

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b>  <b>C.2</b>	<b>SITE LOCATION:</b> South side of Garden Grove Boulevard, west of Brookhurst Street at 10080 Garden Grove Boulevard and the property adjacent to the south at 9860 Larson Avenue
<b>HEARING DATE:</b> March 15, 2018	<b>GENERAL PLAN:</b> Residential/Commercial Mixed Use 1 and Parks and Open Space <b>PROPOSED:</b> Community Residential
<b>CASE NOS.:</b> General Plan Amendment No. GPA-001-2018, Planned Unit Development No. PUD-008-2018, Site Plan No. SP-048-2018	<b>ZONE:</b> GGMU1 (Garden Grove Boulevard Mixed Use 1) and O-S (Open Space) <b>PROPOSED:</b> PUD (Planned Unit Development)
<b>APPLICANT:</b> AMG & Associates, LLC	<b>APN NOS.:</b> 098-070-72 & 098-070-73
<b>PROPERTY OWNER:</b> Emlen W. Hoag Foundation, a Corporation	<b>CEQA DETERMINATION:</b> Subsequent Mitigated Negative Declaration

**REQUEST:**

The applicant is requesting entitlements to repurpose an existing 8-story, unfinished, steel structure into a 394-unit affordable senior housing project with 12,938 square feet of commercial retail space by amending the General Plan land use designations from Residential/Commercial Mixed Use 1 (prior Galleria, "Project" site) and Parks/Open Space (2-acre portion of Garden Grove Boys & Girls Club) to Community Residential to increase the residential density from 42 dwelling units per acre to 60 dwelling units per acre specifically for senior housing; to rezone the site from Garden Grove Boulevard Mixed Use 1 (GGMU1) and Open Space (O-S) to Planned Unit Development (PUD) to implement the new General Plan designation and the unique mix of uses; and Site Plan review for the proposed senior housing and commercial project, which includes changes to the massing of the building and an increase in developable site area to 5.09 acres from 3.09 acres. The developer is also requesting a density bonus of 35% under the State Density Bonus allowance and three concessions: a reduction in unit size from minimum requirements; a reduction in the required overall open space; and an increase in the number of allowable compact spaces.

**PROJECT STATISTICS:**

	ORIGINAL GALLERIA Approved 2005	GGMU1 ZONING (Adopted 2012)	GARDEN BROOK SENIOR VILLAGE (2018 Proposal with GPA and PUD)
Lot Size	3.09 Acres – 134,805 s.f.	3.09 Acres	5.09 Acres (With addt'l 2 Acres from GGBGC)
Density	21 units/acre	42 units/acre	78 units/acre (60 du/acre + 35% State Density bonus)
Uses	Residential – 66 units Commercial - 126,510 s.f.	Residential – 130 units (42 units x 3.09 acres)  Commercial - 40,380 s.f. (0.5 FAR on 3.09 acres)	Senior Housing – 394 units (60 units x 5.09 Acres + 35% Density Bonus)  Commercial – 12,938 s.f.
Open Space	19,800 s.f. required (300 sq. ft. x 66 units)  28,316 s.f. provided	39,000 s.f. required (300 sq. ft. x 130 units)  43,200 s.f. provided	118,200 s.f. required (300 s.f. x 394 units)  31,844 s.f. provided (concession request/81 s.f. per unit)
Parking	810 spaces (as built 786) > 612 Commercial > 198 Residential	623 spaces > 215 Commercial > 408 Residential	300 spaces >65 commercial (65 required, 1 space for 200 s.f. commercial floor area – retail use only)  >235 residential (.5 spaces per unit .5 x 394 units = 197 spaces + extra)
Size of Units		0 Bdrm – 500 s.f. 1 Bdrm – 750 s.f. 2 Bdrm – 900 s.f. 3+ Bdrm – 1,000 s.f.	0 Bdrm – 400-424 s.f. 1 Bdrm – 528 -567 s.f. 2 Bdrm – 820 s.f.
Setbacks	North (front) 12 feet East (side) 5 feet South (rear) 5 feet West (side) 20 feet	Same as Original	Same as Original

<u>Unit Type Summary</u>	<u>Number of Bedrooms/Baths</u>	<u>Unit Size</u>	<u>Total</u>
Unit S1	Studio – 1 Bath	400 s.f.	1
Unit S2	Studio – 1 Bath	402 s.f.	119
Unit S3	Studio – 1 Bath	424 s.f.	9
Unit A1	1 Bdrm – 1 Bath	528 s.f.	16
Unit A2	1 Bdrm – 1 Bath	588 s.f.	12
Unit A3	1 Bdrm – 1 Bath	559 s.f.	80
Unit A4	1 Bdrm – 1 Bath	567 s.f.	106
Unit A5	1 Bdrm – 1 Bath	567 s.f.	5
Unit B1	2 Bdrm – 1 Bath	820 s.f.	46
<b>(Studios – 129, 1-Bdrm – 219, 2-Bdrm – 46)</b>		<b>TOTAL</b>	<b>394</b>

**BACKGROUND:**

The Project site (prior Galleria) is located on the south side of Garden Grove Boulevard, west of Brookhurst Street. The Ramada Plaza Hotel is adjacent to the west of the project site and the "Festival Plaza" a two-story commercial center is to the east. The Brookhurst Triangle is across Garden Grove Boulevard to the north and construction on the first phase of residential units is almost complete. The parking lot for the Boys & Girls Club abuts the site to the south. Both the project site and the Boys & Girls Club site are owned by the Emlen W. Hoag Foundation. The site with the existing steel structure is comprised of a single lot, 10080 Garden Grove Boulevard (APN 098-070-72).

The original project was approved in 2005 and was an ambitious, groundbreaking, mixed use concept spearheaded by the then President of the Hoag Foundation, Sheldon Singer. At the time, the site contained the vacant buildings from a prior car dealership that closed in 2004. The Hoag Foundation intended the redevelopment of the site to be a major contributor to its long term economic viability. The proposed 8-story mixed-use building included two double-height levels of retail shopping mall and 66 residential units above. Four floors of parking garage were at the rear of the commercial shopping mall. The 5<sup>th</sup> floor was entirely used for parking. Above the parking level, on each of the 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> floors were 22 residential condominiums for a total of 66 units. The 6<sup>th</sup> Floor included the large, open space courtyard for the residences. The original Galleria was the first mixed-use proposal in the City of Garden Grove.

To accommodate the first mixed-use proposal, the General Plan Land Use designation was changed from Heavy Commercial (HC) to Mixed Use (MU). The Heavy Commercial designation had allowed for a wide range of commercial uses, primarily more intensive services and wholesale/retail combinations. Over time, Garden Grove Boulevard had changed to more residential planned unit developments and neighborhood-serving commercial uses. The project received approval of the General Plan Amendment (GPA-2-05) to allow for a mixed-use combination of commercial uses (mainly retail and restaurant) in the proposed shopping mall and residential units above. The Mixed Use designation was implemented by approving a Planned Unit Development (PUD) zoning designation for the property (PUD-107-05).

Construction on the project began in 2007. Building permit records show there was a slab installed in 2007. Grading continued through 2008 and a rough plumbing permit was pulled in 2009. The site was graded, foundations were built, and the steel structure was erected.

In 2008, the new General Plan 2030 was adopted and Mixed Use land use designations were an important change to Garden Grove's land use pattern. Corridors such as Garden Grove Boulevard were changed from commercial designations to mixed-use designations that allowed residential uses. This focused growth on under-utilized commercial corridors, preserved older residential neighborhoods from increased

densities, and provided commercial property owners additional development opportunities to incentivize redeveloping their sites. The subject property was included in the Residential/Commercial Mixed Use 1 Land Use designation (R/CMU1), which allowed for projects with residential densities up to 42 dwelling units per acre mixed with a commercial component of 0.5 FAR.

Construction on the Galleria site ceased. In March 2010, the developer sent a letter to the City advising that work on the project had stopped due to the economic climate and funding problems. After that, the project and property were tied up in litigation between the developer, the property owner, and the bank financing the development.

In 2011, the City undertook the creation of new Mixed Use Zones to implement the General Plan adopted in 2008. Garden Grove Boulevard had three (3) mixed-use zones: Garden Grove Boulevard Mixed Use 1, 2, and 3 (GGMU1, 2, & 3). The subject site was included in the GGMU1 with a residential density of 42 dwelling units per acre (du/acre) and more intense development standards for taller, more urban, mixed-use projects. The Galleria site, along with the Brookhurst Triangle site, created a node of higher density residential and commercial uses with standards to encourage vibrant, urban-scale districts near key intersections.

Still, the Galleria site remained the same; a stark steel structure and no further construction. The Hoag Foundation Board reached out to a second developer to work on the project. The City spent a year in pre-application review with the second developer, who was proposing a different project of 130 residential condominiums and 43,000 square feet of commercial space. The proposed changes in the project were allowable under the new GGMU1 mixed-use zoning. Ultimately, the Hoag Foundation Board decided not to continue with the second proposal at the end of 2014.

In September 2016, the current developer, AMG & Associates, met with City staff to discuss a revised proposal for the site, an affordable senior housing project with approximately 400 units called the Garden Brook Senior Village. The developer and City staff have been working on the project since that time. The proposal includes an expansion of the overall site to include a 2-acre portion to the south of the Galleria site. These 2 acres are on a larger 6.92-acre parcel that is also owned by the Emlen W. Hoag Foundation and includes the Garden Grove Boys & Girls Club, Kiwanisland, and a baseball playing field. The Boys & Girls Club of Garden Grove's Main Branch located at 9860 Larson Avenue was originally built in 1956 through the support of the Emlen W. Hoag Foundation.

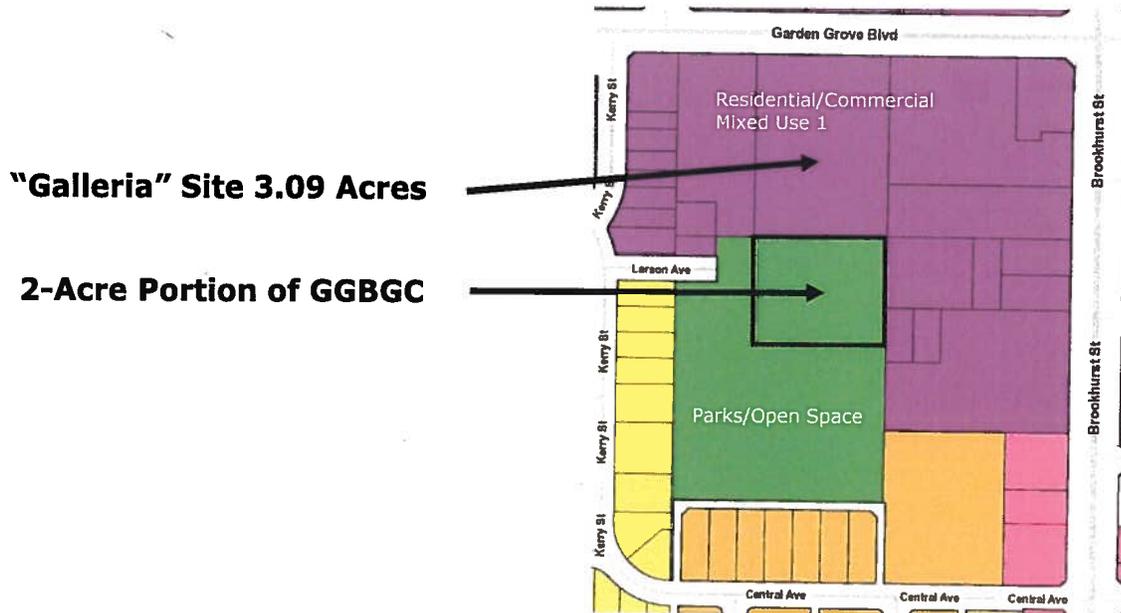
**DISCUSSION:**

**General Plan Amendment:**

The Project site (prior Galleria) has a General Plan designation of Residential/Commercial Mixed Use 1 (R/CMU1) and a maximum residential density of 42

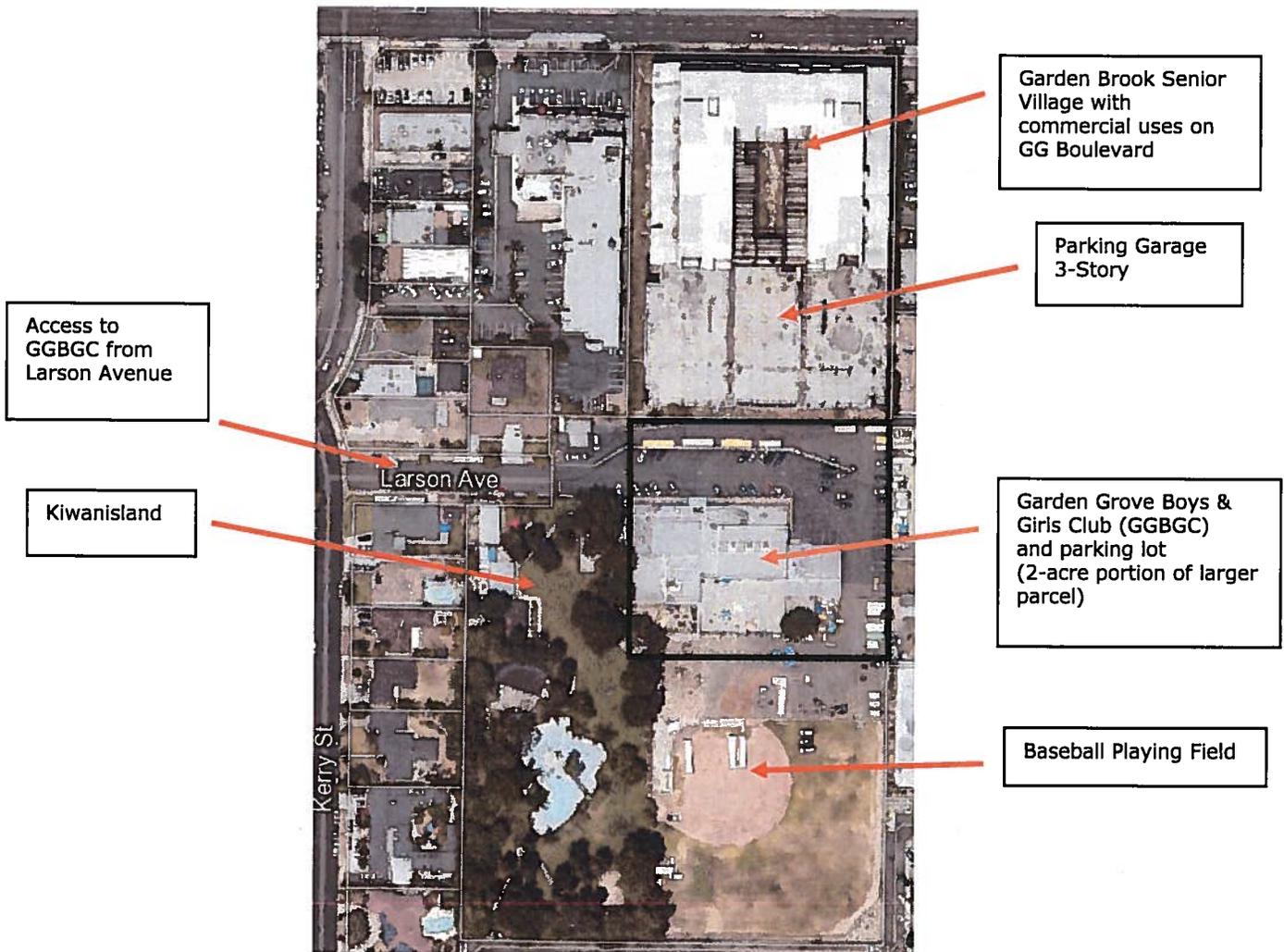
dwelling units per acre. The applicant’s proposal was for affordable senior housing with at least 400 units. The General Plan 2030 includes a Land Use designation, Community Residential, which is expressly for senior housing, convalescent homes, congregate housing and institutional quarters, and allows the highest density of up to 60 dwelling units per acre. The applicant is requesting a General Plan Amendment to change the property to the Community Residential designation. This designation has been applied to other sites for senior housing developments such as 12761 Garden Grove Boulevard and 12232 Chapman Avenue, the Chapman Care Center nursing home. With the addition of two (2) acres to the project site, a density increase to 60 dwelling units per acre, and the State Density Bonus allowance of a 35% increase in density for affordable projects, the applicant was able to reach the unit count of 400. The Community Residential Land Use designation is only implemented by approving a Planned Unit Development (PUD) zoning to the property.

The two acres added to the project site are on part of a larger property to the south. This parcel of 6.92 acres is also owned by the Emlen W. Hoag Foundation and includes Kiwanisland in its park setting, the Garden Grove Boys & Girls Club (GGBGC), a parking lot, and a baseball playing field. The property is zoned Open Space with a General Plan Land Use Designation of Parks and Open Space. The uses are accessed from the west by way of Larson Avenue, a short street that is reached from Kerry Avenue. The baseball playing field is also accessed by an alley along the southern property line.



To have the necessary lot area for the density of the project, two acres must be added to the property. The two acres that include the parking lot and the GGBGC Buildings will be tied to the Project site through a "Declaration of Covenants and Restrictions for the Transfer of Development Rights". The "Transfer of Development Rights" means that the

senior housing units that could be developed on the 2-acre portion (2 acres x 60 du/acre = 120 units) can be added to the Project site (3.09 acres x 60 du/acre = 184 units). Since the 2-acre GGBGC site has transferred the residential density to the Project site, no senior housing units can be developed on the GGBGC property now or in the future. The PUD zoning will continue the existing Open Space uses on this 2-acre site. The GGBGC building and parking lot will remain on the property and an intergenerational program with the seniors and youth will be added.



The GGBGC property has a General Plan Land Use designation of Open Space and no senior housing or residential density is permitted in that designation. Therefore, the 2-acre portion of the 6.92-acre property must also have its General Plan Land Use designation amended to Community Residential to have the allowable use of senior housing units at a density of 60 dwelling units per acre. Only then can senior housing

density be transferred to the Project site. This will not affect the existing uses (GGBGC) on the site. While the Community Residential designation is expressly for senior housing and similar uses, the implementation of the designation is by adopting site-specific zoning requirements through a Planned Unit Development (PUD). The General Plan states that the regulations of the PUD are intended to provide a diversity of uses, relationships, and open spaces in an innovative land plan. The Planned Unit Development zoning for the combined 5.09-acre site will allow a unique mix of uses that include senior housing, neighborhood commercial businesses, open space, and public/semi-public institutions.

