

NOTICE OF EXEMPTION

To: _____
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From:
City of Garden Grove
P. O. Box 3070
11222 Acacia Parkway
Garden Grove, CA 92842



X
Orange County Clerk
Recorder Department
Hall of Finance and Records
12 Civic Center Plaza, Room 106
Santa Ana, CA 92701

Project Title: Site Plan No. SP-111-2022 and Tentative Parcel Map No. PM-2021-190

Project Location - Specific: Northeast corner of Garden Grove Blvd. and Brookhurst St. at 10201 and 10231 Garden Grove Blvd.

Project Location - City: Garden Grove Project Location - County: Orange

Description of Project: A request for Site Plan approval to construct a five-story mixed-use development on a 1.86-acre site consisting of two parcels with 9,786 square feet of retail space, 9,270 square feet of medical space, and 52 apartment units with a 22.5% affordable housing density bonus for "very low-income" households. Pursuant to the State Density Bonus law, the applicant is requesting one (1) concession and three (3) waivers from the GGMU-2 (Garden Grove Boulevard Mixed Use 2) zone development standards: (1) a concession to reduce the minimum required private balcony area and dimensions for each unit, (2) a waiver to reduce the minimum active recreation dimensions and to allow the indoor and roof deck recreation areas to contribute to more than 50% of the required open space; (3) a waiver to allow the building to exceed the maximum building height of 50 feet or 4-stories; and (4) a waiver to deviate from the minimum 300 cubic feet of private storage per unit. Also, Tentative Parcel Map approval to consolidate the two (2) existing parcels into a single lot to accommodate the proposed development. The site is in the GGMU-2 (Garden Grove Boulevard Mixed Use 2) zone. The project is exempt from CEQA pursuant to Government Code Section 15332 – In-Fill Development Projects, of the State CEQA Guidelines.

Name of Public Agency Approving Project: Garden Grove Planning Commission
Address: 11222 Acacia Parkway, Garden Grove, CA 92842

Name of Applicant or Agency Carrying Out Project: Michael Dao
Address: 9191 Westminster Boulevard, Garden Grove, CA 92842
Phone: (714)504-2950

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- XX Categorical Exemption. State type and section number: **Section 15332- In-Fill Development Project**
- Statutory Exemptions. State code number:

Reasons why project is exempt: The proposed mixed-use project and related on-site and off-site improvements would not have a significant effect on the environment and would meet all five conditions of a Class 32 categorical exemption per Section 15322 In-Fill Development Projects of the California Environmental Quality Act.

a.) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project site has a General Plan Land Use designation of Residential/Commercial Mixed Use 2, and is zoned GGMU-2 (Garden Grove Mixed Use 2). The Residential/Commercial Mixed Use 2 land use designation is intended to provide a mix of residential and commercial uses. The GGMU-2 zone allows for mixed-use projects. The project calls for the construction of a 5-story mixed-use project for commercial and residential uses with a State affordable housing density bonus. The project does not require any general plan amendment or variances from the applicable zoning designation or regulations. Thus, the proposed project is consistent with the General Plan and applicable zoning.

b.) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site includes two parcels with a total of 1.86-acres located at 10201 and 10231 Garden Grove Boulevard. The project site is bordered by Garden Grove Boulevard and Brookhurst Street. The total gross project site area is 1.86-acres, which is less than less than five acres. The City of Garden Grove is urban and built out, including the project site which is surrounded by other existing commercial and residential uses. The project site is thus substantially surrounded by urban uses.

c.) The project site has no value as habitat for endangered, rare or threatened species.

The project site is located in a highly urbanized area with commercial and residential uses located along Garden Grove Boulevard and Brookhurst Street. The project site has been previously disturbed and developed with commercial uses. The existing structures were demolished and the site is currently vacant and unimproved. No native plants or animal species exist on-site. Therefore, the project site has no value as habitat for endangered, rare or threatened species.

d.) Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality.

Traffic¹:

The purpose of this study is to evaluate traffic impact of the proposed mixed-use development located at 10201 & 10231 Garden Grove Boulevard in the City of Garden Grove. The project site is currently vacant. The proposed mixed-use development includes a new 52-unit apartment, 9,927-square-foot medical offices and 9,004-square foot retail space.

