mitigation measures are required.

E. WOULD THE PROJECT 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 GENERATION IN ADDITION TO THE PROVIDER'S EXISTING COMMITMENTS?

LESS THAN SIGNIFICANT IMPACT

Refer to Response 4.17.A

MITIGATION MEASURES

No mitigation measures are required.

F. WOULD THE PROJECT BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECT'S SOLID WASTE DISPOSAL NEEDS?

LESS THAN SIGNIFICANT IMPACT

Buildout of the proposed project includes the development of 10 apartment units on 0.44 acres.

Site preparation (vegetation removal and grading activities) and construction activities would generate typical construction debris, including wood, paper, glass, metals, cardboard, and green wastes. The proposed project would be required to comply with standard Conditions of Approval drafted by the City of Garden Grove, as well as all other reviewing agencies. Non-salvaged construction and demolition waste would result in an incremental and intermittent increase in solid waste disposal at landfills and other waste disposal facilities utilized by the City. Construction-related solid waste could further impact landfills with insufficient capacity and result in an exceedance of this significant threshold criterion. All landfills utilized by the City of Garden Grove have sufficient capacity to support a temporary increase in solid waste during construction of the proposed project.

According to the Jurisdictional Disposal by Facility for Garden Grove, the City disposed of approximately 220,067.48 tons of solid waste in 2015¹⁴. The proposed project is estimated to generate approximate 122 pounds per day (assuming 12.23 pounds per day per unit)¹⁵, which equates to 0.16 percent of the 78,272 pounds per day estimated for new residential growth in the *Garden Grove General Plan Environmental Impact Report*. Buildout of the proposed project would generate approximately 23 tons of solid waste per year, which represents a 0.01 percent

14 Source: CalRecycle,

<http://www.calrecycle.ca.gov/LGCentral/Reports/Viewer.aspx?P=ReportYear%3d2015%26ReportName%3dReportEDRSJurisDisposalByFacility%26OriginJurisdictionIDs%3d173>, accessed August 13, 2016.

15 Source: *Garden Grove General Plan Environmental Impact Report* Table 5.16-2.

increase to the amount of solid waste generated by the City in 2015. This quantity represents the solid waste generated for buildout conditions of the proposed project under a worst-case scenario without any recycling activities in place.

However, the proposed project would be required to comply with the *Garden Grove Municipal Code*, which requires providing adequate areas for collecting and loading recyclable materials in concert with countywide efforts and programs to reduce the volume of solid waste entering landfills. In addition, the location of recycling/separation areas is required to comply with all applicable federal, public health, state, or local laws relating to fire, building, access, transportation, circulation, or safety. Compliance with all applicable State and Orange County regulations for the use, collection, and disposal of solid and hazardous wastes is also mandated. It can be assumed that the proposed project would include adequate, accessible and convenient areas for collecting recyclable materials. Therefore, it is anticipated that operational solid waste impacts would be reduced to a less than significant level in this regard.

MITIGATION MEASURES

No mitigation measures are required.

G. WOULD THE PROJECT COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?

LESS THAN SIGNIFICANT IMPACT

The proposed project would comply with all Federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act and Garden Grove recycling programs. Therefore, less than significant impacts would occur in this regard.

MITIGATION MEASURES

No mitigation measures are required.

4.18. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
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)?		✓		
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

A. DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF A FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project site was previously developed and is surrounded on all sides by urban development. As discussed in Sections 4.4 and 4.5, the project site does not contain threatened or endangered species or sensitive habitats nor any cultural or historical resources. The analysis in Section 4.4 concluded there is no evidence that the proposed project would have an adverse impact on wildlife resources or the habitat upon which any wildlife depends. And the analysis in Section 4.5 concluded there is no evidence that the proposed project would eliminate any important examples of California history or prehistory. However, Mitigation Measures BIO-1, CUL-1, CUL-2, and CUL-3 are included to ensure impacts remain at or less than significant levels. Mitigation Measure BIO-1 requires compliance with the Migratory Bird Treaty Act, which prohibits disturbing or destroying active nests, and that project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. Mitigation Measure CUL-1 requires construction to halt in the event an archaeological resource is discovered until a qualified archaeologist can evaluate the find. Mitigation Measure CUL-2 requires construction to halt in the event a paleontological resource is discovered until a qualified paleontologist can evaluate the find. In the event that human remains are discovered during construction, Mitigation Measure CUL-3 requires notification of the proper authorities and adherence to standard procedures for the respectful handling of human remains.

Implementation of Mitigation Measures BIO-1, CUL-1, CUL-2, and CUL-3 would reduce any potential impacts to migratory birds and previously undiscovered cultural resources, paleontological resources, or human remains to 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 IMPACT WITH MITIGATION INCORPORATED

Based on the analysis contained in this Initial Study, the proposed project would not have cumulatively considerable impacts with implementation of project mitigation measures. Implementation of mitigation measures at the project-level would reduce the potential for the incremental impacts of the proposed project to be considerable when viewed in connection with the impacts of past projects, current projects, or probable future projects.

C. DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH WILL CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Previous sections of this Initial Study reviewed the proposed project’s potential impacts related to biological resources; cultural resources; geology and soils; hazards and hazardous materials; hydrology and water quality; noise, public services; recreation; and public utilities. As concluded in these previous discussions, the proposed project would result in less than significant environmental impacts with implementation of the recommended mitigation measures. Therefore, the proposed project would not result in environmental impacts that would cause substantial adverse impacts on human beings.

4.19. REFERENCES

Refer to Section 4.1 through Section 4.17 for the listing of references utilized in the preparation of this Initial Study.

4.20. REPORT PREPARATION PERSONNEL

City of Garden Grove (Lead Agency)

Maria Parra, Urban Planner

Morse Planning Group (Preparation of Initial Study/Mitigated Negative Declaration)

Collette L. Morse, AICP, Principal/ Project Manager

Pomeroy Environmental Services (Preparation of Air Quality, Greenhouse Gas, and Noise Analyses)

Brett Pomeroy, Principal

Additional Consultants

DMS Consultants, Inc. (Hydrology Study, Preliminary Water Quality Management Plan)

Surender Dewan, PE

LSA Architecture, Inc. (Building Elevations)

Chuck Steichen

Strata-Tech, Inc. (Geotechnical Engineering Investigation)

Roland Acuña, PG, Principal

Larry Finley, RCE

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**Initial Study/Mitigated Negative Declaration
and Technical Appendices
on CD**

MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of the Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the Green Garden Apartment Project. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

... the public agency shall 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.