Planned Unit Development:

A Planned Unit Development (PUD) is a zoning designation that establishes development standards and uses specific to a particular project. As the Municipal Code, Title 9, does not provide development standards for a zoning classification implementing the General Plan Land Use designation of Community Residential, the rezoning of the 5.09-acre site to PUD-008-2018 is necessary to accommodate the proposed mixed-use, affordable senior housing development.

PUD-008-2018 must define a set of uses specific to this project and the properties involved. These uses include the new affordable senior housing, the boulevard retail commercial uses, and the Boys & Girls Club uses that will remain on the 2-acre site to the south.

The Boys & Girls Clubs of Garden Grove Main Branch is the flagship club seeing an average of 125 youth daily from across all of Garden Grove and is in operation Monday through Friday, 51 weeks of the year. Program services include a focus on recreation and health, educational support, and guidance and mentorship to girls and boys between the ages of 5 and 18 years of age. Programming provides safe and educationally enriching alternatives for children and youth during non-school hours. Members are required to be picked up daily by 6:30 p.m. and GGBGC staff leave the facility by 7:00 p.m. Among other amenities, the Club has a fully functional recording studio, large baseball field, full size indoor basketball court, and also houses a full fleet of buses (15) and other organizational vehicles. The Club is available to the community as a rental and several special events are held there throughout the year.

PUD-008-2018 is intended to allow for a mix of uses on the project site. The PUD will provide base zones and specific uses that are permitted on the properties with the understanding that all such uses or expansion of uses shall meet the applicable development standards from Title 9.

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The following uses allowed under the Community Residential Land Use designation shall be allowed by PUD-008-2018 on the 10080 Garden Grove Boulevard parcel (APN 098-070-72):

- Senior Housing
- Convalescent Hospitals
- Congregate Housing
- Institutional Quarters

These uses translate to the following activities in Title 9, Section 9.16.020.030 Uses Permitted:

- Multi-Family Residential
- Community Care Facility, Residential
- Residential Care Facility for the Elderly (RCFE)
- Skilled Nursing Facility

The commercial uses shall be retail sales and services for neighborhoods and the larger community and shall be allowed on the 10080 Garden Grove Boulevard (APN 098-070-72) property. The following base districts for the commercial uses are:

- C-1, Neighborhood Commercial
- O-P, Office Professional

The Boys & Girls Club uses are those found in the Open Space zone and include "Public and Semi Public" Educational Institutions and Public Recreational Facilities. The following base district for the 9860 Larson Avenue site (a portion of APN 098-070-73) is:

- O-S, Open Space
- Title 9, Section 9.16.030.050 Open Space Zone further defines open space uses.

Landscaping, pedestrian plazas along Garden Grove Boulevard, architectural detailing, outdoor dining and similar features shall meet the requirements of the following base district:

- GGMU1, Garden Grove Mixed Use 1

In the event that a use is proposed that is not listed, an interpretation of use may be made by the Zoning Administrator or the Planning Commission.

Site Design:

The original project was significantly different from the proposed affordable senior housing project; however, both rely on the same basic steel structure. This translates to design constraints for the proposed senior housing that would not exist for an entirely new development. The basic footprint of the building, including the parking structure, is set.

The original project was the first approved mixed-use design and therefore, was definitely innovative with its combination of uses in a single building. The proposal was for an 8-story mixed-use building. The first four levels of the building consisted of a shopping mall on two, double-height commercial floors at the front, and four floors of parking garage at the rear. The 5<sup>th</sup> floor was used entirely for parking to provide for the residents. On the floors above, the 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup>, were 66 condominiums (22 units per floor) that were shaped in a "U" with the open side facing south. This shape allowed direct sunlight into the large landscaped courtyard in the center of the "U" on the 6th floor (the roof of the 5<sup>th</sup> floor). The large open space included both a pool and a basketball court. There was a fitness center on the 8<sup>th</sup> floor and each unit had a private deck.

The original project was designed to be urban in character with a pedestrian plaza that included landscaping along the Garden Grove Boulevard frontage. Retail shops opened onto the pedestrian plaza. Circulation and activity for the commercial tenants was focused around a central atrium inside the building. Most visitors were anticipated to enter the commercial "mall" from the parking structure. Escalators and walkways in the central atrium provide access to the various commercial tenants.

The new, proposed senior housing provides a very different design. The number of units has been greatly increased to provide affordable senior housing and the commercial retail uses have been continued on a smaller scale, as a single row of tenant spaces along the Garden Grove Boulevard frontage. To accommodate the number of units (394) the central, open space courtyard has been placed on the first floor. This allows for 5 stories of residential units to circle the central court and have their windows overlooking that space. The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> floor of senior housing units maintain the former "U" design with no units along the south side. This allows for some sunlight into the central courtyard on the first floor.

The parking structure at the rear will not be 5 stories in height, but will be reduced to 3 stories. The 3<sup>rd</sup> floor is only a partial floor of parking spaces. Other massing changes include a new ground floor recreation courtyard cut-out on the west side of the building with units developed around it on the first five floors. This recreation courtyard is next to the westerly drive aisle, towards the Ramada Hotel. There are two similar, but smaller, recreation decks on the 3<sup>rd</sup> floor of the east side of the building. These decks serve the same purpose to allow units on the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> floors to be wrapped around with windows overlooking the open space.

The upper floors, 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup>, remain set back from the outer edges of the lower floors. In this way, the massing of the building minimizes the overall height of the development. The massing of the first five floors of the structure projects out at a height (approximately 45 feet) that corresponds to that of the neighboring Ramada Plaza Hotel. By stepping back the upper floors and having comparable heights, the massing and architectural detailing ties into the neighboring development.

Parking:

The proposed senior housing will use 3 floors of the originally approved 5 floors of parking. The project was designed to meet the parking requirements for senior housing units as determined by State Density Bonus law with a minimum requirement of .5 parking spaces for every senior housing unit in an affordable project. For the 394 proposed units, .5 parking spaces equals a total of 197 (.5 x 394 = 197) spaces. State law allows for a .5 parking ratio for a "for-rent" housing development for individuals who are 62 years of age or older. The development shall have either paratransit services or unobstructed access, within one-half mile, to fixed bus route service that operates at least 8 times per day.

The commercial portion of the project meets the parking requirement for retail spaces at 1 space for every 200 square feet of commercial floor area, for a total of 65 required commercial parking spaces (12,938 square feet divide by 200 = 67). This number of parking spaces precludes leasing to tenants with a higher parking demand such as full-service restaurants and medical uses, and also does not take into account future use of a possible retail "mezzanine" level. Additional commercial parking spaces will need to be designated to allow for any use with a higher parking ratio or the development of commercial uses (including storage) of the mezzanine level.

The proposal includes an additional 33 spaces over the required number for the affordable senior uses and the commercial retail uses, with eleven of them designated as "Guest" spaces for the residences.

Building Architecture:

The proposal is an urban, mixed-use development that will be a significant new building in the City of Garden Grove and will improve the eyesore of the unfinished steel structure. The exterior is designed in a modern style with different massing for the commercial spaces and lower floors of the housing units from the upper floors. The upper floors (6<sup>th</sup>, 7<sup>th</sup>, & 8<sup>th</sup>) are set back from the lower five floors. The different shapes and architectural detailing of the elevations give the impression of overlapping massing. Vertical segments in various colors create a pattern on the upper floors. A few accents of bright color add to the modern aesthetic along with interesting metal screen patterns. A tall vertical sign element identifies the name of the development.

Concessions/Incentives:

The applicant proposes three concessions/incentives for the project that are permitted by the State Density Bonus law for affordable housing.

1<sup>st</sup> Concession – Minimum Unit Size. The first concession is to construct units that are less than the required minimum size. The Municipal Code requires that units have a minimum size; a studio must be 500 square feet, a 1-Bdrm must be 750 square feet, a

2-Bdrm must be 900 square feet. The applicant is proposing units that are 80 to 222 square feet less than required.

	<b>Code Required</b>	<b>Proposal with Concession</b>
<b>Size of Units</b>	0 Bdrm – 500 s.f.	0 Bdrm – 400-424 s.f.
	1 Bdrm – 750 s.f.	1 Bdrm – 528-567 s.f.
	2 Bdrm – 900 s.f.	2 Bdrm – 820 s.f.

The applicant cites other senior housing developments with similar-sized units and State law that allows cities to adopt ordinances for efficiency units of 150 square feet. The City of Garden Grove has adopted no such ordinance for efficiency units.

2<sup>nd</sup> Concession – Open Space. The second concession/incentive is to reduce the amount of useable open space provided for the senior residents. The Code requirement for multi-family residential development is 300 square feet per unit. With 394 units proposed, the Code required open space would be 118,200 square feet. The applicant is asking for a concession to provide 31,844 square feet of open space (27%) divided among several recreation areas and three community rooms.

On the first floor is the main Central Courtyard (10,423 square feet) and a community room along its southern side (3,300 square feet). There is an additional recreation courtyard (2,495 square feet) on the first floor that abuts the service entry drive aisle. The 3<sup>rd</sup> Floor has a recreation deck overlooking the first floor Central Courtyard (1,867 square feet) and two recreation decks on the east side of the building (1,741 and 1,364 square feet). The 3<sup>rd</sup> and 4<sup>th</sup> floors both have Common Rooms of 675 square feet. On the 6<sup>th</sup> Floor, is a Recreation Deck along the west side toward the Ramada Hotel (2,963 square feet).

The units on the front of the building, along Garden Grove Boulevard, have 37 private balconies on the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> floors. There are 10 private balconies on the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> floors, and 7 private balconies on the 6<sup>th</sup> floor for a total of 6,341 square feet of private open space.

The applicant is working with the Garden Grove Boys & Girls Club (GGBGC) to develop Intergenerational Programming to bring youth and seniors together. Such a program, with planned activities and classes, visits to the GGBGC, and transportation for outings would provide additional recreation opportunities for the seniors. The Boys & Girls Club provided a memo outlining the Intergenerational Programming. The memo discusses the three elements necessary for the programming to be successful, a list of "needs" to make it work, and objectives. The "needs" include specifics about community spaces and training rooms. The Hoag Foundation President has submitted a letter that the Boys & Girls Club staff have reviewed the floor plans and are in agreement that there are adequate community spaces for their programming. Conditions of Approval have been written to implement the Intergenerational Programming such as the

requirement for an "easily accessible safe walkway between the properties that will be secure".

3<sup>rd</sup> Concession – Residential Compact Spaces. The third concession/incentive is to allow the project to provide a percentage of the residential parking spaces to be compact. The Municipal Code does not allow required residential parking spaces to be compact in size. Only commercial parking lots can provide a maximum of 20% of the total required spaces as compact. A compact space is 8' x 15', while a regular parking space is 9' x 19'. The parking garage from the original project was constructed with some areas that had less space than was represented in the approved plans, thereby constraining parking layouts. The applicant will comply with the requirement for commercial parking to have a maximum of 20% compact spaces, and is asking to provide 16% of the residential parking as compact spaces to provide more overall parking.

#### Circulation:

The circulation to and from the site was reviewed in a Traffic Study that is part of the subsequent Mitigated Negative Declaration. The project will have two access points from Garden Grove Boulevard. The project's main entrance will be on the east side of the property with traffic entering and leaving the site on a 30-foot wide driveway. Cars entering the site at the main entrance will be directed into the 3-story parking structure to the south of the building. An additional entrance is located at the west side of the property and is intended for deliveries, trash pick-up, and emergency access. The westerly drive aisle is 20 feet in width.

The applicant will design and construct a traffic signal at the intersection of Garden Grove Boulevard and the main entrance of the project (the easterly driveway), along with reconstructing the raised median to extend the left-turn pocket into this access. The left-turn pocket, which currently allows access to the "Festival Plaza" shopping center, shall be closed and moved west to allow for a left turn pocket into the project main entrance. Also, the existing left-pocket in front of the project site shall be relocated to the west to allow for left turns into the proposed westerly driveway. Finally, the applicant shall design and implement a signal timing coordination plan along Garden Grove Boulevard. The coordination plan shall amend the current plan and address impacts from the new traffic signal. The existing driveways shall be removed and two new driveways shall be constructed to meet City Standards. The new signal, other improvements and coordination of traffic on Garden Grove Boulevard will create safer ingress and egress to the proposed development.

#### Neighborhood Meeting:

The applicant, AMG & Associates, conducted a neighborhood meeting on September 27, 2017 to review and receive input on the proposal. The audience included HOAG Foundation Board members, Boys & Girls Club board members, and members of the

general public. Alexis Gevorgian, AMG & Associates, LLC, gave an overview of the company and their work at developing affordable housing. He introduced the project and discussed the decision to shift toward an affordable senior housing project.

The Chief Executive Officer from the Boys & Girls club, Mark Surmanian, spoke about a partnership with the developer to develop an intergenerational program between youth and seniors. Other speakers included Laura Archuleta, President of Jamboree Housing, who spoke about the need for senior housing, Charles Addington, Architects Orange, gave an overview about the design, and William Grant, HOAG Foundation President, spoke about the project.

The main concern raised by members of the audience was parking, specifically whether the .5 space per unit was sufficient and how the access to the site will be handled. A traffic study was suggested. The project proponents clarified that the parking areas will be gated and will require an access key to enter, vehicles will require a parking sticker, parking will be enforced by an on-site management company, and there will be no overnight parking in the visitor spaces. There may be an Uber or Lyft stop at the project, or possibly a Zipcar station. Also mentioned, was the number of handicap stalls (28) provided in the project exceeds the minimum state requirements. A condition of approval requires that a Parking Management Plan be submitted and approved which details the ideas presented at the neighborhood meeting and how parking, for both the residential and commercial uses, will be handled on the site.

Other comments included a question about the prospective retail tenants, a timeline for construction, how the units would become available for rent, short-term plans to address security concerns, and whether pets or service animals would be allowed. The answers to these concerns were, there were no prospective tenants yet, the timeline was moving forward, prospective residents would be placed on a waitlist, not a lottery, the site had been made more secure and cleaned, and pets/service animals would be permitted, however, the size and number would be restricted.

ENVIRONMENTAL CONSIDERATION:

The proposed project was originally proposed and considered in 2005 (previously approved project). Pursuant to the California Environmental Quality, Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA"), the City adopted a Mitigated Negative Declaration ("MND") and approved the project in 2005. A Notice of Determination was filed and posted on May 20, 2005. In 2017, modifications were proposed to the 2005 project ("proposed project"). Pursuant to Public Resources Code Section 21166 and California Code of Regulations, Title 14, Section 15162, the City prepared a subsequent initial study (The Galleria Mixed-Use Project Initial Study-Mitigated Negative Declaration) to analyze the proposed project's environmental effects. The subsequent initial study concluded that all of the proposed project's environmental impacts could be reduced to a less than significant level. On this basis, the subsequent initial study concluded that a

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subsequent Mitigated Negative Declaration was appropriate. Copies of the subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are attached to this report.

The 20-day public comment period on the subsequent Mitigated Negative Declaration occurred from February 21, 2018 to March 14, 2018.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following actions:

- Adopt the subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and,
- Recommend City Council approve General Plan Amendment No. GPA-001-2018, and Planned Unit Development No. PUD-008-2018; and,
- Approve Site Plan No. SP-048-2018, subject to the recommended conditions of approval and subject to the approval and effectiveness of the subsequent Mitigated Negative Declaration, General Plan Amendment No. GPA-001-2018, and Planned Unit Development No. PUD-008-2018 by the City Council.