In accordance with Senate Bill (SB) 743 and the new California Environmental Quality Act (CEQA) requirements, "City of Garden Grove Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment, dated May 2020" has identified Vehicle Miles Traveled (VMT) as the preferred metric to assess transportation impacts. The project meets the Low VMT Area Screening and may be presumed to have a less than significant VMT impact. Subject to final determination by City Traffic Engineer, the complete project-level VMT analysis and forecasting through regional model is not required.

The City guidelines further define the applicable general plan consistency requirements related to Level of Service (LOS) for analyzing the potential transportation impacts of proposed development projects. With pass-by consideration, the project is expected to have a NET trip generation of 54 trips in the AM peak hour, including 30 inbound and 24 outbound trips, 77 trips in the PM peak hour, including 35 inbound and 42 outbound trips, and 959 daily trips. The project does not generate any significant impact and mitigation measure is not required.

The project provides two access driveways: one on Garden Grove Boulevard and the other on Brookhurst Street. With the presence of an existing raised median, the driveway on Garden Grove Boulevard is for right-in-right-out only. The driveway on Brookhurst Street currently faces an existing median opening. However, the median opening on Brookhurst Street will be closed off as part of the Brookhurst Triangle Development on the west side of Brookhurst Street. Therefore, the driveway on Brookhurst Street will also become right-in-right-out only. In the event that the Brookhurst Triangle Development has not closed off the southbound left turn at the subject driveway prior to project completion, the project will be required to develop a plan and construct accordingly to restripe and add delineators to prevent left turns in and out from Brookhurst Street.

Both driveways provide normal access to the parking structure for retail, office, and residential uses during business hours. All entrance gates will be closed at night prohibiting non-residential access. The only access point for residents at night times will be through the south gate from Garden Grove Boulevard which is controlled by coded cards and intercom and provided with a turn-around area in front of the gate. The rollup gate at Brookhurst Street will allow sensor-activated exit only. An internally illuminated "No Entry" sign will turn on at night and access from this entrance is prohibited after business hours. In addition, a turn-around area is provided for vehicles inadvertently turning into the driveway on Brookhurst Street. It is necessary that the height of shrubs, planting, and other visual obstructions be limited to a maximum height of thirty inches to maintain sufficient corner sight distance at the driveway.

Stacking distances from the gate to the driveway are approximately 180 feet from Garden Grove Boulevard and 60 feet from Brookhurst Street. Estimated stacking capacities are eight (8) cars from Garden Grove Boulevard and three (3) cars from Brookhurst Street. Both access gates provide adequate stacking distance to effectively avoid excessive queuing backing up onto public streets.

The proposed development does not plan to make any change to the existing public transit, bicycle, or pedestrian facilities. The project does not result in any conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreases the performance or safety of such facilities. The project is not anticipated to have a significant impact to the active transportation and public transit system.

Noise²:

¹ Traffic Impact Study, March 18, 2021, K2 Traffic Engineering, Inc.

A noise and vibration impact analysis was prepared for the proposed project that demonstrated compliance with all City of Garden Grove standards without the inclusion of any supplemental mitigation measures. Noise abatement is incorporated through project design features and compliance with the City Municipal Code and with the California Green Building Code. As a mixed use in-fill development, there are special noise considerations to insure that the mixed uses can operate in harmony without noise conflicts.

Construction activity noise impacts were evaluated at the closest adjacent noise sensitive land uses. It was demonstrated that maximum interior noise levels at the closest homes would be 52 dB. Such a level is not considered to interfere with normal human speech, watching television, reading or other quiet activities. Construction during quiet evening or night hours are prohibited by the city's municipal code. The code also requires that staging areas are located as far as practical from the closest sensitive uses, and that all motor-driven equipment have properly functioning mufflers.

The Municipal Code contains a special provision for mixed use development. The code requires that all tenants be notified that non-residential uses are contained in a residential structure, and all tenants must acknowledge that they were notified of this fact. A mixed use does require that non-residential uses must use proper discretion in any noise generating activities, and any traditionally noisy activities such as entertainment venues, restaurants, etc. must go through a use permit process.

Balconies with arterial views may exceed the city's noise/land use planning standard from traffic noise, but project design insures that the city's minimum open space is noise-shielded for outdoor recreational use

Indoor noise will readily meet state standards as long as residents have the option to close dual-paned windows. The use of dual panes is required to meet the state Green Building Standard. The code requires that any rooms designated for noise protection must be equipped with supplemental ventilation to allow for full window closure. Meeting this requirement is verified at plan check.