Mitigation Monitoring Requirements

Public Resources Code Section 21081.6 mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a Responsible Agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the Lead Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- The Lead Agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a draft Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND), a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over

natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a project, or the authority of the Lead Agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

Mitigation Monitoring Procedures

The mitigation monitoring and reporting program has been prepared in compliance with *Public Resources Code* Section 21081.6.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0 of the Initial Study/Mitigated Negative Declaration. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Garden Grove will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance	
			Initials	Date Remarks

4.1 AESTHETICS

The proposed project would not result in significant adverse impacts related to aesthetics. No mitigation would be required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

The proposed project would not result in significant adverse impacts related to agriculture or forest resources. No mitigation would be required.

4.3 AIR QUALITY

The proposed project would not result in significant adverse impacts related to air quality. No mitigation would be required.

4.4 BIOLOGICAL RESOURCES

BIO-1

Migratory Bird Treaty Act. In the event that vegetation and tree removal should occur between February 1 and September 15, the Developer (or its 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 of the designated construction area prior to construction, the biologist shall establish suitable buffers around the active nests (e.g., as much as 500 feet for raptors and 300 feet for nonraptors [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, the Director of the City of Garden Grove Community and Economic Development Department, or

3 days prior to commencement of construction activities/prior to commencement of grading activities and issuance of any building permits

City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)

Green Garden Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION				
MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance	
			Initials	Date
Remarks				
designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that preconstruction 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.				
4.5 CULTURAL RESOURCES				
CUL-1	Unknown Archeological Resources. In the event that 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 in accordance with federal, State, and local guidelines to determine whether the find constitutes a "unique archaeological resource," as defined in Public Resources Code (PRC) Section 21083.2(g). Personnel of the proposed project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. The found deposits shall be treated in accordance with Federal, State, and local guidelines, including those set forth in PRC Section 21083.2. 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 PRC (Section 21083.2(g)) and the treatment of archaeological resources as specified above.	During site preparation and grading activities	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)	
CUL-2	Unknown Paleontological Resources. In the event that 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	Prior to the issuance of grading permits and	City of Garden Grove Community and Economic Development	

Green Garden Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION				
MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance	
			Initials	Date Remarks
<p>paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) has evaluated the find in accordance with Federal, State, and local guidelines. Personnel of the project shall not collect or move any paleontological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. If any fossil remains are discovered in sediments with a Low paleontological sensitivity rating (Young Alluvial Fan Deposits), the paleontologist shall make recommendations as to whether monitoring shall be required in these sediments on a full-time basis. 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 specify federal, State, and local requirements related to the unanticipated discovery of paleontological resources as stated above.</p>	<p>During site preparation and grading activities</p>	<p>Director, or designee (Community and Economic Development Department)</p>		
<p><u>Human Remains</u>. In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). 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. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and</p>	<p>During site preparation and grading activities</p>	<p>City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)</p>		

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION					
MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
<p>Items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.</p>					
4.6 GEOLOGY AND SOILS					
GEO-1	<p>Prior to issuance of grading permits, the Applicant shall prepare and submit for review and approval by the Public Works Director, a design-phase geotechnical report which shall include or revise as necessary the recommendations in the Applicant's Geotechnical Engineering Investigation (June 25, 2016) for site preparation and construction. The report shall, at a minimum, address remedial and design grading, and building foundations to fully address liquefaction-induced differential settlement and expansive soils. All site grading and construction shall be conducted in conformance with the recommendations included in the design-phase geotechnical report, which include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Liquefaction ▪ Foundations on Compacted Fill ▪ Lateral Design ▪ Expansive Soils ▪ Seismic Design Values ▪ Settlement ▪ Subsidence & Shrinkage 	<p>Prior to issuance of grading permits</p>	<p>City of Garden Grove Public Works Director (Public Works Department)</p>		

**Green Garden Apartment Project – 9841 11th Street
Initial Study/Mitigated Negative Declaration**

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION					
MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	Remarks
<ul style="list-style-type: none"> ▪ Floor Slabs ▪ Utility Line Backfills ▪ Hardscape & Slabs ▪ Chemical Analysis ▪ Drainage ▪ Engineering Consultation, Testing & Observation 					
4.7 GREENHOUSE GASES					
The proposed project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation would be required.					
4.8 HAZARDS AND HAZARDOUS MATERIALS					
HAZ-1	To comply with South Coast Air Quality Management District Rule 1403, prior to structural demolition/renovation activities, demolition materials containing asbestos-containing materials and/or lead-based paints shall be removed and properly disposed of at an appropriate permitted facility per existing Federal and State regulations.	Prior to commencement of demolition activities	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)		
4.9 HYDROLOGY AND WATER QUALITY					
HWQ-1	Prior to issuance of a grading permit, the Applicant shall submit a Final Water Quality Management Plan for approval by the City Engineer that complies with the requirements of the latest Orange County Public Works Drainage Area Management Plan.	Prior to issuance of grading permits and During the construction process	City of Garden Grove Public Works Director (Public Works Department)		

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION					
MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	
4.10 LAND USE					
The proposed project would not result in significant adverse impacts related to land use/planning. No mitigation would be required.					
4.11 MINERAL RESOURCES					
The proposed project would not result in significant adverse impacts related to mineral resources. No mitigation would be required.					
4.12 NOISE					
NOI-1	<p>During construction, the Applicant and/or Construction Contractor shall ensure that the following construction best management practices are implemented:</p> <ul style="list-style-type: none"> ▪ Provide advance notification to adjacent property owners and post notices around the boundaries of the project site with information detailing the schedule of construction activities. ▪ All construction equipment with a high noise-generating potential, including all equipment powered by internal combustion engines, must be muffled or equipped with other State required noise attenuation devices. ▪ Machinery, including motors, must be turned off when not in use. ▪ All noise-generating construction equipment and construction staging areas must be placed away from noise-sensitive uses, where feasible. ▪ Construction activities shall not take place between the hours of 10:00 PM and 7:00 AM Monday through Saturday, or at any time on Sunday or a federal holiday. ▪ Additional noise attenuation measures must be implemented to the extent feasible, which may include, without limitation, additional noise barriers and/or noise blankets. 	<p>Prior to issuance of building permits and during construction and periodic site inspections during grading and construction</p>	<p>City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)</p>		