LEE MARINO  
Planning Services Manager

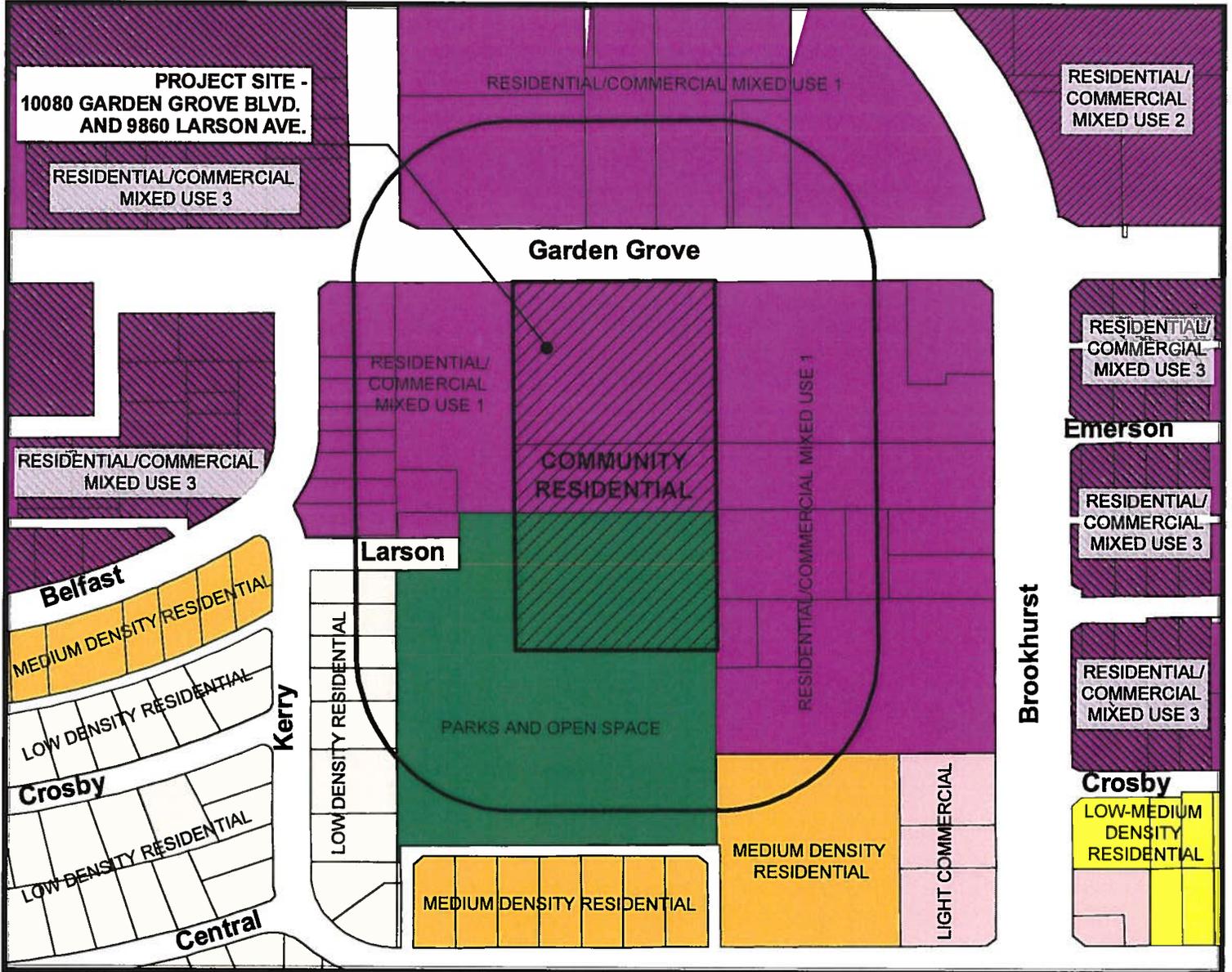


By: Erin Webb  
Senior Planner



**GENERAL PLAN AMENDMENT NO. GPA-001-2018  
 PLANNED UNIT DEVELOPMENT NO. PUD-008-2018  
 SITE PLAN NO. SP-048-2018**

**GARDEN GROVE**



**LEGEND**

-  SUBJECT SITES - 10080 GARDEN GROVE BLVD. AND 9860 LARSON AVE.
-  300 FEET RADIUS



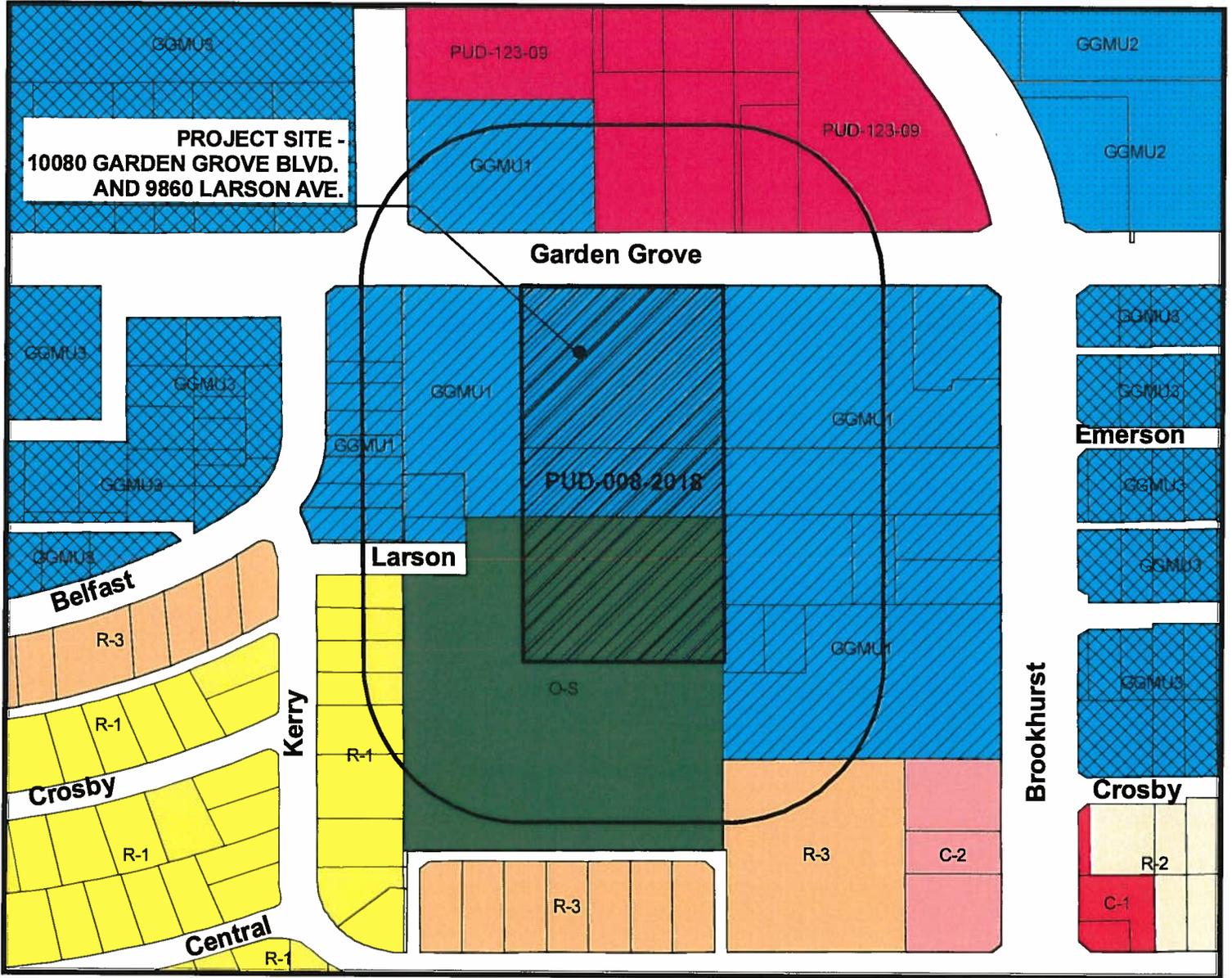
**NOTES**

1. SITE ADDRESSES - 10080 GARDEN GROVE BLVD. AND 9860 LARSON AVE.
2. GENERAL PLAN: RESIDENTIAL/COMMERCIAL MIXED USE 1 AND PARKS AND OPEN SPACE TO COMMUNITY RESIDENTIAL

**CITY OF GARDEN GROVE  
 COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 GIS SYSTEM  
 MARCH 2018**

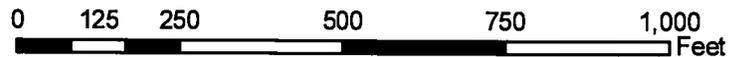


**GENERAL PLAN AMENDMENT NO. GPA-001-2018  
 PLANNED UNIT DEVELOPMENT NO. PUD-008-2018  
 SITE PLAN NO. SP-048-2018**



**LEGEND**

-  SUBJECT SITES - 10080 GARDEN GROVE BLVD. AND 9860 LARSON AVE.
-  300 FEET RADIUS



**NOTES**

1. SITE ADDRESSES - 10080 GARDEN GROVE BLVD. AND 9860 LARSON AVE.
2. ZONING: GARDEN GROVE BOULEVARD MIXED USE 1 AND OPEN SPACE TO PUD-008-2018

**AMG & Associates, LLC**  
**GARDEN BROOK SENIOR VILLAGE**  
 Garden Grove, CA.



\* ARTIST RENDERING

**Project Team**

**APPLICANT/OWNER:**  
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 14433 Ventura Blvd., Suite 1014  
 Encino, CA 91436  
 (818) 380-2600 Attn: Akshat Geraonien

**ARCHITECT:**  
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 144 N. Orange Street  
 Orange, CA 92667  
 (714) 991-7667 Attn: Charles Adedigbohin

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 Encino, CA 91436  
 (818) 380-2607 Attn: Surinder Dawran, P.E.

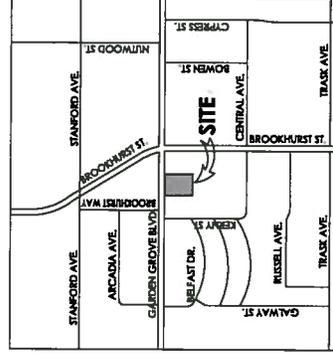
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A-24	CONCEPTUAL BUILDING PLAN - LEVEL 5	
A-25	CONCEPTUAL BUILDING PLAN - LEVEL 6	
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A-41	CONCEPTUAL LIFT PLANS	

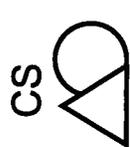
**LANDSCAPE**

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L-4	LANDSCAPE PLAN - LEVEL 4
	DETAILS

**AGENCY SUBMITTAL**  
**GARDEN GROVE, CA.**  
**MARCH 7, 2018**



**Vicinity Map**  
 N.T.S.



**GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA**

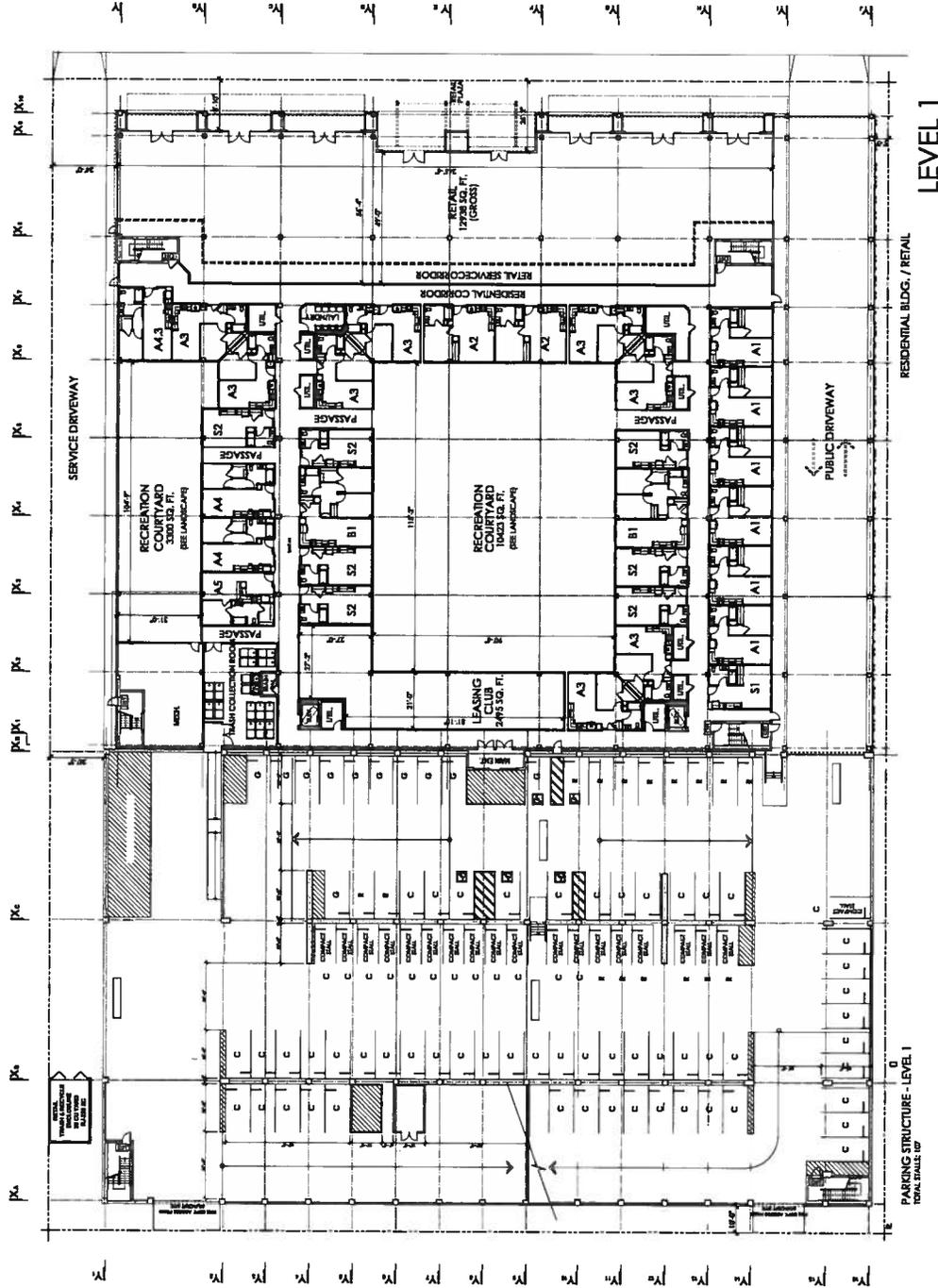
**AMG** 16433 VENTURA BLVD., SUITE 1014  
 ENCINO, CA 91436  
 T: (818) 380-2600

**ARCHITECTS ORANGE**  
 144 NORTH ORANGE ST., ORANGE, CA 92666 (714) 635-8860

JOB NO: 14-322  
 DATE: 03-07-18

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LEVEL 1

NOTE: REFER TO LANDSCAPE PLANS FOR MORE INFORMATION

CONCEPTUAL BUILDING PLAN



JOB NO: 16-0322  
DATE: 03-07-18

A-2.0

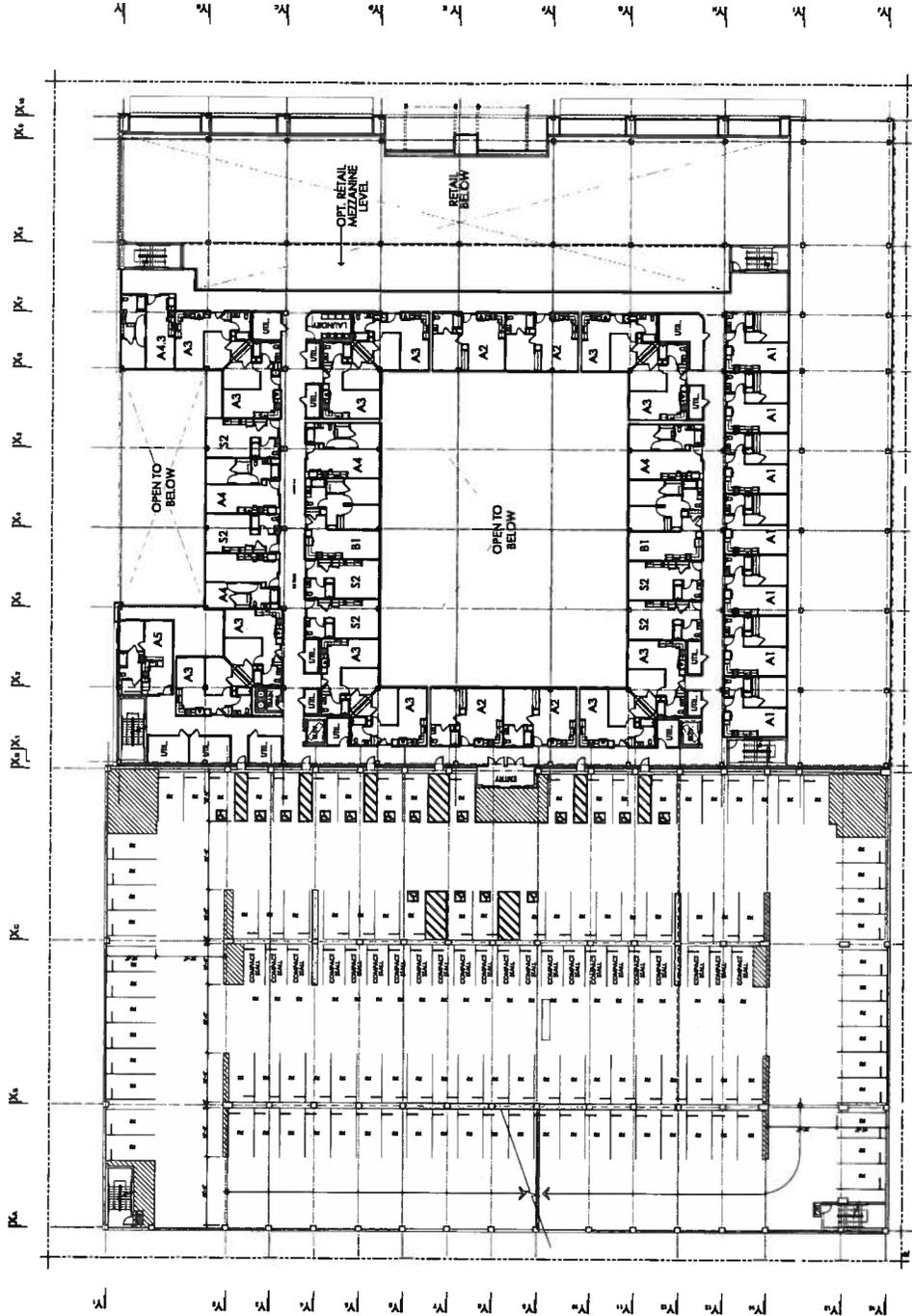


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14533 VENTURA BLVD., SUITE 1014  
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T: (818) 360-2600

**AMG**

**KEY**  
R = RESIDENT PARKING  
G = GUEST PARKING  
C = RETAIL PARKING  
SEE TABULATION SHEET A-1.0 FOR PARKING CALCULATION



LEVEL 2

CONCEPTUAL BUILDING PLAN

GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

**AMG**  
 1433 VENTURA BLVD., SUITE 1014  
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 T. (618) 300-2600

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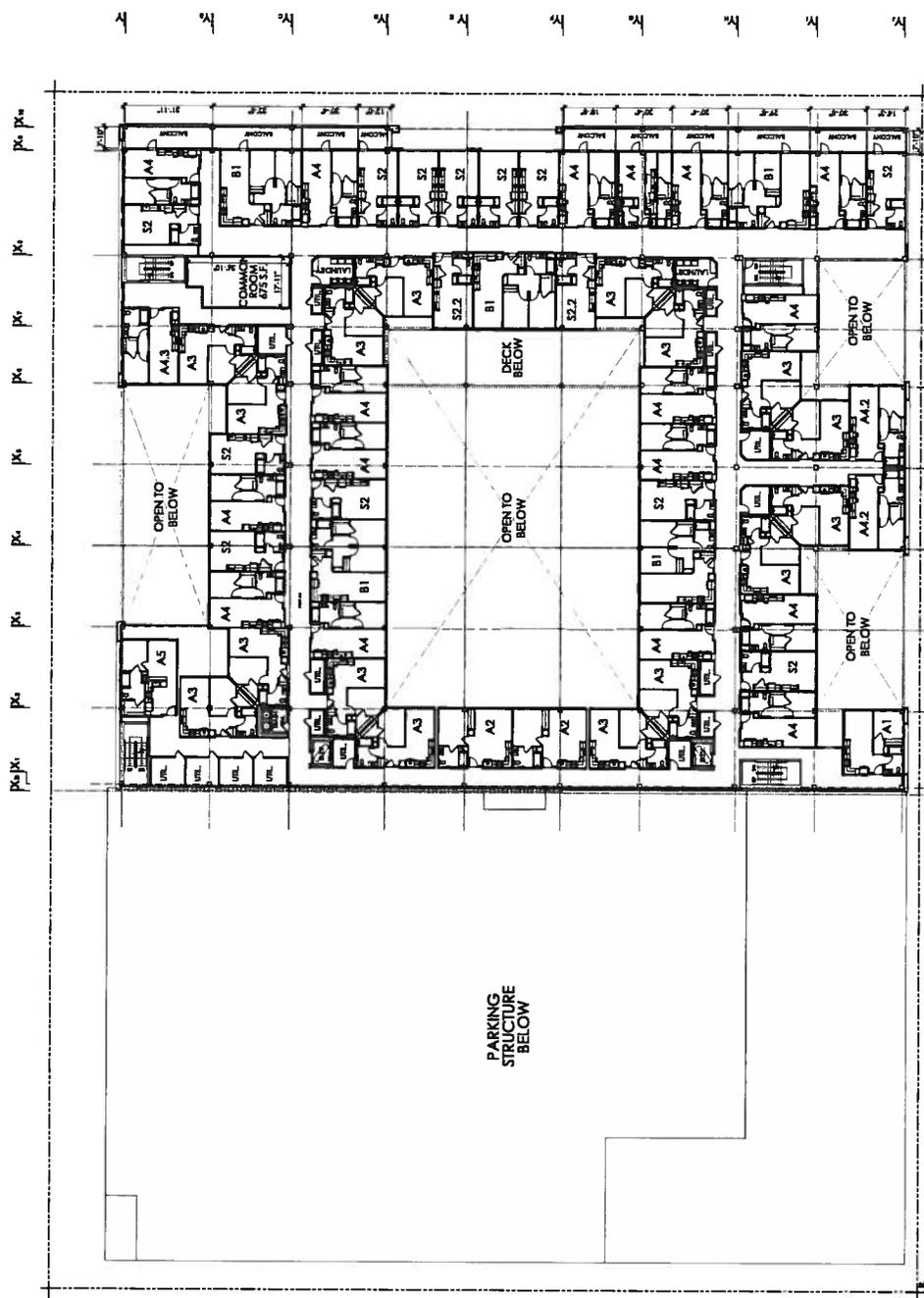
JOB NO.: 16-322  
 DATE: 03-07-18

A-2.1



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LEVEL 4

RESIDENTIAL BLDG.