Air Quality³

The air quality and GHG (climate change) impact analyses documented compliance with applicable CEQA (California Environmental Quality Act) guidelines promulgated by the South Coast Air Quality Management District (SCAQMD). All project-related emissions, both from construction and operational activities, are calculated to be below their respective significance thresholds without the need for any supplemental mitigation. This assessment was performed using the methodology developed by the SCAQMD and the California Air Resources Board (CARB).

Construction activity emissions were calculated for five phases of potential emissions sources, including demolition, grading, construction, paving and painting. The SCAQMD computer model CalEEMod2016.3.2 was initialized with default equipment fleets and construction duration. The worst-case daily emissions were compared to the SCAQMD CEQA significance thresholds. Daily emissions, when calculated assuming minimum required dust control watering, are seen to all be well below thresholds as follows:

All Activities	ROG	NOx	CO	SO2	PM-10	PM-2.5
Max. Daily	52.4	16.6	15.3	0.0	3.0	1.7
SCAQMD Sign. Threshold	75	100	550	150	150	55

The SCAQMD uses a secondary metric to assess air quality impact significance called the Local Significance Threshold (LST). LST thresholds are substantially more stringent for particulate matter. These thresholds are based upon the baseline air quality monitored around the Garden Grove area. With required dust abatement, project-related construction emissions are below their applicable threshold without the need for supplemental mitigation seen as follows:

Central Orange County	CO	NOx	PM-10	PM-2.5
Maximum Daily	15	16	3	2
LST Threshold	485	81	4	3

Daily operational emissions were similarly compared to SCAQMD operational significance thresholds. Emissions sources included area sources (household paints and cleaners, landscape equipment, etc.), mobile sources and energy consumption. The CalEEMod model predicts the following daily emissions compared to the SCAQMD CEQA thresholds:

Source	ROG	NOx	CO	SO2	PM-10	PM-2.5
Area	1.8	0.8	4.6	0.0	0.1	0.1
Energy	0.0	0.2	0.1	0.0	9.0	0.0

² Noise Impact Analysis, March 21, 2021, Giroux & Associates

³ Air Quality and GHG Impact Analysis, March 21, 2021, Giroux & Associates

Mobile		1.2	4.0	14.9	0.1	5.5	1.5
TOTAL		3.0	5.0	19.6	0.1	5.6	1.6
Threshold		55	55	550	150	150	55

There are no adopted significance thresholds for GHG emissions in Garden Grove. The project scope is too limited, however, to impact climate change on a global scale. GHG emissions impacts are considered to be less than significant.

Water Quality⁴:

A preliminary Water Quality Management Plan (PWQMP) was prepared by Foresight Engineering, Inc. for the proposed project to comply with the requirements of the City of Garden Grove NPDES Stormwater Program. Based on the PWQMP, in the post-development condition, 66% of the impervious surfaces (building and parking areas) are covered by a roof and canopies, which drain via downspouts and underground pipes to the southeast corner of the site.

All other exposed surfaces also drain towards that same SE corner where the Design Capture Volume (DCV) goes into the Stormtech System for water quality and low impact development purposes. Per the geotechnical report, the existing soils are very suitable for infiltration thus the BMPs for this project are the underground Stormtech chambers, which were designed and located to the Maximum Extent Practicable (MEP). Larger storms will overflow via a storm drain PVC pipe that connects to a catch basin within the public street (Garden Grove Blvd).

The covered surfaces under the roof canopy, are not expected to receive any storm water flow but in the event of any water occurrence such as rain overshoot due to windy conditions or concrete surface wash, these covered surfaces will drain via catch basins and underground pipes towards the southeast where the pipe connects to the underground Stormtech Isolator Row at its northerly end cap. Implementation of the proposed project would not result in increased runoff from the project site.

Furthermore, the proposed project would be required to implement best management practices (BMPs) listed in the P-WQMP to maintain water quality control. Therefore, water quality impacts from the implementation of the proposed project would be less than significant.

Lead Agency

Contact Person: Maria Parra Area Code/Telephone/Extension: (714) 741-5312

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? yes no

Signature:  Date: 5-23-22 Title: Planning Manager

____ Signed by Lead Agency

Date received for filing at OPR:

____ Signed by Applicant

⁴ Preliminary-WQMP, September 14, 2021, Foresight Engineering, Inc.