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION					
MITIGATION MONITORING AND REPORTING PROGRAM					
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance		
			Initials	Date	
Remarks					
4.13 POPULATION AND HOUSING					
The proposed project would not result in significant adverse impacts related to population or housing. No mitigation would be required.					
4.14 PUBLIC SERVICES					
4.15 RECREATION					
PS-1	The Applicant shall pay all applicable Development Impact Fees to the Garden Grove Union High School District (GGUHSD). Proof of fee payment shall be provided to the City of Garden Grove prior to the issuance of building permits.	Prior to issuance of building permits and Proof of payment of development impact fees to GGUHSD	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)		
PS-2	The Applicant shall pay applicable In-Lieu Park Fees to the City of Garden Grove prior to the issuance of building permits.	Prior to issuance of building permits	City of Garden Grove Community and Economic Development Director, or designee (Community and Economic Development Department)		
4.16 TRANSPORTATION/TRAFFIC					
The proposed project would not result in significant adverse impacts related to transportation or traffic. No mitigation would be required.					

GREEN GARDEN APARTMENT PROJECT MITIGATED NEGATIVE DECLARATION				
MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Monitoring Timing/Frequency	Action Monitoring Agency	Verification of Compliance	
			Initials	Date Remarks
4.17 UTILITIES/SERVICE SYSTEMS				
Refer to Mitigation Measure HWQ-1.				

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.4.	SITE LOCATION: Citywide
HEARING DATE: November 2, 2017	GENERAL PLAN: N/A
CASE NO.: Amendment No. A-021-2017	ZONE: N/A
APPLICANT: City of Garden Grove	APN: N/A
OWNER: N/A	CEQA DETERMINATION: Exempt

REQUEST:

A request that the Planning Commission recommend City Council approval of a City-initiated zoning text amendment to Title 9 of the Garden Grove Municipal Code to update the definitions, operating conditions, and development standards pertaining to (i) uses within the City's Civic Center Mixed Use zoning districts that involve entertainment and/or alcohol sales or consumption and (ii) permissible encroachments into the setbacks in the Civic Center Mixed Use zoning districts. Currently, restaurant uses that include alcohol sales or entertainment are generally permitted in Mixed Use zoning districts, subject to approval of a conditional use permit. In addition, outdoor dining areas for joint use between businesses are permitted in Mixed Use zoning districts, subject to certain development standards. However, the Land Use Code currently contains conflicting provisions regarding alcohol consumption within shared or communal dining areas serving more than one business and does not expressly address the provision of entertainment or other incidental activities in such joint use areas. The proposed Amendment would expressly permit communal dining areas serving more than one business in which entertainment and/or other similar activities incidental to the primary activity of dining are provided or conducted and/or where alcohol is served and/or consumed in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) Mixed Use zoning districts, subject to specified development standards and the approval of a conditional use permit. The proposed Amendment would also amend the Land Use Code to permit parking spaces and turning aisles to parking spaces to encroach into required setbacks within the CC-1 (Civic Center East), CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zoning districts, subject to site plan approval and the provision of a landscape buffer.

BACKGROUND:

A key focus of the General Plan 2030 is to expand areas that allow for development of mixed use. The General Plan Land Use Element expressly recognizes that, by combining complimentary uses, mixed use projects bring energy and vitality to areas during both daytime and after-work hours, and that mixed use areas offer the opportunity for symbiotic developments that benefit both residents and the

businesses operating within them. The Civic Center area is a specific focus area in the General Plan Land Use Element.

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-1-11(A) and Amendment Nos. A-160-11 and A-161-11 to adopt and implement Mixed-Use Regulations and Development Standards (Chapter 9.18 of the Land Use Code), along with focused amendments to the General Plan Land Use policy map and changes to the Zoning Map to achieve consistency with the City of Garden Grove's General Plan. The Land Use Code text amendments and zone changes were intended to implement the General Plan, which was comprehensively updated in 2008. The focused amendments to the General Plan Land Use policy map reflected refined policy considerations that have emerged through the process of analyzing the Zoning Map in relation to the Mixed Use applications near, or next to, designed Mixed-Use Land Use Designations. The amendments consisted of changes to regulatory documents that guide the development of properties citywide. Part of the amendments included the adoption of the Civic Center zones, which include the CC-1 (Civic Center East), the CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zones.

The CC-1 zone is located south of Stanford Avenue, north of Garden Grove Boulevard, west of Ninth Street, and east of Civic Center Boulevard. This zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent was to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met.

The CC-2 zone applies to the historic Main Street District. Main Street is recognized as a place of special character and aesthetic interest and value. This zone was established to preserve and enhance buildings and structures of historic and cultural significance, and incidental uses that advance and preserve the Main Street character and charm.

The CC-3 zone is generally located, both north and south of Garden Grove Boulevard, south of Stanford Avenue, north of Trask Avenue, west of Civic Center Drive, and east of Nelson Street. The CC-3 zone was established to encourage civic, educational, commercial, high-density residential uses that are compatible and enliven the City's core and work together to create a walkable, lively district that encourages interaction and engagement in community activities. Shared parking facilities, pedestrian orientation of buildings, quality architecture, and pedestrian-scaled landscaping, pathways, and signage reinforce the goal of the General Plan to create places where people, not cars, predominate.

Following the adoption of the Mixed Use Zoning Code, there had been interest in the adaptive reuse of the existing homes in the CC-1 zone by converting them to commercial uses in order to preserve the older homes and maintain the character of the neighborhood. Prior to the adoption of the Mixed Use zoning, there was the mindset to assemble the existing properties and to create larger institutional uses

and larger residential projects. The previous zoning (prior to the current Mixed Use zoning) encouraged the redevelopment of the area rather than its preservation. The intent of the CC-1 zoning is to preserve the older structures by allowing them to be converted to commercial uses.