CONCEPTUAL BUILDING PLAN

JOB NO: 16-322 DATE: 03-07-18  
 SCALE: 1" = 20'



GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

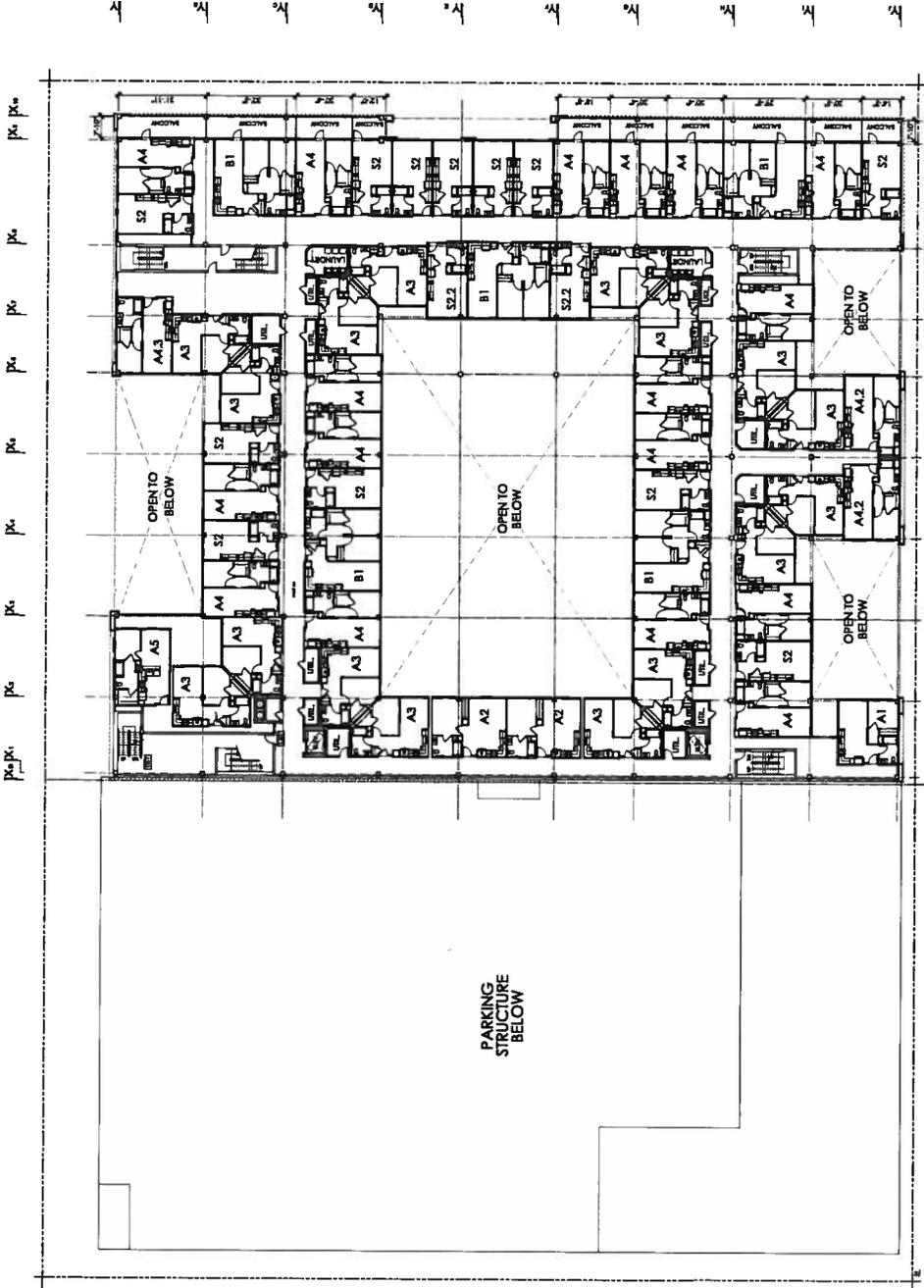
**AMG**  
 16533 VENTURA BLVD., SUITE 1014  
 PASCAGO, CA 91466  
 T. (818) 380-2600

**ARCHITECTS ORANGE**  
 144 NORTH ORANGE ST., ORANGE, CA 92668 (714) 639-9880

A-2.3



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LEVEL 5

CONCEPTUAL BUILDING PLAN

GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

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ENCINO, CA 91436  
T. (818) 380-2600

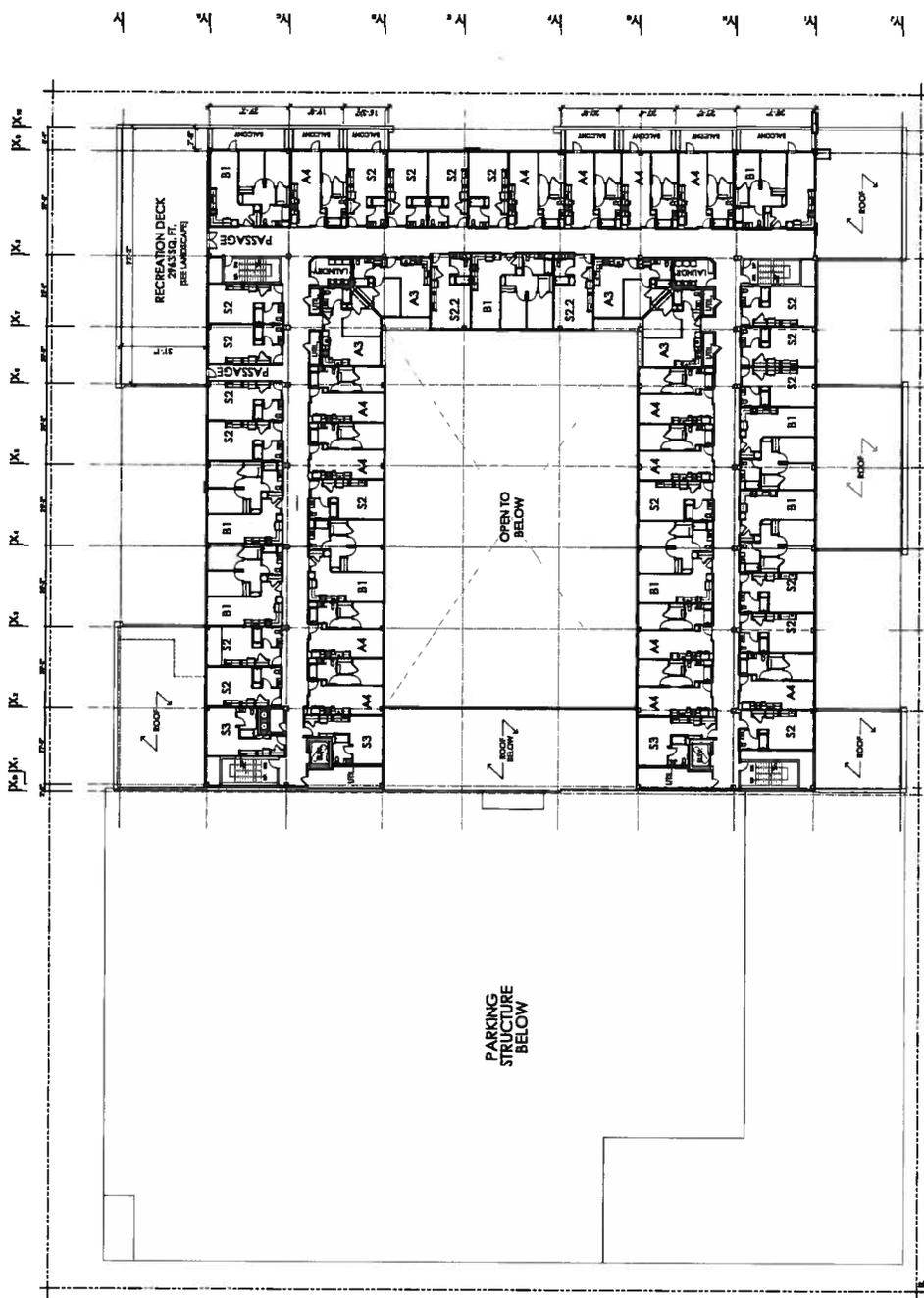
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A-2.4



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LEVEL 6

CONCEPTUAL BUILDING PLAN

JOB NO: 14-322 DATE: 03-07-18  
 SCALE: 1" = 20'  
 0 10' 20' 40' 80'



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 144 NORTH ORANGE ST. ORANGE, CA 92666 (714) 638-8860

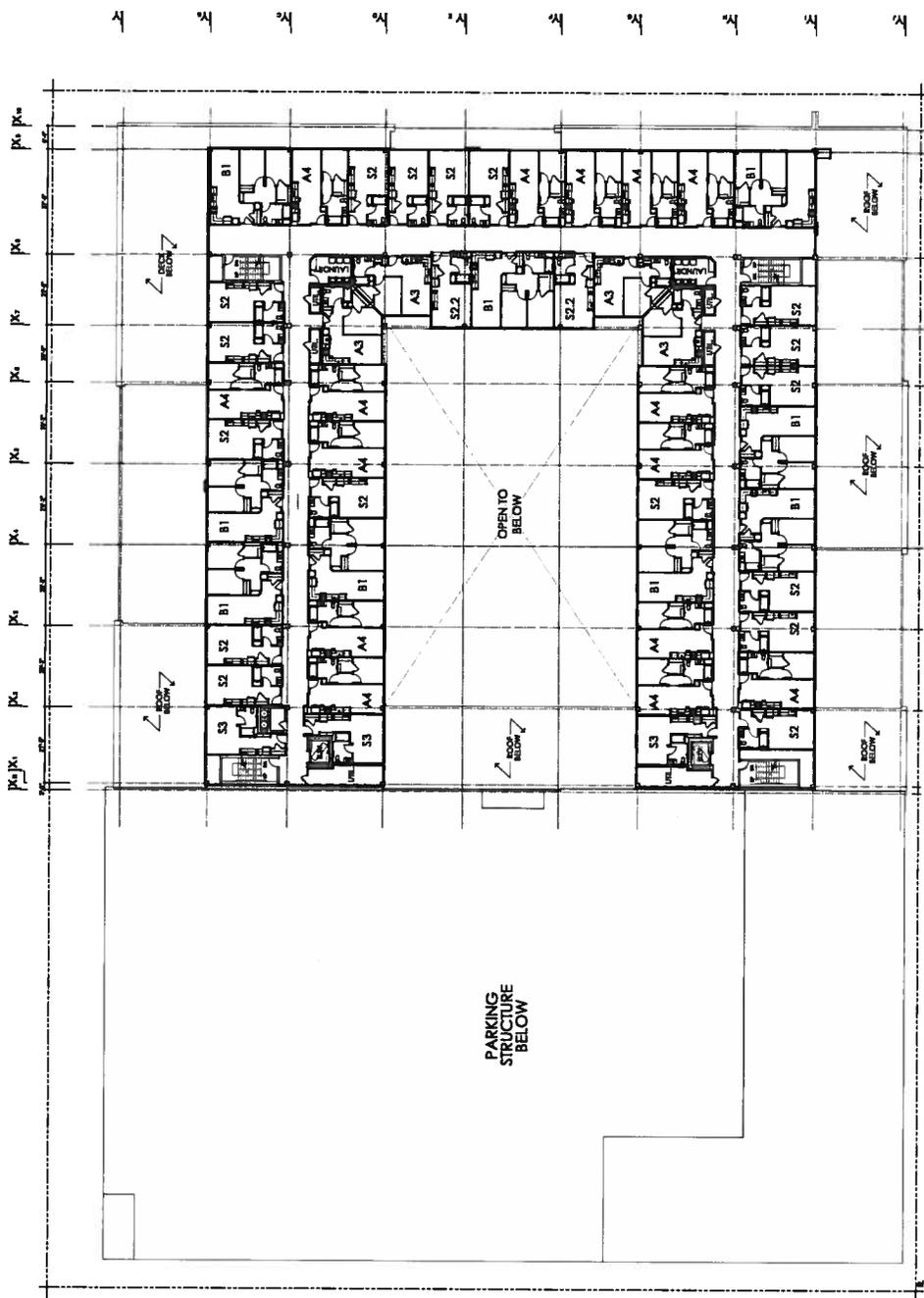
14533 VENTURA BLVD., SUITE 1014  
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A-2.5



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LEVEL 7-8

RESIDENTIAL BLDG.

CONCEPTUAL BUILDING PLAN



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DATE: 03-07-18

A-2.6



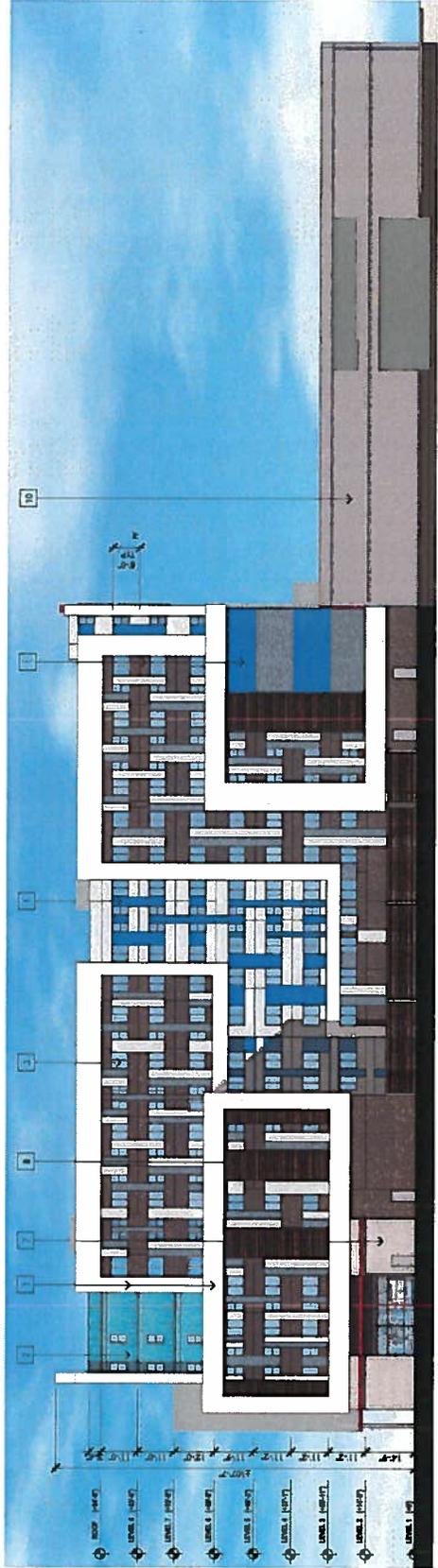
ARCHITECTS ORANGE  
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14633 VENTURA BLVD., SUITE 1014  
IRVINE, CA 92618  
T: (949) 380-2600

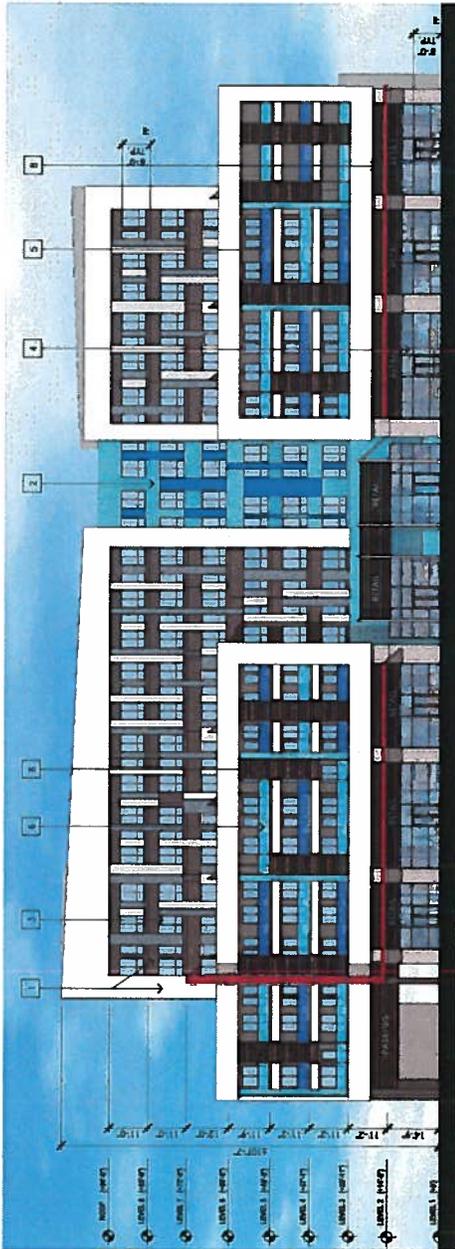


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2. WEST ELEVATION

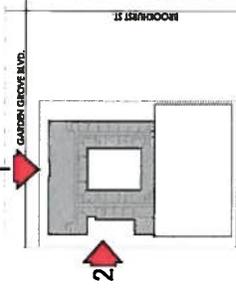


1. NORTH ELEVATION - GARDEN GROVE BLVD.

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

**MATERIAL/COLOR LEGEND**

1	LIGHT SAND FINISH STUCCO	16/20
2	DECORATIVE METAL PANEL/CERAMIC TILE	
3	VINYL WINDOWS	
4	ALUMINUM STOREFRONT	
5	PERFORATED METAL RAILING	
6	ACRYLIC RAILING	
7	CERAMIC TILE	
8	HORIZONTAL METAL SLATS (WOOD GRAIN FINISH)	
9	METAL TUBING (SCREEN)	
10	PAINTED CONCRETE STRUCTURE	



KEY MAP  
N.T.S.