In 2015, the City of Garden Grove approved Amendment No. A-013-2015, in order to assist in facilitating the goals of the existing CC-1 zoning and to further encourage the preservation of the existing structures. Specific standards were adopted for the adaptive reuse of the existing structures, along with compatibility standards in order to ensure the compatibility of uses within the CC-1 zone. Additionally, specific standards were adopted for conversions of single-family homes to commercial structures/uses, where such uses may involve entertainment and/or alcohol sales, as well as specific standards for shared outside eating areas.

DISCUSSION:

Communal Dining with Entertainment and/or Alcohol:

The Mixed-Use Regulations and Development Standards in Chapter 9.18 permit restaurant uses that include alcohol sales or entertainment, subject to approval of a conditional use permit. Outdoor dining areas for joint use between businesses are also permitted in Mixed Use zoning districts, subject to certain development standards. However, the current regulations contain conflicting provisions regarding alcohol consumption within shared or communal dining areas in the CC-1 zoning district and do not currently include any development standards or regulations for uses in the CC-3 zone that involve entertainment and/or alcohol sales or consumption, whether in a non-communal or communal dining area(s). In addition, entertainment within communal dining areas is not expressly addressed. A review of the Municipal Code ("Code") disclosed that there is a need to amend the City's Land Use Code pertaining to uses that involve entertainment and/or alcohol sales or consumption in the CC-1 and CC-3 zones in order to more fully implement the vision for these areas expressed in the General Plan.

The following presents proposed zoning text amendments to Title 9 of the Municipal Code that would update the definitions, operating conditions, and development standards in the City's Land Use Code pertaining to uses in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones, that involve entertainment and/or alcohol sales or consumption in order to clarify the buffering, distance, and conditional use permit requirements applicable to uses involving entertainment and/or alcohol sales or consumption in these two zones. In addition, the proposed code amendment would establish specific additional operating conditions and development standards for indoor and outdoor joint use or communal dining areas where entertainment and/or the consumption of alcohol takes place and specify that a communal dining area involving entertainment and/or alcohol consumption is a conditionally permitted use in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones.

The proposed Code changes are as follows:

Amend Municipal Code Section 9.04.060, Definitions, to add a new definition as follows:

(additions shown in ***bold-italics***)

"Communal Dining with Entertainment and/or Alcohol" means a communal dining area or areas serving more than one business, either within a wholly enclosed building or within a confined outdoor space, in which "entertainment" and/or other similar incidental events or activities secondary to the primary activity of dining are provided or conducted and/or alcohol is served and/or consumed. A "confined outdoor space" is a controlled area or group of areas with monitored entrances and exits that is enclosed by a perimeter barrier.

Amend Table 9.18-1, Use Regulations for the Mixed Use Zones, to add a new use, "Communal Dining with Entertainment and/or Alcohol", as a conditionally permitted use in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones, under Eating Establishment/Restaurant, as follows:

(additions shown in ***bold-italics***)

**Table 9.18-1
Use Regulations for the Mixed Use Zones**

Permitted Uses	CC-1 17-7-3	CC-1	CC-2	CC-3	CC-4 05	MU	AK	Additional Regulations and Comments
Eating Establishment/Restaurant	See Section 9.18.060 (Alcohol Beverage Sales) regarding on-sale and off-sale of alcohol.							
<i>Communal Dining with Entertainment and/or Alcohol</i>	-	<i>C</i>	-	<i>C</i>	-	-	-	<i>See Section 9.18.090.040 and Section 9.18.090.060</i>

Modify Subsection F, Joint Use Areas, under Municipal Code Section 9.18.030.300, Outdoor Dining at Eating Establishment/Restaurant, as follows:

(deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***)

- F. Joint Use Areas. Outdoor dining areas for joint use between businesses shall be separated from pedestrian and vehicular pathways with low walls and/or landscaping. Joint use outdoor dining areas are not required to be located immediately adjacent to an establishment, but shall be located within 25 feet of at least one establishment participating in the joint use area. Where adjacent to a public right-of-way, the area shall be delineated as required by subsection E (Delineation of Area) of this section. No alcohol shall be served in any outdoor

dining area that serves more than one business, ***unless authorized pursuant to a conditional use permit in accordance with the provisions set forth in Sections 9.18.090.040, Additional Regulations Specific to the CC-1 Zone, and 9.18.090.060, Additional Regulations Specific to the CC-3 Zone, of this Code.***

Modify Subsection F.9., Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales, under Municipal Code Section 9.18.090.040, Additional Regulations Specific to the CC-1 Zone, as follows:

(additions shown in ***bold-italics***)

9. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to special operating conditions, and require review and approval of a conditional use permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales ***or consumption*** is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating Conditions and Development Standards), a waiver of distance and location provisions may also be requested through the conditional use permit process. In conjunction with the approval of a conditional use permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 - c. That the use will not interfere with operation of other businesses or uses within the area;
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
 - e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
 - f. That all applicable regulations of this code will be observed.

Modify Subsection G, Shared Outside Eating Areas, under Municipal Code Section 9.18.090.040, Additional Regulations Specific to the CC-1 Zone, as follows:

(deletions shown in strikethrough, additions shown in ***bold-italics***)

- G. ***Communal Dining Areas.*** ~~Shared outside eating~~ ***Communal dining*** areas may be created between properties and uses. ~~No shared outside eating area where alcohol is allowed, shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol.~~ Outside eating ***communal dining*** areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties. ***In addition to the other applicable requirements of this chapter, including those prescribed in Section 9.18.090.040.F.9 (Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales), the following provisions shall apply to uses that include communal dining with entertainment and/or alcohol.***
1. ***A conditional use permit is required for communal dining with entertainment and/or alcohol.***
 2. ***Entertainment shall only be permitted within a confined space with proper sound attenuation or within a wholly enclosed building.***
 3. ***Outdoor communal dining areas where alcohol is served and/or consumed must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.***
 4. ***The conditional use permit shall specify the requirements and the party or parties responsible for monitoring, managing and controlling the communal dining area(s).*** ~~No shared outside eating area where alcohol is allowed, shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol.~~

Add Subsections F, "Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol", and G, "Communal Dining with Entertainment and/or Alcohol", under Municipal Code Section 9.18.090.060, Additional Regulations Specific to the CC-3 Zone, as follows:

(additions shown in ***bold-italics***)

- F. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any mixed use development, or commercial development adjacent to a residential use(s), that will include entertainment and/or alcohol sales, shall be appropriately buffered from adjacent residential uses, be subject to special operating conditions, and require review and approval of a conditional use permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales or consumption is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating Conditions and Development Standards), a waiver of distance and location provisions may also be requested through the conditional use permit process. In conjunction with the approval of a conditional use permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:***
- a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;***
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;***
 - c. That the use will not interfere with operation of other businesses or uses within the area;***
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;***
 - e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and***
 - f. That all applicable regulations of this code will be observed.***

- G. Communal Dining Areas. Communal dining areas may be created between properties and uses. Outside communal dining areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties. In addition to the other applicable requirements of this chapter, including those prescribed in Section 9.18.090.060.F (Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales), the following provisions apply to uses that include communal dining with entertainment and/or alcohol.**
- 1. A conditional use permit is required for communal dining with entertainment and/or alcohol.**
 - 2. Entertainment shall only be permitted within a confined space with proper sound attenuation or within a wholly enclosed building.**
 - 3. Outdoor communal dining areas where alcohol is served and/or consumed must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.**
 - 4. The conditional use permit shall specify the requirements and the party or parties responsible for monitoring, managing and controlling the communal dining area(s).**

Parking Spaces and Turning Aisles within Required Setbacks:

Currently, development standards applicable to all Mixed Use zones prohibit parking spaces, and turning aisles to parking spaces, to be located within any portion of required setbacks. Many Mixed Use zoned properties in the City are small in size, and have limited space available for projects that require improvements such as new driveways, drive aisles, and/or parking spaces.

For example, most properties in the CC-1 zone are small-sized parcels developed with existing single-family dwellings. Development standards of the CC-1 zone allow for the conversion of a single-family dwelling to a commercial structure/use with a particular focus on preserving existing structures to maintain neighborhood character. With the existing development standards in place, it is difficult to meet the intent of the CC-1 zone, which is to preserve existing older structures, while also providing for required improvements such as drive aisles and parking spaces.

Staff has noted a need to address the allowance of parking spaces, and turning aisles to parking spaces, to be located within required setbacks, with landscaped buffering required in certain situations. The proposed modifications to the Code will allow future developments to incorporate better site plan design, increased feasibility for the provision of adequate parking and vehicular circulation, while complying with all other development standards.

The following presents proposed zoning text amendments to Title 9 of the Municipal Code that would address the allowance of parking spaces, and turning aisles to parking spaces, to be located within portions of required setbacks.

The proposed Code changes are as follows:

Modify Subsection C.2., Setbacks Unobstructed, under Municipal Code Section 9.18.100.020, Development Standards Applicable to All Mixed Use Zones, as follows:

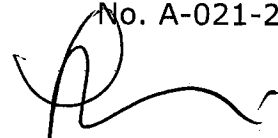
(deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***)

2. Setbacks Unobstructed. Required setbacks shall be open and unobstructed from the ground to the sky except for trees and other plant material. No building, parking space, or turning aisle to any parking space shall occupy any portion of any required setback. ***Notwithstanding this Section, parking spaces, and turning aisles to parking spaces, within the CC-1 (Civic Center East), CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zones may be located within required setbacks, subject to Site Plan approval, and shall require a landscaped buffer between the property line and parking space(s) and/or turning aisle(s) to any parking space(s) fronting along a street. Any landscaped buffer shall have a minimum depth of five feet. This excludes the depth of any driveway throat, which shall be as determined by the Traffic Engineering Division, Public Works Department.*** Easements for utilities (e.g., electrical, communications) are exempt from the requirements of this section.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt the proposed Resolution recommending approval of Amendment No. A-021-2017 to the City Council.



LEE MARINO
Planning Services Manager



By: Chris Chung
Urban Planner

RESOLUTION NO. 5904-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENT NO. A-021-2017, TO AMEND PORTIONS OF CHAPTERS 9.04 (DEFINITIONS) AND 9.18 (MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS) OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE, PERTAINING TO USES WITHIN THE CIVIC CENTER MIXED USE ZONES THAT INVOLVE ENTERTAINMENT AND/OR ALCOHOL SALES OR CONSUMPTION AND PERMISSIBLE ENCROACHMENTS WITHIN SETBACKS.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on November 2, 2017, does hereby recommend that the City Council approve Amendment No. A-021-2017 and adopt the draft Ordinance attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED in the matter of Amendment No. A-021-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by the City of Garden Grove.
2. The City of Garden Grove is proposing a zoning text amendment to portions of Chapters 9.04 (Definitions) and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the City of Garden Grove Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code pertaining to uses that involve entertainment and/or alcohol sales or consumption.
3. The Planning Commission recommends the City Council find that the proposed amendment is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. Pursuant to legal notice, a public hearing was held on November 2, 2017, and all interested persons were given an opportunity to be heard.
5. Report submitted by City staff was reviewed.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of November 2, 2017; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission are as follows:

FACTS:

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-1-11(A) and Amendment Nos. A-160-11 and A-161-11 to adopt and implement Mixed-Use Regulations and Development Standards (Chapter 9.18 of the Land Use Code), along with focused amendments to the General Plan Land Use policy map and changes to the Zoning Map to achieve consistency with the City of Garden Grove's General Plan. The Land Use Code text amendments and zone changes were intended to implement the General Plan, which was comprehensively updated in 2008. The focused amendments to the General Plan Land Use policy map reflected refined policy considerations that have emerged through the process of analyzing the Zoning Map in relation to the Mixed Use applications near, or next to, designed Mixed-Use Land Use Designations. The amendments consisted of changes to regulatory documents that guide the development of properties citywide. Part of the amendments included the adoption of the Civic Center zones, which include the CC-1 (Civic Center East), the CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zones.