A-3.0



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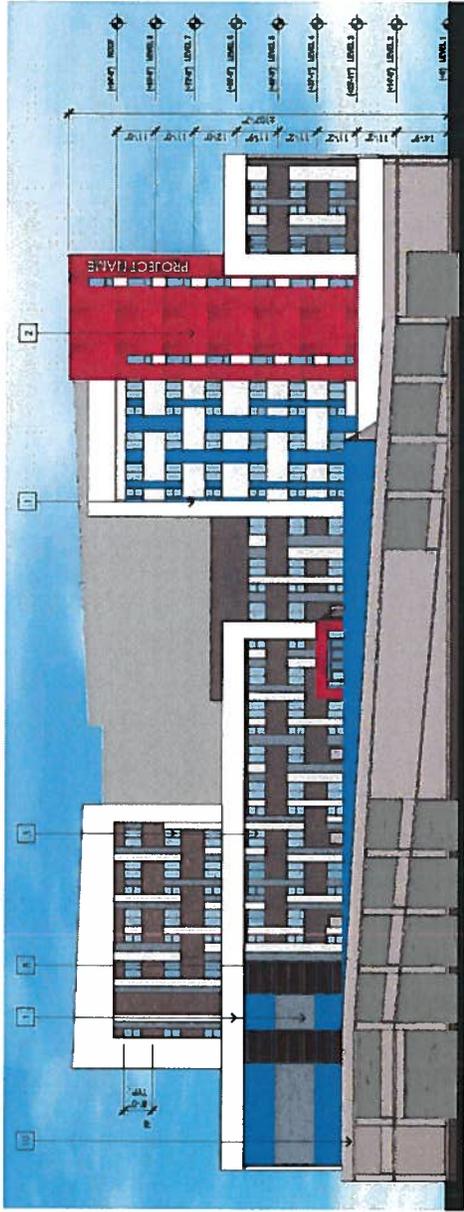
GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA CONCEPTUAL ELEVATIONS

**AMG** 16633 VENTURA BLVD., SUITE 1014  
ENCINO, CA 91436  
T. (818) 380-2600

JOB NO: 16-322 DATE: 03-07/18  
ARCHITECTS ORANGE  
144 NORTH ORANGE ST. ORANGE, CA 92666 (714) 638-8880

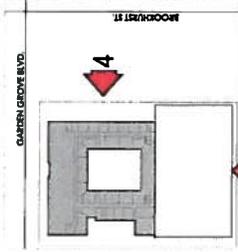


4. EAST ELEVATION



3. SOUTH ELEVATION

MATERIAL/COLOR LEGEND	
1	LIGHT SAND FINISH STUCCO 16/20
2	DECORATIVE METAL PANEL/CERAMIC TILE
3	VINYL WINDOWS
4	ALUMINUM STOREFRONT
5	PERFORATED METAL RAILING
6	ACRYLIC RAILING
7	CERAMIC TILE
8	HORIZONTAL METAL SLATS (WOOD GRAIN FINISH)
9	METAL TUBING (SCREEN)
10	PAINTED CONCRETE STRUCTURE



KEY MAP  
N.T.S.

0' 8' 16' 32' 48'  
SCALE: 1/16" = 1'-0"

A-3.1



JOB NO: 16-322  
DATE: 03-07-18

GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA CONCEPTUAL ELEVATIONS

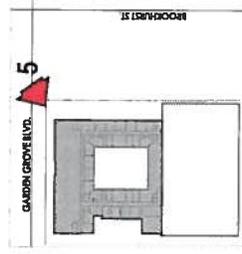
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5. VIEW ALONG GARDEN GROVE BLVD. - (LOOKING SOUTHWEST)



KEY MAP  
N.T.S.

A-3.2



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CONCEPTUAL PERSPECTIVE VIEW

JOB NO: 14-322  
DATE: 03-07-18

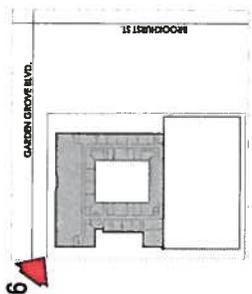
GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

**AMG**  
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ENCINO, CA 91436  
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6. VIEW ALONG GARDEN GROVE BLVD. - (LOOKING SOUTHEAST)



KEY MAP  
N.T.S.

CONCEPTUAL PERSPECTIVE VIEW

JOB NO: 16-322  
DATE: 03-07-18

GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

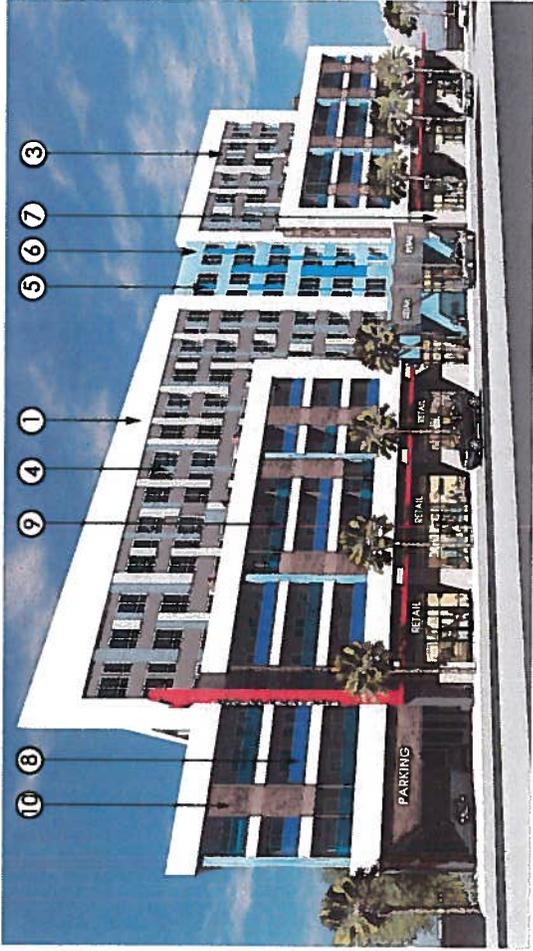
**AMG**  
1653 VENTURA BLVD., SUITE 1014  
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A-3.3



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① 'PURE WHITE' SW 7005  
Stucco (1/6/20)



② 'MONORAIL SILVER' SW 7663  
Stucco (1/6/20)



③ 'PEPPERCORN' SW 7674  
Stucco (1/6/20)



④ 'SMOKY BLUE' SW 7605  
Stucco (1/6/20)



⑤ 'BLUEBLOOD' SW 6966  
Stucco (20/30)



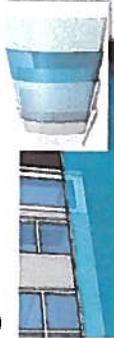
⑥ Decorative Metal Panels  
or Ceramic Tile



⑦ Ceramic Tile



⑧ Perforated metal Balcony Railing



⑨ Acrylic Panel Railing



⑩ Horizontal Screens



⑪ Vertical Screens

GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA.

**AMG**  
1633 VENTURA BLVD., SUITE 1014  
ENCINO, CA 91436  
T. (818) 380-2600

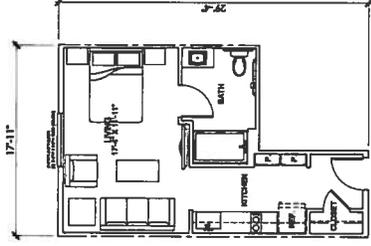
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144 NORTH ORANGE ST. ORANGE, CA 92666 (714) 638-9880

JOB NO: 16-922 DATE: 3-7-2018

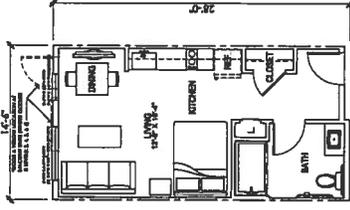


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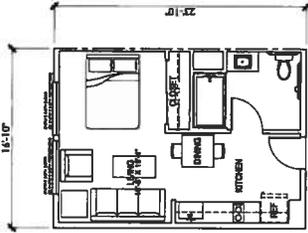
A-3.7



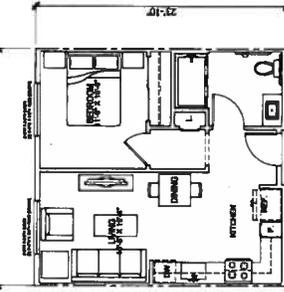
UNIT S3  
STUDIO - 1 BATH  
UNIT AREA: 424 SQ. FT.



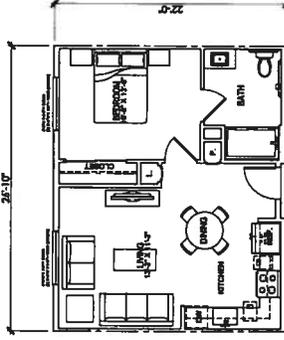
UNIT S2  
STUDIO - 1 BATH  
UNIT AREA: 403 SQ. FT.



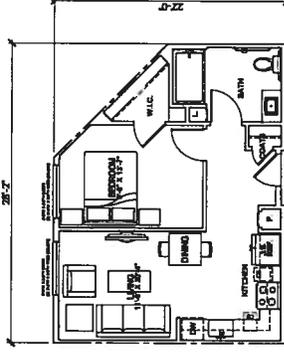
UNIT S1  
STUDIO - 1 BATH  
UNIT AREA: 401 SQ. FT.



UNIT A1  
1 BEDROOM - 1 BATH  
UNIT AREA: 528 SQ. FT.



UNIT A2  
1 BEDROOM - 1 BATH  
UNIT AREA: 588 SQ. FT.



UNIT A3  
1 BEDROOM - 1 BATH  
UNIT AREA: 559 SQ. FT.

CONCEPTUAL UNIT PLANS

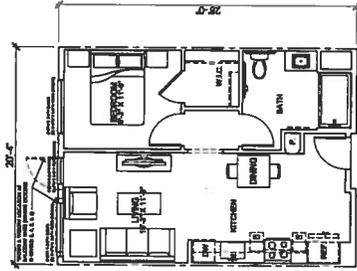
GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

**AMG**  
16633 VENTURA BLVD., SUITE 1014  
PACINO, CA 91436  
T. (818) 380-2600

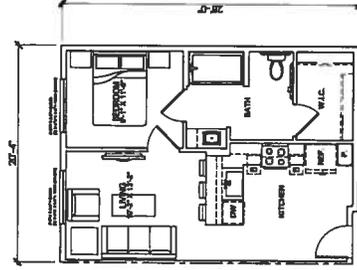


JOB NO: 14-322  
DATE: 03-07-18

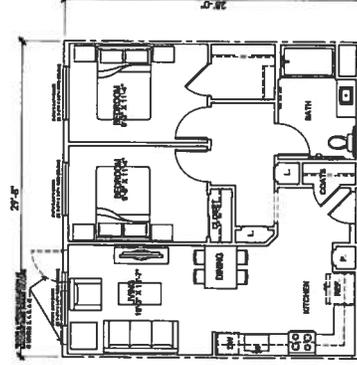
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144 NORTH ORANGE ST. ORANGE, CA 92666 (714) 635-9860



UNIT A4  
1 BEDROOM-1 BATH  
UNIT AREA: 567 SQ. FT.



UNIT A5  
1 BEDROOM-1 BATH  
UNIT AREA: 567 SQ. FT.



UNIT B1  
2 BEDROOM-1 BATH  
UNIT AREA: 828 SQ. FT.

## CONCEPTUAL UNIT PLANS

GARDEN BROOK SENIOR VILLAGE - GARDEN GROVE, CA

1433 VENTURA BLVD., SUITE 1014  
ENCINO, CA 91436  
T: (818) 361-2800

**AMG**

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DATE: 03-07-18



A-4.1



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This plan shall be subject to the terms and conditions of the contract.







## RESOLUTION NO. 5914

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THE CITY COUNCIL ADOPT A SUBSEQUENT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVE GENERAL PLAN AMENDMENT NO. GPA-001-2018 AND PLANNED UNIT DEVELOPMENT NO. PUD-008-2018 FOR PROPERTY LOCATED AT 10080 GARDEN GROVE BOULEVARD (ASSESSOR'S PARCEL NO. 098-070-72) AND 9860 LARSON AVENUE (ASSESSOR'S PARCEL NO. 098-070-73).

WHEREAS, the City of Garden Grove has received an application to repurpose an existing 8-story, unfinished steel structure (prior "Galleria" project) located at 10080 Garden Grove Boulevard (APN 098-070-72) for a 394-unit affordable senior housing project with 12,938 square feet of commercial space, and to increase the developable site area by 2 acres, located at 9860 Larson Avenue (APN 098-070-73), to allow for the desired density of the "Project". The land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2018 to change the land use designation of the 3.09-acre site from Residential/Commercial Mixed Use 1 to Community Residential and to change the designation of the 2-acre portion of the parcel to the south from Parks and Open Space to Community Residential; (2) Planned Unit Development No. PUD-008-2018 to create PUD zoning for the "Galleria" site currently zoned Garden Grove Mixed Use 1 and the 2-acre Garden Grove Boys & Girls Club (GGBGC) site currently zoned Parks/Open Space; (3) Site Plan No. SP-048-2018 to allow the construction of the Project by reusing and modifying the existing steel structure and parking structure and building an 8-story, 394-unit affordable senior housing project with 12,938 square feet of commercial retail space along the Garden Grove Boulevard frontage and a 3-story parking structure; (4) Pursuant to the State Density Bonus Law for affordable housing projects, approval of three waivers from the Municipal Code development standards: a) to construct residential units that are less than the minimum required size; b) to reduce the amount of useable open space and provide 27% of the required space; c) to allow for some compact spaces in the required residential parking (16% compact, 0 permitted); and,

WHEREAS, the proposed project was originally proposed and considered in 2005 (previously approved project). Pursuant to the California Environmental Quality, Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA"), the City adopted a Mitigated Negative Declaration ("MND") and approved the project in 2005. A Notice of Determination was filed and posted on May 20, 2005. In 2017, modifications were proposed to the 2005 project ("proposed project"). Pursuant to Public Resources Code Section 21166 and California Code of Regulations, Title 14, Section 15162, the City prepared a subsequent initial study (The Galleria Mixed-Use Project Initial Study-Mitigated Negative Declaration) to analyze the proposed project's environmental effects. The subsequent initial study concluded that all of the proposed project's environmental impacts could be reduced to a less than significant level. On this basis, the subsequent initial study concluded that a subsequent MND was appropriate; and

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

WHEREAS, the subsequent Mitigated Negative Declaration with mitigation measures 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 March 15, 2018, and considered all oral and written testimony presented regarding the Project, the initial study, and the subsequent Mitigated Negative Declaration.

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

1. The Planning Commission has considered the proposed subsequent Mitigated Negative Declaration together with comments received during the public review process.
2. The Planning Commission finds that the subsequent Mitigated Negative Declaration reflects the City's independent judgement 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, with the proposed mitigation measures, will have a significant effect on the environment.
4. The Planning Commission hereby recommends the City Council adopt the subsequent Mitigated Negative Declaration with the 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.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, in regular session on March 15, 2018, does hereby recommend that the City Council approve General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018.

BE IT FURTHER RESOLVED in the matter of General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by AMG & Associates, LLC.

2. The applicant requests approval to amend the General Plan Land Use designation by changing the current designation of the project site (Residential/Commercial Mixed Use 1) and a 2-acre portion of the neighboring Garden Grove Boys & Girls Club (GGBGC) property (Parks and Open Space) to Community Residential, rezoning the combined site to Planned Unit Development for a mix of uses including senior housing, retail commercial, recreation and open space, and Site Plan approval to construct 394 affordable senior housing units and 12,938 square feet of commercial retail space with three concessions allowable by State Density Bonus law.
3. The Community and Economic Development Department has prepared a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project, which concludes that (a) the proposed project will not have a significant adverse effect on the environment provided that certain mitigation measures identified in the initial study are incorporated into the project; (b) the subsequent Mitigated Negative Declaration was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing Guidelines.
4. Report submitted by City staff was reviewed.
5. Pursuant to a legal notice, a public hearing was held on March 15, 2018, and all interested persons were given an opportunity to be heard.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of March 15, 2018, and considered all oral and written testimony presented regarding the project, the initial study, and the subsequent Mitigated Negative Declaration.

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 primary project site (prior Galleria) has an existing 8-story, unfinished steel structure that will be modified and reused into a 394-unit affordable senior housing project with 12,938 square feet of commercial retail space.

The overall project site consists of one parcel of land with an area of 3.09 acres of land (APN#098-070-72) and a 2-acre portion of a larger parcel abutting to the south, with an area of 6.92 acres (APN 098-070-73). Both properties are owned by the Emlen W. Hoag Foundation.

The two-acre portion of the lot to the south includes the Garden Grove Boys & Girls Club building and parking lots.

The property is located in the area of the intersection of Brookhurst Street and Garden Grove Boulevard. This area is in the Mixed Use General Plan Land Use designations and zoning with the intent of focusing growth on under-utilized commercial corridors, preserving older residential neighborhoods, and providing development opportunities to commercial property owners. The Brookhurst Triangle development site is across the street to the north and its first phase of multi-family residential construction is almost complete. The Ramada Plaza Hotel is adjacent to the west of the Project site and the Festival Plaza, a two-story commercial center, is to the east. The parking lot for the Garden Grove Boys & Girls Club abuts the Project site to the south, with the Boys & Girls Club building, Kiwanisland, and a baseball playing field further to the south and southwest.

The project has been designed to use the existing steel structure that was constructed under different zoning standards, to employ the provisions of the State Density Bonus law (additional density and reduced parking), and to comply where possible with the current development standards of the Municipal Code for multi-family residential and commercial development. Because the proposal is an affordable housing project, the applicant is also requesting three concessions from the Municipal Code standards as allowed per the State Density Bonus law: 1) to construct residential units that are less than the minimum required size; 2) to reduce the amount of useable open space and provide 27% of the required space; 3) to allow for some compact spaces in the required residential parking (16% compact, 0 permitted).

A General Plan Amendment will facilitate the development of 394 affordable senior housing units and 12,938 square feet of commercial retail space, by changing the land use designation to Community Residential to allow an increase in density for senior housing. The Planned Unit Development is the zoning that implements the Community Residential designation and develops site specific standards for a unique mix of uses.

The application for the General Plan Amendment No. GPA-001-2018 and the Planned Unit Development No. PUD-008-2018 is being processed in conjunction with Site Plan No. SP-048-2018.