The CC-1 zone is located south of Stanford Avenue, north of Garden Grove Boulevard, west of Ninth Street, and east of Civic Center Boulevard. This zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent of the CC-1 zone is to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met.

The CC-2 zone applies to the historic Main Street District. Main Street is recognized as a place of special character and aesthetic interest and value. This zone was established to preserve and enhance buildings and structures of historic and cultural significance, and incidental uses that advance and preserve the Main Street character and charm.

The CC-3 zone is generally located both north and south of Garden Grove Boulevard, south of Stanford Avenue, north of Trask Avenue, west of Civic Center Drive, and east of Nelson Street. The CC-3 zone was established to encourage civic, educational, commercial, high-density residential uses that are compatible and enliven the City's core and work together to create a walkable, lively district that encourages interaction and engagement in community activities. Shared parking facilities, pedestrian orientation of buildings, quality architecture, and pedestrian-scaled landscaping, pathways, and signage reinforce the goal of the General Plan to create places where people, not cars, predominate.

Following the adoption of the Mixed Use Zoning Code, there had been interest in the adaptive reuse of the existing homes in the CC-1 zone by converting them to

commercial uses in order to preserve the older homes and maintain the character of the neighborhood. Prior to the adoption of the Mixed Use zoning, there was the mindset to assemble the existing properties and to create larger institutional uses and larger residential projects. The previous zoning (prior to the current Mixed Use zoning) encouraged the redevelopment of the area rather than its preservation. The intent of the CC-1 zoning is to preserve the older structures by allowing them to be converted to commercial uses.

In 2015, the Garden Grove City Council approved Amendment No. A-013-2015, in order to assist in facilitating the goals of the existing CC-1 zoning and to further encourage the preservation of the existing structures. Specific standards were adopted for the adaptive reuse of the existing structures, along with compatibility standards in order to ensure the compatibility of uses within the CC-1 zone. Additionally, specific standards were adopted for conversions of single-family homes to commercial structures/uses, where such uses may involve entertainment and/or alcohol sales, as well as specific standards for shared outside eating areas.

The proposed zoning text Amendment would update the definitions, operating conditions, and development standards in the City's Land Use Code pertaining to (i) uses within the City's Civic Center Mixed Use zoning districts that involve entertainment and/or alcohol sales or consumption and (ii) permissible encroachments into the setbacks in the Civic Center Mixed Use zoning districts. Currently, restaurant uses that include alcohol sales or entertainment are generally permitted in Mixed Use zoning districts, subject to approval of a conditional use permit. In addition, outdoor dining areas for joint use between businesses are permitted in Mixed Use zoning districts, subject to certain development standards. However, the Municipal Code currently contains conflicting provisions regarding alcohol consumption within shared or communal dining areas serving more than one business and does not expressly address the provision of entertainment or other incidental activities in such joint use areas. The proposed Amendment would expressly permit communal dining areas serving more than one business in which entertainment and/or other similar activities incidental to the primary activity of dining are provided or conducted and/or where alcohol is served and/or consumed in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) Mixed Use zoning districts, subject to specified development standards and the approval of a conditional use permit. The proposed Amendment would also amend the Land Use Code to permit parking spaces and turning aisles to parking spaces to encroach into required setbacks within the CC-1 (Civic Center East), CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zoning districts, subject to site plan approval and the provision of a landscape buffer.

Specifically, the proposed Amendment would make the following changes to Chapters 9.04 (Definitions) and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the City of Garden Grove Municipal Code: (i) add a new definition for "Communal Dining with Entertainment and/or Alcohol" to Chapter 4

(Section 9.04.060); (ii) revise Table 9.18-1, Use Regulations for the Mixed Use Zones, to add a new use, "Communal Dining with Entertainment and/or Alcohol"; (iii) establish specific additional operating conditions and development standards for indoor and outdoor joint use or communal dining areas where entertainment and/or the consumption of alcohol takes place and specify that a communal dining area involving entertainment and/or alcohol consumption is a conditionally permitted use in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones (Section 9.18.090.040 and 9.18.090.060); and (iv) allow parking spaces and turning aisles to be located within portions of required setbacks, with the provision of a landscape buffer (Section 9.18.100.020).

FINDINGS AND REASONS:

1. The Amendment is internally consistent with the goals, objectives and elements of the City's General Plan.

A key focus of the General Plan 2030 is to expand areas that allow for development of mixed use. The General Plan Land Use Element expressly recognizes that, by combining complimentary uses, mixed use projects bring energy and vitality to areas during both daytime and after-work hours, and that mixed use areas offer the opportunity for symbiotic developments that benefit both residents and the businesses operating within them. The Civic Center area is a specific focus area in the General Plan Land Use Element, and the Civic Center Mixed Use zoning districts were created to implement the goals of the General Plan.

The General Plan contains goals, policies, and implementation programs that address well-planned growth with a mix of uses, neighborhood preservation, and land use compatibility.

Goal LU-1 of the General Plan calls for the City of Garden Grove to be a well-planned community with sufficient land uses and intensities to meet the needs of the anticipated growth and achieve the community's vision. Several policies and implementation programs are specified towards meeting this goal. For example, Policy LU-1.3 of the General Plan directs the City to encourage a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations, while Policy LU-1.10 encourages the promotion of future patterns of urban development and land use that reduce infrastructure costs and make better use of existing and planned public facilities. In addition, Implementation Program LU-IMP-1B calls for amending the Zoning Code to implement mixed use zoning districts that provide development standards for mixed use development. The proposed Code Amendment furthers these goals, policies, and implementation programs by establishing development standards designed to encourage restaurants and entertainment and the more efficient use of underutilized properties in the Civic Center areas, by allowing entertainment and/or alcohol sales or consumption in communal dining areas and for parking spaces to

encroach into required setbacks. Consistent with Goal LU-1, the proposed text amendments will also help the City achieve the community's vision for mixed use areas by facilitating the combination of complimentary dining and entertainment uses in a manner that brings energy and vitality to the Civic Center areas during both daytime and after-work hours.

Goal LU-2 of the General Plan calls for the City to have stable, well-maintained residential neighborhoods in Garden Grove, and Goal LU-4 of the General Plan calls for the City to develop uses that are compatible with one another. Several policies are specified towards meeting these goals. For example, Policy LU-2.1 of the General Plan directs the City to protect residential areas from the effects of potentially incompatible uses, and where new commercial or industrial development is allowed adjacent to residentially zoned districts, to maintain standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses. Policy LU-4.5 of the General Plan directs the City to require that the commercial developments adjoining residential uses be adequately screened and buffered from residential areas. Policy LU-4.6 of the General Plan states where residential/commercial or residential/industrial mixed use is permitted, that the City is to ensure compatible integration of adjacent uses to minimize conflicts. The proposed Amendment furthers these goals and policies by ensuring that any proposed use involving entertainment and/or alcohol sales: will not be contrary to the public interest or injurious to nearby properties; will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight; will not interfere with operation of other businesses or uses within the area; will not be contrary to any program of neighborhood conservation or revitalization; will be subject to the approval of a Conditional Use Permit; will include proper buffering and sound attenuation to adjacent residential uses; and will comply with all distance, pedestrian, vehicular, and any other applicable requirements of the Municipal Code. Furthermore, the proposed Code Amendment will allow parking spaces, and turning aisles to parking spaces, to be located within portions of required setbacks, which will allow future developments to incorporate better site plan design, increased feasibility for the provision of adequate parking and vehicular circulation, while complying with all other development standards.

2. The Amendment will promote the public interest, health, safety and welfare.

The zoning and development standards proposed in this Amendment promote the public interest, health, safety, and welfare by facilitating joint use dining areas in the Civic Center Mixed Use areas while ensuring that uses involving entertainment and/or alcohol consumption: will not be contrary to the public interest or injurious to nearby properties; will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight; will not interfere with operation of other businesses or uses within the area; will not be contrary to any program of neighborhood conservation or revitalization; will be

subject to the approval of a Conditional Use Permit; will include proper buffering and sound attenuation to adjacent residential uses; and will comply with all distance, pedestrian, vehicular, and any other applicable requirements of the Municipal Code. The proposed text amendments to allow parking spaces and turning aisles to parking spaces will also promote the public interest, health, safety and welfare by allowing future developments in the Civic Center Mixed Use zoning districts to incorporate better site plan design and increased feasibility for the provision of adequate parking and vehicular circulation, while complying with all other development standards.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT:

In addition to the foregoing the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. Amendment No. A-021-2017 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment).
2. The Planning Commission recommends that the City Council approve Amendment No. A-021-2017 and adopt the draft Ordinance attached hereto as Exhibit "A".

Exhibit "A"

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-021-2017, TO AMEND PORTIONS OF CHAPTERS 9.04 (DEFINITIONS) AND 9.18 (MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS) OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE PERTAINING TO USES WITHIN THE CIVIC CENTER MIXED USE ZONES THAT INVOLVE ENTERTAINMENT AND/OR ALCOHOL SALES OR CONSUMPTION AND PERMISSIBLE ENCROACHMENTS WITHIN SETBACKS.

City Attorney Summary

This Ordinance approves text amendments to portions of Chapters 9.04 (Definitions) and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code to update the definitions, operating conditions, and development standards in the City's Land Use Code pertaining to (i) uses within the City's Civic Center Mixed Use zoning districts that involve entertainment and/or alcohol sales or consumption and (ii) permissible encroachments into the setbacks in the Civic Center Mixed Use zoning districts. Currently, restaurant uses that include alcohol sales or entertainment are generally permitted in Mixed Use zoning districts, subject to approval of a conditional use permit. In addition, outdoor dining areas for joint use between businesses are permitted in Mixed Use zoning districts, subject to certain development standards. However, the Land Use Code currently contains conflicting provisions regarding alcohol consumption within shared or communal dining areas serving more than one business and does not expressly address the provision of entertainment or other incidental activities in such joint use areas. This Ordinance expressly permits communal dining areas serving more than one business in which entertainment and/or other similar activities incidental to the primary activity of dining are provided or conducted and/or where alcohol is served and/or consumed in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) Mixed Use zoning districts, subject to specified development standards and the approval of a conditional use permit. This Ordinance also amends the Municipal Code to permit parking spaces and turning aisles to parking spaces to encroach into required setbacks within the CC-1 (Civic Center East), CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zoning districts, subject to site plan approval and the provision of a landscape buffer.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Amendment No. A-021-2017 was initiated by the City of Garden Grove and is a zoning text amendment to portions of Chapters 9.04 (Definitions) and 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code pertaining to uses within the Civic Center Mixed Use zoning

districts that involve entertainment and/or alcohol sales or consumption and permissible encroachments within setbacks;

WHEREAS, following a Public Hearing held on November 2, 2017, the Planning Commission adopted Resolution No. 5904-17 recommending approval of Amendment No. A-021-2017;

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the proposed adoption of this Ordinance was held by the City Council on November 14, 2017, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter; and

WHEREAS, the City Council hereby makes the following findings regarding Amendment No. A-021-2017:

A. The Amendment is internally consistent with the goals, objectives and elements of the City's General Plan.

B. The Amendment will promote the public interest, health, safety and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: The above recitals are true and correct.

SECTION 2: The City Council finds that the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 3: Amendment No. A-021-2017 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5904-17, a copy of which is on file in the Office of the City Clerk, and which is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 4: Subdivision C of Section 9.04.060 (Definitions) of Chapter 9.04 (General Provision) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to add a definition for "Communal Dining with Entertainment and/or Alcohol" (additions shown in ***bold-italics***):

"Communal Dining with Entertainment and/or Alcohol" means a communal dining area or areas serving more than one business, either

within a wholly enclosed building or within a confined outdoor space, in which "entertainment" and/or other similar incidental events or activities secondary to the primary activity of dining are provided or conducted and/or alcohol is served and/or consumed. A "confined outdoor space" is a controlled area or group of areas with monitored entrances and exits that is enclosed by a perimeter barrier.