#### FINDINGS AND REASONS:

1. The General Plan Amendment is internally consistent with the goals and objectives of all elements of the City's adopted General Plan.

The original "Galleria" project was deemed to be consistent with the General Plan as it fulfilled such goals as "a balanced, prosperous and attractive corridor of land use fronting Garden Grove Boulevard" and the policy to "improve the economic viability of the corridor by emphasizing appropriate development of large, vacant, properties". The existing steel structure was constructed for a mixed-use project with commercial uses along Garden Grove Boulevard and residential units above.

The current General Plan was adopted in 2008 and Mixed Use designations were an important change to Garden Grove's land use pattern. The project site was included in the new Residential/Commercial Mixed Use 1 land use designation (R/CMU1), which provided for mixed-use projects with residential densities up to 42 dwelling units per acre and commercial development of 0.5 FAR. These General Plan Mixed Use land use designations were intended to focus growth on under-utilized commercial corridors, preserve older residential neighborhoods from increased densities, and provide commercial property owners additional development opportunities to incentivize redeveloping their properties. The project site was able to accommodate proposals with higher residential density with the new Residential/Commercial Mixed Use 1 designation. The R/CMU1 includes the statement "senior housing should be allowed in this designation with density bonuses" in the "Desired Character and Uses" section.

The Garden Grove General Plan 2030 has, and continues to include, a Land Use designation, Community Residential, which is expressly for senior housing, convalescent homes, congregate housing and institutional quarters, and allows the highest density of up to 60 dwelling units per acre. The General Plan anticipates this designation shall be applied to parcels to facilitate the development of senior housing and similar uses. This designation has been applied to other sites for senior housing development such as 12761 Garden Grove Boulevard and 12232 Chapman Avenue, the Chapman Care Center nursing home. With the addition of two (2) acres to the project site, the increase of density to 60 dwelling units per acre, and the State Density Bonus allowance of a 35% increase in density for affordable projects, the applicant was able to reach the unit count of 394.

The project includes commercial uses along the Garden Grove Boulevard frontage and is in an area with commercial shopping centers immediately abutting to the east and nearby. The proposed use is consistent with such General Plan policies as:

- Policy LU-1.2 Encourage modern residences in areas designated as Mixed Use.
- Policy LU-1.4 Encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed use areas.
- Policy LU-4.1 Locate higher density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.

The project is also consistent with the goals of the General Plan Housing Element to encourage development of affordable housing to meet the City's regional housing needs and to provide housing for people of all economic levels. Policy 2.4 of the Housing Element encourages collaborative partnerships to maximize resources available for the provision of housing affordable to lower-income households. Program 4 of the Housing Element encourages the development of affordable senior housing. The proposed

General Plan Amendment will fulfill the goals of the General Plan Housing Element by providing 394 additional affordable senior housing units.

2. The General Plan Amendment is deemed to promote the public interest, health, safety, and welfare.

By changing the General Plan, the affordable senior housing project with 394 units and 12,938 square feet of commercial floor area can be constructed. The project promotes the public welfare by fulfilling the goals and policies of the General Plan and providing additional affordable housing opportunities for seniors. The General Plan Amendment facilitates the construction of the project, which has been reviewed and conditioned by all City Departments to maintain and promote health, safety, and welfare.

3. The subject parcel(s) is physically suitable for the requested land use designation(s), compatible with surrounding uses, and consistent with the General Plan.

The one parcel, and the portion of the second parcel included in the General Plan Amendment, are both owned by the Emlen W. Hoag Foundation. By providing additional lot area in the form of a "Transfer of Development Rights" for the 2-acre portion, the project density can be increased and the site can be developed for 394 affordable senior housing units. The development of the site, with a finished building will benefit the property owner and their mission to support the Boys & Girls Club of Garden Grove. The Boys & Girls Club building and uses on the 2-acre portion shall remain and new intergenerational programming shall be provided between the youth and seniors.

The subject parcel was approved for an 8-story building and the steel structure was constructed at that height. The existing structure can accommodate the proposal for senior housing. The site is served and accessible from Garden Grove Boulevard. The project is required to provide a new traffic signal, median modifications, and coordination of traffic on Garden Grove Boulevard, which will create safe ingress and egress to the proposed development. The surrounding uses include a commercial shopping center to the east, a hotel to the west, and a mixed-use residential and commercial development (Brookhurst Triangle) across Garden Grove Boulevard to the north. The proposed mixed-use development will be compatible with the surrounding uses described and consistent with the goals and policies of the General Plan to construct higher density residential mixed-use projects in such areas.

#### Planned Unit Development

1. The location of the units, architectural design, and proposed use are compatible with the character of existing development in the vicinity, and the project will be well-integrated into its setting.

The project is designed to be integrated with the existing developments in the area. The building is designed to have commercial storefronts on Garden Grove Boulevard. The commercial portion of the building corresponds to the height (approximately 45 feet) of the neighboring Ramada Plaza Hotel. The affordable senior housing units on the upper floors are set back from the outer edges of the commercial footprint. In this way, the architectural detailing of the building ties into the neighboring development and minimizes the overall height of the building. The project provides frontage that is consistent with the commercial development along an urbanized corridor and is visually interesting. The design of the project will ensure a reasonable degree of compatibility with adjacent uses.

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

The design of the project complies with the spirit and intent of the Garden Grove Municipal Code for mixed-use development. A traffic study was prepared that evaluated the impact of the project on the surrounding street system and included review of 10 key intersections. All study intersections are forecast to operate at Level of Service D (LOS D) or better during the weekday A.M. and P.M. peak hours with the addition of the proposed traffic. With the project, the intersections will continue to operate within the anticipated scope as analyzed in the General Plan EIR (LOS D). The impacts were found to be insignificant at all study intersections, and therefore, the project will not cause traffic congestion on surrounding streets.

To minimize concerns regarding traffic operations and safety at the site access points, specific mitigation measures have been incorporated into the conditions of approval. The mitigations include, a traffic signal at the intersection of Garden Grove Boulevard and the main project entrance (the easterly driveway), changes to the median and existing left-turn pockets, and a signal-timing coordination plan. Through these mitigation measures, the increased vehicle trips and congestion will have a less than significant impact.

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

The project has been designed to be urban in character with a pedestrian plaza that includes landscaping along the Garden Grove frontage. The buildings will be modern in design and provide a residential setting for seniors close to commercial shopping at the Festival Plaza to the east and other nearby commercial developments. The project will be part of a node of taller, more urban development that is shared with the Brookhurst Triangle development immediately across Garden Grove Boulevard to the north. To facilitate the development of senior housing at the proposed density, the applicant has requested a concession to provide a portion (27%) of the open space required for 394 units. The open space provided is of several types including two courtyards, a large community room off the first floor central courtyard, two smaller community rooms, four recreation decks, and 37

private balconies on the front units of the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> floors. The applicant has proposed a partnership with the Garden Grove Boys & Girls Club to provide activities for seniors through Intergenerational Programming. This programming is a way to fulfill the intent of "open space" requirements where limited open space is provided. The project is designed to be a modern, attractive building providing affordable housing for seniors.

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

Through the conditions of approval for the project 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.

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

The project is a unique mix of uses on a unique site that could only be approved by Planned Unit Development (PUD) zoning. The project will repurpose an existing steel structure that was originally constructed for the first mixed-use project approved in 2005. However, the new proposal is for an affordable senior housing development with increased density that must be approved by amending the General Plan to the Community Residential land use designation. The Community Residential designation is only implemented by PUD zoning. The PUD zoning for this site, allows for commercial tenant spaces that are consistent with the existing character of Garden Grove Boulevard and affordable senior apartments that provide the convenience of living in a more urban environment. For this unique project, the PUD zoning also defines a portion of the site that shall remain for uses typically found in the Open Space (O-S) zone. The PUD zoning allows for a mix of residential, commercial, and open space uses in an urban, mixed-use development that is visually interesting and will be a significant, new building in the City of Garden Grove. The qualities of the project could not be achieved through traditional zoning.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the 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. The Planning Commission recommends approval of General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018.

2. The implementation provisions for Planned Unit Development No. PUD-008-2018 are found under Planning Commission Resolution No. 5915 for Site Plan No. SP-048-2018 and as follows:

PUD-008-2018 is intended to allow for a mix of uses on the project site. The PUD will provide base zones or specific uses that are permitted on the properties with the understanding that all such uses or expansion of uses shall meet the applicable development standards from Title 9.

The following uses allowed under the Community Residential Land Use designation shall be allowed by PUD-008-2018 on the 10080 Garden Grove Boulevard parcel (APN 098-070-72):

- Senior Housing
- Convalescent Hospitals
- Congregate Housing
- Institutional Quarters

These uses translate to the following activities in Title 9, Section 9.16.020.030 Uses Permitted:

- Multiple-Family Residential
- Community Care Facility, Residential
- Residential Care Facility for the Elderly (RCFE)
- Skilled Nursing Facility

The commercial uses shall be retail sales and services for neighborhoods and the larger community and shall be allowed on the 10080 Garden Grove Boulevard (APN 098-070-72) property. The following base districts for the commercial uses are:

- C-1, Neighborhood Commercial
- O-P, Office Professional

The Boys & Girls Club uses are those found in the Open Space zone and include "Public and Semi Public" Educational Institutions and Public Recreational Facilities. The following base district for the 9860 Larson Avenue site (a portion of APN 098-070-73) is:

- O-S, Open Space

The Open Space uses are further defined by Title 9, Section 9.16.030.050 Open Space Zone.

Landscaping, pedestrian plazas along Garden Grove Boulevard, architectural detailing, outdoor dining and similar features shall meet the requirements of the following base district:

- GGMU1, Garden Grove Mixed Use 1

In the event that a use is proposed that is not listed, an interpretation of use may be made by the Zoning Administrator or the Planning Commission.

The commercial portion of the project meets the parking requirement for retail spaces at 1 space for every 200 square feet of commercial floor area, for a total of 65 required commercial parking spaces (12,938 square feet divided by 200 = 67). This number of parking spaces precludes leasing to tenants with a higher parking demand such as full-service restaurants and medical uses, and also does not take into account future use of a possible retail "mezzanine" level. Additional commercial parking spaces will need to be designated to allow for any use with a higher parking ratio or the development of commercial uses (including storage) of the mezzanine level.

## RESOLUTION NO. 5915

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-048-2018 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET AT 10080 GARDEN GROVE BOULEVARD AND 9860 LARSON AVENUE, PARCEL NUMBERS 098-070-72 AND 098-070-73, RESPECTIVELY.

WHEREAS, the City of Garden Grove has received an application to repurpose an existing 8-story, unfinished steel structure (prior Galleria, "Project" site) located at 10080 Garden Grove Boulevard (APN 098-070-72) for a 394-unit affordable senior housing project with 12,938 square feet of commercial space and to increase the developable site area by 2 acres, located at 9860 Larson Avenue (APN 098-070-73), to allow for the desired density of the Project. The land use actions requested to implement the Project include: (1) General Plan Amendment No. GPA-001-2018 to change the land use designation of the 3.09-acre site from Residential/Commercial Mixed Use 1 to Community Residential and to change the designation of the 2-acre portion of the parcel to the south from Parks and Open Space to Community Residential; (2) Planned Unit Development No. PUD-008-2018 to create PUD zoning for the Project site currently zoned Garden Grove Mixed Use 1 and the 2-acre Garden Grove Boys & Girls Club (GGBGC) site currently zoned Parks/Open Space; (3) Site Plan No. SP-048-2018 to allow the construction of the Project by reusing and modifying the existing steel structure and parking structure and building an 8-story 394-unit affordable senior housing project with 12,938 square feet of commercial retail space along the Garden Grove Boulevard frontage and a 3-story parking structure; (4) Pursuant to the State Density Bonus Law for affordable housing projects, approval of three waivers from the Municipal Code development standards: a) to construct residential units that are less than the minimum required size; b) to reduce the amount of useable open space and provide 27% of the required space; c) to allow for some compact spaces in the required residential parking (16% compact, 0 permitted); and,

WHEREAS, the proposed project was originally proposed and considered in 2005 (previously approved project). Pursuant to the California Environmental Quality, Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA"), the City adopted a subsequent Mitigated Negative Declaration ("MND") and approved the project in 2005. A Notice of Determination was filed and posted on May 20, 2005. In 2017, modifications were proposed to the 2005 project ("proposed project"). Pursuant to Public Resources Code Section 21166 and California Code of Regulations, Title 14, Section 15162, the City prepared a subsequent initial study (The Galleria Mixed-Use Project Initial Study-Mitigated Negative Declaration) to analyze the proposed project's environmental effects. The subsequent initial study concluded that all of the proposed project's environmental impacts could be reduced to a less than significant level. On this basis, the subsequent initial study concluded that a subsequent MND was appropriate; and

WHEREAS, pursuant to Resolution No. 5914-18, adopted March 15, 2018, the findings and reasons of which are incorporated into this Resolution by reference, the Planning Commission has recommended that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project and approve General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session on March 15, 2018, does hereby approve Site Plan No. SP-048-2018, subject to the adoption of a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project by the Garden Grove City Council and, the adoption and effectiveness of a Resolution approving General Plan Amendment No. GPA-001-2018, and an Ordinance approving Planned Unit Development No. PUD-008-2018 by the Garden Grove City Council, in substantially the same form as recommended by the Planning Commission pursuant to Resolution No. 5914-18.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-048-2018, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by AMG & Associates, LLC.
2. The applicant requests to amend the General Plan Land Use designation by changing the current designation of the project site (Residential/Commercial Mixed Use 1) and a 2-acre portion of the neighboring Garden Grove Boys & Girls Club (GGBGC) property (Parks and Open Space) to Community Residential, rezoning the combined site to Planned Unit Development for a mix of uses including senior housing, retail commercial, semi-public recreation and open space, and Site Plan approval to construct 394 affordable senior housing units and 12,938 square feet of commercial retail space with three concessions allowable by State Density Bonus law.
3. The Community Development Department has prepared a subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project, that concludes that (a) the proposed project will not have a significant adverse effect on the environment provided that certain mitigation measures identified in the initial study are incorporated into the project; (b) the subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing guidelines.
4. The two properties included in the proposed project, have General Plan Land Use designations of Residential/Commercial Mixed Use 1 (prior Galleria) and Parks and Open Space (GGBGC), and are zoned Garden Grove Mixed Use 1 (GGMU1) and Open Space (O-S). Provided General Plan Amendment No. GPA-001-2018

and Planned Unit Development No. PUD-008-2018 are approved by the City Council, both properties will have a General Plan Land Use designation of Community Residential and will be zoned Planned Unit Development (PUD). The Community Residential designation, coupled with the State Density Bonus law allowable percentage increase in density, will allow for the 394 units. The total project area is 5.09 acres comprised of the 3.09 project site that is developed with the 8-story steel structure and a 2 acre portion of the larger 6.92 acre parcel which includes the Garden Grove Boys & Girls Club and Kiwanisland.

5. The 2-acre portion of the GGBGC/Kiwanisland property will be tied to the Project site through a "Declaration of Covenants and Restrictions for the Transfer of Development Rights".
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject properties have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on March 15, 2018, and all interested persons were given an opportunity to be heard.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of March 15, 2018, and considered all oral and written testimony presented regarding the project, the initial study, and the subsequent Mitigated Negative Declaration.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.24.030, Land Use Actions, are as follows:

FACTS:

The project site (prior Galleria) has an existing 8-story, unfinished steel structure that will be modified and reused into a 394-unit affordable senior housing project with 12,938 square feet of commercial retail space.

The project site consists of one parcel of land with an area of 3.09 acres of land (APN 098-070-72) and a 2-acre portion of larger parcel abutting to the south, with an area of 6.92 acres (APN 098-070-73). Both properties are owned by the Emlen W. Hoag Foundation.

The two-acre portion of the lot to the south includes the Garden Grove Boys & Girls Club building and parking lots.

Approval of the Site Plan, in conjunction with General Plan Amendment No. GPA-001-2018, and Planned Unit Development No. PUD-008-2018 would facilitate the development of the 394-unit affordable senior housing units and 12,938 square feet of commercial retail space on the ground floor.

The Site Plan No. SP-048-2018 is being processed in conjunction with General Plan Amendment No. GPA-001-2018 and Planned Unit Development No. PUD-008-2018.

The property is located in the area of the intersection of Brookhurst Street and Garden Grove Boulevard. This area is in the Mixed Use General Plan Land Use designations and zoning with the intent of focusing growth on under-utilized commercial corridors, preserving older residential neighborhoods, and providing development opportunities to commercial property owners. The Brookhurst Triangle development site is across the street to the north and its first phase of multi-family residential construction is almost complete. The Ramada Plaza Hotel is adjacent to the west of the Project site and the Festival Plaza, a two-story commercial center, is to the east. The parking lot for the Garden Grove Boys & Girls Club abuts the Project site to the south, with the Boys & Girls Club building, Kiwanisland, and a baseball playing field further to the south and southwest.

The project has been designed to use the existing steel structure that was constructed under different zoning standards, to employ the provisions of the State Density Bonus law (additional density and reduced parking), and to comply where possible with the current development standards of the Municipal Code for multi-family residential and commercial development. Because the proposal is an affordable housing project, the applicant is also requesting three concessions from the Municipal Code standards as allowed per the State's Affordable Housing law: 1) to construct residential units that are less than the minimum required size; 2) to reduce the amount of useable open space and provide 27% of the required space; 3) to allow for some compact spaces in the required residential parking (16% compact, 0 permitted).

#### FINDINGS AND REASONS:

##### Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of the Municipal Code and other applicable ordinances.

The associated General Plan Amendment which will allow the increased density of the project is internally consistent with the goals and objectives of the City's adopted General Plan. The Residential/Commercial Mixed Use 1 zone intends for vibrant, urban-scale districts with higher residential densities and taller, more urban mixed use buildings. Senior housing is called out as an appropriate use in the Residential/Commercial Mixed Use 1. Amending the General Plan land

use designation to Community Residential, will facilitate the construction of senior housing and the development of affordable housing as encouraged by the General Plan Housing Element.

The proposed development will provide a unique mix of uses that are in keeping with the site constraints and the intent of the Garden Grove Mixed Use zoning. In particular, the project will meet the intent for this area of Garden Grove Boulevard by providing an urban-scale, fully integrated commercial and residential mixed-use development, which provides some commercial uses along the street frontage to encourage a more vibrant, pedestrian oriented streetscape. The uses included in the Planned Unit Development (PUD) for the property at 10080 Garden Grove Boulevard will be senior housing (multiple-family residential) apartments and retail commercial uses. On the 9860 Larson Avenue site, the uses will insure the continued operation of the Garden Grove Boys & Girls Club (open space, semi-public recreation facility, private club or lodge).

Approval and effectiveness of the proposed Site Plan is contingent upon City Council approval of General Plan Amendment (GPA-001-2018) and Planned Unit Development No. PUD-008-2018.

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 project was designed to meet the parking requirements for affordable senior housing units (.5 parking space per senior housing unit, requires 197 spaces) and retail commercial units (1 space for 200 square feet, requires 65 spaces) and provide 36 additional spaces with 11 being designated for residential guests.

Vehicular access is provided by one main access driveway for the public, and a secondary driveway that is for trash pick-ups, loading, and emergency services.

A Traffic Impact Analysis was prepared that evaluated the impact of the project on the surrounding street system and included a review of ten key intersections. Traffic associated with the proposed project would not adversely affect the traffic circulation. All study intersections are forecast to operate at Level of Service D (LOS D) or better during the weekday A.M. and P.M. peak hours with the addition of project traffic. City of Garden Grove guidelines require LOS D as the minimum acceptable LOS for the City of Garden Grove arterial roadway system. With the addition of the project, the intersections will continue to operate within the anticipated scope as analyzed in the General

Plan EIR (LOS D). The impacts were found to be insignificant at all study intersections. Therefore the project will not adversely affect traffic circulation.

To minimize concerns regarding traffic operations and safety at the site access points, specific mitigation measures have been incorporated into the conditions of approval. The mitigations include a traffic signal at the intersection of Garden Grove Boulevard and the main project entrance, changes to the median and existing left-turn pockets, and a signal-timing coordination plan.

The City's Traffic Engineering section has reviewed the proposed project and the Traffic Impact Analysis and provided appropriate conditions of approval to minimize any impacts to surrounding streets.

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

The Public Works Department has reviewed the plans, and a required Sewer Flow Study, to provide appropriate conditions of approval. The proposed development will provide landscaping, proper grading, and Site Design Best Management Practices to provide adequate on-site drainage. All appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets, utilities, and drainage channels.

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

The development does provide a reasonable degree of physical, functional and visual compatibility with the neighborhood, in part, because the building is designed to have a lower mass that corresponds in height (approximately 45 feet) to the neighboring Ramada Plaza Hotel. The senior housing apartments on the upper floors (6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup>) are set back from the outer edges of the lower building mass. In this way, the architectural detailing of the building ties into the neighboring development and minimizes the overall height of the building. Also, the commercial storefronts along the Garden Grove Boulevard frontage provide compatibility with the neighboring commercial center and other similar developments in the nearby area. The project provides frontage that is consistent with the commercial development along an urbanized corridor and a building that is visually interesting.

5. Through the planning and design of buildings and building placement, the provision of open space landscaping and other site amenities will attain an attractive environment for the occupants of the property.

The project has been designed to be urban in character with a pedestrian plaza that includes landscaping along the Garden Grove frontage. The buildings will be modern in design and provide a residential setting for seniors close to commercial shopping at the Festival Plaza to the east and other nearby commercial developments. The project will be part of a node of taller, more urban development that is shared with the Brookhurst Triangle development immediately across Garden Grove Boulevard to the north. To facilitate the development of senior housing at the proposed density, the applicant has requested a concession to provide only a portion (27%) of the open space required for 394 units. The open space provided is of several types including two courtyards, a large community room off the first floor central courtyard, two smaller community rooms, four recreation decks, and 37 private balconies on the front units of the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> floors. The applicant has proposed a partnership with the Garden Grove Boys & Girls Club to provide activities for seniors through Intergenerational Programming. This programming is a way to fulfill the intent of "open space" requirements where limited open space is provided. The project is designed to be a modern, attractive building providing affordable housing for seniors.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030 (Site Plan).
2. In order to mitigate any environmental impacts and to fulfill the purpose and intent of the Municipal Code, thereby, promoting the health, safety, and general welfare, the following conditions of approval, attached as Exhibit "A", shall apply to Site Plan No. SP-048-2018.

# **EXHIBIT "A"**

## **Site Plan No. SP-048-2018**

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The owner of both properties shall execute, and the applicant shall record against the property, a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to issuance of building permits.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, AMG & Associates, 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. Any changes to the Conditions of Approval require approval by the Planning Commission.
3. Approval of this Site Plan shall be contingent upon the approval of General Plan Amendment No. GPA-001-2018 and Planned Unit Development PUD No. PUD-008-2018, by the Garden Grove City Council and shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community & Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community & Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.
6. The approved site plan, floor plan, and building design including colors and materials, are an integral part of the decision approving this Site Plan. There shall be no change to these approved plans without the approval of the Community & Economic Development Department. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community & Economic Development Director, at his or her discretion.

Proposed modifications to the project and/or these Conditions of Approval determined by the Community & 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. The City hearing body may add language that certain modifications require approval of new and/or amended land use entitlements by the applicable City hearing body.

7. The developer of the site shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community & Economic Development Department for review and approval prior to Building Division Plan Check. The project shall also be subject to the following:
  - a. Utility equipment above ground (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks or within the common areas and shall be screened to the satisfaction of the Community & Economic Development Department.
  - b. No roof-mounted mechanical equipment shall be permitted, unless a method of screening complementary to the architecture of the building is approved by the Community & 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.
  - c. All ground or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
  - d. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior façade and/or visible from any public right-of-way or adjoining property.
8. All loading and unloading of vehicles shall occur on-site.
9. All mitigation measures identified in the subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program adopted for the Project (The Galleria Mixed-Use Project, Initial Study-Mitigated Negative Declaration) (the "subsequent Mitigated Negative Declaration") are incorporated herein by reference and shall be implemented as conditions of approval for this Project. The Mitigation Monitoring and Reporting Program adopted in conjunction with the Mitigated Negative Declaration shall be implemented during Project construction through Project completion.

### **Engineering Services Division**

10. 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.

11. Street improvement plans prepared by a registered Civil Engineer are required. Garden Grove Boulevard existing median shall be modified per the approved traffic study and City Traffic Engineer's recommendations stated in these Conditions of Approval.
12. A separate street permit is required for work performed within the public right-of-way.
13. 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.
14. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
15. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
16. The two drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120.
17. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, if any shall have wheel stops.
18. 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).

19. Prior to issuance of a grading permit, the applicant shall design overhead street lighting along the front of the development in a manner meeting the approval of the City's Lighting Administrator. Location of lighting poles shall be shown on the precise grading and street improvement plans.
20. An updated geotechnical study shall be required for the final WQMP. In the event, the scope of the project changes or expands, which would entail new ground disturbance on the site and possible modifications to the WQMP, an updated geotechnical study may be required at the time of construction.
21. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
22. 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 of the dumpsters in the street.
23. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:  
Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing areas, creating reduced or "zero discharge" areas, and conserving natural areas
  - a. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP
  - b. Incorporates structural and Treatment Control BMPs as defined in the DAMP
  - c. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
  - d. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
  - e. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs
24. 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
25. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law-AB 1826:
- a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
  - b. Provide solid roof or awning to prevent direct precipitation.
  - c. Connection of trash area drains to the municipal storm drain system is prohibited.
  - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
  - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
  - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
  - g. Pursuant to state mandated commercial organic recycling law-AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
26. 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 resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.

27. 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.
28. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
  - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
29. 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.
30. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
31. 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.
32. Any required lane closures should occur outside of peak travel periods.
33. Construction vehicles should be parked off traveled roadways in a designated parking area.
34. 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.

35. The applicant shall remove substandard driveway approaches, curb and the existing landscape within sidewalk area along Garden Grove Boulevard 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 Division. A separate street improvement, striping and signal plans, shall be prepared for Garden Grove Boulevard and submitted to the engineering department for improvements within the City right of way.

#### Garden Grove Boulevard

- a. The applicant shall remove the existing sidewalk on Garden Grove Boulevard along the property frontage and construct an eight-foot sidewalk per City Standard Plan B-106.
- b. The two new driveway approaches to the site on Garden Grove 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. A deviation to allow a driveway width less than 30 feet is permitted for westerly approach.
- c. New wheelchair ramps and landing shall be constructed per latest Caltrans Standard Plan A88A.
- d. Construct 8-inch curb and gutter replacing the driveway approaches along the property frontage at 42' from centerline in accordance with City Standard Plan B-113 (Type C-8 Modified).
- e. The applicant shall construct a traffic signal at the intersection of Garden Grove Boulevard and the project main entrance (the easterly driveway) 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 eastbound and westbound movements on Garden Grove Boulevard. A striping plan is required as part of new signal design for the main entrance on Garden Grove Boulevard to facilitate the relocation of striping.
- f. The applicant shall establish an easement for traffic signal access and utilities behind the ultimate right of way at the project main entrance.
- g. Prior to occupancy, the applicant shall design and implement a "Signal Timing Coordination Plan" along Garden Grove Boulevard in a manner

meeting the approval of the City Traffic Engineer. Said plan shall amend the current coordination plan and address impacts from the new traffic signal required to facilitate the proposed project.

- h. The applicant shall design and reconstruct the median to the east of the project on Garden Grove Boulevard per City Standard B-112 (Type A-8) to extend the left-turn pocket serving the adjacent commercial development, the Festival Plaza, to the east to provide access to the main project entrance. Said improvements shall include a 160-foot west bound left-turn pocket. The reconstruction/extension of the raised median at the front of the adjacent commercial development to the east will restrict its access to right-turn in/right-turn out movements only on Garden Grove Boulevard rather than the full access previously planned.
- i. The applicant shall design and reconstruct median fronting the project on Garden Grove Boulevard per City Standard B-112 (Type A-8) to facilitate left-turn access to Phase V of Brookhurst Triangle project. Said improvements shall include a 100-foot eastbound left-turn pocket per Brookhurst Triangle's already approved traffic study. The reconstruction of the median fronting the Galleria project shall also include a left-in-only median opening per OCPW standard Plan 1118 to facilitate access to westerly driveway. Said improvements shall include a 75-foot westbound left-turn pocket with a 75-foot taper.
- j. The westerly drive approach on Garden Grove Boulevard shall restrict left-turn out.
- k. The applicant shall coordinate with the City's Street Lighting Administrator to relocate and upgrade the existing median street lights to LED on Garden Grove Boulevard.
- l. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Garden Grove Boulevard with Planning Division and Water Division.
- m. Any proposed new landscaping in public right of way shall be approved by Planning Division and maintained by the owner.

**Environmental Services/Streets Division**

- 36. The applicant shall use Republic Services for all construction demolition and debris processing.
- 37. The applicant shall comply with the anti-graffiti ordinance throughout the project as a "Best Management Practice" to mitigate vandalism. Graffiti shall be removed from the entire site including signage, traffic controls, etc. The

applicant shall remove all USA utility markings upon completion of the project and employ setbacks and plantings as a pro-active future deterrence.

**Public Works Water Services Division**

38. The applicant shall provide the Garden Grove Sanitary District with the projected discharge flows from both the commercial and the 400 HDR units.

**Water**

39. New water meter and service installations shall be installed by the owner's/developer's contractor per current City Standards and Specifications. Water meters shall be located within the City right-of-way.
40. A 10" fire service line with an 8" Double Check Detector Assembly (DCDA) and 2 fire hydrants have been installed. The DCDA and fire hydrants are located in the back of the property adjacent to the Boys & Girls Club. There is a stub-out on the fire line facing south for a future tie-in with a main in the Boys & Girls Club property if a looped system is required. Above-ground assembly shall be screened from public view as required by the Planning Division.
41. The location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
42. Reduced Pressure Principle Device (RPPD), backflow prevention devices shall be installed for meter protection. The landscape system shall also have RPPD devices. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. A 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 shall be submitted to Public Works, Water Services Division.
43. Any new or existing water valves located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
44. The City shall determine if existing water service(s) is/are usable and meet(s) current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.

**Sewer**

45. The applicant shall install a new xtra strength VCP sewer lateral with wedge lock joints per City Standard S-111 with a 48" Sancon lined manhole per City Standard S-100.

46. If necessary, the contractor shall abandon existing 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.
47. Commercial food use of any type shall require the installation of an approved grease interceptor (GCD) prior to obtaining a business license.
48. A properly sized GCD 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. The grease interceptor shall be located outside of the building and accessible for routine maintenance. The owner shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.
49. Food grinders (garbage disposal devices) for commercial uses are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations.

### **Building Services Division**

The plans submitted for building permit plan check shall be revised to include the following requirements.

### **Senior Housing Requirements**

50. The development shall be designed to encourage social contact by providing at least one common room on each floor.
51. Access to all common areas and housing units within the development shall be provided without use of stairs, either by means of an elevator or sloped walking ramps.
52. Walkways and hallways in the common areas shall have lighting conditions which are of sufficient brightness to assist persons who have difficulty seeing.
53. Walkways and hallways in the common areas of the development shall be equipped with standard height railings or grab bars to assist persons who have difficulty with walking.

### **Accessibility Requirements**

54. City programs for housing are required to comply with public housing regulations and shall comply with California Building Code Section 11B-233. Provide 5% of total units with mobility and 2% of total units with communications; all of the remaining units shall be adaptable.

55. Refuse collection shall be provided in a manner that requires a minimum of physical exertion by residents and on an accessible route.
56. Parking structures shall have a minimum height clearance of 8'-2".
57. All units on an accessible route other than mobility units shall be adaptable.
58. All common areas shall be fully accessible.
59. Provide exterior accessible route from accessible parking to retail spaces.

General requirements

60. The building plans, including grading and site development plans and all construction activity shall comply with 2016 CBC, CPC, CMC, CEC, CGBSC, CA Energy Code.
61. Provide exiting plans.
62. Exits system must be continuous to the public way.
63. EV charging stations are required.
64. Bicycle parking is required.
65. An acoustical report will be required for the prevention of noise transfer to the residential units along the drive aisles.
66. Residential units shall comply with natural lighting requirements per CBC Section 1205. Exterior glazed openings shall open directly onto a yard or public way. The units along the drive aisle do not meet this requirement.
67. It appears that access to the retail spaces from public parking is through the residential corridor. This area will be required to meet the requirements for a public access way. (See Police Department Conditions of Approval regarding security)
68. The building shall be solar ready and the structural area for panel placement is required to be included in the calculations.
69. Provide allowable area/height analysis of the building.
70. Provide fire-rated construction for type I-A construction per Table 601.
71. Provide occupancy separation per Table 508.4 for group S-2 and R-2.

Structural Requirements (Based on Submitted 2014 Report)

72. The submitted tested report was completed in 2014 and it did not include all structural elements in the buildings such as steel framings and connections. Therefore, a new test report is required prior to construction documents

being submitted for plan check. The new test report shall include the following:

- a. The steel framing members and their connections have been exposed to weather for over 10 years. Provide the methodology of the testing with a summary or executive statement along with the test results. Include a discussion on how the framing members and their connections are selected and tested. Sample areas will NOT be an acceptable means of testing for steel frames and connections.
  - b. Testing of steel framing members and their connections shall be conducted after removing corrosion. A **nonlinear** analysis shall be provided to verify shear failure, yielding of steel under direct stress, lateral torsional buckling and bearing failure near/at supports or loading points.
  - c. Update original report to reflect current condition of the buildings.
  - d. Explanation of original design service life of the building and if it will remain the same.
  - e. Provide detailed methods to remove corrosion from framing members and their connections. Provide method(s) including material(s) that will be used to prevent future corrosion.
  - f. Provide details on the worst corrosion depth to framing members and their connections including thickness loss after removing corrosion.
  - g. Provide a detailed explanation if the existing framing members and connections will retain the capacity to carry new design loads. Additionally, provide explanations if the durability and sustainability will remain the same for the service life of the building and the protocol for premature failure in framing members and their connections.
73. The existing building was designed based on the 1997 UBC; the new construction and structural designs shall comply with the 2016 CA Building Standards Code and current structural Design Standards.
74. The existing structural layout does not align with the new architectural layout in certain areas; several columns located in corridors and accessible routes. Provide new structural and/or architectural layouts to match.

#### **Garden Grove Fire Department**

75. All requirements of the Garden Grove Building & Safety Division and Fire Department shall be met, including any required occupancy permits and

inspections. The development will meet the requirements for new high-rise buildings including fire sprinklers, fire alarms, a smoke removal system, and a fire control room (refer to City of Garden Grove Fire Department pamphlet entitled "Requirements and Standards for New High-Rise Buildings"). A building is considered to be "high-rise" when it is a height of 75 feet or more per City Ordinance.

76. All fire protection requirements shall meet all applicable State and Local Codes.
77. The applicant shall provide a CAD turning radius with GGFD engine and truck specifications.
78. The applicant shall submit revised plans for review and approval by the Garden Grove Fire Department showing the fire lane widths, hydrant locations, fire control room, and Fire Department connections.

#### **Police Department**

79. Within the commercial tenant spaces, there shall be no pool tables or amusement devices on the premises at any time.
80. Within the commercial tenant spaces, there shall be no live entertainment, dancing, karaoke, or disc-jockey entertainment permitted on the property at any time.
81. There shall be no gaming tables or gaming machines as outlined in City Code Sections 8.20.010 and 8.20.050 on the property at any time.
82. There shall be no uses or activities permitted on the property of an adult-oriented nature as outlined in City Code Section 9.04.060.
83. Within the commercial tenant spaces, the interior walls and/or partitions in Alcoholic Beverage Control (ABC) licensed establishments shall not exceed 48 inches in height and shall not be enclosed (from floor to ceiling) at any time.
84. The number of ABC licensed establishments shall be limited to half of the overall commercial floor area. Half of the overall commercial floor area is a maximum of 6,469 square feet of floor area that can be used for ABC licensed establishments. A Conditional Use Permit is required to be approved for each individual ABC license on the property. The public shall enter all ABC licensed establishments through a controlled doorway in a tenant space. There shall be no ABC licensed establishments in the possible retail mezzanine area.

85. The entries to the senior housing units shall be security entrances and only available to residents. Similarly, the entrances to the retail service corridor shall be security entrances and only available to the commercial tenants. The proposed retail mezzanine area shall only be accessed from the commercial retail portion of the building.
86. The Boys & Girls Club have requested an easily accessible and safe walkway between the properties that will be secure. Provide information regarding this access between the Boys & Girls Club and the senior housing, including where the access occurs, who is provided with keys, etc.
87. The entries to the commercial area of the development closed when the businesses are closed.
88. The owner/developer shall develop a Security Plan for the property with the Police Department. Security issues regarding the access to the different portions of the development shall be addressed ensuring safety for residents, visitors, commercial tenants, and Boys & Girls Club members. The Security Plan may require the installation of an alarm system or other improvements. The Security Plan shall be complete and approved by the Police Department prior to any Certificate of Occupancy being issued for the property. All improvements required by the Security Plan shall be installed and complete prior to any Certificate of Occupancy.