SECTION 5: Table 9.18-1, "Use Regulations for the Mixed Use Zones" in Section 9.18.020 (Uses Permitted) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to add "Communal Dining with Entertainment and/or Alcohol" as a conditionally permitted use, in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones, in alphabetical order, under Eating Establishment/Restaurant (additions shown in ***bold-italics***):

**Table 9.18-1
 Use Regulations for the Mixed Use Zones**

Permitted Uses	GGMU 9.18.020	CC-1	CC-2	CC-3	CC-4	CC-5	MMU	AR	Additional Regulations and Comments
<i>Eating Establishment/Restaurant</i>	See Section 9.18.060 (Alcohol Beverage Sales) regarding on-sale and off-sale of alcohol.								
<i>Communal Dining with Entertainment and/or Alcohol</i>	-	<i>C</i>	-	<i>C</i>	-	-	-	-	<i>See Section 9.18.090.040 and Section 9.18.090.060</i>

SECTION 6: Subdivision F (Joint Use Areas) of Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant) of Section 9.18.030 (Specific Uses - Special Operating Conditions and Development Standards) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

- F. Joint Use Areas. Outdoor dining areas for joint use between businesses shall be separated from pedestrian and vehicular pathways with low walls and/or landscaping. Joint use outdoor dining areas are not required to be located immediately adjacent to an establishment, but shall be located within 25 feet of at least one establishment participating in the joint use area. Where adjacent to a public right-of-way, the area shall be delineated as required by subsection E (Delineation of Area) of this section. No alcohol shall be served in any outdoor dining area that serves more than one business, ***unless authorized pursuant to a conditional use permit in accordance with the provisions set forth in Sections 9.18.090.040, Additional Regulations Specific to the CC-1 Zone, and 9.18.090.060, Additional Regulations Specific to the CC-3 Zone, of this Code.***

SECTION 7: Subdivision F.9. (Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales) of Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) of Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows (additions shown in ***bold-italics***):

9. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to special operating conditions, and require review and approval of a conditional use permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales ***or consumption*** is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating Conditions and Development Standards), a waiver of distance and location provisions may also be requested through the conditional use permit process. In conjunction with the approval of a conditional use permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 - c. That the use will not interfere with operation of other businesses or uses within the area;
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
 - e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
 - f. That all applicable regulations of this code will be observed.

SECTION 8: Subdivision G (Shared Outside Eating Areas) of Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) of Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove

Municipal Code is hereby amended as follows (deletions shown in ~~strikethrough~~, additions shown in ***bold-italics***):

- G. ***Communal Dining Areas.*** ~~Shared outside eating~~ ***Communal dining*** areas may be created between properties and uses. ~~No shared outside eating area where alcohol is allowed, shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol.~~ Outside eating ***communal dining*** areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties. ***In addition to the other applicable requirements of this chapter, including those prescribed in Section 9.18.090.040.F.9 (Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales), the following provisions shall apply to uses that include communal dining with entertainment and/or alcohol.***
1. ***A conditional use permit is required for communal dining with entertainment and/or alcohol.***
 2. ***Entertainment shall only be permitted within a confined space with proper sound attenuation or within a wholly enclosed building.***
 3. ***Outdoor communal dining areas where alcohol is served and/or consumed must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.***
 4. ***The conditional use permit shall specify the requirements and the party or parties responsible for monitoring, managing and controlling the communal dining area(s).*** ~~No shared outside eating area where alcohol is allowed, shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol.~~

SECTION 9: Section 9.18.090.060 (Additional Regulations Specific to the CC-3 Zone) of Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended to add new Subdivisions F (Conditional Use Permit Required for Uses Involving Entertainment and/or alcohol) and G (Communal Dining with Entertainment and/or Alcohol) as follows (additions shown in ***bold-italics***):

- F. ***Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any mixed use***

development, or commercial development adjacent to a residential use(s), that will include entertainment and/or alcohol sales, shall be appropriately buffered from adjacent residential uses, be subject to special operating conditions, and require review and approval of a conditional use permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales or consumption is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating Conditions and Development Standards), a waiver of distance and location provisions may also be requested through the conditional use permit process. In conjunction with the approval of a conditional use permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:

- a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;**
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;**
 - c. That the use will not interfere with operation of other businesses or uses within the area;**
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;**
 - e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and**
 - f. That all applicable regulations of this code will be observed.**
- G. Communal Dining Areas. Communal dining areas may be created between properties and uses. Outside communal dining areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties. In addition to the other applicable requirements of this chapter, including those prescribed in Section 9.18.090.060.F (Conditional Use Permit**

Required for Uses Involving Entertainment and/or Alcohol Sales), the following provisions apply to uses that include communal dining with entertainment and/or alcohol.

- 1. A conditional use permit is required for communal dining with entertainment and/or alcohol.***
- 2. Entertainment shall only be permitted within a confined space with proper sound attenuation or within a wholly enclosed building.***
- 3. Outdoor communal dining areas where alcohol is served and/or consumed must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.***
- 4. The conditional use permit shall specify the requirements and the party or parties responsible for monitoring, managing and controlling the communal dining area(s).***

SECTION 10: Subdivision C.2. (Setbacks Unobstructed) of Section 9.18.100.020 (Development Standards Applicable to All Mixed Use Zones) of Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones) of Chapter 9.18 (Mixed Use Regulations and Development Standards) of Title 9 of the Garden Grove Municipal Code is hereby amended as follows (additions shown in ***bold-italics***):

2. Setbacks Unobstructed. Required setbacks shall be open and unobstructed from the ground to the sky except for trees and other plant material. No building, parking space, or turning aisle to any parking space shall occupy any portion of any required setback. ***Notwithstanding this Section, parking spaces, and turning aisles to parking spaces, within the CC-1 (Civic Center East), CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zones may be located within required setbacks, subject to Site Plan approval, and shall require a landscaped buffer between the property line and parking space(s) and/or turning aisle(s) to any parking space(s) fronting along a street. Any landscaped buffer shall have a minimum depth of five feet. This excludes the depth of any driveway throat, which shall be as determined by the Traffic Engineering Division, Public Works Department.*** Easements for utilities (e.g., electrical, communications) are exempt from the requirements of this section.

SECTION 11: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City

Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 12: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.