### **Community and Economic Development Department**

89. Prior to issuance of building permits, the property owner, the Emlen W. Hoag Foundation, shall sign and record a Declaration of Covenants and Restrictions for the Transfer of Development Rights ("Covenant") with the City of Garden Grove, in a form approved by the City Attorney and City Manager, which transfers the residential dwelling development rights from two acres on the GGBGC property (APN 098-070-73) to the Garden Brook Senior Center property (APN 098-070-72). The document shall be consistent with the approved site plan, shall be enforceable by the City, shall run with the land, shall bind all current and future owners and tenants of all or portions of Parcel 72 and 73, shall provide that violation of the terms of the document constitute a violation of these conditions of approval, and shall not be modified or terminated without prior written approval from the City.
90. Noise generated by the uses on-site shall be subject to the noise ordinance as adopted by the City of Garden Grove.
91. Enhanced concrete treatment shall be provided at a 20-foot depth on all vehicular access ways of the site, subject to approval by the Community & Economic Development Department. The enhanced concrete treatment can include decorative stamped concrete, interlocking pavers or other enhanced

- treatment, excluding scored and/or colored concrete. Color, pattern, material, and final design and configuration shall be approved by the Community & Economic Development Department, Planning Division, and shall be shown on the final site plan, grading plan, and landscape plans.
92. Litter shall be removed daily from the project site including adjacent public sidewalks and all parking areas under the control of the property owner. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
  93. Best Management Practices shall be incorporated in the management of the site to detour and/or abate graffiti vandalism throughout the life of the project, including but not limited to, timely removal of all graffiti, the use of graffiti, resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras if necessary.
  94. The owner/developer shall provide adequate trash enclosures with receptacles to accommodate the uses on the site along with adequate pick-ups during the week. All trash enclosures shall match the color and material of the buildings or block wall on the site. The trash bins shall be kept inside the trash enclosure, and the gates shall remain closed at all times except during disposal and pick-up. The trash shall be picked up as needed to accommodate the use; the applicant shall increase the number of pick-ups as required.
  95. The owner/developer shall provide the following for the contracted trash collection agency, Republic Industries:
    - a. Incorporate into the plans a clearance height of 14'-6" to allow for access of the trash trucks.
    - b. Prepare and submit for approval by Republic Industries, a "Trash Management Plan" for the property. A copy of the approved "Trash Management Plan" shall be submitted to the Planning Services Division prior to the issuance of any Certificate of Occupancy for the project.
  96. Prior to the start of construction, temporary security fencing shall be erected if necessary. The fencing shall be a minimum of six (6) feet in height with locking, gated access, and shall remain through the duration of construction.
  97. Prior to the issuance of 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 developers' name, address, and a 24-hour emergency telephone number.

98. The floor plan is an integral part of the decision approving this development. Any additional changes in the design of the floor plan shall require the approval of the Community & Economic Development Department. Any change in the approved floor plan that has the effect of expanding or intensifying the approved use, shall require a new Site Plan.
99. The parking on the site is required for a mix of uses. The following are project requirements for parking on the site:
  - a. The affordable senior housing units require .5 spaces per unit and with a proposed total of 394 units the project requires 197 parking spaces. At no time shall the number of residential parking spaces be reduced below the required minimum of .5 spaces per affordable senior housing unit.
  - b. The project includes 12,938 square feet of commercial floor area along the Garden Grove Boulevard frontage. The project shall provide a minimum of 1 parking space for every 200 square feet of commercial floor area for a minimum total of 65 parking spaces. At no time shall the number of commercial parking spaces be reduced below the required minimum of 65 parking spaces.
  - c. The proposed commercial parking minimum of 65 parking spaces fulfills the required number of spaces for retail commercial uses (1 space per 200 square feet) but does not allow for commercial uses that have a higher parking requirement. A full-service restaurant requires 1 parking space for every 100 square feet of floor area and a doctor's office requires 1 parking space for every 170 square feet of floor area. In the event, the property manager seeks to lease a tenant space to a business use with a higher parking requirement than 1 space for every 200 square feet additional commercial parking space shall be designated/created to meet the requirements of said use. The creation of additional commercial parking spaces shall not diminish the required minimum spaces for the senior housing units.
  - d. Similarly, the possible addition of retail uses on a commercial mezzanine are not included in the proposed parking minimum of 65 parking spaces. To use the mezzanine for any type of commercial use (including storage) shall require additional commercial parking spaces.
  - e. The applicant shall submit for review and approval by the Community & Economic Development Department and the Police Department, a Parking Management Plan. The Parking Management Plan shall provide details on how parking will be managed on the property between residents, residential guests, and commercial customers/staff and provide details on the proposals outlined at the Neighborhood Meeting held on September 27, 2017. The specific details outlined and requiring further information include, gates for the parking areas and keyed

access, a parking sticker program, prohibited parking enforced by on-site management company, visitor parking without overnight stays, possible Lyft or Uber stop, and a possible Zipcar station. The Parking Management Plan shall be approved prior to final inspection.

100. The applicant has proposed a partnership with the Boys & Girls Club for an Intergenerational Program between the youth at GGBGC and the seniors in the project. To implement the Intergenerational Program the following are required:
  - a. Prior to obtaining any building permit, the plans shall be revised for review and approval of an easily accessible safe walkway between the senior housing and the GGBGC that will be secure. The revised plans shall provide lighting details for this access between the two properties.
  - b. Provide a detailed Scope of Work for the Intergenerational Program and how it will be implemented. Identify how the dedicated personnel housed in the senior housing will be chosen/hired and how such a position shall be maintained. The Scope of Work shall be signed by the partners associated with both the seniors and the youth and submitted to the Community & Economic Development Department for review.
  - c. The applicant shall provide upgraded ADA busing systems to the existing transportation infrastructure (GGBGC) to facilitate senior outings and appointments.
  - d. Prior to issuance of any building permit, the applicant shall provide to the Community & Economic Development Department, for review and approval, revised plans of a social room available for use by both agencies with convertible sturdy furniture, a community kitchen, and outside raised planter gardens. Also a large community room with availability of a projection screen, TV, WiFi, and outlets. The community rooms will meet the GGBGC's requirements for windows or openness to provide clear lines of supervision of adults with youth.
  
101. The owner/developer shall submit a complete "Landscape Plan" governing the entire development. Said plan shall include type, size, location and quantity of all plant material in addition to irrigation plans, staking and planting specifications. The "Landscape Plan" is also subject to the following:
  - a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan including parkway plantings. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation. All trees shall have a deep water irrigation detail.

- b. Provide landscape plans in more detail and at a larger scale. The detailed plan of each recreation area or landscape area shall identify the type and locations of perennials and shrubs (not just as a general list of choices) as well as trees and ground covers.
- c. Street trees with deep-water irrigation systems shall be provided along the street frontage at a distance of no more than 30 feet on center. The street trees shall be planted in tree wells that are 4 feet wide by 8 feet in length. Trees shall be canopy with shrubs and/or groundcover in the tree well. The type of street tree shall be approved by the Community & Economic Development Department and Public Works staff.
- d. The landscaping along Garden Grove Boulevard will be in character with the landscaping requirements of the Garden Grove Mixed Use 1 zone. For property where the front lot line abuts Garden Grove Boulevard, the 10-foot area measured from, and perpendicular to, the property line, shall be primarily for pedestrian use and shall be paved and augmented with landscaping such as planters and trees, as provided per Section 9.18.100.020.C (Setbacks) and subsection C (Garden Grove Boulevard Tree Requirements). Elements enhancing the pedestrian experience shall be incorporated into the front setback, including, but not limited to, benches, lighting, and enhanced paving. Garden Grove Boulevard tree requirements include columnar trees planted within 10 feet of the property line and placed at regular intervals at no more than 40 feet on center. Setback canopy trees shall be planted at a ratio of at least one tree for every 50 feet of Garden Grove Boulevard frontage. Setback canopy trees can be placed at regular intervals along the front setback or may be clustered.
- e. Provide specific details for how the recreation courtyard on the west side of the first floor shall be screened from the service driveway. Include wall/fence specifications and identify all plant types.
- f. The first floor recreation courtyards will be heavily shaded throughout the day. Provide appropriate selections for all plantings.
- g. The owner/developer shall be responsible for installation and permanent maintenance of all landscaping on the property. All planting areas are to be kept free of weeds and debris.
- h. All landscaping and irrigation shall be permanently maintained. The Permanent maintenance includes the regular replacement of plants when they become old and leggy and the regular addition of plants as they become sparse. Landscape areas shall be maintained to be fully landscaped, adequately watered, and not overly pruned.

- i. The south (rear) setback of the building shall be planted with a row of vertically growing trees. The proposed setback between the rear property line and the proposed parking structure shall be adequate to accommodate these trees and their future growth pattern. The irrigation plan for these trees shall have a deep-water irrigation system that is specified and drawn on the landscape plans.
  - j. All trees planted within ten feet (10') of any public right of way shall be planted in a root barrier shield and shall have a deep-water irrigation system specified and drawn on the landscape plans.
102. All exterior lighting shall be reviewed and approved by the Community & Economic Development Department. The applicant shall be responsible for providing adequate lighting for the parking areas and walkways in compliance with CITY regulations. The proposed design of the parking structure has openings in the walls. Provide information that the light from these openings shall not unreasonably illuminate the neighboring properties.
103. The owner/developer shall submit for review and approval by the Community & Economic Development Department, a "Loading/Unloading Plan" for the property, including the travel path and turning radius of delivery trucks, prior to issuance of any permit. The "Loading/Unloading Plan" shall provide information and schedules for deliveries onto the site. All loading and unloading operations shall be conducted so as to not interfere with parking or with vehicle and pedestrian access. Loading berths are ten feet wide by 35 feet in length. No delivery trucks shall be left on or idling during deliveries. Include information on loading for the residential units.
104. All signs shall require a separate permit and shall be installed in accordance with the provisions of the sign ordinance and an approved sign plan. The Community & Economic Development Department shall approve all signs prior to installation. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort.
105. The owner/developer shall submit a sign plan for the development that includes the following:
- a. The project name shall be added to the front elevation so that is readable from a pedestrian level.
  - b. There shall be no exterior tenant signs on the second floor of the commercial businesses.
  - c. Exterior tenant signs on the first floor shall be channel letters with a maximum height of 18 inches. The sign plan shall indicate a limited choice of font(s) and color(s) for the channel letters that are compatible

- with the colors and materials of the building. Also, the plan shall specify color of returns.
- d. The owner/developer shall provide effective directional signs for the entry onto the site and for the location of parking.
  - e. The owner/developer shall limit the areas in which advertisements and other signs shall be displayed on storefront windows. These advertisements and signs shall be allowed in specific areas in an organized fashion.
  - f. The building address shall be a minimum of 12 inches in height and in a contrasting color to the building.
106. The applicant/property owner(s) shall enter into an Affordable Housing Agreement with the City of Garden Grove. The Housing Agreement shall be prepared at the cost of the applicant/property owner and shall be submitted for review and approval by the City Attorney's office and the Community & Economic Development Department prior to the issuance of building permits. The approved Housing Agreement shall be recorded prior to issuance of a building permit for any structure in the housing development. The Housing Agreement shall run with the land and be binding on all future owners and successors in interest. The Affordable Housing Agreement shall include, but not be 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 for the target units.
  - c. The location, unit size in square feet, and number of bedrooms of target units.
  - d. Provisions to ensure affordability in accordance with Subsection G of this section.
  - 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 this section.
  - j. Procedures for establishing affordable rent, filling vacancies, and maintaining target units for eligible tenants.
  - k. Provisions requiring verification of household incomes.
  - l. Provisions requiring maintenance of records to demonstrate compliance with this subsection.
  - m. The property owner shall restrict tenancy occupancy to a "2 + 1" formula, 2 persons per bedroom plus one additional person (ex: a two bedroom unit can only house five persons).
  - n. The property owner shall provide a professional on-site caretaker, as defined and required by Title 25, Division 4, Article 5, Section 42 of the State Housing Law Regulations.
107. The owner/developer shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-048-2018 and agreement with all conditions of approval.
108. The applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning General Plan Amendment No. GPA-001-2018, Planned Unit Development No. PUD-008-2018, and Site Plan No. SP-048-2018, (collectively, the "Project entitlements") and/or the adopted 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 further pay any adverse financial award, which may issue against the City, including, but not limited to, any award of attorney fees to a party challenging such project approval. Notwithstanding the foregoing, in the event any legal action or proceeding is filed against the City and/or applicant, seeking to attack, set aside, void or annul any of the Project entitlements, applicant shall have the right and obligation to either: (1) defend the City with legal counsel mutually selected by the applicant and the office of the City Attorney; or (2) request that the

City rescind the entitlement approvals, in which case the applicant would have no obligation to defend or indemnify the City; however, applicant shall reimburse the City for any costs incurred or assessed against the City as a result of the filing of such legal action or proceeding, provided the City acts promptly to rescind the entitlements.

109. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. The applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-048-2018 has begun.
110. 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-048-2018 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one year of the expiration of the appeal and thereafter, diligently advanced until completion of the project.
111. In the event that any substantial grading or ground disturbance is required to complete construction of the project, a principal archaeologist shall be hired by the applicant to oversee this portion of the construction. The principal archaeologist shall retain representatives of Gabrieleno heritage to perform Native American monitoring of all ground disturbance. If multiple tribal groups request to participate in monitoring, a rotation shall be established and the archaeologist shall be responsible to ensure work is distributed as equitably as possible. If prehistoric cultural resources are recovered, all tribal groups participating in the monitoring shall have input in regard to the treatment and all materials will be reburied on site at a location deep enough not to be disturbed in the future. Native American monitoring shall cease if bedrock or loose sediments that can be demonstrated to be more than 10,000 years old are encountered.
112. The applicant shall hire an environmental consultant to implement the Mitigation Monitoring and Reporting Program as identified in the subsequent Mitigated Negative Declaration, and shall provide updates about the implementation process to the City of Garden Grove, Community & Economic Development Department until completion of the project.

# The Galleria Mixed-Use Project

## Mitigation Monitoring and Reporting Program

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**March 2018**

# Mitigation Monitoring and Reporting Program

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This document is the Mitigation Monitoring and Reporting Program (MMRP) for The Galleria Mixed-Use Project proposed in the City of Garden Grove. The purpose of the MMRP is to ensure that the required mitigation measures identified in the Initial Study – Mitigated Negative Declaration (IS-MND) are implemented as part of the overall project implementation. In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table summarizes the mitigation measures for each issue area identified in the IS-MND for the proposed project. The table identifies each mitigation measure, the action required for the measure to be implemented, the time at which the monitoring is to occur, the monitoring frequency, and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. These columns will be filled out by the monitoring agency or party and would document monitoring compliance. Where an impact was identified to be less than significant, no mitigation measures were required.

This MMRP will be used by City staff or the City’s consultant to determine compliance with permit conditions. Violations of these conditions may cause the City to revoke the operating permit.

City of Garden Grove  
**The Galleria Mixed-Use Project**

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Initial	Date	Compliance Verification	Comments
<b>NOISE</b>								
<p><b>N-1. Install STC Rated Materials.</b> The provision of forced-air mechanical ventilation, enabling new residents to retain adequate air quality with windows closed, and the installation of residential windows, exterior doors, and exterior wall assemblies would substantially reduce interior noise in habitable rooms. Exterior materials with an STC 30 rating would reduce exterior noise at a 500 Hz frequency by approximately 30 dBA in the interior environment. This STC rating is calculated for specific materials in a laboratory setting by measuring sound transmission loss in 1/3 octave increments between 125 Hz and 4,000 Hz. Although STC 30-rated materials would not perform equally at all frequencies of ambient noise, they would reduce overall exterior noise by approximately 30 dBA. The resulting interior noise level would be 44 dBA CNEL (74 dBA CNEL minus 30 dBA) and would meet the City's interior noise standard of 45 dBA CNEL.</p>	<p>Review and verify that STC 30-rated materials have been included in final design plans; field verify that STC 30 materials are adequately installed.</p>	<p>Review and verification prior to building permit issuance; field verification prior to final occupancy.</p>	<p>Review and verification once prior to building permit issuance; field verification once prior to final occupancy.</p>	<p>City of Garden Grove                      Planning and Building Services                      Divisions</p>				
<p><b>N-2. Construction Equipment Staging.</b> The following measures shall be followed during construction of the mixed-use residential building.</p> <ul style="list-style-type: none"> <li>• <b>Mufflers.</b> During all project site excavation and grading, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.</li> <li>• <b>Stationary Equipment.</b> All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receptors.</li> <li>• <b>Equipment Staging Areas.</b> Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.</li> <li>• <b>Electrically-Powered Tools and Facilities.</b> Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.</li> </ul>	<p>Field verify adherence to all recommended construction equipment measures.</p>	<p>Field verification during construction.</p>	<p>Field verification periodically during construction.</p>	<p>City of Garden Grove                      Building Services                      Division</p>				

Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Initial	Date	Compliance Verification	Comments
<b>TRANSPORTATION</b>								
<b>TR-1 Traffic Signal.</b> A traffic signal shall be installed at the intersection of the proposed project driveway at Garden Grove Boulevard at the northeast corner of the project site prior to building occupancy to reduce potential traffic safety issues for drivers attempting to enter and exit the driveway of the proposed project and the driveway of the proposed Brookhurst Place Residential development on the opposite side of Garden Grove Boulevard.	Review and verify that a traffic signal has been included in the final design plans; field verify that traffic signal is installed.	Review and verification prior to building permit issuance; field verification prior to issuance of occupancy permit.	Review and verification once prior to building permit issuance; field verification once prior to final occupancy.	City of Garden Grove Engineering Division				
<b>TRIBAL CULTURAL RESOURCES</b>								
<b>TCR-1 Native American Monitoring.</b> The principal archaeologist identified by the City shall retain representatives of Gabrieleno heritage to perform Native American monitoring of all ground disturbance. If multiple tribal groups request to participate in monitoring, a rotation shall be established and the archaeologist shall be responsible to ensure work is distributed as equitably as possible. If prehistoric cultural resources are recovered, all tribal groups participating in the monitoring shall have input in regard to treatment and all materials will be reburied on site at a location deep enough not to be disturbed in the future. Native American monitoring shall cease if bedrock or loose sediments that can be demonstrated to be more than 10,000 years old are encountered.	Verify that Native American monitor is obtained; field verify that monitor is on-site during ground disturbance.	Verification prior to grading permit issuance; field verification during ground disturbance.	Verification once prior to grading permit issuance; field verification periodically during ground disturbance.	City of Garden Grove Planning and Building Services Divisions				